

Planning Certificate No. 17997

Issued Under Section 10.7(2)
Environmental Planning and Assessment Act, 1979



Private Bag 342
Cowra NSW 2794

Date of issue: 11/08/2022

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Your Ref:	2220051 - M Short
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Receipt No.	1154079
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Property Description:	Liverpool Street COWRA 2794
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Title Description:	LOT: 2 DP: 1169527
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Owner Record by Council:	Western NSW Local Health District
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Rates Assessment No:	62050
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Parcel No:	16172
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10.7(2) Summary

Relevant LEP:	Cowra Local Environmental Plan 2012.
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LEP Zoning:	R1 General Residential Zone.
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Relevant DCP:	Cowra Shire Council Development Control Plan 2021. Refer Section 1.c
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Relevant SEPPs:	See Schedule 1.
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Relevant Draft EPIs:	No.
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Do Contribution Plans apply?	Yes.	Refer Section 3.
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Is the land flood liable?	No.	Refer Section 9.
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Is the land bushfire prone?	No.	Refer Section 11.
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Does the land contain a Local Heritage Item?	No.	Refer Section 2.i.
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Does the land contain a State Heritage Item?	No.	Refer Section 2.j.
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Is the land contaminated?	No.	Refer Sections 10 and 23.
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Is Exempt / Complying Development possible?	Yes.	Refer Sections 4 and 5.
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Note: The 10.7(2) summary above has been provided for the convenience of the reader and should not be relied upon as a definitive or complete statement of such matters relating to the land as may be prescribed under Section 10.7(2) of Environmental Planning & Assessment Act 1979 or any other Act or otherwise. Applicants should rely on the detailed information contained in the following pages of this Certificate.

1. Names of Relevant SEPPs, REPs, LEPs and DCPs		
1.a	The following environmental planning instrument applies to the land:	Cowra Local Environmental Plan 2012.
1.b	The following proposed environmental planning instruments apply to the land and have been the subject of community consultation or public exhibition under the Act:	Nil.
1.c	The following Development Control Plans (DCPs) apply to the land:	Cowra Shire Council DCP 2021.
1.d	The following State Environmental Planning Policies apply to the land:	See Schedule 1.
1.e	The following draft State Environmental Planning Policies apply to the land and have been the subject of community consultation or public exhibition under the Act:	Refer directly to NSW Planning & Environment website www.planning.nsw.gov.au

2. Zoning and land-use under relevant LEPs		
Note: As of 1 December 2021, a reference to an Environment Protection zone E1, E2, E3 or E4 in a document should be taken to be a reference to a Conservation zone C1, C2, C3 or C4. For further information please see Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021.'		
2.a	Cowra Local Environmental Plan 2012 land-use zone:	R1 General Residential Zone.
2.b	The purposes for which development may be carried out in the zone without consent:	See Schedule 2.
2.c	The purposes for which development may not be carried out in the zone except with consent:	See Schedule 2.
2.d	The purposes for which development is prohibited in the zone:	See Schedule 2.
2.e	Whether additional permitted uses apply to the land:	No.
2.f	Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land:	Nil.
2.g	Whether the land is an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016:	No.
2.h	Whether the land is in a conservation area (however described):	No.
2.i	Whether an item of environmental heritage (local significance) is situated on the land:	No.
2.j	Whether an item of environmental heritage (state significance) is situated on the land:	No.

3. Contribution Plans		
3.a	State the name of each contributions plan that applies to land in the Cowra Shire:	Cowra S94 Contribution Plans 2016. Cowra S94A Contribution Plans 2016. Developer Servicing Plan for Water 2008. Developer Servicing Plan for Sewer 2008.
3.b	State the name of each draft contributions plan that applies to land in the Cowra Shire:	Nil
3.c	Whether the land is in a special contributions area under the Act, Division 7.1, and if so, the name of the area:	No.

4. Complying Development		
Note: Section 4 of this Certificate states whether or not the subject land is land on which complying development may be carried out under each of the Codes in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 because of the provisions of Clause 1.17A(1)(c) to (e), (2), (3) and (4), Clause 1.18(1)(c3) and Clause 1.19 of that Policy.		
4.a	Housing Code	Yes.
4.b	Rural Housing Code	Yes.
4.c	Low Rise Medium Density Housing Code	Yes.
4.d	Greenfield Housing Code	Yes.
4.e	Inland Code	Yes

4. Complying Development		
4.f	Housing Alterations Code	Yes.
4.g	General Development Code	Yes.
4.h	Commercial and Industrial Alterations Code	Yes.
4.i	Commercial and Industrial (New Buildings and Additions) Code	Yes.
4.j	Container Recycling Facilities Code	Yes.
4.k	Subdivisions Code	Yes.
4.l	Demolition Code	Yes.
4.m	Fire Safety Code	Yes.

5. Exempt Development		
Note: Section 5 of this Certificate states whether or not the subject land is land on which exempt development may be carried out under each of the Codes in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 because of the provisions of Clause 1.16(1)(b1)-(d) or 1.16A of that Policy.		
5.a	General Exempt Development Code	Yes.
5.b	Advertising and Signage Exempt Code	Yes.
5.c	Temporary Uses and Structures Exempt Development Code	Yes.
5.d	Greenfield Housing Code	Yes.

6. Affected building notices and building product rectification orders		
6.a	State whether there is any affected building notice of which the council is aware that is in force in respect of the land.	No.
6.b	State whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with.	No.
6.c	State whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.	No.

