

PLANNING CERTIFICATE UNDER SECTION 10.7  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**Ref.:** 2210262 - J BALAZS:171384  
**Ppty:** 171506

**Cert. No.:** 4666

**Applicant:**  
INFOTRACK PTY LIMITED  
GPO BOX 4029  
SYDNEY NSW 2001

**Receipt No.:** 6211697  
**Receipt Amt.:** 174.00  
**Date:** 12-Feb-2025

The information in this certificate is provided pursuant to Section 10.7(2)&(5) of the Environmental Planning and Assessment Act (EP&A Act) 1979, as prescribed by Schedule 2 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2021. The information has been extracted from Council's records, as they existed at the date listed on the certificate. Please note that the accuracy of the information contained within the certificate may change after the date of this certificate due to changes in Legislation, planning controls or the environment of the land.

The information in this certificate is applicable to the land described below.

**Legal Description:** LOT 1 DP 1137425

**Street Address:** LIVERPOOL BOYS & LIVERPOOL GIRLS HIGH SCHOOL, 18-20 FORBES STREET,  
LIVERPOOL NSW 2170

*Note: Items marked with an asterisk (\*) may be reliant upon information transmitted to Council by a third party public authority. The accuracy of this information cannot be verified by Council and may be out-of-date. If such information is vital for the proposed land use or development, applicants should instead verify the information with the appropriate authority.*

*Note: Commonly Used Abbreviations:*

**LEP:** Local Environmental Plan  
**DCP:** Development Control Plan  
**SEPP:** State Environmental Planning Policy  
**EPI:** Environmental Planning Instrument

## **1. Names of relevant planning instruments and DCPs**

(1) The name of each EPI that applies to the carrying out of development on the land is/are listed below:

LEPs:

**Liverpool LEP 2008**

SEPPs\*:

**State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development**  
**State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**  
**State Environmental Planning Policy (Biodiversity and Conservation) 2021**  
**State Environmental Planning Policy (Housing) 2021**  
**State Environmental Planning Policy (Industry and Employment) 2021**  
**State Environmental Planning Policy (Planning Systems) 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**  
**State Environmental Planning Policy (Sustainable Buildings) 2022**

DCPs:

**Liverpool DCP 2008**

(2) The name of each draft EPI, or Planning Proposal (which has been subject to community consultation or public exhibition under the Act).

Draft LEPs:

**N/A**

Draft SEPPs\*:

**N/A**

Draft DCPs:

**N/A**

## **2. Zoning and land use under relevant LEPs and /or SEPPs**

This section contains information required under subclauses 2 of Schedule 2 of the EP&A Regulation 2021. Subclause 2 of the regulation requires Council to provide information with respect to zoning and land-use in areas zoned by, or proposed to be zoned by, an environmental planning instrument or draft environmental planning instrument.

Employment zones reform commenced on 26 April 2023 which replaced previous Business zones (B) and Industrial zones (IN) with Employment zones (E) and updated the land use tables. Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2022, contains a 2-year savings provision as follows:

*Development that is permitted with development consent on land in a former Business (B) or Industrial (IN) zone under a local environmental plan, as in force immediately before 26 April 2023, continues to be permitted with development consent on the land until 26 April 2025.*

The land use and zoning information under any EPI applying to the land is given below.

(a) Name of zone, and the EPI from which the land zoning information is derived.

**SP2 Infrastructure (Health Services Facility and Education Establishments) - Liverpool LEP 2008**

(b)(i) The purposes for which development may be carried out within the zone without the need for development consent

**Nil**

(b)(ii) The purposes for which development may not be carried out within the zone except with development consent

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

(b)(iii) The purposes for which the instrument provides that development is prohibited within the zone

**Any development not specified in item (b)(i) or (b)(ii)**

(c) Additional permitted uses apply to the land:

**Nil**

(d) If a dwelling house is a permitted use, are there any principal development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house?

**No**

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

**No**

(f) Is the land in a conservation area (however described):

**No**

(g) Is there an item of environmental heritage (however described) situated on the land:

**No**

### 3. Contribution Plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans:

**Liverpool Contributions Plan 2018 - Liverpool City Centre**

(2) If the land is in a region within the meaning of the Act, Division 7.1, Subdivision 4, the name of the region and the Ministerial planning order in which the region is identified:

**Greater Sydney Region - Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023**

(3) If the land is in a special contributions area to which a continued 7.23 determination applies, the name of the area:

**Not Applicable**

(4) In this section—

continued 7.23 determination means a 7.23 determination that—

(a) has been continued in force by the Act, Schedule 4, Part 1, and

(b) has not been repealed as provided by that part.

