



Civic Centre, Byng Street, Orange
PO Box 35 Orange NSW 2800

Certificate under section 10.7
Environmental Planning and Assessment Act 1979
(and associated EP&A Regulation 2021)
(Planning Certificate)

Date of Issue: 9 October 2024
Receipt No: 4011031
Applicant Ref: BGYYW-JP
Certificate No: **2047**
Application No: 30659

To Info Track
GPO Box 4029
SYDNEY NSW 2001

Assessment No	12466
Parcel No	12492
Street Address	7 Wattle Avenue, Orange
Property Description	Lot 14 DP 36132
Owner	NSW Land and Housing Corporation

1 NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS

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

Local Environmental Plan/s

Orange Local Environmental Plan 2011, as amended.

Development Control Plan/s

Orange Development Control Plan 2004.

State Environmental Planning Policies

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Transport and Infrastructure) 2021

(2) 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

No draft environmental planning instruments apply to the land.

No draft development control plans apply to the land.

2 ZONING AND LAND USE UNDER RELEVANT PLANNING INSTRUMENTS

(a) Identity of zone/s

R1 General Residential

(b) Purposes for which development in the zone/s:

- (i) may be carried out without development consent (Zone R1):
environmental protection works; home-based child care; home occupations
- (ii) may not be carried out except with development consent (Zone R1):
attached dwellings; bee keeping; boarding houses; building identification signs; business identification signs; camping grounds; caravan parks; centre-based child care facilities; community facilities; dwelling houses; electricity generating works; environmental facilities; exhibition homes; exhibition villages; group homes; home businesses; home industries; hostels; information and education facilities; kiosks; multi dwelling housing; neighbourhood shops; oyster aquaculture; places of public worship; pond-based aquaculture; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); residential accommodation; residential flat buildings; respite day care centres; roads; semi-detached dwellings; seniors housing; shop top housing; tank-based aquaculture; tourist and visitor accommodation; veterinary hospitals; water supply systems
- (iii) is prohibited (Zone R1):
farm stay accommodation; rural workers' dwellings; any other development not specified in item (i) or (ii) of Zone R1.

(c) Whether additional uses apply to the land

The site is subject to additional permitted use/s as identified in Schedule 1 of Orange Local Environmental Plan 2011.

(d) Whether development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land

The subject land is not affected by any development standard relating to the land's dimensions that does not permit the erection of a dwelling house.

(e) Outstanding biodiversity value

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

(f) Conservation area

The land is not in a heritage conservation area identified in Orange Local Environmental Plan 2011.

(g) Environmental heritage

A heritage item as listed in Part 1 of Schedule 5 and shown on the Heritage Map of Orange Local Environmental Plan 2011 is not situated on the land.

3 CONTRIBUTIONS PLANS

- (1) **Name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans**

Orange Development Contributions Plan 2024 (adopted 2 April 2024) applies to the land.

- (2) **Name of any special contributions area under the Act, Division 7.1 that the land is located within**

The land is not located in any special contributions area.

4 COMPLYING DEVELOPMENT

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

Complying development may be carried out on the land 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.

It is recommended that consultation of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 be undertaken to ascertain precisely the types of development that may be undertaken as complying development under the respective Codes listed above and to determine if any special exemptions apply, on the land that is the subject of this Certificate.

Advisory Note: Some properties in the Orange Local Government Area may be subject to the *Greenfield Housing Code under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The "Greenfield Housing Code Area Map" can be accessed via this link:

<https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Greenfield-Housing-Code/Maps>

5 EXEMPT DEVELOPMENT

If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A

The land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 because of that Policy, clause 1.16(1)(b1)-(d).

It is recommended that consultation of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 be undertaken to ascertain precisely the types of development that may be undertaken as exempt development under the respective Codes listed above and to determine if any special exemptions apply, on the land that is the subject of this Certificate.

6 AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

- (a) Council is not aware that an affected building notice is in force in relation to the land.
- (b) Council is not aware that a building product rectification order is in force in relation to the land that has not been fully complied with.
- (c) Council is not aware that a notice of intention to make a building product rectification order given in relation to the land is outstanding.

