

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/859866

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
24/8/2022	2:18 PM	2	21/8/1996

LAND

LOT 2 IN DEPOSITED PLAN 859866
AT BLAKEBROOK
LOCAL GOVERNMENT AREA LISMORE
PARISH OF TUNSTALL COUNTY OF ROUS
TITLE DIAGRAM DP859866

FIRST SCHEDULE

MINISTER FOR EDUCATION AND TRAINING (T 2397183)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 BK 2952 NO 142 EASEMENT FOR PIPELINE 3.655 APPURTENANT TO THE PART
SHOWN SO BENEFITED AFFECTING THE LAND SHOWN SO
BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

EC2227

PRINTED ON 24/8/2022

Search Date/Time: 24/08/2022 2:18PM

LEGALSTREAM AUSTRALIA - hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

Search Date: **24-Aug-2022**

Cost Summary

Our Ref#	Search Type	Search Reference	Client Ref#	Total Cost	Total GST
5885629	Title Search	2/859866	EC2227	14.08	1.28
REPORT TOTAL:				14.08	1.28

* * * **END OF REPORT** * * *

New South Wales Land Registry Services - Document Request

Client Code.....: **EPMP**
Search Date.....: **24-Aug-2022 at 2:20 PM**
Client Reference: **EC2227**
Doc Reference...: **859866**
Document Type...: **Deposited Plan**
Sub Type.....: **Plan**
Pages.....: **ALL**
NSW LRS Ref.....: **R353838**
Message.....: **OK**

User ID.....: **EPMP**
Our Ref#.....: **5885631**

	<u>TOTAL</u>	<u>GST Inc.</u>
On Line Charge..:	3.65	0.33
Authority Fee...:	11.86	0.96
Total Cost.....:	15.51	1.29



417 Rosehill Road BLAKEBROOK

Our Ref: Cert No. 8349

Your Ref: EC2227

Lodgement Date: 16/08/2022

EPM Projects
7.02 - 67 Albert Avenue
Chatswood, NSW 2067

Dear Sir/Madam

APPLICATION FOR PLANNING CERTIFICATE
(S.10.7 of the Environmental Planning and Assessment Act)

LAND: DP 859866 lot 2, 417 Rosehill Road BLAKEBROOK NSW 2480

Reference is made to your recent application for a Planning Certificate in relation to the above land.

A Certificate, pursuant to Section 10.7 of the Environmental Planning and Assessment Act is enclosed. The information it contains is based on Council's records.

This Certificate does not provide advice regarding development consents issued, or proposals received, by Lismore City Council in regard to developments adjoining, or impacting upon, the property subject of this Certificate. For information concerning development applications lodged or consents issued, within the last five years, a separate application will need to be made to Council together with an application fee, as specified in Council's adopted Fees & Charges.

If you are purchasing land in a rural area:

Nothing contained in this Certificate relating to rural zoned land should be construed as inferring that the land possesses a Dwelling Entitlement. The existence of Dwelling Entitlements can only be ascertained by a search of individual property records, which is outside the scope of a Planning Certificate.

Farming and other rural activities can make noises and smells at any time of the day or night. If you make a complaint about farming activities, please be aware that Council may not take action in response to a complaint because Council values its farmers.

If you require any further information, please contact Council's Sustainable Development Administration team on 66 250 500.

Yours faithfully

Sandy Strachan
Senior Support Officer
Sustainable Development

Enclosure: Section 10.7 Certificate

**PLANNING CERTIFICATE
UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT, 1979**

Certificate No: 8349
Date: 16/08/2022
Applicant Reference: EC2227

Lismore City Council
43 Oliver Avenue, Goonellabah 2480
(PO Box 23A, Lismore 2480)
Ph: 1300 87 83 87
Fax: 02 6625 0400
council@lismore.nsw.gov.au
www.lismore.nsw.gov.au

Applicant:
EPM Projects
7.02 - 67 Albert Avenue
Chatswood, NSW 2067

Owner (as recorded by Council)
Department Education

Property: 417 Rosehill Road BLAKEBROOK NSW 2480
Description: DP 859866 lot 2
Property No: 25606
Land Area: 1.2760 Hectares

INFORMATION PROVIDED PURSUANT TO SECTION 10.7 OF THE ACT.

The information contained in this certificate relates only to the lot described in the certificate.

(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.

Lismore Local Environmental Plan 2012

- *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.*
- *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 (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Resources and Energy) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Primary Production) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Regional) 2021*

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Nil

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Lismore Development Control Plan

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

(2) ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to name (such as “General Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No. R1”),
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

SP2 Infrastructure

The following table provides general zoning controls for Zone SP2

1. Objectives of zone

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

2. Permitted without consent

Environmental protection works.

