



Blayney Shire Council

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PLANNING CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Applicants Name: WPP Pty Ltd
Address: 60 Denison Street
HAMILTON EAST

Our Reference: IAPP/85662
Your Reference: 1189(2)
Certificate No.: 120/2022
Receipt No.: 64562
Amount Paid: \$167.00

DESCRIPTION OF LAND

Assessment No: A316037
Property Address: 1 Osman Street
Blayney
Lot/Portion: Lot 2 DP1097082
Owner: BLAYNEY DISTRICT HOSPITAL

1. Names of relevant planning instruments and DCPs (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.	BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 STATE ENVIRONMENTAL PLANNING POLICIES: 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT SEPP BUILDING SUSTAINABILITY INDEX: BASIX 2004 SEPP EXEMPT AND COMPLYING DEVELOPMENT CODES 2008 SEPP (HOUSING) 2021 SEPP (INDUSTRY AND EMPLOYMENT) 2021 SEPP (PRIMARY PRODUCTION) 2021 SEPP (PLANNING SYSTEMS) 2021 SEPP (REPEAL OF OPERATIONAL SEPPs) 2019 SEPP (RESOURCES AND ENERGY) 2021 SEPP (RESILIENCE AND HAZARDS) 2021 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021 BLAYNEY SHIRE DEVELOPMENT CONTROL PLAN 2018
(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. (3) (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	NIL

draft environmental planning instrument and includes a planning proposal for a local environmental plan.	
2. Zoning and land use under relevant LEPs <p>The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described –</p> <p>(a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)</p>	R1 GENERAL RESIDENTIAL
(b) (i) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	REFER TO ATTACHED SCHEDULE A
(b) (ii) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	REFER TO ATTACHED SCHEDULE A
(b) (iii) the purposes for which the instrument provides that development is prohibited within the zone,	REFER TO ATTACHED SCHEDULE A
(c) Whether any additional permitted uses apply to the land.	THERE ARE NO ADDITIONAL PERMITTED USES IDENTIFIED IN SCHEDULE 1 OF THE BLAYNEY LOCAL ENVIRONMENTAL PLAN, 2012 FOR THIS PROPERTY.
(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 minimum land dimensions so fixed,	NOT APPLICABLE
(e) whether the land is of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> .	NOT TO COUNCIL’S KNOWLEDGE, HOWEVER, PERSONS WITH AN INTEREST IN THE LAND MAY EXAMINE THE “REGISTER OF CRITICAL HABITAT” WHICH IS KEPT BY THE DIRECTOR-GENERAL OF NATIONAL PARKS AND WILDLIFE SERVICE
(g) whether the land is in a conservation area (however described),	NO
(h) whether an item of environmental heritage (however described) is situated on the land.	NO
2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 <p>To the extent that the land is within any zone (however described) under:</p> <p>(a) Part 3 of the <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP)</i>, or</p> <p>(b) a Precinct Plan (within the meaning of the 2006 SEPP), or</p> <p>(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,</p> <p>the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).</p>	NOT APPLICABLE

<p>3. Contributions Plan</p> <p>The name of each contributions plan applying to the land, including any draft contributions plans.</p> <p>If the land is in a special contributions area under the Act, Division 7.1, the name of the area.</p>	<p>BLAYNEY SHIRE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2022</p> <p>BSC 6 BLAYNEY SEWER</p>
<p>4. Complying Development</p> <p>(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1)(c) to (e), (2), (3) & (4), 1.18 (1)(c3) and 1.19 of <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p> <p>(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of that Policy and the reasons why it may not be carried under those clauses.</p> <p>(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.</p>	<p>THE ADVICE BELOW FOR ALL COMPLYING DEVELOPMENT CODES, IS LIMITED TO IDENTIFYING WEATHER OR NOT THE LAND, SUBJECT OF THE CERTIFICATE, IS LAND ON WHICH COMPLYING DEVELOPMENT MAY BE CARRIED OUT BECAUSE OF CLAUSES 1.17A(1)(C) TO (E), (2), (3) & (4), 1.18 (1)(C3) AND 1.19 OF STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008.</p> <p>COMPLYING DEVELOPMENT APPLIES TO THE LAND AS FOLLOWS:</p> <p>LOW RISE HOUSING DIVERSITY CODE COMPLYING DEVELOPMENT UNDER THE LOW RISE DIVERSITY CODE MAY BE CARRIED OUT ON THE LAND IN ACCORDANCE WITH SEPP Clause 3.B1. IT DOES NOT APPLY IF THE DEVELOPMENT FALLS WITHIN Clause 1.19</p> <p>INLAND CODE COMPLYING DEVELOPMENT UNDER THE INLAND CODE MAY BE CARRIED OUT ON THE LAND IN ACCORDANCE WITH SEPP Clause 3D1. IT DOES NOT APPLY IF THE DEVELOPMENT FALLS WITHIN Clause 1.19</p> <p>HOUSING ALTERATIONS CODE COMPLYING DEVELOPMENT UNDER THE HOUSING ALTERATIONS CODE MAY BE CARRIED OUT ON THE LAND IN ACCORDANCE WITH SEPP Clause 4.1, 4.2 and 1.19(4) – specific exemptions.</p> <p>GENERAL DEVELOPMENT CODE COMPLYING DEVELOPMENT UNDER THE GENERAL DEVELOPMENT CODE MAY BE CARRIED OUT ON THE LAND IN ACCORDANCE WITH SEPP Clause 4A.1 and 1.19(4) – specific exemptions.</p> <p>INDUSTRIAL AND BUSINESS ALTERATIONS CODE COMPLYING DEVELOPMENT UNDER THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE MAY BE CARRIED OUT ON THE LAND IN ACCORDANCE WITH SEPP Clauses 5.1, 5.2.</p> <p>INDUSTRIAL AND BUSINESS BUILDINGS CODE NOT APPLICABLE IN THE ZONE UNDER Clause 1.19 (5).</p> <p>CONTAINER RECYCLING FACILITIES CODE COMPLYING DEVELOPMENT UNDER THE CONTAINER RECYCLING FACILITIES CODE MAY BE CARRIED OUT ON THE LAND, ONLY IN ACCORDANCE WITH SEPP Clauses 5B2 and 5B.3.</p> <p>SUBDIVISIONS CODE COMPLYING DEVELOPMENT UNDER THE SUBDIVISIONS CODE MAY BE CARRIED OUT ON THE LAND, ONLY IN ACCORDANCE WITH SEPP Clauses 6.1, 6.2.</p>

	<p>DEMOLITION CODE COMPLYING DEVELOPMENT UNDER THE DEMOLITION CODE MAY BE CARRIED OUT ON THE LAND, ONLY IN ACCORDANCE WITH SEPP Clauses 7.1, 7.2.</p> <p>FIRE SAFETY CODE COMPLYING DEVELOPMENT UNDER THE FIRE SAFETY CODE MAY BE CARRIED OUT ON THE LAND, ONLY IN ACCORDANCE WITH SEPP Clauses 8.2, 8.3.</p> <p>AGRITOURISM AND FARM STAY ACCOMMODATION CODE IS NOT APPLICABLE IN THIS ZONE.</p> <p>WHERE IT IS UNCLEAR AS TO WHETHER A RESTRICTION APPLIES TO THE LAND, AND WHERE IT MAY ONLY APPLY TO PART OF THE LAND, COUNCIL DOES NOT HAVE SUFFICIENT INFORMATION TO FURTHER DETERMINE THE EXTENT OF APPLICATION.</p>
<p>5. Exempt Development</p> <p>(1) The extent to 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.</p> <p>(2) The extent to which exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under that clause.</p> <p>(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 –</p> <p>(a) a restriction applies to the land, but it may not apply to all of the land, and</p> <p>(b) the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.</p> <p>(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	<p>THE ADVICE BELOW FOR ALL EXEMPT DEVELOPMENT CODES, IS LIMITED TO IDENTIFYING WHETHER OR NOT THE LAND, SUBJECT OF THE CERTIFICATE, IS LAND ON WHICH COMPLYING DEVELOPMENT MAY BE CARRIED OUT BECAUSE OF CLAUSES 1.16 (1)(B1)–(D) AND 1.16A OF STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008.</p> <p>EXEMPT DEVELOPMENT MAY BE CARRIED OUT.</p>
<p>6. Affected building notices and building product rectification orders</p> <p>(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.</p> <p>(2) A statement of:</p> <p>(a) 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, and</p> <p>(b) Whether any notice of intention to make a building rectification order of which the council is aware has been given in respect of the land and is outstanding.</p> <p>(3) In this clause:</p> <p><i>affected building notice</i> has the same meaning as in Part 4 of the <i>Building Products (Safety) Act 2017</i>.</p> <p><i>building product rectification order</i> has the same meaning as in the <i>Building Products (Safety) Act 2017</i>.</p>	<p>THERE ARE NO KNOWN BUILDING NOTICES OR BUILDING PRODUCT RECTIFICATION ORDERS APPLICABLE TO THIS PROPERTY.</p>