7 LAND RESERVED FOR ACQUISITION

The land is not subject to acquisition by an authority of the State under Orange Local Environmental Plan 2011.

8 ROAD WIDENING AND ROAD REALIGNMENT

The land is not affected by any road widening or road realignment proposal under:

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

9 FLOOD RELATED DEVELOPMENT CONTROLS

- (1) The land or part of the land is not within the flood planning area and is not subject to flood related development controls.
- (2) The land or part of the land is between the flood planning area and the probable maximum flood and is subject to flood related development controls.

For further information regarding flooding, please see Council's "Flooding Fact Sheet" at: <https://www.orange.nsw.gov.au/wp-content/uploads/2021/07/Flood-Fact-Sheet.pdf>

10 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

The land is not 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.

11 BUSH FIRE PRONE LAND

The subject land is not bush fire prone land.

12 LOOSE-FILL ASBESTOS INSULATION

The land does not include 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.

13 MINES SUBSIDENCE

The land is not declared to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

14 PAPER SUBDIVISION INFORMATION

- (1) Council has not received notice of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a ballot.
- (2) Council has not received notice that a subdivision order applies to the land.

15 PROPERTY VEGETATION PLANS

Council has not been notified of any property vegetation plan approved and in force under the *Native Vegetation Act 2003*, Part 4, that applies to the land.

16 BIODIVERSITY STEWARDSHIP SITES

Council has not been notified that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the *Biodiversity Conservation Act 2016*, Part 5.

17 BIODIVERSITY CERTIFIED LAND

Council has not been notified that the land is biodiversity certified land under the *Biodiversity Conservation Act 2016*, Part 8.

18 ORDERS UNDER *TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006*

Council has not been notified of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

19 ANNUAL CHARGES UNDER *LOCAL GOVERNMENT ACT 1993* FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

The land is not subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services that relate to existing coastal protection works.

20 WESTERN SYDNEY AEROTROPOLIS

State Environmental Planning Policy (Precincts-Western Parkland City) 2021 does not apply to the land.

21 DEVELOPMENT CONSENT CONDITIONS FOR SENIORS HOUSING

Council is not aware of any conditions of a development consent granted after 11 October 2007 in relation to the land that are of a kind set out in section 88(2) of that Policy.

22 SITE COMPATIBILITY CERTIFICATES AND DEVELOPMENT CONSENT CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (1) Council is not aware that there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate in relation to proposed development on the land.
- (2) Chapter 2 Part 2 Division 1 of State Environmental Planning Policy (Housing) 2021 does not apply to the land.
- (3) Chapter 2 Part 2 Division 5 of State Environmental Planning Policy (Housing) 2021 does not apply to the land.
- (4) There are no conditions of a development consent relating to the land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009 clause 17(1).
- (5) There are no conditions of a development consent relating to the land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009 clause 38(1).

23 WATER OR SEWERAGE SERVICES

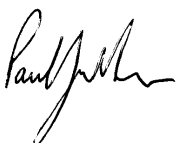
Council is not aware of water or sewerage services that are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

Council has taken all reasonable steps to ensure the above information is accurate and complete. However, due to the historical nature of the information, Council does not accept liability for any omissions that may inadvertently occur in relation to the information.

David Waddell

CHIEF EXECUTIVE OFFICER

Per



Any request for further information in connection with the above should be marked for the attention of Council's Manager Development Assessments, Mr Paul Johnston - (02) 6393 8260.

For information on matters other than those pertaining to this certificate, contact Council's Customer Service number - (02) 6393 8000.

Some information contained within this certificate has been provided by Land and Property NSW. If that information is vital for the end use, that information should be verified by the applicant for the certificate with Land and Property NSW.

(enclosure: asbestos information fact sheet)

ASBESTOS INFORMATION FACT SHEET (attachment for 10.7 certificates)

Naturally Occurring Asbestos

Some rocks and associated soils in the Orange City Local Government Area naturally contain asbestos minerals. When disturbed, these materials have the potential to release asbestos fibres into the air.

