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ABN: 93 723 245 808

## **PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)**

### **ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

<b>APPLICANT:</b>	Anthony Kiliias
<b>Planning Certificate No.:</b>	00073162
<b>Receipt No.:</b>	RT55856620
<b>Issue Date:</b>	09/07/2024
<b>Applicant's Reference:</b>	Wilton Junction
<b>Property No.:</b>	32186

#### **DESCRIPTION OF PROPERTY**

<b>Address:</b>	200 Fairway Drive, WILTON, NSW, 2571 (P)
<b>Land Description:</b>	Lot: 1063 DP: 1289197

#### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith. This certificate was generated automatically under the delegated authority of the Manager Sustainable Growth.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

If the land straddles a local government area boundary, the information in this certificate only applies to the portion of land that is located within Wollondilly Shire Council Local Government Area.

The following information is provided pursuant to Section 10.7(5) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 2 of the Environmental Planning and Assessment Regulation 2021 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au).

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## **1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS**

- (1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land.
- (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) Subsection (2) does not apply in relation to a proposed environmental planning instrument or draft development control plan if-
  - (a) it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or
  - (b) for a proposed environmental planning instrument – the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.
- (4) In this section-  
***proposed environmental planning instrument*** means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.

## **ENVIRONMENTAL PLANNING INSTRUMENTS**

State Environmental Planning Policy (Sustainable Buildings) 2022

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 (Housing) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Biodiversity & Conservation) 2021

State Environmental Planning Policy (Resilience & Hazards) 2021

State Environmental Planning Policy (Transport & Infrastructure) 2021

State Environmental Planning Policy (Industry & Employment) 2021

State Environmental Planning Policy (Resources & Energy) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Precincts Western Parkland City) 2021

State Environmental Planning Policy (Precincts Regional) 2021

State Environmental Planning Policy (Housing and Productivity Contributions) 2023

## **DEVELOPMENT CONTROL PLANS**

The Wilton Growth Area Development Control Plan 2021 applies to all land in the Wilton Growth Area zoned under the State Environmental Planning Policy (Precincts - Western Parkland City) 2021.

## **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

Explanation of Intended Effect (In-fill affordable housing, group homes, supportive accommodation and other provisions) – proposed amendments to State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

Explanation of Intended Effect (Manufactured Home Estates, Caravan Parks and Camping Grounds) 2023 – proposed amendments to State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and other legislation

Explanation of Intended Effect (Changes to create low and mid-rise housing) – proposed introduction of a state environmental planning policy

## **DRAFT DEVELOPMENT CONTROL PLANS**

Draft North Wilton Neighbourhood Plan No. 1

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## **2. ZONING AND LAND USE UNDER RELEVANT PLANNING INSTRUMENTS**

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described-

**STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – WESTERN PARKLAND CITY) 2021 – NORTH WILTON**

- a. the identity of the zone, whether by reference to-
  - i. a name, such as “Residential Zone” or “Heritage Area”, or
  - ii. a number, such as “Zone No 2 (a)”,

Zone UD Urban Development

- b. the purpose for which development in the zone-
  - i. may be carried out without development consent:  
  
Home occupations.
  - ii. may not be carried out except with development consent:  
  
Any development not specified in item (i) or (iii).
  - iii. is prohibited:

Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Home occupations (sex services); Mooring pens; Moorings; Open cut mining; Port facilities; Resource recovery facilities; Rural industries.

- c. whether additional permitted uses apply to the land,

There are no additional permitted uses which apply to the land.

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

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- e. whether the land is in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,

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

- f. whether the land is in a conservation area, however described,

The land is not located in a conservation area.

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

The land does not contain an item of environmental heritage.

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### **3. CONTRIBUTIONS PLANS**

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

#### **CONTRIBUTIONS PLANS**

Wollondilly Development Contributions Plan 2020 applies to the land.

#### **DRAFT CONTRIBUTIONS PLANS**

There are currently no Draft Contributions Plans that apply to the land.

- (2) If the land is in a region within the meaning of the Act, Division 7.1, Subdivision 4-

(a) The name of the region, and

(b) The name of the Ministerial planning order in which the region is identified.

The land is within the Greater Sydney Region within the meaning of the Act, Division 7.1, Subdivision 4.

The Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 is the Ministerial Planning Order in which the Region is identified.

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

The land is not located in a Special Contributions Area to which a continued 7.23 determination applies.

- (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.

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#### **4. COMPLYING DEVELOPMENT**

- (1) If the land is land on which complying development may be carried out under each of the complying development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.17A(1)(c)-(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.
- (2) If complying development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that-
  - (a) a restriction applies to the land, but it may not apply to all of the land, and

- (b) the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.
- (4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.

## **THE HOUSING CODE**

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE RURAL HOUSING CODE**

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE GREENFIELD HOUSING CODE**

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The Wilton Greenfield Housing Code Variation applies to the land. The variations are listed in Schedule 3, Part 3 of the Codes SEPP. Both the Greenfield Housing Code and the variations listed in Part 3 are relevant for the purposes of Complying Development. Further information is available on the Department of Planning and Environment's website.