Note— The Act, Schedule 4, Part 1 contains other definitions that affect the interpretation of this section.

### 4. Complying development

The information below outlines whether complying development is permitted on the land as per the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1) (c3) and 1.19 SEPP of the (Exempt and Complying Development Codes) 2008 only. The table does not specify whether any

code applies to the land; applicants should read the full extent of the code with their building certifier, solicitor, or other professional to determine whether any code applies to the land.

The first column identifies the code(s). The second column describes the extent of the land in which complying development is permitted, as per the clauses above, for the code(s) given to the immediate left. The third column indicates the reason as to why complying development is prohibited on some or all of the land and will be blank if such development is permitted on all of the land.

<b>Code</b>	<b>Extent of the land for which development is permitted:</b>	<b>The reason(s) as to why development is prohibited:</b>
Housing Code, Rural Housing Code, Greenfield Housing Code, Low Rise Housing Diversity Code (for purposes other than dual occupancies), Inland Code	<b>All</b>	
Industrial and Business Buildings Code	<b>All</b>	
General Development Code, Container Recycling Facilities Code, Fire Safety Code, Housing Alterations Code, Industrial and Business Alterations Code, Subdivisions Code, and Demolition Code	<b>All</b>	
Low Rise Housing Diversity Code (for purposes of dual occupancies)	<b>All</b>	

Note: Despite information in the table above, complying development codes do not apply or are modified in areas subject to land-use zoning under the State Environmental Planning Policy (Precincts—Western Parkland City) 2021, Chapter 4 Western Sydney Aerotropolis.

Note: If 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 below will describe 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.

Nil

## 5. Exempt development

The information below outlines whether exempt development is permitted on the land as per the provisions of clauses 1.16(1)(b1)–(d) or 1.16A SEPP of the (Exempt and Complying Development Codes) 2008 only. The table does not specify whether any code applies to the land; applicants should read the full extent of the code with their building certifier, solicitor, or other professional to determine whether any code applies to the land.

The first column identifies the code(s). The second column describes the extent of the land in which exempt development is permitted, as per the clauses above, for the code(s) given to the immediate left. The third column indicates the reason as to why exempt development is prohibited on some or all of the land and will be blank if such development is permitted on all of the land.

Code	Extent of the land for which development is permitted:	The reason(s) as to why development is prohibited:
General Exempt Development Code, Advertising and Signage Exempt Development Code, Temporary Uses and Structures Exempt Development Code	All	

Note: Despite information in the table above, certain Exempt Codes do not apply or are modified in areas subject to land-use zoning under the SEPP (Precincts - Western Parkland City) 2021, Chapter 4 Western Sydney Aerotropolis.

Note: If 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 below will describe 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 exempt development may or may not be carried out on the land.

Nil

## 6. Affected building notices and building product rectification orders\*

Is there any affected building notice (as in Part 4 of the Building Products (Safety) Act 2017) of which the council is aware that is in force in respect of the land?

No

Is there any building product rectification order (as in the Building Products (Safety) Act 2017) of which the council is aware that is in force in respect of the land and has not been fully complied with?

**No**

Is there any notice of intention to make a building product rectification order (as in the Building Products (Safety) Act 2017) of which the council is aware has been given in respect of the land and is outstanding?

**No**

## **7. Land reserved for acquisition**

Does a LEP, draft LEP, SEPP or draft SEPP identify the acquisition of the land, or part of the land, by a public authority, as referred to in section 3.15 of the Act?

**No**

## **8. Road widening and road realignment**

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

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

**No**

(b) An EPI?

**No**

(c) A resolution of the council?

**No**

## **9. Flood related development controls**

(1) Is the land, or part of the land, within the flood planning area and subject to flood-related development controls?

**No, the land is outside of flood planning area and NOT subject to flood related development controls for industrial/commercial and residential premises.**

For details of these controls, please refer to the flooding section of the relevant DCP(s) as specified in Section 1(1) of this certificate.



(2) Is the land, or part of the land, between the flood planning area and the probable maximum flood (outside the flood planning area, but within the extent of the probable maximum flood), and subject to flood related development controls?