7. Land reserved for acquisition		
	State whether any environmental planning instrument or proposed environmental planning instrument referred to Section 1 of this Certificate makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Environmental Planning & Assessment Act 1979.	No.

8. Road Widening and Road Realignment		
	State whether the land is affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, and any EPI or resolution of the Council.	No.

9. Flood related development controls information		
Note: Words and expressions used below have the same meanings as in the standard instrument set out in the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> ,		
9.a	State whether the land, or part of the land, is within the flood planning area and subject to flood related development controls?	No.
9.b	State whether the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development?	The land is not located between the flood planning area and the probable maximum flood.

10. Council and other public authority policies on hazard risk restrictions		
	State whether the land is affected by a policy adopted by the Council, or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to planning certificates issued by the Council, that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise,	No.

10.	Council and other public authority policies on hazard risk restrictions	
	salinity, coastal hazards, sea level rise or any other risk (other than flooding)?	
11.	Bushfire Prone Land	
	State whether all of the land or part of the land is identified as being bushfire prone land, designated by the Commissioner of the NSW Rural Fire Service under section 10.3 of the Environmental Planning and Assessment 1979	No.
12.	Loose-fill asbestos insulation	
	State whether Council has been notified by the NSW Department of Fair Trading that the land includes a residential premise (within the meaning of Division 1A of Part 8 of the Home Building Act 1989) that is listed in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.	No.
13.	Mine Subsidence	
	State whether the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.	No.
14.	Paper subdivision information	
	State whether any development plan adopted by a relevant authority applies to the land, or that is proposed to be subject to a consent ballot, and state the date of any subdivision order that applies to the land.	Nil.
15.	Property Vegetation Plans	
	State whether Council has been notified of the existence of a property vegetation plan under the Native Vegetation Act 2003.	No.
16.	Biodiversity stewardship sites	
	State whether the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016	No.
17.	Biodiversity certified land	
	State whether the land is biodiversity certified land (within the meaning of Part 8 of the Biodiversity Conservation Act 2016.	No.
18.	Orders under Trees (Disputes Between Neighbours) Act 2006	
	State whether Council has been notified that an order has been made under the Trees (Disputes Between Neighbours Act) 2006 to carry out work in relation to a tree on the land.	No.
19.	Annual charges under Local Government Act 1993 for coastal protection services	
	State whether the Coastal Management Act 2016 applies and whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services that relate to existing coastal protection works	No.
20.	Western Sydney Aerotropolis	
20.a	Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4, the land is in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17	No.
20.b	Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4, the land is shown on the Lighting Intensity and Wind Shear Map	No.
20.c	Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4, the land is shown on the Obstacle Limitation Surface Map	No.
20.d	Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4, the land is in the “public safety area” on the Public Safety Area Map	No.
20.e	Whether under State Environmental Planning Policy (Precincts – Western Parkland	No.

20. Western Sydney Aerotropolis

City) 2021, Chapter 4, the land is in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map

21. Conditions for seniors housing

State whether Council is aware that a condition has been imposed on a development consent (granted after 11 October 2007 and relating to the land) requiring occupation of any accommodation by the kinds of people referred to in Clause 88(2) of State Environmental Planning Policy (Housing) 2001.

No.

22. Site compatibility certificates and conditions for affordable rental housing

22.a State whether Council is aware if 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?

No.

22.b State whether Council is aware that a condition has been imposed on a development consent (relating to the land) in accordance with Clause 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021.

No.

23. Matters arising under the Contaminated Land Management Act 1997.

Note: Cowra Council has not adopted by resolution a policy on contaminated land which may restrict development of the land to which this certificate applies. Applicant must consider the provisions contained in State Environmental Planning Policy (Resilience & Hazards) 2021, Managing Land Contamination Planning Guidelines 1998, and Part O.3 of the Cowra Shire Council Development Control Plan 2021.

23.a. In so far as Council's records indicate, is the subject land, at the date of this certificate, significantly contaminated within the meaning of the Act?

No.

23.b In so far as Council's records indicate, is the subject land, at the date of this certificate, subject to a management order within the meaning of the Act?

No.

23.c In so far as Council's records indicate, is the subject land, at the date of this certificate, subject to an approved voluntary management proposal within the meaning of the Act?

No.

23.d In so far as Council's records indicate, is the subject land, at the date of this certificate, subject to an ongoing maintenance order within the meaning of the Act?

No.

23.e In so far as Council's records indicate, is the land to which this certificate relates the subject of a site audit statement that has been provided at any time to Cowra Council.

No.



Paul Devery
General Manager

Per
Janine Finlayson
Land-use Planner

Disclaimer - The information contained in this certificate has been taken from Council's records as an interpretation of the land at the time of issuing the Planning Certificate and is as current as the latest information available at the time of publication. Due to continuous revisions to State and local government legislation, Council advises that the contents of this document are subject to change without notice and encourage the applicant to contact the relevant authorities to confirm the accuracy of the information, and make relevant enquiries prior to undertaking any development of the land.

Schedule 1 – Relevant State Environmental Planning Policies

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Precincts—Central River City) 2021
- State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021
- State Environmental Planning Policy (Precincts—Regional) 2021
- State Environmental Planning Policy (Precincts—Western Parkland City) 2021
- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

Schedule 2 – Land-use Table to Cowra Local Environmental Plan 2012

1. The purposes for which development may be carried out in the zone without consent:

Environmental protection works; Home occupations

2. The purposes for which development may not be carried out in the zone except with consent:

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 1 or 3.

3. The purposes for which development is prohibited in the zone:

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies.