

PLANNING CERTIFICATE  
ISSUED UNDER SECTION  
10.7(2) and 10.7(5)

Our Reference:  
Your Reference:  
Date of Issue:

**PL2024/1377**  
**BGZEE-JP**  
**08/04/2024**

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Infotrack Pty Ltd**  
**Gpo Box 4029**  
**SYDNEY NSW 2000**

Property Number:	<b>21294</b>
Property Address:	<b>10 Munmurra Road RIVERWOOD NSW 2210</b>
Legal Description:	<b>Lot 57 DP 35818</b>

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land Registry Services. Applicants must verify all property and lot information with NSW Land Registry Services or <https://maps.six.nsw.gov.au/>.

The information contained in this certificate relates only to the lot described on page

1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

This certificate is provided pursuant to Section 10.7(2) and 10.7(5) of the Act. At the date of this certificate, the subject land may be affected by the following matters.

## 1. Names of relevant planning instruments and DCPs

*(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:*

The following **environmental planning instruments** apply to the carrying out of development on the land:

### Local Environmental Plans

Georges River Local Environmental Plan 2021

### State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 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 (Primary Production) 2021
- State Environmental Planning Policy (Precincts - Central River City) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Sustainable Buildings) 2022

The following **development control plan** applies to the carrying out of development on the land:

Georges River Development Control Plan 2021

*(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:*

The following **proposed environmental planning instruments** that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

- On 31 March 2021, the Department of Planning, Industry and Environment (DPIE) placed on public exhibition an Explanation of Intended Effect (EIE) for the review of clause 4.6 of the Standard Instrument LEP (Exceptions to development standards) to improve the way this clause operates and provide certainty to councils and industry.

The EIE also seeks feedback on proposed measures to increase transparency, accountability and probity by strengthening council reporting requirements on variation decisions, in line with ICAC recommendations.

The Environmental Planning and Assessment Regulation 2021 will be amended to include the current requirements to fulfill procedural and reporting requirements when development standards are varied, including Council's publishing reasons for granting or refusing a variation request on the NSW Planning Portal.

The EIE was on exhibition from 31 March - 12 May 2021.

- The Department of Planning and Environment placed on public exhibition an **Explanation of Intended Effect (EIE) on proposed amendments to the Housing SEPP**.

The proposed amendments include:

- Increasing floor space bonuses for in-fill affordable housing
- Expanding self-assessment and state significant planning pathways for some forms of social and affordable housing
- Replacing definitions of group homes and hostels and with new definitions, high support accommodation and supported living
- Broadening existing supportive accommodation provisions
- Updating the accessibility and usability standards for seniors independent living units
- Increasing the area within R2 zoned land where boarding houses are permitted in regional areas.

The EIE also discusses proposed improvements to the process for developing affordable housing contribution schemes.

The EIE was on exhibition until 13 January 2023.

- The Department of Planning and Environment placed on public exhibition a Planning Proposal in relation to land at 143 Stoney Creek Road, Beverly Hills. The Planning Proposal amends the Georges River LEP (GRLEP) 2021 to:
  - Rezone the site from part SP2 Infrastructure (Public Administration) and part R2 Low Density Residential to R4 High Density Residential;
  - Include "business premises" and "office premises" as additional permitted uses in Schedule 1;
  - Introduce a maximum floor space ratio (FSR) of 1.4:1; and
  - Introduce a maximum building height of 16m; and
  - Introduce a 1000sqm minimum lot size.

The Planning Proposal documents can be accessed at [www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills](http://www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills)

The Planning Proposal was on exhibition from 27 April to 26 May 2023.

- Council exhibited a Planning Proposal (PP2023/0002) that seeks to make a number of minor and administrative (i.e. 'housekeeping') amendments to the Georges River Local Environmental Plan (GRLEP) 2021. The PP applies to all land covered by the GRLEP 2021 excluding the Hurstville Westfield site.

The objective of the Planning Proposal is to amend the GRLEP 2021 to improve its operation and accuracy by:

- correcting identified anomalies and inconsistencies to existing provisions and maps;
- updating property descriptions; and
- adding a new flood control from the Standard Instrument LEP.

The Planning Proposal was on exhibition from 6 December 2023 to 26 January 2024. Further details and documents can be accessed at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-georges-river-housekeeping-planning-proposal>

The following **draft development control plan** which is or has been the subject of community consultation or on public exhibition under the Act, will apply to the carrying out of development on the land:

- The draft Amendment No. 4 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 17 May to 16 June 2023. The DCP amendment contains built form and design provisions to guide the redevelopment of 143 Stoney Creek Road, Beverly Hills (the subject site), which is subject to a Planning Proposal. The DCP amendment will accompany the site-specific Planning Proposal for the subject site and will be inserted into Part 10 – Precincts as Section 10.4 – 143 Stoney Creek Road, Beverly Hills of GRDCP 2021. Amendment No. 4 will become effective when the LEP is gazetted. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-amendment-no-4-to-georges-river-development-control-plan-2021-143-stoney-creek-road-beverly-hills>
- The draft Amendment No. 6 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 31 January 2024 – 1 March 2024. This amendment has been prepared to support the draft revised Tree Management Policy and seeks to address existing shortfalls in relation to tree management as well as to rectify some housekeeping issues comprising of unintended omissions and numerical errors. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/draft-revised-tmp>

*(3) Subsection (2) 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:

(4) In this section—  
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 LEPs**

*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, whether by reference to—*
  - (i) *a name, such as “Residential Zone” or “Heritage Area”, or*
  - (ii) *a number, such as “Zone No 2 (a)”,*
- (b) *the purposes for which development in the zone—*
  - (i) *may be carried out without development consent, and*
  - (ii) *may not be carried out except with development consent, and*
  - (iii) *is prohibited,*

### **Zone R2 Low Density Residential under Georges River Local Environmental Plan 2021**

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

Home occupations.

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

Bed and breakfast accommodation; Boat sheds; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Group homes; Health services facilities; Home businesses; Home industries; Jetties; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads, Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture.

#### **4 Prohibited**

Any development not specified in item 2 or 3.

*(c) whether any additional permitted uses apply to the land, Schedule 1 additional permitted uses apply to the land.*

**Clause 2.5 of the Georges River Local Environmental Plan 2021** does not apply to the land.

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

There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house under the Georges River Local Environmental Plan 2021

*(e) whether the land is in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016*

The land is not in an area of outstanding biodiversity under the Biodiversity Conservation Act 2016

*(f) whether the land is in a conservation area, however described,*

The land is not located within a conservation area under the provisions of the Georges River Local Environmental Plan 2021.

*(g) whether an item of environmental heritage, however described, is located on the land.*

The land does not contain a heritage item under the provisions of Georges River Local Environmental Plan 2021.

### **3. Contributions plans**

*(1) The name of each contribution plan under the Act, Division 7.1 applying to the land, including any draft contributions plan.*

Georges River Council Local Infrastructure Contributions Plan 2021 - Section 7.11 and Section 7.12

**Note:** Georges River Council at its meeting on 25 October 2021 resolved to adopt the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12).

The Plan came into force on Wednesday 1 December 2021 and repealed Council's previous six Section 7.11 Plans and one Section 7.12 Plan on this date.

The Plan applies to land in the Georges River Local Government Area and has been prepared to address anticipated demand for public facilities and services generated by new development up to 2036.

The Plan will enable Council and accredited certifiers to levy Section 7.11 contributions and Section 7.12 levies on development in the LGA towards the provision of public amenities and facilities.

More information is available on Council's website at:

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Development-Contributions-and-Planning-Agreements/Local-Infrastructure-Contributions-Plan-2021-Secti>

*(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.*

The land is not in a special contributions area under the Act, Division 7.1

**Note:** The subject land is within Greater Sydney to which the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 applies.

The Housing and Productivity Contribution (HPC) is in addition to the Section 7.11/Section 7.12 contributions. Further information on HPC is available on the NSW Department of Planning and Environment website at:

<https://www.planning.nsw.gov.au/policy-and-legislation/infrastructure/infrastructure-funding/improving-the-infrastructure-contributions-system>

#### 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.*

*(2) If complying development may not be carried out on the land because of one of those clauses, the reasons why it may not be carried out under the clause.*

*(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.*

*(4). If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land*

#### Housing Code



Complying development under the Housing Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Rural Housing Code**

Complying development under the Rural Housing Code does not apply as the land is not zoned RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU4 Primary Production Small Lots, RU6 Transition and R5 Large Lot Residential.

### **Low Rise Housing Diversity Code**

Complying development under the Low Rise Housing Diversity Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Inland Code**

Complying development under the Inland Code does not apply to Georges River Council Local Government Area.

### **Greenfield Housing Code**

Complying development under the Greenfield Housing Code does not apply to Georges River Council Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Industrial and Business Alterations Code**

Complying development under the Industrial and Business Alterations Code may be carried out on the land.

### **Industrial and Business Buildings Code**

Complying development under the Industrial and Business Buildings Code may be carried out on the land.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land.

### **Subdivision Code**

Complying development under the Subdivisions Code may be carried out on the land.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land.

### **Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land.

### **Agritourism and Farm Stay Accommodation Code**

Complying development under the **Agritourism and Farm Stay Accommodation Code** does not apply to Georges River Council Local Government Area.