Mapping of these potential deposits has been released by the NSW Government - Trade & Investment NSW. These maps can be found on the SafeWork NSW website - see:

<https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06>

Orange City Council also has some more detailed information on naturally occurring asbestos - see:

Asbestos Management Plan:

www.orange.nsw.gov.au/wp-content/uploads/2018/08/Asbestos-Management-Plan.pdf

Strategic Policy ST001 – Asbestos Management

www.orange.nsw.gov.au/wp-content/uploads/2018/07/Asbestos-Management-ST001.pdf

Asbestos products in buildings and other infrastructure

Asbestos was commonly used in the manufacture of building products until the mid-1980s, after which it was gradually phased out. Many buildings constructed prior to a total ban on the use of asbestos in 2003 are likely to have asbestos containing materials. Table 1 provides a 'general rule' of the likelihood that a building would contain asbestos materials.

Table 1
General Likelihood of a Building Containing Asbestos
(Source: Office of Local Government - *Model Asbestos Policy for NSW Councils*)

Date of Construction	Likelihood Structure Contains Asbestos
before the mid-1980s	Highly likely to contain asbestos containing materials;
between the mid 1980s and 1990	Likely to contain asbestos containing materials;
between 1990 and 31 December 2003	Unlikely to contain asbestos containing materials;
after 31 December 2003	Very unlikely to contain asbestos containing materials as a total ban on any activity involving asbestos products became effective on that date.

Asbestos contamination resulting from disturbance of either of the above

Contamination may be the result of illegal dumping of asbestos containing materials, from incidents such as building fires or prior uncontrolled placement of asbestos containing materials.

Loose Fill Asbestos Insulation

Finally, it is noted that in the 1960s and 1970s a loose fill asbestos ceiling insulation material was installed in commercial and residential premises by an ACT-based company trading as 'Mr Fluffy'. It is also understood that other companies may have installed similar insulation materials. This product was made of crushed, loose asbestos and was either pumped or spread by hand into the ceiling space. This material may be very easily disturbed, generating airborne asbestos fibres that may cause health risks if inhaled or ingested. Additionally, the material can migrate from the ceiling to other areas of the building, such as walls and subfloor areas.

There is increasing evidence to suggest that this loose fill asbestos insulation material was installed not only in the ACT, but also in many areas of NSW, including Orange. Residents are encouraged to make their own enquiries to determine the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980. Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether or not loose fill asbestos is present in the building and if so, the health risks (if any) this may pose for the building's occupants.

The NSW Government administers the "Loose Fill Asbestos Insulation Register" which lists properties that have been positively identified as containing loose fill asbestos insulation. This register may be accessed by the public using the NSW Fair Trading Website <https://www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation-register>

Additional information regarding the loose fill asbestos insulation may be obtained from NSW Fair Trading on telephone 13 32 20.



Civic Centre, Byng Street, Orange
PO Box 35 Orange NSW 2800

**Annexure to Certificate under section 10.7
Pursuant to Section 10.7(5)
Environmental Planning and Assessment Act 1979
(and associated EP&A Regulation 2021)
(Planning Certificate)**

Date of Issue: 16 July 2024
Receipt No: 3950733
Applicant Ref: BGYYW-JP
Certificate No: **1665**
Application No: 30046

To Info Track
GPO Box 4029
SYDNEY NSW 2001

Assessment No	12466
Parcel No	12492
Street Address	7 Wattle Avenue, Orange
Property Description	Lot 14 DP 36132
Owner	NSW Land and Housing Corporation

ADVICE ON OTHER RELEVANT MATTERS AFFECTING THE ABOVEMENTIONED LAND OF WHICH COUNCIL IS AWARE:

1 DEVELOPMENT CONSENTS AND COMPLYING DEVELOPMENT CERTIFICATES

No development consents have been issued with respect to the land within the previous five years.

No complying development certificates have been issued with respect to the land within the previous five years.