3. Permitted with consent

Aquaculture; car parks; environmental facilities; flood mitigation works; helipads; passenger transport facilities; roads; signage; the purpose shown on the land zoning map, including any development that is ordinarily incidental or ancillary to development for that purpose.

4. Prohibited

Any development not specified in item 2 or 3.

- (e) 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:

The development standard fixed for the minimum land dimensions for the erection of a dwelling house in the RU1 – Primary Production and RU2 – Rural Landscape zones is 40ha. There are some limited areas of land identified in accordance with the lot size maps made under the Lismore Local Environmental Plan 2012 where the minimum lot size is identified as 20ha. It is strongly recommended that if the lot size of the subject property is less than 40ha in a RU1 or RU2 zone that a dwelling entitlement search application is lodged with Council for the land, and written confirmation is obtained to ascertain if the subject lot has a dwelling entitlement for the erection of a dwelling house.

- (f) whether the land includes or comprises critical habitat:

No

- (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:

Council's records indicate that the subject property is an item of Environmental Heritage as listed in Schedule 5 of the Local Environmental Plan 2012

(3) COMPLYING DEVELOPMENT

- (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) and (4), 1.18 (1)(c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on the 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 the Policy and the reasons why it may not be carried out under those clauses.
- (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.

No, the reason that the land comprises, or on which there is, a heritage item of local significance or is listed on the State Heritage Register under the Heritage Act, 1977. This applies for all codes as indicated above, with the exception of the Rural Housing Code. The Rural Housing Code allows complying development to be carried out only on that part of the lot which is not subject to a restriction referred to in Clause 1.19 of the Codes SEPP.

(4) Repealed

(5) MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961*:

No.

(6) ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council:

No

(7) COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding):

- Landslip
No
- Tidal Inundation
No
- Subsidence
No
- Acid Sulphate Soil
No
- Lismore Airport Operations
*The subject property is within the Runway Approach Set for Lismore Airport as defined in the Lismore Development Control Plan.
Development restrictions may apply.*
- Contaminated Land
No
- Erosion
No
- Private Cemetery/Burial
No

(7a) FLOOD RELATED DEVELOPMENT CONTROLS

- (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 clause: -
Flood planning area has the same meaning as in the Floodplain Development Manual.
Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.
Probable maximum flood has the same meaning as in the Floodplain Development Manual.

Land identified as being located in the flood Planning Area and is subject to development controls in accordance with the Lismore Local Environmental Plan 2012

Council's records indicate that the land in this certificate is mapped in a flood planning area . (Flood height and depth of water on the land are unknown).

Development restrictions may apply.

(8) LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act:

No

(9) CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

Lismore City Council Section 94 Contributions Plan 2014

Section 7.11

The land is affected by Section 7.11 Contributions which took effect from January 1, 2015

Section 64

No

(9A) BIODIVERSITY CERTIFIED LAND

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

N/A

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*.

(10) BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of an agreement by the Chief Executive of the Office of Environment and Heritage).

Nil

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*.

(10A) NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register in that section).

N/A

(11) BUSH FIRE PRONE LAND

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.

If none of the land is bush fire prone land, a statement to that effect.

None

(12) PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) 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).

No

(13) 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 the council has been notified of the order).

No

(14) DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (cl) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No direction applies.

(15) SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors 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:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department, and
- (b) a statement setting out any terms of a kind referred to in Clause 18(2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October, 2007 in respect of the land.

Nil

(16) SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department.

Nil

(17) SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (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:

- (a) the period for which the certificate is current, and
- (b) that a copy may be obtained from the head office of the Department.

Nil

- (2) A statement setting out the terms of a kind referred to in 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.

Nil

(18) PAPER SUBDIVISION INFORMATION

- (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.
- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

N/A

(19) SITE VERIFICATION CERTIFICATES

A statement of whether there is current site verification certificate, of which the council is aware, in respect of land and, if there is a certificate, the statement is to include:

- (a) the matter certified by the certificate, and
Note: A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.
- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

N/A

(20) SITE LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

N/A

(21) AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

- (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.
- (2) A statement of:
 - (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
 - (b) 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.
- (3) In this clause:

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

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

N/A

MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

Section 59 (2) of the Contaminated Land Management Act 1997 prescribes the following additional matters:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of the 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 the 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 the 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 the 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 the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

If you require further detail regarding contaminated land, it is recommended that you make specific enquiries with Lismore City Council to understand the implications of this land exclusion regarding the potential for future development or intended use of the land.

A further fee may be charged by Council for detailed or written site/project specific information.

PLANNING AGREEMENTS

Nil

A handwritten signature in blue ink, appearing to read 'A. Strachan', followed by a period.

for the General Manager