**Disclaimer:** The information above addresses matters raised in Clause 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. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

**NOTE:** Council does not have sufficient information to ascertain the extent to which complying development under the Codes may be carried out on the land. A restriction to carrying out complying development applies to the land, but may not apply to all of the land.

**NOTE:** The complying development codes have not been varied under clause 1.12 of the SEPP in relation to the land.

## **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 the 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 one of those clauses, the reasons why it may not be carried out under the clause*

*(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 exempt development may or may not be carried out on the land.*

*(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.*

### **General Exempt Development Code**

Exempt development under the General Exempt Development Code **may** be carried out on the land.

### **Advertising and Signage Exempt Development Code**

Exempt development under the Advertising and Signage Exempt Development Code may be carried out on the land.

### **Temporary Uses and Structures Exempt Development Code**

Exempt development under the Temporary Uses and Structures Exempt Development Code may be carried out on the land.

**Disclaimer:** The information above addresses matters raised in clause 1.16(1)(b1)–(d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that the work is not exempt under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**NOTE:** Council does not have sufficient information to ascertain the extent to which exempt development under the Codes may be carried out on the land. A restriction to carrying out exempt development applies to the land, but may not apply to all of the land.

## **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 Council is not aware of any affected building notice in force in respect of the land.*

Council is not aware of any affected building notice in force in respect of the land

*(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or*

Council is not aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

*(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.*

Council is not aware of any notice of intention to make a building product rectification order that has been given in respect of the land and is outstanding.

(2) In this clause:

**affected building notice** has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

**building product rectification order** has the same meaning as in the Building Products (Safety) Act 2017.

## 7. Land reserved for acquisition

*Whether an environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by an authority of the State, as referred to in the Act, section 3.15?*

No 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.

## 8. Road widening and road realignment

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

*(a) the Roads Act 1993, Part 3, Division 2?*

The land is not affected by road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

*(b) any environmental planning instrument?*

The land is not affected by any road widening or road realignment under the provisions of any environmental planning instrument.

*(c) any resolution of the Council?*

The land is not affected by any road widening or road realignment under any resolution of the Council.

## 9. Flood related development controls

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

No. The land or part of the land is not within the flood planning area and therefore not 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. The land or part of the land is not between the flood planning area and the probable maximum flood extents and therefore not subject to flood related development controls.

*(3) In this clause—*

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

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

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

**Note 1:** The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

## **10. Council and other public authority policies on hazard risk restrictions**

*(1) Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding?*

**Airspace operations** - The objective of this clause is to protect airspace around airports. (Refer Clause 6.7 of the Georges River Local Environmental Plan 2021).

*(2) In this clause—*

*adopted policy means a policy adopted—*

*(a) by the council, or*

*(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.*

## **11. Bush fire prone land**

*(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or 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.*

The Land is not shown to be bushfire prone land in Council records.

## **12.Loose-fill asbestos insulation**

*If the land includes residential premises, within the meaning of the Home Building Act 1989, Part 8, Division 1A, that are listed on the Register kept under that Division, a statement to that effect.*

The land to which this certificate relates has not been identified in the Register as containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## **13.Mine subsidence**

*Whether the land is declared to be a mine subsidence district, within the meaning of the Coal Mine Subsidence Compensation Act 2017?*

The land is not in an area proclaimed to be a mine subsidence district within the meaning of Coal Mine Subsidence Compensation Act 2017.

## **14.Paper subdivision information**

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

There is no development plan adopted by a relevant authority that applies to the land or is proposed to be subject to a ballot.

*(2) The date of any subdivision order that applies to the land.*

There is no subdivision order applying to the land.

*(3) Words and expressions used in this clause have the same meaning as they have in Regulation, Part 10 and the Act, Schedule 7.*

## **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.*

Council has not been notified of the existence of a property vegetation plan by the person or body that approved the plan under the Native Vegetation Act 2003.

## **16.Biodiversity stewardship sites**

*If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the Biodiversity Conservation Act 2016, Part 5, a statement to that effect but only if the council has been notified of the existence of the agreement by the Biodiversity Conservation Trust.*

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

Council has not 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.

## **17.Biodiversity certified land**

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

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

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **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 Council has been notified of the order.*

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

Council has not verified whether any order has been made of which it has not been notified. The applicant should make its own enquiries in this regard if this is a matter of concern.

## **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.*

*(2) In this clause— existing coastal protection works has the same meaning as in the Local Government Act 1993, section 553B.*

**Note—** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1.1.2011.

No, according to Council's records the owner (or previous owner) of the land has not consented in writing to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services relating to existing coastal protection works.

## **20. Western Sydney Aerotropolis**

*Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 —*

- (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.*

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 does not affect the Georges River Local Government Area.

## **21. 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, clause 88(2).*

No terms of a kind referred to in Clause 88(2) of State Environmental Planning Policy (Housing) 2021, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

## **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.*

*(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, clause 21(1) or 40(1).*

*(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).*

*(4) In this section—*

*former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.*

- (1) Council is not aware of any current site compatibility certificate (Affordable Rental Housing), in respect of proposed development on the land.
- (2) No conditions of a development consent in relation to the land that are of a kind referred to in clause 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land.
- (3) No terms of a kind referred to in Clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land.

### **Any Other Prescribed Matter**

**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:

*(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?*

The land has not been identified as significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(b) that the land which the certificate is the 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?*

The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment

Protection Authority).

*(c) that the land which the certificate relates is subject of an approved voluntary management proposal within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued?*

The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(d) that the land 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?*

The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(e) that the land which the certificate relates is 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?*

Council has not been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for this land.

#### **NOTE**

This information is provided pursuant to section 10.7 (2) of the Environmental Planning and Assessment (EPA) Act 1997 as prescribed by Schedule 2 of the EPA Regulations 2021 and is applicable as of the date of this certificate.

#### **Additional matters pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1997* is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) of the Act:

- Vicinity of a Heritage Item or Heritage Conservation Area
- State Heritage Item
- Stormwater drain
- Planning agreements
- Council studies, policies and plans

**Note: Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.**

Meryl Bishop  
**Director Environment and Planning**

### **Additional Information Pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1979*, is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) and 10.7(6) of the Act:

Adjacent to a Heritage Item or Heritage Conservation Area

State Heritage Item

Stormwater drain

Planning agreements

Council studies, policies and plans

As requested by you, the following additional information is provided pursuant to Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*.

#### **1. Adjacent to a heritage item or heritage conservation area**

*Is the land within the vicinity of a heritage item or heritage conservation area?*

The land is shown in Council's records as not being adjacent to a heritage item or heritage conservation area. However, the subject land may be contained within a Heritage Conservation Area or listed as a Heritage Item. Please refer to Questions 2(f) and 2(g) in Part 2 of the Planning Certificate for confirmation or otherwise.

#### **2. State Heritage Item**

*Does the land contain a State heritage item under the Heritage Act 1977?*

The land does not contain a State Heritage item under the *Heritage Act 1977*.

#### **3. Stormwater Drain**

*Is the land affected by a stormwater drain?*

Council's Asset register indicates that the land is not affected by a Council stormwater drain. However an exhaustive search of all Council records, including archival records, has not been undertaken. You are advised that further investigations, at the owner's expense, may be necessary to confirm the presence of any underground stormwater drain.

#### **4. Planning agreements**

*Is the land affected by a Planning Agreement?*

The land is not subject to a Planning Agreement, which is a voluntary agreement providing for a public purpose through a monetary contribution or provision of works and pursuant to s7.4 to s7.10 of the *Environmental Planning and Assessment Act 1979*.

## 5. Georges River Council Studies, Policies and Plans

*Are there any studies, policies or plans or drafts (which have been placed on public exhibition) which affect the land?*

The studies, policies or plans which affect the land are available on the following pages:

- Council's Codes, policies and registers:  
<https://www.georgesriver.nsw.gov.au/Council/Governance/Codes-Policies-and-Registers>;
- Council's Planning Strategies and Studies:  
<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies>

The draft studies, policies or plans (which have been placed on public exhibition) that affect the land are available at <https://yoursay.georgesriver.nsw.gov.au/>.

## 6. Any Other Matters

### Moomba to Sydney Ethane (MSE) Pipeline

The property is within the Notification Zone of the Moomba to Sydney Ethane (MSE) Pipeline that runs through the northern portion of the Georges River Local Government Area. Development Applications, planning proposals and rezoning of land received by Council for land within the Notification Zone will be referred to APA Group for consideration and comment.

Development Applications that APA should be notified of within the Notification Zone are as follows:

- Child care centres
- Detention facility
- Educational facility
- Function facility
- Health care services
- Hospital
- Hotel
- Place of worship
- Residential care facility
- Retirement facility
- Service station
- Shop
- Shopping centre
- Theatre

For more information please contact APA Group via email at [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au).

**Note:** Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter

affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

Meryl Bishop  
**Director - Environment and Planning**

PLANNING CERTIFICATE  
ISSUED UNDER SECTION  
10.7(2) and 10.7(5)

Our Reference:  
Your Reference:  
Date of Issue:

**PL2024/1376**  
**BGZEE-JP**  
**08/04/2024**

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Infotrack Pty Ltd**  
**Gpo Box 4029**  
**SYDNEY NSW 2000**

Property Number:	<b>21298</b>
Property Address:	<b>12 Munmurra Road RIVERWOOD NSW 2210</b>
Legal Description:	<b>Lot 58 DP 35818</b>

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land Registry Services. Applicants must verify all property and lot information with NSW Land Registry Services or <https://maps.six.nsw.gov.au/>.