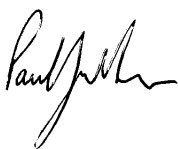
2 CURRENT APPROVED USE

The current approved use of the property is *vacant land*.

Council has taken all reasonable steps to ensure the above information is accurate and complete. However, due to the historical nature of the information, Council does not accept liability for any omissions that may inadvertently occur in relation to the information.

David Waddell
CHIEF EXECUTIVE OFFICER

Per



Any request for further information in connection with the above should be marked for the attention of Council's Manager Development Assessments, Mr Paul Johnston - (02) 6393 8260.

For information on matters other than those pertaining to this certificate, contact Council's Customer Service number - (02) 6393 8000.

Some information contained within this certificate has been provided by Land and Property NSW. If that information is vital for the end use, that information should be verified by the applicant for the certificate with Land and Property NSW.

(enclosure: asbestos information fact sheet)

ASBESTOS INFORMATION FACT SHEET (attachment for 10.7 certificates)

Naturally Occurring Asbestos

Some rocks and associated soils in the Orange City Local Government Area naturally contain asbestos minerals. When disturbed, these materials have the potential to release asbestos fibres into the air.

Mapping of these potential deposits has been released by the NSW Government - Trade & Investment NSW. These maps can be found on the SafeWork NSW website - see:

<https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06>

Orange City Council also has some more detailed information on naturally occurring asbestos - see:

Asbestos Management Plan:

www.orange.nsw.gov.au/wp-content/uploads/2018/08/Asbestos-Management-Plan.pdf

Strategic Policy ST001 – Asbestos Management

www.orange.nsw.gov.au/wp-content/uploads/2018/07/Asbestos-Management-ST001.pdf

Asbestos products in buildings and other infrastructure

Asbestos was commonly used in the manufacture of building products until the mid-1980s, after which it was gradually phased out. Many buildings constructed prior to a total ban on the use of asbestos in 2003 are likely to have asbestos containing materials. Table 1 provides a 'general rule' of the likelihood that a building would contain asbestos materials.

Table 1
General Likelihood of a Building Containing Asbestos
(Source: Office of Local Government - *Model Asbestos Policy for NSW Councils*)

Date of Construction	Likelihood Structure Contains Asbestos
before the mid-1980s	Highly likely to contain asbestos containing materials;
between the mid 1980s and 1990	Likely to contain asbestos containing materials;
between 1990 and 31 December 2003	Unlikely to contain asbestos containing materials;
after 31 December 2003	Very unlikely to contain asbestos containing materials as a total ban on any activity involving asbestos products became effective on that date.

Asbestos contamination resulting from disturbance of either of the above

Contamination may be the result of illegal dumping of asbestos containing materials, from incidents such as building fires or prior uncontrolled placement of asbestos containing materials.

Loose Fill Asbestos Insulation

Finally, it is noted that in the 1960s and 1970s a loose fill asbestos ceiling insulation material was installed in commercial and residential premises by an ACT-based company trading as 'Mr Fluffy'. It is also understood that other companies may have installed similar insulation materials. This product was made of crushed, loose asbestos and was either pumped or spread by hand into the ceiling space. This material may be very easily disturbed, generating airborne asbestos fibres that may cause health risks if inhaled or ingested. Additionally, the material can migrate from the ceiling to other areas of the building, such as walls and subfloor areas.

There is increasing evidence to suggest that this loose fill asbestos insulation material was installed not only in the ACT, but also in many areas of NSW, including Orange. Residents are encouraged to make their own enquiries to determine the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980. Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether or not loose fill asbestos is present in the building and if so, the health risks (if any) this may pose for the building's occupants.

The NSW Government administers the "Loose Fill Asbestos Insulation Register" which lists properties that have been positively identified as containing loose fill asbestos insulation. This register may be accessed by the public using the NSW Fair Trading Website <https://www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation-register>

Additional information regarding the loose fill asbestos insulation may be obtained from NSW Fair Trading on telephone 13 32 20.