<p>7. Land reserved for acquisition</p> <p>Whether an environmental planning instrument or proposed environmental planning instrument referred to in section 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.</p>	NO
<p>8. Road widening and road realignment</p> <p>Whether or not the land is affected by any road widening or road realignment under:</p> <ul style="list-style-type: none"> (a) Division 2 of Part 3 of the <i>Roads Act 1993</i>, or (b) any environmental planning instrument, or (c) any resolution of the council. 	NO
<p>9. Flood related development controls information</p> <ul style="list-style-type: none"> (1) If the land or part of the land is within the flood planning area and subject to flood related development controls. (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls. (3) In this section— <ul style="list-style-type: none"> <i>flood planning area</i> has the same meaning as in the Flood Risk Management Manual. <i>Flood Risk Management Manual</i> means the Flood Risk Management Manual, ISBN 978-1-923076-17-4, published by the NSW Government in June 2023. <i>probable maximum flood</i> has the same meaning as in the Flood Risk Management Manual. 	<p>NO</p> <p>THE LAND IS NOT IDENTIFIED BY AN ADOPTED COUNCIL POLICY AS BEING LOCATED WITHIN A FLOOD PLANNING AREA OR LOCATED BETWEEN THE FLOOD PROBABLE AREA AND THE PROBABLE MAXIMUM FLOOD.</p> <p>PLEASE NOTE AREAS OUTSIDE THE FLOOD INVESTIGATION AREA ADOPTED BY COUNCIL MAY BE IMPACTED BY FLOODING.</p>
<p>10. Council and other public authority policies on hazard risk restrictions</p> <ul style="list-style-type: none"> (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. (2) In this section— <ul style="list-style-type: none"> adopted policy means a policy adopted— <ul style="list-style-type: none"> (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. 	<p>THE LAND IS NOT AFFECTED BY A POLICY ADOPTED BY COUNCIL OR ANY OTHER PUBLIC AUTHORITY AND NOTIFIED TO THE COUNCIL FOR THE EXPRESS PURPOSE OF ITS ADOPTION BY THAT AUTHORITY BEING REFERRED TO ON PLANNING CERTIFICATE ISSUED BY COUNCIL, THAT RESTRICTS THE DEVELOPMENT OF THE LAND BECAUSE OF THE LIKELIHOOD OF LAND SLIP, BUSHFIRE, FLOODING, TIDAL INUNDATION, SUBSIDENCE, ACID SULPHATE SOILS OR ANY OTHER RISK.</p>
<p>11. Bush fire prone land</p> <p>If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.</p> <p>If none of the land is bush fire prone land, a statement to that effect.</p>	<p>NO</p> <p>THE LAND IS NOT IDENTIFIED AS BUSH FIRE PRONE LAND.</p>
<p>12. Loose-fill asbestos insulation</p> <p>If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <i>Home Building Act 1989</i>) that are listed on the register that is required to be maintained under that Division, a statement to that effect.</p>	<p>THERE ARE NO KNOWN RESIDENTIAL PREMISES REGISTERED AS SUCH.</p>