The information contained in this certificate relates only to the lot described on page



1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

This certificate is provided pursuant to Section 10.7(2) and 10.7(5) of the Act. At the date of this certificate, the subject land may be affected by the following matters.

## 1. Names of relevant planning instruments and DCPs

*(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:*

The following **environmental planning instruments** apply to the carrying out of development on the land:

### Local Environmental Plans

Georges River Local Environmental Plan 2021

### State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 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 (Primary Production) 2021
- State Environmental Planning Policy (Precincts - Central River City) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Sustainable Buildings) 2022

The following **development control plan** applies to the carrying out of development on the land:

Georges River Development Control Plan 2021

*(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:*

The following **proposed environmental planning instruments** that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

- On 31 March 2021, the Department of Planning, Industry and Environment (DPIE) placed on public exhibition an Explanation of Intended Effect (EIE) for the review of clause 4.6 of the Standard Instrument LEP (Exceptions to development standards) to improve the way this clause operates and provide certainty to councils and industry.

The EIE also seeks feedback on proposed measures to increase transparency, accountability and probity by strengthening council reporting requirements on variation decisions, in line with ICAC recommendations.

The Environmental Planning and Assessment Regulation 2021 will be amended to include the current requirements to fulfill procedural and reporting requirements when development standards are varied, including Council's publishing reasons for granting or refusing a variation request on the NSW Planning Portal.

The EIE was on exhibition from 31 March - 12 May 2021.

- The Department of Planning and Environment placed on public exhibition an **Explanation of Intended Effect (EIE) on proposed amendments to the Housing SEPP**.

The proposed amendments include:

- Increasing floor space bonuses for in-fill affordable housing
- Expanding self-assessment and state significant planning pathways for some forms of social and affordable housing
- Replacing definitions of group homes and hostels and with new definitions, high support accommodation and supported living
- Broadening existing supportive accommodation provisions
- Updating the accessibility and usability standards for seniors independent living units
- Increasing the area within R2 zoned land where boarding houses are permitted in regional areas.

The EIE also discusses proposed improvements to the process for developing affordable housing contribution schemes.

The EIE was on exhibition until 13 January 2023.

- The Department of Planning and Environment placed on public exhibition a Planning Proposal in relation to land at 143 Stoney Creek Road, Beverly Hills. The Planning Proposal amends the Georges River LEP (GRLEP) 2021 to:
  - Rezone the site from part SP2 Infrastructure (Public Administration) and part R2 Low Density Residential to R4 High Density Residential;
  - Include "business premises" and "office premises" as additional permitted uses in Schedule 1;
  - Introduce a maximum floor space ratio (FSR) of 1.4:1; and
  - Introduce a maximum building height of 16m; and
  - Introduce a 1000sqm minimum lot size.

The Planning Proposal documents can be accessed at [www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills](http://www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills)

The Planning Proposal was on exhibition from 27 April to 26 May 2023.

- Council exhibited a Planning Proposal (PP2023/0002) that seeks to make a number of minor and administrative (i.e. 'housekeeping') amendments to the Georges River Local Environmental Plan (GRLEP) 2021. The PP applies to all land covered by the GRLEP 2021 excluding the Hurstville Westfield site.

The objective of the Planning Proposal is to amend the GRLEP 2021 to improve its operation and accuracy by:

- correcting identified anomalies and inconsistencies to existing provisions and maps;
- updating property descriptions; and
- adding a new flood control from the Standard Instrument LEP.

The Planning Proposal was on exhibition from 6 December 2023 to 26 January 2024. Further details and documents can be accessed at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-georges-river-housekeeping-planning-proposal>

The following **draft development control plan** which is or has been the subject of community consultation or on public exhibition under the Act, will apply to the carrying out of development on the land:

- The draft Amendment No. 4 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 17 May to 16 June 2023. The DCP amendment contains built form and design provisions to guide the redevelopment of 143 Stoney Creek Road, Beverly Hills (the subject site), which is subject to a Planning Proposal. The DCP amendment will accompany the site-specific Planning Proposal for the subject site and will be inserted into Part 10 – Precincts as Section 10.4 – 143 Stoney Creek Road, Beverly Hills of GRDCP 2021. Amendment No. 4 will become effective when the LEP is gazetted. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-amendment-no-4-to-georges-river-development-control-plan-2021-143-stoney-creek-road-beverly-hills>
- The draft Amendment No. 6 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 31 January 2024 – 1 March 2024. This amendment has been prepared to support the draft revised Tree Management Policy and seeks to address existing shortfalls in relation to tree management as well as to rectify some housekeeping issues comprising of unintended omissions and numerical errors. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/draft-revised-tmp>

*(3) Subsection (2) 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:

(4) In this section—  
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 LEPs**

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, whether by reference to—
  - (i) a name, such as “Residential Zone” or “Heritage Area”, or
  - (ii) a number, such as “Zone No 2 (a)”,
- (b) the purposes for which development in the zone—
  - (i) may be carried out without development consent, and
  - (ii) may not be carried out except with development consent, and
  - (iii) is prohibited,

### **Zone R2 Low Density Residential under Georges River Local Environmental Plan 2021**

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

Home occupations.

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

Bed and breakfast accommodation; Boat sheds; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Group homes; Health services facilities; Home businesses; Home industries; Jetties; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads, Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture.

#### **4 Prohibited**

Any development not specified in item 2 or 3.

*(c) whether any additional permitted uses apply to the land, Schedule 1 additional permitted uses apply to the land.*

**Clause 2.5 of the Georges River Local Environmental Plan 2021** does not apply to the land.

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

There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house under the Georges River Local Environmental Plan 2021

*(e) whether the land is in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016*

The land is not in an area of outstanding biodiversity under the Biodiversity Conservation Act 2016

*(f) whether the land is in a conservation area, however described,*

The land is not located within a conservation area under the provisions of the Georges River Local Environmental Plan 2021.

*(g) whether an item of environmental heritage, however described, is located on the land.*

The land does not contain a heritage item under the provisions of Georges River Local Environmental Plan 2021.

### **3. Contributions plans**

*(1) The name of each contribution plan under the Act, Division 7.1 applying to the land, including any draft contributions plan.*

Georges River Council Local Infrastructure Contributions Plan 2021 - Section 7.11 and Section 7.12

**Note:** Georges River Council at its meeting on 25 October 2021 resolved to adopt the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12).

The Plan came into force on Wednesday 1 December 2021 and repealed Council's previous six Section 7.11 Plans and one Section 7.12 Plan on this date.

The Plan applies to land in the Georges River Local Government Area and has been prepared to address anticipated demand for public facilities and services generated by new development up to 2036.

The Plan will enable Council and accredited certifiers to levy Section 7.11 contributions and Section 7.12 levies on development in the LGA towards the provision of public amenities and facilities.

More information is available on Council's website at:

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Development-Contributions-and-Planning-Agreements/Local-Infrastructure-Contributions-Plan-2021-Secti>

*(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.*

The land is not in a special contributions area under the Act, Division 7.1

**Note:** The subject land is within Greater Sydney to which the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 applies.

The Housing and Productivity Contribution (HPC) is in addition to the Section 7.11/Section 7.12 contributions. Further information on HPC is available on the NSW Department of Planning and Environment website at:

<https://www.planning.nsw.gov.au/policy-and-legislation/infrastructure/infrastructure-funding/improving-the-infrastructure-contributions-system>

#### 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.*

*(2) If complying development may not be carried out on the land because of one of those clauses, the reasons why it may not be carried out under the clause.*

*(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.*

*(4). If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land*

#### Housing Code

Complying development under the Housing Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Rural Housing Code**

Complying development under the Rural Housing Code does not apply as the land is not zoned RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU4 Primary Production Small Lots, RU6 Transition and R5 Large Lot Residential.

### **Low Rise Housing Diversity Code**

Complying development under the Low Rise Housing Diversity Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Inland Code**

Complying development under the Inland Code does not apply to Georges River Council Local Government Area.

### **Greenfield Housing Code**

Complying development under the Greenfield Housing Code does not apply to Georges River Council Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.



Please check the ANEF contour the land is located within.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Industrial and Business Alterations Code**

Complying development under the Industrial and Business Alterations Code may be carried out on the land.

### **Industrial and Business Buildings Code**

Complying development under the Industrial and Business Buildings Code may be carried out on the land.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land.

### **Subdivision Code**

Complying development under the Subdivisions Code may be carried out on the land.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land.

### **Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land.

### **Agritourism and Farm Stay Accommodation Code**

Complying development under the **Agritourism and Farm Stay Accommodation Code** does not apply to Georges River Council Local Government Area.

**Disclaimer:** The information above addresses matters raised in Clause 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. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

**NOTE:** Council does not have sufficient information to ascertain the extent to which complying development under the Codes may be carried out on the land. A restriction to carrying out complying development applies to the land, but may not apply to all of the land.