Civic Centre, Byng Street, Orange
PO Box 35 Orange NSW 2800

Certificate under section 10.7
Environmental Planning and Assessment Act 1979
(and associated EP&A Regulation 2021)
(Planning Certificate)

Date of Issue: 9 October 2024
Receipt No: 4011031
Applicant Ref: BGYYW-JP
Certificate No: **2048**
Application No: 30660

To Info Track
GPO Box 4029
SYDNEY NSW 2001

Assessment No	12467
Parcel No	12493
Street Address	9 Wattle Avenue, Orange
Property Description	Lot 15 DP 36132
Owner	NSW Land and Housing Corporation

1 NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS

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

Local Environmental Plan/s

Orange Local Environmental Plan 2011, as amended.

Development Control Plan/s

Orange Development Control Plan 2004.

State Environmental Planning Policies

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Transport and Infrastructure) 2021

(2) 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

No draft environmental planning instruments apply to the land.

No draft development control plans apply to the land.

2 ZONING AND LAND USE UNDER RELEVANT PLANNING INSTRUMENTS

(a) Identity of zone/s

R1 General Residential

(b) Purposes for which development in the zone/s:

- (i) may be carried out without development consent (Zone R1):
environmental protection works; home-based child care; home occupations
- (ii) may not be carried out except with development consent (Zone R1):
attached dwellings; bee keeping; boarding houses; building identification signs; business identification signs; camping grounds; caravan parks; centre-based child care facilities; community facilities; dwelling houses; electricity generating works; environmental facilities; exhibition homes; exhibition villages; group homes; home businesses; home industries; hostels; information and education facilities; kiosks; multi dwelling housing; neighbourhood shops; oyster aquaculture; places of public worship; pond-based aquaculture; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); residential accommodation; residential flat buildings; respite day care centres; roads; semi-detached dwellings; seniors housing; shop top housing; tank-based aquaculture; tourist and visitor accommodation; veterinary hospitals; water supply systems
- (iii) is prohibited (Zone R1):
farm stay accommodation; rural workers' dwellings; any other development not specified in item (i) or (ii) of Zone R1.

(c) Whether additional uses apply to the land

The site is subject to additional permitted use/s as identified in Schedule 1 of Orange Local Environmental Plan 2011.

(d) Whether development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land

The subject land is not affected by any development standard relating to the land's dimensions that does not permit the erection of a dwelling house.

(e) Outstanding biodiversity value

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

(f) Conservation area

The land is not in a heritage conservation area identified in Orange Local Environmental Plan 2011.

(g) Environmental heritage

A heritage item as listed in Part 1 of Schedule 5 and shown on the Heritage Map of Orange Local Environmental Plan 2011 is not situated on the land.

3 CONTRIBUTIONS PLANS

- (1) **Name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans**

Orange Development Contributions Plan 2024 (adopted 2 April 2024) applies to the land.

- (2) **Name of any special contributions area under the Act, Division 7.1 that the land is located within**

The land is not located in any special contributions area.

4 COMPLYING DEVELOPMENT

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

Complying development may be carried out on the land 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.

It is recommended that consultation of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 be undertaken to ascertain precisely the types of development that may be undertaken as complying development under the respective Codes listed above and to determine if any special exemptions apply, on the land that is the subject of this Certificate.

Advisory Note: Some properties in the Orange Local Government Area may be subject to the *Greenfield Housing Code under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The "Greenfield Housing Code Area Map" can be accessed via this link:

<https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Greenfield-Housing-Code/Maps>

5 EXEMPT DEVELOPMENT

If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A

The land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 because of that Policy, clause 1.16(1)(b1)-(d).

It is recommended that consultation of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 be undertaken to ascertain precisely the types of development that may be undertaken as exempt development under the respective Codes listed above and to determine if any special exemptions apply, on the land that is the subject of this Certificate.

6 AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

- (a) Council is not aware that an affected building notice is in force in relation to the land.
- (b) Council is not aware that a building product rectification order is in force in relation to the land that has not been fully complied with.
- (c) Council is not aware that a notice of intention to make a building product rectification order given in relation to the land is outstanding.