## **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.



## **THE HOUSING ALTERATIONS CODE**

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE GENERAL DEVELOPMENT CODE**

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE INDUSTRIAL AND BUSINESS ALTERATIONS CODE**

Complying development MAY be carried out on the land under the Industrial and Business Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE INDUSTRIAL AND BUSINESS BUILDINGS CODE**

Complying development MAY be carried out on the land under the Industrial and Business Buildings Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE CONTAINER RECYCLING FACILITIES CODE**

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## **THE SUBDIVISIONS CODE**

Complying development MAY be carried out on the land under the Subdivisions Code in State

Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

### **THE DEMOLITION CODE**

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

### **THE FIRE SAFETY CODE**

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

### **THE AGRITOURISM AND FARM STAY ACCOMMODATION CODE**

Complying development MAY be carried out on the land under the Agritourism And Farm Stay Accommodation Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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## **5. EXEMPT DEVELOPMENT**

- (1) If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A.
- (2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that-

- (a) a restriction applies to the land, but it may not apply to all of the land, and
  - (b) the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.
- (4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

Exempt development MAY be carried out on the land under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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## **6. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS**

- (1) Whether the council is aware that-

- (a) An affected building notice is in force in relation to the land, or

Council is NOT aware of any affected building notice in respect of the land.

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

Council is NOT aware of any building product rectification order as detailed above.

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

Council is NOT aware of any notice of intention as detailed above.

(2) In this section-

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

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

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## 7. LAND RESERVED FOR ACQUISITION

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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

There are no proposed Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of land by a public authority as referred to under section 3.15 of the Act.

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## 8. ROAD WIDENING AND ROAD REALIGNMENT

Whether the land is affected by road widening or road realignment under-

- (a) The Roads Act 1993, Part 3, Division 2, or
- (b) An environmental planning instrument, or
- (c) A resolution of the council.

No

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## 9. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (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-

***flood planning area** has the same meaning as in the Flood Risk Management Manual.*

***Flood Risk Management Manual** means the Flood Risk Management 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 Flood Risk Management Manual.*

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## 10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

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

(2) **In this section-**

*adopted policy* means a policy adopted-

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

Yes. The Contaminated Land Policy adopted by Wollondilly Shire Council applies and provides a framework to manage land contamination through the land use planning process.

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## **11. BUSH FIRE PRONE LAND**

- (1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or some of the land is bush fire prone land.
- (2) If none of the land is bush fire prone land, a statement to that effect.

The land is wholly bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under Section 10.3 of the Act.

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## **12. LOOSE-FILL ASBESTOS INSULATION**

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

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

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### **13. MINE SUBSIDENCE**

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

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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### **14. PAPER SUBDIVISION INFORMATION**

- (1) The name of a development plan adopted by a relevant authority that-
  - (a) applies to the land, or
  - (b) is proposed to be subject to a ballot.
- (2) The date of a subdivision order that applies to the land.
- (3) Words and expressions used in this section have the same meaning as in this Regulation, Part 10 and the Act, Schedule 7.

None.

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### **15. PROPERTY VEGETATION PLANS**

If the land is land in relation to which a property vegetation plan is approved and in force under the Native Vegetation Act 2003, Part 4, a statement to that effect, but only if council has been notified of the existence of the plan by the person or body that approved the plan under that Act.

Council has not been notified of any such plan that affects this land.

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## **16. BIODIVERSITY STEWARDHIP SITES**

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

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

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

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## **17. BIODIVERSITY CERTIFIED LAND**

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

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

Yes, the land is partly or wholly biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

The land is located within the area covered by the Cumberland Plain Conservation Plan mapping.

For more information contact the NSW Government Department of Planning and Environment at [CPCP@planning.nsw.gov.au](mailto:CPCP@planning.nsw.gov.au), call 02 9585 6060 or visit their website at [www.planning.nsw.gov.au/CPCP](http://www.planning.nsw.gov.au/CPCP).



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

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land, but only if council has been notified of the order.

No

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

(1) If the Coastal Management Act 2016 applies to the council, whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services that relate to existing coastal protectiontection works.

(2) In this section-

*Existing coastal protection works* has the same meaning as in the Local Government Act 1993, section 553B.

**Note-** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1 January 2011.

This clause is not applicable to the Wollondilly Local Government Area.

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**20. WESTERN SYDNEY AEROTROPOLIS**

Whether under State Environmental Planning Policy (Precicnts - Western Parkland City) 2021, Chapter 4 the land is-

- (a) In an ANEF or ANEC contour of 20 or greater, as referred to in that Policy, clause 19, or

No. The land IS NOT identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) Shown on the Lighting Intensity and Wind Shear Map, or

No. The land IS NOT identified on the Lighting Intensity and Wind Shear Map.

- (c) Shown on the Obstacle Limitation Surface Map, or

No. The land IS NOT identified on the Obstacle Limitation Surface Map.

- (d) In the 'public safety area' on the Public Safety Area Map, or

No. The land IS NOT identified as being within the "public safety area" on the Public Safety Map.