**NOTE:** The complying development codes have not been varied under clause 1.12 of the SEPP in relation to the land.

## **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 the 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 one of those clauses, the reasons why it may not be carried out under the clause*

*(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 exempt development may or may not be carried out on the land.*

*(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.*

### **General Exempt Development Code**

Exempt development under the General Exempt Development Code **may** be carried out on the land.

### **Advertising and Signage Exempt Development Code**

Exempt development under the Advertising and Signage Exempt Development Code may be carried out on the land.

### **Temporary Uses and Structures Exempt Development Code**

Exempt development under the Temporary Uses and Structures Exempt Development Code may be carried out on the land.

**Disclaimer:** The information above addresses matters raised in clause 1.16(1)(b1)–(d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that the work is not exempt under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**NOTE:** Council does not have sufficient information to ascertain the extent to which exempt development under the Codes may be carried out on the land. A restriction to carrying out exempt development applies to the land, but may not apply to all of the land.

## **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 Council is not aware of any affected building notice in force in respect of the land.*

Council is not aware of any affected building notice in force in respect of the land

*(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or*

Council is not aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

*(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.*

Council is not aware of any notice of intention to make a building product rectification order that has been given in respect of the land and is outstanding.

(2) In this clause:

**affected building notice** has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

**building product rectification order** has the same meaning as in the Building Products (Safety) Act 2017.

## 7. Land reserved for acquisition

*Whether an environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by an authority of the State, as referred to in the Act, section 3.15?*

No 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.

## 8. Road widening and road realignment

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

*(a) the Roads Act 1993, Part 3, Division 2?*

The land is not affected by road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

*(b) any environmental planning instrument?*

The land is not affected by any road widening or road realignment under the provisions of any environmental planning instrument.

*(c) any resolution of the Council?*

The land is not affected by any road widening or road realignment under any resolution of the Council.

## 9. Flood related development controls

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

No. The land or part of the land is not within the flood planning area and therefore not 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. The land or part of the land is not between the flood planning area and the probable maximum flood extents and therefore not subject to flood related development controls.

*(3) In this clause—*

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

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

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

**Note 1:** The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

## **10. Council and other public authority policies on hazard risk restrictions**

*(1) Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding?*

**Airspace operations** - The objective of this clause is to protect airspace around airports. (Refer Clause 6.7 of the Georges River Local Environmental Plan 2021).

*(2) In this clause—*

*adopted policy means a policy adopted—*

*(a) by the council, or*

*(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.*

## **11. Bush fire prone land**

*(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or 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.*

The Land is not shown to be bushfire prone land in Council records.

## **12.Loose-fill asbestos insulation**

*If the land includes residential premises, within the meaning of the Home Building Act 1989, Part 8, Division 1A, that are listed on the Register kept under that Division, a statement to that effect.*

The land to which this certificate relates has not been identified in the Register as containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## **13.Mine subsidence**

*Whether the land is declared to be a mine subsidence district, within the meaning of the Coal Mine Subsidence Compensation Act 2017?*

The land is not in an area proclaimed to be a mine subsidence district within the meaning of Coal Mine Subsidence Compensation Act 2017.

## **14.Paper subdivision information**

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

There is no development plan adopted by a relevant authority that applies to the land or is proposed to be subject to a ballot.

*(2) The date of any subdivision order that applies to the land.*

There is no subdivision order applying to the land.

*(3) Words and expressions used in this clause have the same meaning as they have in Regulation, Part 10 and the Act, Schedule 7.*

## **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.*

Council has not been notified of the existence of a property vegetation plan by the person or body that approved the plan under the Native Vegetation Act 2003.

## **16.Biodiversity stewardship sites**

*If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the Biodiversity Conservation Act 2016, Part 5, a statement to that effect but only if the council has been notified of the existence of the agreement by the Biodiversity Conservation Trust.*

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

Council has not 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.

## **17.Biodiversity certified land**

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

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

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **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 Council has been notified of the order.*

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

Council has not verified whether any order has been made of which it has not been notified. The applicant should make its own enquiries in this regard if this is a matter of concern.

## **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.*

*(2) In this clause— existing coastal protection works has the same meaning as in the Local Government Act 1993, section 553B.*

**Note—** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1.1.2011.

No, according to Council's records the owner (or previous owner) of the land has not consented in writing to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services relating to existing coastal protection works.

## **20. Western Sydney Aerotropolis**

*Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 —*

- (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.*

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 does not affect the Georges River Local Government Area.

## **21. 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, clause 88(2).*

No terms of a kind referred to in Clause 88(2) of State Environmental Planning Policy (Housing) 2021, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

## **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.*

*(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, clause 21(1) or 40(1).*

*(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).*

*(4) In this section—*

*former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.*

- (1) Council is not aware of any current site compatibility certificate (Affordable Rental Housing), in respect of proposed development on the land.
- (2) No conditions of a development consent in relation to the land that are of a kind referred to in clause 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land.
- (3) No terms of a kind referred to in Clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land.

### **Any Other Prescribed Matter**

**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:

*(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?*

The land has not been identified as significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(b) that the land which the certificate is the 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?*

The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment

Protection Authority).

*(c) that the land which the certificate relates is subject of an approved voluntary management proposal within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued?*

The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(d) that the land 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?*

The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(e) that the land which the certificate relates is 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?*

Council has not been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for this land.

#### **NOTE**

This information is provided pursuant to section 10.7 (2) of the Environmental Planning and Assessment (EPA) Act 1997 as prescribed by Schedule 2 of the EPA Regulations 2021 and is applicable as of the date of this certificate.

#### **Additional matters pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1997* is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) of the Act:

- Vicinity of a Heritage Item or Heritage Conservation Area
- State Heritage Item
- Stormwater drain
- Planning agreements
- Council studies, policies and plans

**Note: Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.**

Meryl Bishop  
**Director Environment and Planning**

### **Additional Information Pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1979*, is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) and 10.7(6) of the Act:

Adjacent to a Heritage Item or Heritage Conservation Area

State Heritage Item

Stormwater drain

Planning agreements

Council studies, policies and plans

As requested by you, the following additional information is provided pursuant to Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*.

#### **1. Adjacent to a heritage item or heritage conservation area**

*Is the land within the vicinity of a heritage item or heritage conservation area?*

The land is shown in Council's records as not being adjacent to a heritage item or heritage conservation area. However, the subject land may be contained within a Heritage Conservation Area or listed as a Heritage Item. Please refer to Questions 2(f) and 2(g) in Part 2 of the Planning Certificate for confirmation or otherwise.

#### **2. State Heritage Item**

*Does the land contain a State heritage item under the Heritage Act 1977?*

The land does not contain a State Heritage item under the *Heritage Act 1977*.

#### **3. Stormwater Drain**

*Is the land affected by a stormwater drain?*

Council's Asset register indicates that the land is not affected by a Council stormwater drain. However an exhaustive search of all Council records, including archival records, has not been undertaken. You are advised that further investigations, at the owner's expense, may be necessary to confirm the presence of any underground stormwater drain.

#### **4. Planning agreements**

*Is the land affected by a Planning Agreement?*

The land is not subject to a Planning Agreement, which is a voluntary agreement providing for a public purpose through a monetary contribution or provision of works and pursuant to s7.4 to s7.10 of the *Environmental Planning and Assessment Act 1979*.

## 5. Georges River Council Studies, Policies and Plans

*Are there any studies, policies or plans or drafts (which have been placed on public exhibition) which affect the land?*

The studies, policies or plans which affect the land are available on the following pages:

- Council's Codes, policies and registers:  
<https://www.georgesriver.nsw.gov.au/Council/Governance/Codes-Policies-and-Registers>;
- Council's Planning Strategies and Studies:  
<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies>

The draft studies, policies or plans (which have been placed on public exhibition) that affect the land are available at <https://yoursay.georgesriver.nsw.gov.au/>.

## 6. Any Other Matters

### Moomba to Sydney Ethane (MSE) Pipeline

The property is within the Notification Zone of the Moomba to Sydney Ethane (MSE) Pipeline that runs through the northern portion of the Georges River Local Government Area. Development Applications, planning proposals and rezoning of land received by Council for land within the Notification Zone will be referred to APA Group for consideration and comment.

Development Applications that APA should be notified of within the Notification Zone are as follows:

- Child care centres
- Detention facility
- Educational facility
- Function facility
- Health care services
- Hospital
- Hotel
- Place of worship
- Residential care facility
- Retirement facility
- Service station
- Shop
- Shopping centre
- Theatre

For more information please contact APA Group via email at [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au).

**Note:** Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter

affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

Meryl Bishop  
**Director - Environment and Planning**

PLANNING CERTIFICATE  
ISSUED UNDER SECTION  
10.7(2) and 10.7(5)

Our Reference:  
Your Reference:  
Date of Issue:

**PL2024/1375**  
**BGZEE-JP**  
**08/04/2024**

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Infotrack Pty Ltd**  
**Gpo Box 4029**  
**SYDNEY NSW 2000**

Property Number:	<b>21302</b>
Property Address:	<b>14 Munmurra Road RIVERWOOD NSW 2210</b>
Legal Description:	<b>Lot 59 DP 35818</b>

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land Registry Services. Applicants must verify all property and lot information with NSW Land Registry Services or <https://maps.six.nsw.gov.au/>.