7 LAND RESERVED FOR ACQUISITION

The land is not subject to acquisition by an authority of the State under Orange Local Environmental Plan 2011.

8 ROAD WIDENING AND ROAD REALIGNMENT

The land is not affected by any road widening or road realignment proposal under:

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

9 FLOOD RELATED DEVELOPMENT CONTROLS

- (1) The land or part of the land is not within the flood planning area and is not subject to flood related development controls.
- (2) The land or part of the land is not between the flood planning area and the probable maximum flood and is not subject to flood related development controls.

For further information regarding flooding, please see Council's "Flooding Fact Sheet" at: <https://www.orange.nsw.gov.au/wp-content/uploads/2021/07/Flood-Fact-Sheet.pdf>

10 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

The land is not 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.

11 BUSH FIRE PRONE LAND

The subject land is not bush fire prone land.

12 LOOSE-FILL ASBESTOS INSULATION

The land does not include 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.

13 MINES SUBSIDENCE

The land is not declared to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

14 PAPER SUBDIVISION INFORMATION

- (1) Council has not received notice of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a ballot.
- (2) Council has not received notice that a subdivision order applies to the land.

15 PROPERTY VEGETATION PLANS

Council has not been notified of any property vegetation plan approved and in force under the *Native Vegetation Act 2003*, Part 4, that applies to the land.

16 BIODIVERSITY STEWARDSHIP SITES

Council has not been notified that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the *Biodiversity Conservation Act 2016*, Part 5.

17 BIODIVERSITY CERTIFIED LAND

Council has not been notified that the land is biodiversity certified land under the *Biodiversity Conservation Act 2016*, Part 8.

18 ORDERS UNDER *TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006*

Council has not been notified of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

19 ANNUAL CHARGES UNDER *LOCAL GOVERNMENT ACT 1993* FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

The land is not subject to annual charges under the *Local Government Act 1993*, section 496B, for coastal protection services that relate to existing coastal protection works.

20 WESTERN SYDNEY AEROTROPOLIS

State Environmental Planning Policy (Precincts-Western Parkland City) 2021 does not apply to the land.

21 DEVELOPMENT CONSENT CONDITIONS FOR SENIORS HOUSING

Council is not aware of any conditions of a development consent granted after 11 October 2007 in relation to the land that are of a kind set out in section 88(2) of that Policy.

22 SITE COMPATIBILITY CERTIFICATES AND DEVELOPMENT CONSENT CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (1) Council is not aware that there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate in relation to proposed development on the land.
- (2) Chapter 2 Part 2 Division 1 of State Environmental Planning Policy (Housing) 2021 does not apply to the land.
- (3) Chapter 2 Part 2 Division 5 of State Environmental Planning Policy (Housing) 2021 does not apply to the land.
- (4) There are no conditions of a development consent relating to the land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009 clause 17(1).
- (5) There are no conditions of a development consent relating to the land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009 clause 38(1).

23 WATER OR SEWERAGE SERVICES

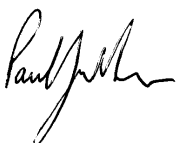
Council is not aware of water or sewerage services that are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

Council has taken all reasonable steps to ensure the above information is accurate and complete. However, due to the historical nature of the information, Council does not accept liability for any omissions that may inadvertently occur in relation to the information.

David Waddell

CHIEF EXECUTIVE OFFICER

Per



Any request for further information in connection with the above should be marked for the attention of Council's Manager Development Assessments, Mr Paul Johnston - (02) 6393 8260.

For information on matters other than those pertaining to this certificate, contact Council's Customer Service number - (02) 6393 8000.

Some information contained within this certificate has been provided by Land and Property NSW. If that information is vital for the end use, that information should be verified by the applicant for the certificate with Land and Property NSW.

(enclosure: asbestos information fact sheet)

ASBESTOS INFORMATION FACT SHEET (attachment for 10.7 certificates)

Naturally Occurring Asbestos

Some rocks and associated soils in the Orange City Local Government Area naturally contain asbestos minerals. When disturbed, these materials have the potential to release asbestos fibres into the air.