<p>13. Mine subsidence</p> <p>Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act 1961</i>.</p>	NO
<p>14. Paper subdivision information</p> <p>(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.</p> <p>(2) The date of any subdivision order that applies to the land.</p> <p>(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.</p>	NIL
<p>15. Property vegetation plans</p> <p>If the land is land to which a property vegetation plan approved under Part 4 of the <i>Native Vegetation Act 2003</i> applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).</p>	NOT TO COUNCIL'S KNOWLEDGE, HOWEVER, PERSONS WITH AN INTEREST IN THE LAND SHOULD CONTACT THE DEPARTMENT OF ENVIRONMENT AND HERITAGE AND THE LOCAL CATCHMENT MANAGEMENT AUTHORITY.
<p>16. Biodiversity stewardship sites</p> <p>If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment & Heritage).</p> <p><i>Note: Biodiversity stewardship agreements include biobanking agreements under Part 7a of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.</i></p>	NO
<p>17. Biodiversity certified land</p> <p>If the land is biodiversity certified land under Part 8 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect.</p> <p><i>Note: Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.</i></p>	NO

<p>18. Orders under Trees (Disputes Between Neighbours) Act 2006</p> <p>Whether an order has been made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on the land (but only if the council has been notified of the order)</p>	NO
<p>19. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works</p> <p>In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the <i>Local Government Act 1993</i> for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).</p> <p><i>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 the commencement of section 553B of the Local Government Act 1993.</i></p>	NOT APPLICABLE
<p>20. Western Sydney Aerotropolis</p> <p>Whether under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4 the land is</p> <p>In an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or</p> <p>Shown on the Lighting Intensity and Wind Shear Map, or</p> <p>Shown on the Obstacle Limitation Surface Map, or</p> <p>In the “public safety area” on the Public Safety Area Map, or</p> <p>In the “3 kilometre wildlife buffer zone” or the 13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.</p>	NOT APPLICABLE.
<p>21. Development consent conditions for seniors housing</p> <p>If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).</p>	NOT APPLICABLE
<p>22. Site compatibility certificates and conditions for affordable rental housing</p> <p>(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:</p> <p>(a) the period for which the certificate is current, and</p> <p>(b) that a copy may be obtained from the head office of the Department.</p> <p>(2) A statement setting out any terms of a kind referred to in</p>	<p>THERE IS NO CURRENT SITE COMPATIBILITY CERTIFICATE FOR AFFORDABLE RENTAL HOUSING THAT COUNCIL IS AWARE OF, WHICH APPLIES TO THIS LAND.</p> <p>NO DEVELOPMENT CONSENT HAS BEEN GRANTED TO</p>

clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.	THIS LAND UNDER THIS SEPP.
.(3) A statement setting out terms of a kind referred to in Chapter 2, Part 2, Division 1 or 5 of State Environmental Planning Policy (housing) 2021 applies to the land, any conditions of a development consent in relation to the land.	NO DEVELOPMENT CONSENT HAS BEEN GRANTED TO THIS LAND UNDER THIS SEPP.
<p><i>Notes: 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:</i></p> <p>(a) <i>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,</i></p> <p>(b) <i>that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,</i></p> <p>(c) <i>that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,</i></p> <p>(d) <i>that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,</i></p> <p>(e) <i>that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.</i></p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>

Disclaimer

This certificate includes information provided to Blayney Shire Council by other authorities and is as current as the latest information available to Council at the time of production of this document. It is strongly recommended that you contact the relevant authorities to confirm the accuracy of the information

Signed: _____



DATE: 23/05/2024

Director Planning & Environmental Services

SCHEDULE A

Zone R1 General Residential

1. **Objectives of zone**

- To provide for the housing needs of the community
- To provide for a variety of housing types and densities
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. **Permitted without consent**

Environmental protection works; home occupations

3. **Permitted with consent**

Attached dwellings; boarding houses; building identification signs; business identification signs; camping grounds; caravan parks; child care centres; community facilities; dwelling houses; emergency services facilities; exhibition homes; exhibition villages; flood mitigation works; group homes; home businesses; home industries; home occupations (sex services); hostels; information and education facilities; multi dwelling housing; neighbourhood shops; passenger transport facilities; places of public worship; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); residential accommodation; residential flat buildings; respite day care centres; roads; semi-detached dwellings; seniors housing; sewerage systems; shop top housing; tourist and visitor accommodation; water supply systems.

4. **Prohibited**

Biosolids treatment facilities; farm stay accommodation, rural workers' dwellings; sewage treatment plants; water recycling facilities; water treatment facilities; any other development not specified in item 2 or 3.