The information contained in this certificate relates only to the lot described on page

1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

This certificate is provided pursuant to Section 10.7(2) and 10.7(5) of the Act. At the date of this certificate, the subject land may be affected by the following matters.



## 1. Names of relevant planning instruments and DCPs

*(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:*

The following **environmental planning instruments** apply to the carrying out of development on the land:

### Local Environmental Plans

Georges River Local Environmental Plan 2021

### State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 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 (Primary Production) 2021
- State Environmental Planning Policy (Precincts - Central River City) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Sustainable Buildings) 2022

The following **development control plan** applies to the carrying out of development on the land:

Georges River Development Control Plan 2021

*(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:*

The following **proposed environmental planning instruments** that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

- On 31 March 2021, the Department of Planning, Industry and Environment (DPIE) placed on public exhibition an Explanation of Intended Effect (EIE) for the review of clause 4.6 of the Standard Instrument LEP (Exceptions to development standards) to improve the way this clause operates and provide certainty to councils and industry.

The EIE also seeks feedback on proposed measures to increase transparency, accountability and probity by strengthening council reporting requirements on variation decisions, in line with ICAC recommendations.

The Environmental Planning and Assessment Regulation 2021 will be amended to include the current requirements to fulfill procedural and reporting requirements when development standards are varied, including Council's publishing reasons for granting or refusing a variation request on the NSW Planning Portal.

The EIE was on exhibition from 31 March - 12 May 2021.

- The Department of Planning and Environment placed on public exhibition an **Explanation of Intended Effect (EIE) on proposed amendments to the Housing SEPP**.

The proposed amendments include:

- Increasing floor space bonuses for in-fill affordable housing
- Expanding self-assessment and state significant planning pathways for some forms of social and affordable housing
- Replacing definitions of group homes and hostels and with new definitions, high support accommodation and supported living
- Broadening existing supportive accommodation provisions
- Updating the accessibility and usability standards for seniors independent living units
- Increasing the area within R2 zoned land where boarding houses are permitted in regional areas.

The EIE also discusses proposed improvements to the process for developing affordable housing contribution schemes.

The EIE was on exhibition until 13 January 2023.

- The Department of Planning and Environment placed on public exhibition a Planning Proposal in relation to land at 143 Stoney Creek Road, Beverly Hills. The Planning Proposal amends the Georges River LEP (GRLEP) 2021 to:
  - Rezone the site from part SP2 Infrastructure (Public Administration) and part R2 Low Density Residential to R4 High Density Residential;
  - Include "business premises" and "office premises" as additional permitted uses in Schedule 1;
  - Introduce a maximum floor space ratio (FSR) of 1.4:1; and
  - Introduce a maximum building height of 16m; and
  - Introduce a 1000sqm minimum lot size.

The Planning Proposal documents can be accessed at [www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills](http://www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills)

The Planning Proposal was on exhibition from 27 April to 26 May 2023.

- Council exhibited a Planning Proposal (PP2023/0002) that seeks to make a number of minor and administrative (i.e. 'housekeeping') amendments to the Georges River Local Environmental Plan (GRLEP) 2021. The PP applies to all land covered by the GRLEP 2021 excluding the Hurstville Westfield site.

The objective of the Planning Proposal is to amend the GRLEP 2021 to improve its operation and accuracy by:

- correcting identified anomalies and inconsistencies to existing provisions and maps;
- updating property descriptions; and
- adding a new flood control from the Standard Instrument LEP.

The Planning Proposal was on exhibition from 6 December 2023 to 26 January 2024. Further details and documents can be accessed at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-georges-river-housekeeping-planning-proposal>

The following **draft development control plan** which is or has been the subject of community consultation or on public exhibition under the Act, will apply to the carrying out of development on the land:

- The draft Amendment No. 4 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 17 May to 16 June 2023. The DCP amendment contains built form and design provisions to guide the redevelopment of 143 Stoney Creek Road, Beverly Hills (the subject site), which is subject to a Planning Proposal. The DCP amendment will accompany the site-specific Planning Proposal for the subject site and will be inserted into Part 10 – Precincts as Section 10.4 – 143 Stoney Creek Road, Beverly Hills of GRDCP 2021. Amendment No. 4 will become effective when the LEP is gazetted. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-amendment-no-4-to-georges-river-development-control-plan-2021-143-stoney-creek-road-beverly-hills>
- The draft Amendment No. 6 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 31 January 2024 – 1 March 2024. This amendment has been prepared to support the draft revised Tree Management Policy and seeks to address existing shortfalls in relation to tree management as well as to rectify some housekeeping issues comprising of unintended omissions and numerical errors. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/draft-revised-tmp>

*(3) Subsection (2) 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:

(4) In this section—  
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 LEPs**

*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, whether by reference to—*
  - (i) *a name, such as “Residential Zone” or “Heritage Area”, or*
  - (ii) *a number, such as “Zone No 2 (a)”,*
- (b) *the purposes for which development in the zone—*
  - (i) *may be carried out without development consent, and*
  - (ii) *may not be carried out except with development consent, and*
  - (iii) *is prohibited,*

### **Zone R2 Low Density Residential under Georges River Local Environmental Plan 2021**

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

Home occupations.

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

Bed and breakfast accommodation; Boat sheds; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Group homes; Health services facilities; Home businesses; Home industries; Jetties; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads, Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture.

#### **4 Prohibited**

Any development not specified in item 2 or 3.

*(c) whether any additional permitted uses apply to the land, Schedule 1 additional permitted uses apply to the land.*

**Clause 2.5 of the Georges River Local Environmental Plan 2021** does not apply to the land.

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

There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house under the Georges River Local Environmental Plan 2021

*(e) whether the land is in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016*

The land is not in an area of outstanding biodiversity under the Biodiversity Conservation Act 2016

*(f) whether the land is in a conservation area, however described,*

The land is not located within a conservation area under the provisions of the Georges River Local Environmental Plan 2021.

*(g) whether an item of environmental heritage, however described, is located on the land.*

The land does not contain a heritage item under the provisions of Georges River Local Environmental Plan 2021.

### **3. Contributions plans**

*(1) The name of each contribution plan under the Act, Division 7.1 applying to the land, including any draft contributions plan.*

Georges River Council Local Infrastructure Contributions Plan 2021 - Section 7.11 and Section 7.12

**Note:** Georges River Council at its meeting on 25 October 2021 resolved to adopt the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12).

The Plan came into force on Wednesday 1 December 2021 and repealed Council's previous six Section 7.11 Plans and one Section 7.12 Plan on this date.

The Plan applies to land in the Georges River Local Government Area and has been prepared to address anticipated demand for public facilities and services generated by new development up to 2036.

The Plan will enable Council and accredited certifiers to levy Section 7.11 contributions and Section 7.12 levies on development in the LGA towards the provision of public amenities and facilities.

More information is available on Council's website at:

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Development-Contributions-and-Planning-Agreements/Local-Infrastructure-Contributions-Plan-2021-Secti>

*(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.*

The land is not in a special contributions area under the Act, Division 7.1

**Note:** The subject land is within Greater Sydney to which the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 applies.

The Housing and Productivity Contribution (HPC) is in addition to the Section 7.11/Section 7.12 contributions. Further information on HPC is available on the NSW Department of Planning and Environment website at:

<https://www.planning.nsw.gov.au/policy-and-legislation/infrastructure/infrastructure-funding/improving-the-infrastructure-contributions-system>

#### 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.*

*(2) If complying development may not be carried out on the land because of one of those clauses, the reasons why it may not be carried out under the clause.*

*(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.*

*(4). If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land*

#### Housing Code

Complying development under the Housing Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Rural Housing Code**

Complying development under the Rural Housing Code does not apply as the land is not zoned RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU4 Primary Production Small Lots, RU6 Transition and R5 Large Lot Residential.

### **Low Rise Housing Diversity Code**

Complying development under the Low Rise Housing Diversity Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Inland Code**

Complying development under the Inland Code does not apply to Georges River Council Local Government Area.

### **Greenfield Housing Code**

Complying development under the Greenfield Housing Code does not apply to Georges River Council Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Industrial and Business Alterations Code**

Complying development under the Industrial and Business Alterations Code may be carried out on the land.

### **Industrial and Business Buildings Code**

Complying development under the Industrial and Business Buildings Code may be carried out on the land.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land.

### **Subdivision Code**

Complying development under the Subdivisions Code may be carried out on the land.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land.

### **Fire Safety Code**



Complying development under the Fire Safety Code may be carried out on the land.

### **Agritourism and Farm Stay Accommodation Code**

Complying development under the **Agritourism and Farm Stay Accommodation Code** does not apply to Georges River Council Local Government Area.

**Disclaimer:** The information above addresses matters raised in Clause 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. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

**NOTE:** Council does not have sufficient information to ascertain the extent to which complying development under the Codes may be carried out on the land. A restriction to carrying out complying development applies to the land, but may not apply to all of the land.

**NOTE:** The complying development codes have not been varied under clause 1.12 of the SEPP in relation to the land.

## **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 the 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 one of those clauses, the reasons why it may not be carried out under the clause*

*(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 exempt development may or may not be carried out on the land.*

*(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.*

### **General Exempt Development Code**

Exempt development under the General Exempt Development Code **may** be carried out on the land.