Mapping of these potential deposits has been released by the NSW Government - Trade & Investment NSW. These maps can be found on the SafeWork NSW website - see:

<https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06>

Orange City Council also has some more detailed information on naturally occurring asbestos - see:

Asbestos Management Plan:

www.orange.nsw.gov.au/wp-content/uploads/2018/08/Asbestos-Management-Plan.pdf

Strategic Policy ST001 – Asbestos Management

www.orange.nsw.gov.au/wp-content/uploads/2018/07/Asbestos-Management-ST001.pdf

Asbestos products in buildings and other infrastructure

Asbestos was commonly used in the manufacture of building products until the mid-1980s, after which it was gradually phased out. Many buildings constructed prior to a total ban on the use of asbestos in 2003 are likely to have asbestos containing materials. Table 1 provides a 'general rule' of the likelihood that a building would contain asbestos materials.

Table 1
General Likelihood of a Building Containing Asbestos
(Source: Office of Local Government - *Model Asbestos Policy for NSW Councils*)

Date of Construction	Likelihood Structure Contains Asbestos
before the mid-1980s	Highly likely to contain asbestos containing materials;
between the mid 1980s and 1990	Likely to contain asbestos containing materials;
between 1990 and 31 December 2003	Unlikely to contain asbestos containing materials;
after 31 December 2003	Very unlikely to contain asbestos containing materials as a total ban on any activity involving asbestos products became effective on that date.

Asbestos contamination resulting from disturbance of either of the above

Contamination may be the result of illegal dumping of asbestos containing materials, from incidents such as building fires or prior uncontrolled placement of asbestos containing materials.

Loose Fill Asbestos Insulation

Finally, it is noted that in the 1960s and 1970s a loose fill asbestos ceiling insulation material was installed in commercial and residential premises by an ACT-based company trading as 'Mr Fluffy'. It is also understood that other companies may have installed similar insulation materials. This product was made of crushed, loose asbestos and was either pumped or spread by hand into the ceiling space. This material may be very easily disturbed, generating airborne asbestos fibres that may cause health risks if inhaled or ingested. Additionally, the material can migrate from the ceiling to other areas of the building, such as walls and subfloor areas.

There is increasing evidence to suggest that this loose fill asbestos insulation material was installed not only in the ACT, but also in many areas of NSW, including Orange. Residents are encouraged to make their own enquiries to determine the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980. Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether or not loose fill asbestos is present in the building and if so, the health risks (if any) this may pose for the building's occupants.

The NSW Government administers the "Loose Fill Asbestos Insulation Register" which lists properties that have been positively identified as containing loose fill asbestos insulation. This register may be accessed by the public using the NSW Fair Trading Website <https://www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation-register>

Additional information regarding the loose fill asbestos insulation may be obtained from NSW Fair Trading on telephone 13 32 20.



Civic Centre, Byng Street, Orange
PO Box 35 Orange NSW 2800

**Annexure to Certificate under section 10.7
Pursuant to Section 10.7(5)
Environmental Planning and Assessment Act 1979
(and associated EP&A Regulation 2021)
(Planning Certificate)**

Date of Issue: 16 July 2024
Receipt No: 3950733
Applicant Ref: BGYYW-JP
Certificate No: **1666**
Application No: 30047

To Info Track
GPO Box 4029
SYDNEY NSW 2001

Assessment No	12467
Parcel No	12493
Street Address	9 Wattle Avenue, Orange
Property Description	Lot 15 DP 36132
Owner	NSW Land and Housing Corporation

ADVICE ON OTHER RELEVANT MATTERS AFFECTING THE ABOVEMENTIONED LAND OF WHICH COUNCIL IS AWARE:

1 DEVELOPMENT CONSENTS AND COMPLYING DEVELOPMENT CERTIFICATES

No development consents have been issued with respect to the land within the previous five years.

No complying development certificates have been issued with respect to the land within the previous five years.

2 CURRENT APPROVED USE

The current approved use of the property is *dwelling house*.