**Yes, the land, or part of the land, is within the extent of the probable maximum flood and subject to flood related development controls (example: schools). However, the land is NOT subject to flood related development controls for residential premises, but subject to flood related development controls for group homes and senior housing.**

For details of these controls, please refer to the flooding section of the relevant DCP(s) as specified in Section 1(1) of this certificate.

*Note:*

***Flooding certificate will be provided as an annexure to Section 10.7(5) certificate only if the land, or part of the land, is within the flood planning area.***

*Flood planning area has the same meaning as in the Floodplain Development Manual. It is generally the 1% annual exceedance probability plus a 0.5m freeboard or as outlined in relevant DCP.*

*Floodplain Development Manual means the Floodplain Development Manual (ISBN 978-1-923076-17-4) published by the NSW Government in June 2023.*

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

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

The following table lists hazard/risk policies that have been adopted by Council (or prepared by another public authority and subsequently adopted by Council). The right-most column indicates whether the land is subject to any controls from those policies, but it does not confirm if that hazard/risk is present on the land.

Hazard/Risk	Adopted Policy	Is the land is subject to development controls under that policy?
<b>Bushfire hazard</b>	Liverpool DCP 2008	<b>No</b>
	Liverpool Growth Centre Precincts DCP*	<b>No</b>



Hazard/Risk	Adopted Policy	Is the land is subject to development controls under that policy?
	Edmondson Park South DCP 2012	No
	Western Sydney Aerotropolis DCP 2022	No
	Planning for Bushfire Protection (Rural Fire Services, 2019)*	No
	Pleasure Point Bushfire Management Plan	No
<b>Tidal inundation</b>	Nil	No
<b>Subsidence</b>	Nil	No
<b>Acid Sulphate Soils</b>	Liverpool LEP 2008	Yes
	Liverpool DCP 2008	Yes
<b>Potentially Contaminated Land</b>	Liverpool DCP 2008	Yes, see section 10 of Part 1 of the Liverpool DCP 2008
	Liverpool Growth Centre Precincts DCP*	No
<b>Potentially Saline Soils</b>	Liverpool DCP 2008	Yes
	Liverpool Growth Centre Precincts DCP*	No
	Western Sydney Aerotropolis DCP 2022	No

Note: Land for which a policy applies does not confirm that the land is affected by that hazard/risk. For example, all land for which the Liverpool DCP applies is subject to controls relating to contaminated land, as this policy contains triggers and procedures for identifying potential contamination. Applicants are encouraged to review the relevant policy, and other

sections of this certificate, to determine what effect, if any, the policy may have on the land. Any information regarding contamination as Council is aware of, if any, can be found in Clause 24 of this Section 10.7(2) certificate and Clause 4 of the Section 10.7(5) certificate.

### **11. Bushfire prone land**

Is the land or part of the land, bushfire prone land as defined by the EP&A Act 1979?

**No**

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

Is a dwelling on the land listed on the register (maintained by the NSW Department of Fair Trading) as containing loose-fill asbestos insulation?

**No**

Note: despite any listing on the register, any buildings constructed before 1980 may contain loose-fill asbestos insulation or other asbestos products.

### **13. Mine subsidence\***

Is the land a proclaimed to mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017?

**No**

### **14. Paper subdivision information\***

Does any development plan adopted by a relevant authority (or proposed plan subject to a consent ballot) apply to the land? If so the date of the subdivision order that applies to the land.

**No**

### **15. Property vegetation plans\***

Is Council aware of the land being subject to a Property Vegetation Plan under the Native Vegetation Act 2003?

**No, Liverpool is excluded from the operation of the Native Vegetation Act 2003**

### **16. Biodiversity stewardship sites\***

Is the land subject to a Biodiversity stewardship site under Part 5 of the Biodiversity Conservation Act 2016, as notified to Council by the Chief Executive of the Office of Environment and Heritage?

No

### **17. Biodiversity certified land\***

Is the land, or part of the land, biodiversity certified land (within the meaning of Part 8 of the Biodiversity Conservation Act 2016)?

No

For information about what biodiversity certification means if your property is “Yes, certified” or “Yes, non-certified”, please visit: <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/biodiversity-certification>

### **18. Orders under Trees (Disputes between Neighbours) Act 2006\***

Does an order, made under the Trees (Disputes Between Neighbours) Act 2006 in relation to carrying out of work in relation to a tree on the land, apply?

No, Council has not been notified of an order

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

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

No

### **20. Western Sydney Aerotropolis**

As per the SEPP (Precincts - Western Parkland City) 2021, Chapter 4 Western Sydney Aerotropolis, is the land:

(a) Subject to an ANEF or ANEC contour of 20 or greater?