### **Advertising and Signage Exempt Development Code**

Exempt development under the Advertising and Signage Exempt Development Code may be carried out on the land.

### **Temporary Uses and Structures Exempt Development Code**

Exempt development under the Temporary Uses and Structures Exempt Development Code may be carried out on the land.

**Disclaimer:** The information above addresses matters raised in clause 1.16(1)(b1)–(d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that the work is not exempt under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**NOTE:** Council does not have sufficient information to ascertain the extent to which exempt development under the Codes may be carried out on the land. A restriction to carrying out exempt development applies to the land, but may not apply to all of the land.

## **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 Council is not aware of any affected building notice in force in respect of the land.*

Council is not aware of any affected building notice in force in respect of the land

*(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or*

Council is not aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

*(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.*

Council is not aware of any notice of intention to make a building product rectification order that has been given in respect of the land and is outstanding.

(2) In this clause:

**affected building notice** has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

**building product rectification order** has the same meaning as in the Building Products (Safety) Act 2017.

## 7. Land reserved for acquisition

*Whether an environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by an authority of the State, as referred to in the Act, section 3.15?*

No 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.

## 8. Road widening and road realignment

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

*(a) the Roads Act 1993, Part 3, Division 2?*

The land is not affected by road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

*(b) any environmental planning instrument?*

The land is not affected by any road widening or road realignment under the provisions of any environmental planning instrument.

*(c) any resolution of the Council?*

The land is not affected by any road widening or road realignment under any resolution of the Council.

## 9. Flood related development controls

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

No. The land or part of the land is not within the flood planning area and therefore not 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.*

Yes. The land has been identified by the **Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale, and Peakhurst Wards** as being between the flood planning area and the probable maximum flood extents and therefore may be subject to flood related development controls. Development controls are contained in the Georges River Development Control Plan 2021 and Council's Stormwater Management Policy.

For more information contact Council's Senior Stormwater Asset Engineer on 9330 6400 or email your enquiry to [flooding@georgesriver.nsw.gov.au](mailto:flooding@georgesriver.nsw.gov.au).

*(3) In this clause—*

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

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

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

**Note 1:** The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

## 10. Council and other public authority policies on hazard risk restrictions

*(1) Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding?*

**Airspace operations** - The objective of this clause is to protect airspace around airports. (Refer Clause 6.7 of the Georges River Local Environmental Plan 2021).

*(2) In this clause—*

**adopted policy** means a policy adopted—

*(a) by the council, or*

*(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.*

## **11. Bush fire prone land**

*(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or 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.*

The Land is not shown to be bushfire prone land in Council records.

## **12. Loose-fill asbestos insulation**

*If the land includes residential premises, within the meaning of the Home Building Act 1989, Part 8, Division 1A, that are listed on the Register kept under that Division, a statement to that effect.*

The land to which this certificate relates has not been identified in the Register as containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## **13. Mine subsidence**

*Whether the land is declared to be a mine subsidence district, within the meaning of the Coal Mine Subsidence Compensation Act 2017?*

The land is not in an area proclaimed to be a mine subsidence district within the meaning of Coal Mine Subsidence Compensation Act 2017.

## **14. Paper subdivision information**

*(1) The name of a development plan adopted by a relevant authority that:*

*(a) applies to the land or*

*(b) is proposed to be subject to a ballot.*

There is no development plan adopted by a relevant authority that applies to the land or is proposed to be subject to a ballot.

*(2) The date of any subdivision order that applies to the land.*

There is no subdivision order applying to the land.

*(3) Words and expressions used in this clause have the same meaning as they have in Regulation, Part 10 and the Act, Schedule 7.*

## **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.*

Council has not been notified of the existence of a property vegetation plan by the person or body that approved the plan under the Native Vegetation Act 2003.

## **16.Biodiversity stewardship sites**

*If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the Biodiversity Conservation Act 2016, Part 5, a statement to that effect but only if the council has been notified of the existence of the agreement by the Biodiversity Conservation Trust.*

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

Council has not 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.

## **17.Biodiversity certified land**

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

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

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **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 Council has been notified of the order.*

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

Council has not verified whether any order has been made of which it has not been notified. The applicant should make its own enquiries in this regard if this is a matter of concern.

## **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.*

*(2) In this clause— existing coastal protection works has the same meaning as in the Local Government Act 1993, section 553B.*

**Note—** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1.1.2011.

No, according to Council's records the owner (or previous owner) of the land has not consented in writing to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services relating to existing coastal protection works.

## **20. Western Sydney Aerotropolis**

*Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 —*

- (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.*

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 does not affect the Georges River Local Government Area.

## **21. 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, clause 88(2).*

No terms of a kind referred to in Clause 88(2) of State Environmental Planning Policy (Housing) 2021, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

## **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.*

*(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, clause 21(1) or 40(1).*

*(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).*

*(4) In this section—*

*former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.*

- (1) Council is not aware of any current site compatibility certificate (Affordable Rental Housing), in respect of proposed development on the land.
- (2) No conditions of a development consent in relation to the land that are of a kind referred to in clause 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land.
- (3) No terms of a kind referred to in Clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land.

### **Any Other Prescribed Matter**

**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:

*(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?*

The land has not been identified as significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).



*(b) that the land which the certificate is the 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?*

The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(c) that the land which the certificate relates is subject of an approved voluntary management proposal within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued?*

The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(d) that the land 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?*

The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(e) that the land which the certificate relates is 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?*

Council has not been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for this land.

#### **NOTE**

This information is provided pursuant to section 10.7 (2) of the Environmental Planning and Assessment (EPA) Act 1997 as prescribed by Schedule 2 of the EPA Regulations 2021 and is applicable as of the date of this certificate.

#### **Additional matters pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1997* is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) of the Act:

- Vicinity of a Heritage Item or Heritage Conservation Area
- State Heritage Item

- Stormwater drain
- Planning agreements
- Council studies, policies and plans

**Note: Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.**

Meryl Bishop  
**Director Environment and Planning**

### **Additional Information Pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1979*, is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) and 10.7(6) of the Act:

Adjacent to a Heritage Item or Heritage Conservation Area  
State Heritage Item  
Stormwater drain  
Planning agreements  
Council studies, policies and plans

As requested by you, the following additional information is provided pursuant to Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*.

#### **1. Adjacent to a heritage item or heritage conservation area**

*Is the land within the vicinity of a heritage item or heritage conservation area?*

The land is shown in Council's records as not being adjacent to a heritage item or heritage conservation area. However, the subject land may be contained within a Heritage Conservation Area or listed as a Heritage Item. Please refer to Questions 2(f) and 2(g) in Part 2 of the Planning Certificate for confirmation or otherwise.

#### **2. State Heritage Item**

*Does the land contain a State heritage item under the Heritage Act 1977?*

The land does not contain a State Heritage item under the *Heritage Act 1977*.

#### **3. Stormwater Drain**

*Is the land affected by a stormwater drain?*

Yes. Council's Asset register indicates that the land may be affected by a Council stormwater drain. You are advised to contact Council's drainage engineers for further information.

#### **4. Planning agreements**

*Is the land affected by a Planning Agreement?*

The land is not subject to a Planning Agreement, which is a voluntary agreement providing for a public purpose through a monetary contribution or provision of works and pursuant to s7.4 to s7.10 of the *Environmental Planning and Assessment Act 1979*.

## 5. Georges River Council Studies, Policies and Plans

*Are there any studies, policies or plans or drafts (which have been placed on public exhibition) which affect the land?*

The studies, policies or plans which affect the land are available on the following pages:

- Council's Codes, policies and registers:  
<https://www.georgesriver.nsw.gov.au/Council/Governance/Codes-Policies-and-Registers>;
- Council's Planning Strategies and Studies:  
<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies>

The draft studies, policies or plans (which have been placed on public exhibition) that affect the land are available at <https://yoursay.georgesriver.nsw.gov.au/>.

## 6. Any Other Matters

### Moomba to Sydney Ethane (MSE) Pipeline

The property is within the Notification Zone of the Moomba to Sydney Ethane (MSE) Pipeline that runs through the northern portion of the Georges River Local Government Area. Development Applications, planning proposals and rezoning of land received by Council for land within the Notification Zone will be referred to APA Group for consideration and comment.

Development Applications that APA should be notified of within the Notification Zone are as follows:

- Child care centres
- Detention facility
- Educational facility
- Function facility
- Health care services
- Hospital
- Hotel
- Place of worship
- Residential care facility
- Retirement facility
- Service station
- Shop
- Shopping centre
- Theatre

For more information please contact APA Group via email at [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au).

**Note:** Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to

in this planning certificate.

Meryl Bishop  
**Director - Environment and Planning**

PLANNING CERTIFICATE  
ISSUED UNDER SECTION  
10.7(2) and 10.7(5)

Our Reference:  
Your Reference:  
Date of Issue:

**PL2024/1374**  
**BGZEE-JP**  
**08/04/2024**

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Infotrack Pty Ltd**  
**Gpo Box 4029**  
**SYDNEY NSW 2000**

Property Number:	<b>38318</b>
Property Address:	<b>5 Bernadotte Street RIVERWOOD NSW 2210</b>
Legal Description:	<b>Lot 60 DP 35818</b>

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land Registry Services. Applicants must verify all property and lot information with NSW Land Registry Services or <https://maps.six.nsw.gov.au/>.