Some residential homes located in the Orange City Council area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

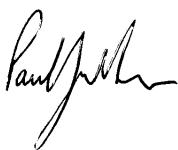
You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill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

Contact NSW Fair Trading for further information.

Council has taken all reasonable steps to ensure the above information is accurate and complete. However, due to the historical nature of the information, Council does not accept liability for any omissions that may inadvertently occur in relation to the information.

David Waddell
CHIEF EXECUTIVE OFFICER

Per



Any request for further information in connection with the above should be marked for the attention of Council's Manager Development Assessments, Mr Paul Johnston - (02) 6393 8260.

For information on matters other than those pertaining to this certificate, contact Council's Customer Service number - (02) 6393 8000.

Some information contained within this certificate has been provided by Land and Property NSW. If that information is vital for the end use, that information should be verified by the applicant for the certificate with Land and Property NSW.

(enclosure: asbestos information fact sheet)

ASBESTOS INFORMATION FACT SHEET (attachment for 10.7 certificates)

Naturally Occurring Asbestos

Some rocks and associated soils in the Orange City Local Government Area naturally contain asbestos minerals. When disturbed, these materials have the potential to release asbestos fibres into the air.

Mapping of these potential deposits has been released by the NSW Government - Trade & Investment NSW. These maps can be found on the SafeWork NSW website - see:

<https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06>

Orange City Council also has some more detailed information on naturally occurring asbestos - see:

Asbestos Management Plan:

www.orange.nsw.gov.au/wp-content/uploads/2018/08/Asbestos-Management-Plan.pdf

Strategic Policy ST001 – Asbestos Management

www.orange.nsw.gov.au/wp-content/uploads/2018/07/Asbestos-Management-ST001.pdf

Asbestos products in buildings and other infrastructure

Asbestos was commonly used in the manufacture of building products until the mid-1980s, after which it was gradually phased out. Many buildings constructed prior to a total ban on the use of asbestos in 2003 are likely to have asbestos containing materials. Table 1 provides a 'general rule' of the likelihood that a building would contain asbestos materials.

Table 1
General Likelihood of a Building Containing Asbestos
(Source: Office of Local Government - *Model Asbestos Policy for NSW Councils*)

Date of Construction	Likelihood Structure Contains Asbestos
before the mid-1980s	Highly likely to contain asbestos containing materials;
between the mid 1980s and 1990	Likely to contain asbestos containing materials;
between 1990 and 31 December 2003	Unlikely to contain asbestos containing materials;
after 31 December 2003	Very unlikely to contain asbestos containing materials as a total ban on any activity involving asbestos products became effective on that date.

Asbestos contamination resulting from disturbance of either of the above

Contamination may be the result of illegal dumping of asbestos containing materials, from incidents such as building fires or prior uncontrolled placement of asbestos containing materials.

Loose Fill Asbestos Insulation

Finally, it is noted that in the 1960s and 1970s a loose fill asbestos ceiling insulation material was installed in commercial and residential premises by an ACT-based company trading as 'Mr Fluffy'. It is also understood that other companies may have installed similar insulation materials. This product was made of crushed, loose asbestos and was either pumped or spread by hand into the ceiling space. This material may be very easily disturbed, generating airborne asbestos fibres that may cause health risks if inhaled or ingested. Additionally, the material can migrate from the ceiling to other areas of the building, such as walls and subfloor areas.

There is increasing evidence to suggest that this loose fill asbestos insulation material was installed not only in the ACT, but also in many areas of NSW, including Orange. Residents are encouraged to make their own enquiries to determine the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980. Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether or not loose fill asbestos is present in the building and if so, the health risks (if any) this may pose for the building's occupants.

The NSW Government administers the "Loose Fill Asbestos Insulation Register" which lists properties that have been positively identified as containing loose fill asbestos insulation. This register may be accessed by the public using the NSW Fair Trading Website <https://www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation-register>

Additional information regarding the loose fill asbestos insulation may be obtained from NSW Fair Trading on telephone 13 32 20.