No

(b1) Affected by the 6km Lighting Intensity Area, or Light Control Zone?

No

(b2) Affected by the Windshear Assessment Trigger Area?

No

(c) Affected by the Obstacle Limitation Surface Area?

**No**

(d) Affected by the Public Safety Area on the Public Safety Area Map?

**No**

(e1) Within the 3km zone of the Wildlife Buffer Zone Map?

**No**

(e2) Within the 13km zone of the Wildlife Buffer Zone Map?

**No**

Note: the table above only specifies whether the land is impacted by planning controls related to the Western Sydney Airport. Planning controls also relate to the Bankstown Airport, and are not reflected in this table.

## **21. Development consent conditions for seniors housing\***

Are there any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in section 88(2) of State Environmental Planning Policy (Housing) 2021?

**No**

## **22. Site compatibility certificates and conditions for affordable rental housing\***

(1) Is 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 respect of proposed development on the land?

**No**

(2) Are there any conditions of a development consent in relation to the land that are of a kind referred to in section 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021?

**No**

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

**No**

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

## 23. Water or sewerage services provided under the Water Industry

### Competition Act 2006\*

Some land may have services provided by private entities under the Water Industry Competition Act 2006 (WIC Act 2006); any outstanding fees or charges owed to these service providers becomes the responsibility of the new owner(s) of the land.

The Independent Pricing and Regulatory Tribunal (IPART) provides information about the areas serviced, or to be serviced, via a register on their website. A statement below indicates whether the land is, or is to be, subject to an alternative servicing arrangement under the WIC Act 2006 as per that register:

**No, this land is not subject to an alternative servicing arrangement under the WIC Act 2006**

*Note: This section does not contain information relating to whether the land is, or is not, connected to Sydney Water's network for the supply of either drinking water or sewage disposal services. For further information about whether your land is connected to Sydney Water's network, we recommend that you contact Sydney Water.*

## 24. Contaminated land

Is the land:

(a) Significantly contaminated land within the meaning of that Act?

**No**

(b) Subject to a management order within the meaning of that Act?

**No**

(c) Subject of an approved voluntary management proposal within the meaning of that Act?

**No**

(d) Subject to an ongoing maintenance order within the meaning of that Act?

**No**

(e) Subject of a site audit statement within the meaning of that Act? \*

**Yes.** The land to which the certificate relates is subject to a site audit statement.

Note: in this clause 'the Act' refers to the Contaminated Land Management Act 1997. This section only checks items under section 59(2)(a)–(e) of the Act and may not include all available contamination information for the site. A section 10.7(5) certificate may provide further information.

**THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(5) OF THE  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT (EP&A ACT) 1979**

**1. Controlled access road**

Does the land have a boundary to a controlled access road?

No

**2. Sewer Access and On-site Management**

Nil

**3. Other Information in Relation to Water Restrictions**

All/part of the property is identified as flood prone and is within the low risk flood category. Low Flood Risk Category means the outer extent of the floodplain (within the extent of the probable maximum flood) but not identified within either the High Flood Risk or the Medium Flood Risk Category. Refer to Section 1(c) of this certificate for the relevant DCP which contains controls relating to flood prone land.

Note: flooding certificate with level information will be provided only if the response to Section 9(1) of the Section 10.7(2) Certificate is 'Yes' or the land is fully/partially located in medium/high flooding risk area. No flood related development control applies to residential premises (exclude group homes and senior housing) if the land is only affected by low risk flood.

**4. Contaminated Land**

Nil

**5. Airport Noise Affectation\***

Nil

**6. Environmentally Significant Land**

Nil

**7. Archaeological Management Plan**

Nil

**8. Western Sydney Long Term Strategic Corridors\***

Has the NSW Government identified that the land may be traversed by, or located near, a future transport corridor as identified in the Western Sydney Long Term Strategic Corridors project?

No

For more information on the Western Sydney Long Term Strategic Corridors, visit:

<https://www.transport.nsw.gov.au/corridors>

## 9. Fifteenth Avenue Smart Transit Project

Not Applicable

## 10. Offensive Odour and Rural Land Uses

Nil

## 11. Other Matters

Nil



For further information, please contact  
CALL CENTRE – 1300 36 2170

Jason Bredon  
Acting Chief Executive Officer  
Liverpool City Council