The information contained in this certificate relates only to the lot described on page

1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

This certificate is provided pursuant to Section 10.7(2) and 10.7(5) of the Act. At the date of this certificate, the subject land may be affected by the following matters.

## 1. Names of relevant planning instruments and DCPs

*(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:*

The following **environmental planning instruments** apply to the carrying out of development on the land:

### Local Environmental Plans

Georges River Local Environmental Plan 2021

### State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 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 (Primary Production) 2021
- State Environmental Planning Policy (Precincts - Central River City) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Sustainable Buildings) 2022

The following **development control plan** applies to the carrying out of development on the land:

Georges River Development Control Plan 2021

*(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:*

The following **proposed environmental planning instruments** that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:



- On 31 March 2021, the Department of Planning, Industry and Environment (DPIE) placed on public exhibition an Explanation of Intended Effect (EIE) for the review of clause 4.6 of the Standard Instrument LEP (Exceptions to development standards) to improve the way this clause operates and provide certainty to councils and industry.

The EIE also seeks feedback on proposed measures to increase transparency, accountability and probity by strengthening council reporting requirements on variation decisions, in line with ICAC recommendations.

The Environmental Planning and Assessment Regulation 2021 will be amended to include the current requirements to fulfill procedural and reporting requirements when development standards are varied, including Council's publishing reasons for granting or refusing a variation request on the NSW Planning Portal.

The EIE was on exhibition from 31 March - 12 May 2021.

- The Department of Planning and Environment placed on public exhibition an **Explanation of Intended Effect (EIE) on proposed amendments to the Housing SEPP**.

The proposed amendments include:

- Increasing floor space bonuses for in-fill affordable housing
- Expanding self-assessment and state significant planning pathways for some forms of social and affordable housing
- Replacing definitions of group homes and hostels and with new definitions, high support accommodation and supported living
- Broadening existing supportive accommodation provisions
- Updating the accessibility and usability standards for seniors independent living units
- Increasing the area within R2 zoned land where boarding houses are permitted in regional areas.

The EIE also discusses proposed improvements to the process for developing affordable housing contribution schemes.

The EIE was on exhibition until 13 January 2023.

- The Department of Planning and Environment placed on public exhibition a Planning Proposal in relation to land at 143 Stoney Creek Road, Beverly Hills. The Planning Proposal amends the Georges River LEP (GRLEP) 2021 to:
  - Rezone the site from part SP2 Infrastructure (Public Administration) and part R2 Low Density Residential to R4 High Density Residential;
  - Include "business premises" and "office premises" as additional permitted uses in Schedule 1;
  - Introduce a maximum floor space ratio (FSR) of 1.4:1; and
  - Introduce a maximum building height of 16m; and
  - Introduce a 1000sqm minimum lot size.

The Planning Proposal documents can be accessed at [www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills](http://www.planningportal.nsw.gov.au/ppr/under-exhibition/143-stoney-creek-road-beverly-hills)

The Planning Proposal was on exhibition from 27 April to 26 May 2023.

- Council exhibited a Planning Proposal (PP2023/0002) that seeks to make a number of minor and administrative (i.e. 'housekeeping') amendments to the Georges River Local Environmental Plan (GRLEP) 2021. The PP applies to all land covered by the GRLEP 2021 excluding the Hurstville Westfield site.

The objective of the Planning Proposal is to amend the GRLEP 2021 to improve its operation and accuracy by:

- correcting identified anomalies and inconsistencies to existing provisions and maps;
- updating property descriptions; and
- adding a new flood control from the Standard Instrument LEP.

The Planning Proposal was on exhibition from 6 December 2023 to 26 January 2024. Further details and documents can be accessed at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-georges-river-housekeeping-planning-proposal>

The following **draft development control plan** which is or has been the subject of community consultation or on public exhibition under the Act, will apply to the carrying out of development on the land:

- The draft Amendment No. 4 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 17 May to 16 June 2023. The DCP amendment contains built form and design provisions to guide the redevelopment of 143 Stoney Creek Road, Beverly Hills (the subject site), which is subject to a Planning Proposal. The DCP amendment will accompany the site-specific Planning Proposal for the subject site and will be inserted into Part 10 – Precincts as Section 10.4 – 143 Stoney Creek Road, Beverly Hills of GRDCP 2021. Amendment No. 4 will become effective when the LEP is gazetted. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/public-exhibition-amendment-no-4-to-georges-river-development-control-plan-2021-143-stoney-creek-road-beverly-hills>
- The draft Amendment No. 6 to the Georges River Development Control Plan (DCP) 2021 was on public exhibition from 31 January 2024 – 1 March 2024. This amendment has been prepared to support the draft revised Tree Management Policy and seeks to address existing shortfalls in relation to tree management as well as to rectify some housekeeping issues comprising of unintended omissions and numerical errors. Further details can be found at Council's Your Say website: <https://yoursay.georgesriver.nsw.gov.au/draft-revised-tmp>

*(3) Subsection (2) 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:

(4) In this section—  
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 LEPs**

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, whether by reference to—
  - (i) a name, such as “Residential Zone” or “Heritage Area”, or
  - (ii) a number, such as “Zone No 2 (a)”,
- (b) the purposes for which development in the zone—
  - (i) may be carried out without development consent, and
  - (ii) may not be carried out except with development consent, and
  - (iii) is prohibited,

### **Zone R2 Low Density Residential under Georges River Local Environmental Plan 2021**

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

Home occupations.

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

Bed and breakfast accommodation; Boat sheds; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Group homes; Health services facilities; Home businesses; Home industries; Jetties; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads, Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture.

#### **4 Prohibited**

Any development not specified in item 2 or 3.

*(c) whether any additional permitted uses apply to the land, Schedule 1 additional permitted uses apply to the land.*

**Clause 2.5 of the Georges River Local Environmental Plan 2021** does not apply to the land.

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

There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house under the Georges River Local Environmental Plan 2021

*(e) whether the land is in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016*

The land is not in an area of outstanding biodiversity under the Biodiversity Conservation Act 2016

*(f) whether the land is in a conservation area, however described,*

The land is not located within a conservation area under the provisions of the Georges River Local Environmental Plan 2021.

*(g) whether an item of environmental heritage, however described, is located on the land.*

The land does not contain a heritage item under the provisions of Georges River Local Environmental Plan 2021.

### **3. Contributions plans**

*(1) The name of each contribution plan under the Act, Division 7.1 applying to the land, including any draft contributions plan.*

Georges River Council Local Infrastructure Contributions Plan 2021 - Section 7.11 and Section 7.12

**Note:** Georges River Council at its meeting on 25 October 2021 resolved to adopt the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12).

The Plan came into force on Wednesday 1 December 2021 and repealed Council's previous six Section 7.11 Plans and one Section 7.12 Plan on this date.

The Plan applies to land in the Georges River Local Government Area and has been prepared to address anticipated demand for public facilities and services generated by new development up to 2036.

The Plan will enable Council and accredited certifiers to levy Section 7.11 contributions and Section 7.12 levies on development in the LGA towards the provision of public amenities and facilities.

More information is available on Council's website at:

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Development-Contributions-and-Planning-Agreements/Local-Infrastructure-Contributions-Plan-2021-Section>

*(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.*

The land is not in a special contributions area under the Act, Division 7.1

**Note:** The subject land is within Greater Sydney to which the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 applies.

The Housing and Productivity Contribution (HPC) is in addition to the Section 7.11/Section 7.12 contributions. Further information on HPC is available on the NSW Department of Planning and Environment website at:

<https://www.planning.nsw.gov.au/policy-and-legislation/infrastructure/infrastructure-funding/improving-the-infrastructure-contributions-system>

#### 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.*

*(2) If complying development may not be carried out on the land because of one of those clauses, the reasons why it may not be carried out under the clause.*

*(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.*

*(4). If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land*

#### Housing Code

Complying development under the Housing Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Rural Housing Code**

Complying development under the Rural Housing Code does not apply as the land is not zoned RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU4 Primary Production Small Lots, RU6 Transition and R5 Large Lot Residential.

### **Low Rise Housing Diversity Code**

Complying development under the Low Rise Housing Diversity Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Inland Code**

Complying development under the Inland Code does not apply to Georges River Council Local Government Area.

### **Greenfield Housing Code**

Complying development under the Greenfield Housing Code does not apply to Georges River Council Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land.

**Note:** The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with *AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction*.

Please check the ANEF contour the land is located within.

### **Industrial and Business Alterations Code**

Complying development under the Industrial and Business Alterations Code may be carried out on the land.

### **Industrial and Business Buildings Code**

Complying development under the Industrial and Business Buildings Code may be carried out on the land.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land.

### **Subdivision Code**

Complying development under the Subdivisions Code may be carried out on the land.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land.

### **Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land.

### **Agritourism and Farm Stay Accommodation Code**

Complying development under the **Agritourism and Farm Stay Accommodation Code** does not apply to Georges River Council Local Government Area.