- (e) In the '3 kilometre wildlife buffer zone' or the '13 kilometre wildlife buffer zone' on the Wildlife Buffer Zone Map.

No. The land IS NOT identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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## **21. DEVELOPMENT CONSENT CONDITIONS FOR SENIORS HOUSING**

If State Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, clause 88(2).

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

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

- (1) Whether there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there

is a certificate-

- (a) The period for which the certificate is current, and
  - (b) That a copy may be obtained from the Department.
- (2) If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).
- (3) Any conditions of development consent in relation to land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1).
- (4) In this section-

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

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

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## 23. WATER OR SEWERAGE SERVICES

If water or sewerage services are, or are to be, provided to the land under the Water Industry Competition Act 2006.

**Note-** A public water utility may not be the provider of some or all of the services to the land. If a water or sewerage service is provided to the land by a licensee under the Water Industry Competition Act 2006, a contract for the service will be deemed to have been entered into between the licensee and the owner of the land. A register relating to approvals and licences necessary for the provision of water or

sewerage services under the Water Industry Competition Act 2006 is maintained by the Independent Pricing and Regulatory Tribunal and provides information about the areas serviced, or to be serviced, under that Act. Purchasers should check the register to understand who will service the property. Outstanding charges for water or sewerage services provided under the Water Industry Competition Act 2006 become the responsibility of the purchaser.

No. Water or sewerage services are not provided to the land under the Water Industry Competition 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, recycled water or wastewater. Nor does this section contain information relating to whether a smaller scale onsite sewage management system services the land.

Contact Sydney Water for further information about whether the land is connected to Sydney Water’s network.

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**NOTE.** The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

- (b) 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,

No.

- (c) 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,

No.

- (d) 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,

No.

- (e) 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.

No.

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**The following additional information is provided under:**

**SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.
2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.
3. **WESTERN SYDNEY INTERNATIONAL (NANCY BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the SEPP) came into effect on 1 March 2022. It replaces State Environmental Planning Policy (Western Sydney Aerotropolis) 2020, which was in effect from 1 October 2020 until 28 February, 2022.

Chapter 4 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 20 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an ANEF or ANEC Contour of 20 or greater. Clause 4.17(4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- **A dwelling under Clause 4.17(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;**

Additional considerations apply to land in Wollondilly identified by the Obstacle Limitation Surface Map, Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0728>

#### **4. DRAFT ENVIRONMENTAL IMPACT STATEMENT - WESTERN SYDNEY INTERNATIONAL AIRPORT - AIRSPACE AND FLIGHT PATH DESIGN**

The Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts released a Draft Environmental Impact Statement for the Western Sydney International (Nancy-Bird Walton) Airport – Airspace and Flight Path Design (Draft EIS) on 24 October, 2023. The Draft EIS considers the development and implementation of the proposed flight paths and a new controlled airspace volume for single runway operations at the airport (being Stage 1 Development).

Consultation on the Draft EIS closed on 31 January, 2024, however, the full Draft Environmental Impact Statement and supporting information can be found at the following:

<https://www.infrastructure.gov.au/have-your-say/draft-environmental-impact-statement-western-s>

You can also access the Western Sydney Airport Aircraft Overflight Noise Tool via the link below to view aircraft overflight and noise information based on the preliminary flight path design:

<https://wsflightpaths.aerolabs.com/>

#### **5. Other Matters (if applicable)**

#### **PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY**

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation. The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport. The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government

area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter). For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

### **WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA**

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area. For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>

### **SHIRE WIDE FLOOD STUDY**

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community. A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire. Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

### **CUMBERLAND PLAIN CONSERVATION PLAN**

The Cumberland Plain Conservation Plan (CPCP) applies to the land. The CPCP was released in August 2022 and facilitates growth in Western Sydney to 2056 and beyond, and delivers important development and biodiversity outcomes. The CPCP identifies several categories of land, with different planning arrangements for each. If the land is identified as having avoided land, certified-urban capable land or strategic conservation area, the Biodiversity and Conservation SEPP will need to be considered when preparing a development application. For more information contact the NSW Government Department of Planning and Environment at [CPCP@planning.nsw.gov.au](mailto:CPCP@planning.nsw.gov.au), call 02 9585 6060 or visit their website at [www.planning.nsw.gov.au/CPCP](http://www.planning.nsw.gov.au/CPCP).

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In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

*This certificate was generated automatically under the delegated authority of the Manager  
Sustainable Growth*

## **WOLLONDILLY SHIRE COUNCIL**

The information contained in this certificate can be discussed with Council's Duty Planner by appointment, Monday to Friday between the hours of 8:30am and 3:00pm, by telephoning (02) 4677 1100 or by making a booking via the online Duty Planner booking system -

<https://dutyroster.wollondilly.nsw.gov.au/>. Please note that appointments are limited to 15 minutes.

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## **Notice to Purchasers of Rural Land**

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users.

Intending purchasers are advised that agricultural production can include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices

Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)

Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)

Vegetation clearing

Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

**This is not an exhaustive list** and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice. This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.