**Disclaimer:** The information above addresses matters raised in Clause 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. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

**NOTE:** Council does not have sufficient information to ascertain the extent to which complying development under the Codes may be carried out on the land. A restriction to carrying out complying development applies to the land, but may not apply to all of the land.

**NOTE:** The complying development codes have not been varied under clause 1.12 of the SEPP in relation to the land.

## **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 the 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 one of those clauses, the reasons why it may not be carried out under the clause*

*(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 exempt development may or may not be carried out on the land.*

*(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.*

### **General Exempt Development Code**

Exempt development under the General Exempt Development Code **may** be carried out on the land.



### **Advertising and Signage Exempt Development Code**

Exempt development under the Advertising and Signage Exempt Development Code may be carried out on the land.

### **Temporary Uses and Structures Exempt Development Code**

Exempt development under the Temporary Uses and Structures Exempt Development Code may be carried out on the land.

**Disclaimer:** The information above addresses matters raised in clause 1.16(1)(b1)–(d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that the work is not exempt under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**NOTE:** Council does not have sufficient information to ascertain the extent to which exempt development under the Codes may be carried out on the land. A restriction to carrying out exempt development applies to the land, but may not apply to all of the land.

## **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 Council is not aware of any affected building notice in force in respect of the land.*

Council is not aware of any affected building notice in force in respect of the land

*(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or*

Council is not aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

*(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.*

Council is not aware of any notice of intention to make a building product rectification order that has been given in respect of the land and is outstanding.

(2) In this clause:

**affected building notice** has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

**building product rectification order** has the same meaning as in the Building Products (Safety) Act 2017.

## 7. Land reserved for acquisition

*Whether an environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by an authority of the State, as referred to in the Act, section 3.15?*

No 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.

## 8. Road widening and road realignment

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

*(a) the Roads Act 1993, Part 3, Division 2?*

The land is not affected by road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

*(b) any environmental planning instrument?*

The land is not affected by any road widening or road realignment under the provisions of any environmental planning instrument.

*(c) any resolution of the Council?*

The land is not affected by any road widening or road realignment under any resolution of the Council.

## 9. Flood related development controls

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

No. The land or part of the land is not within the flood planning area and therefore not 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. The land or part of the land is not between the flood planning area and the probable maximum flood extents and therefore not subject to flood related development controls.

*(3) In this clause—*

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

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

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

**Note 1:** The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

## **10. Council and other public authority policies on hazard risk restrictions**

*(1) Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding?*

**Airspace operations** - The objective of this clause is to protect airspace around airports. (Refer Clause 6.7 of the Georges River Local Environmental Plan 2021).

*(2) In this clause—*

*adopted policy means a policy adopted—*

*(a) by the council, or*

*(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.*

## **11. Bush fire prone land**

*(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or 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.*

The Land is not shown to be bushfire prone land in Council records.

## **12.Loose-fill asbestos insulation**

*If the land includes residential premises, within the meaning of the Home Building Act 1989, Part 8, Division 1A, that are listed on the Register kept under that Division, a statement to that effect.*

The land to which this certificate relates has not been identified in the Register as containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## **13.Mine subsidence**

*Whether the land is declared to be a mine subsidence district, within the meaning of the Coal Mine Subsidence Compensation Act 2017?*

The land is not in an area proclaimed to be a mine subsidence district within the meaning of Coal Mine Subsidence Compensation Act 2017.

## **14.Paper subdivision information**

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

There is no development plan adopted by a relevant authority that applies to the land or is proposed to be subject to a ballot.

*(2) The date of any subdivision order that applies to the land.*

There is no subdivision order applying to the land.

*(3) Words and expressions used in this clause have the same meaning as they have in Regulation, Part 10 and the Act, Schedule 7.*

## **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.*

Council has not been notified of the existence of a property vegetation plan by the person or body that approved the plan under the Native Vegetation Act 2003.

## **16.Biodiversity stewardship sites**

*If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the Biodiversity Conservation Act 2016, Part 5, a statement to that effect but only if the council has been notified of the existence of the agreement by the Biodiversity Conservation Trust.*

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

Council has not 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.

## **17.Biodiversity certified land**

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

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

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **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 Council has been notified of the order.*

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

Council has not verified whether any order has been made of which it has not been notified. The applicant should make its own enquiries in this regard if this is a matter of concern.

## **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.*

*(2) In this clause— existing coastal protection works has the same meaning as in the Local Government Act 1993, section 553B.*

**Note—** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1.1.2011.

No, according to Council's records the owner (or previous owner) of the land has not consented in writing to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services relating to existing coastal protection works.

## **20. Western Sydney Aerotropolis**

*Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 —*

- (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.*

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 does not affect the Georges River Local Government Area.

## **21. 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, clause 88(2).*

No terms of a kind referred to in Clause 88(2) of State Environmental Planning Policy (Housing) 2021, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

## **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.*

*(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, clause 21(1) or 40(1).*

*(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).*

*(4) In this section—*

*former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.*

- (1) Council is not aware of any current site compatibility certificate (Affordable Rental Housing), in respect of proposed development on the land.
- (2) No conditions of a development consent in relation to the land that are of a kind referred to in clause 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land.
- (3) No terms of a kind referred to in Clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land.

### **Any Other Prescribed Matter**

**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:

*(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?*

The land has not been identified as significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(b) that the land which the certificate is the 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?*

The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment

Protection Authority).

*(c) that the land which the certificate relates is subject of an approved voluntary management proposal within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued?*

The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(d) that the land 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?*

The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997. (Enquiries should be directed to the NSW Environment Protection Authority).

*(e) that the land which the certificate relates is 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?*

Council has not been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for this land.

#### **NOTE**

This information is provided pursuant to section 10.7 (2) of the Environmental Planning and Assessment (EPA) Act 1997 as prescribed by Schedule 2 of the EPA Regulations 2021 and is applicable as of the date of this certificate.

#### **Additional matters pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1997* is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) of the Act:

- Vicinity of a Heritage Item or Heritage Conservation Area
- State Heritage Item
- Stormwater drain
- Planning agreements
- Council studies, policies and plans



**Note: Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.**

Meryl Bishop  
**Director Environment and Planning**

### **Additional Information Pursuant to Section 10.7(5)**

Additional information provided pursuant to section 10.7(5) of the *Environmental Planning and Assessment Act 1979*, is available upon application and payment of the prescribed fee. Advice will be provided for the following additional matters not included under Section 10.7(2) in accordance with Section 10.7(5) and 10.7(6) of the Act:

Adjacent to a Heritage Item or Heritage Conservation Area

State Heritage Item

Stormwater drain

Planning agreements

Council studies, policies and plans

As requested by you, the following additional information is provided pursuant to Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*.

#### **1. Adjacent to a heritage item or heritage conservation area**

*Is the land within the vicinity of a heritage item or heritage conservation area?*

The land is shown in Council's records as not being adjacent to a heritage item or heritage conservation area. However, the subject land may be contained within a Heritage Conservation Area or listed as a Heritage Item. Please refer to Questions 2(f) and 2(g) in Part 2 of the Planning Certificate for confirmation or otherwise.

#### **2. State Heritage Item**

*Does the land contain a State heritage item under the Heritage Act 1977?*

The land does not contain a State Heritage item under the *Heritage Act 1977*.

#### **3. Stormwater Drain**

*Is the land affected by a stormwater drain?*

Council's Asset register indicates that the land is not affected by a Council stormwater drain. However an exhaustive search of all Council records, including archival records, has not been undertaken. You are advised that further investigations, at the owner's expense, may be necessary to confirm the presence of any underground stormwater drain.

#### **4. Planning agreements**

*Is the land affected by a Planning Agreement?*

The land is not subject to a Planning Agreement, which is a voluntary agreement providing for a public purpose through a monetary contribution or provision of works and pursuant to s7.4 to s7.10 of the *Environmental Planning and Assessment Act 1979*.

## 5. Georges River Council Studies, Policies and Plans

*Are there any studies, policies or plans or drafts (which have been placed on public exhibition) which affect the land?*

The studies, policies or plans which affect the land are available on the following pages:

- Council's Codes, policies and registers:  
<https://www.georgesriver.nsw.gov.au/Council/Governance/Codes-Policies-and-Registers>;
- Council's Planning Strategies and Studies:  
<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies>

The draft studies, policies or plans (which have been placed on public exhibition) that affect the land are available at <https://yoursay.georgesriver.nsw.gov.au/>.

## 6. Any Other Matters

### Moomba to Sydney Ethane (MSE) Pipeline

The property is within the Notification Zone of the Moomba to Sydney Ethane (MSE) Pipeline that runs through the northern portion of the Georges River Local Government Area. Development Applications, planning proposals and rezoning of land received by Council for land within the Notification Zone will be referred to APA Group for consideration and comment.

Development Applications that APA should be notified of within the Notification Zone are as follows:

- Child care centres
- Detention facility
- Educational facility
- Function facility
- Health care services
- Hospital
- Hotel
- Place of worship
- Residential care facility
- Retirement facility
- Service station
- Shop
- Shopping centre
- Theatre

For more information please contact APA Group via email at [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au).

**Note:** Please note that Council provides this information in good faith. Council does not accept any liability in respect of such advice. The absence of any reference to any matter

affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

Meryl Bishop  
**Director - Environment and Planning**