

Preliminary Site Investigation

Stage 1 Gingers Lane Precinct,
Sawyers Gully NSW

81021075



Prepared for

Newpro 16 Pty Ltd C/- Perception Planning
Pty Ltd

18 May 2021

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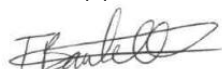
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Our report is based on information made available by the client. The validity and comprehensiveness of supplied information has not been independently verified and, for the purposes of this report, it is assumed that the information provided to Cardno is both complete and accurate. Whilst, to the best of our knowledge, the information contained in this report is accurate at the date of issue, changes may occur to the site conditions, the site context or the applicable planning framework. This report should not be used after any such changes without consulting the provider of the report or a suitably qualified person.

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1 Introduction

1.1 Background

Cardno (NSW/ACT) Pty Ltd (Cardno) was commissioned by Perception Planning Pty Ltd on behalf of Newpro 16 Pty Ltd, to prepare a Preliminary Site Investigation (PSI) report for the proposed residential subdivision located off Gingers Lane, Sawyers Gully NSW. The site assessment area is shown in Figure F1, attached in Appendix A.

Based on supplied subdivision plans provided by the client (attached in Appendix A), the proposed development comprises the creation of 374 residential allotments, construction of internal subdivision pavements; and construction of associated civil infrastructure.

The PSI has been undertaken to provide the following data to support a planning proposal to rezone Stage 1 of Gingers Lane Precinct from RU2 Rural Landscape to R5 Large Lot Residential, R2 Low Density Residential and E2 Environmental Conservation:

- > Review of current and historical activities undertaken at the site;
- > Provide a preliminary assessment of the potential for soil and/or groundwater contamination;
- > Advise on subsequent implications for intended use; and
- > Advise on the need for further assessment.

The PSI included a site inspection and desktop study of available historical data including a review of the Cessnock City Council (CCC) Planning Certificates, historical aerial photographs, title deeds, the NSW EPA database, and any previous investigation.

The assessment was undertaken with reference to the following guidelines:

- > 'NSW EPA (2020) guidelines for "Consultants Reporting on Contaminated Land, Contaminated land guidelines' [1]
- > 'National Environment Protection Measure (NEPM) for the Assessment of Site Contamination, 1999' [2]

1.2 Purpose & Objectives

The purpose of this PSI is to provide the client with preliminary advice on the contamination status of the site and subsequent implications for the intended use. The PSI reviews current and historical activities undertaken at the site and provides a preliminary environmental assessment of the potential for soil and/or groundwater contamination to be present on the site.

The objectives of the PSI are to:

- > To the extent practicable, identify the potential for past or present activities on; and surrounding the site, to have impacted soil or groundwater at the site.
- > Identify potential areas and contaminants of concern at the site.
- > Identify potential receptors of concern and assess the potential for the protected beneficial uses of the land to be impacted due to contamination.
- > To make a preliminary assessment of whether contamination is likely to affect the future use or development of the site.
- > Assess the requirement, if any, for further environmental investigation to assess or make the site suitable for the proposed use.

1.3 Scope

Cardno carried out the following tasks in order to satisfy the purpose and objectives of the PSI assessment.

Defined the Site, Features & Surrounds:

- > Obtained the property title description from a Land-data Property Report.
- > Defined the site boundaries based on title information, available data and established a site base plan.
- > Identified the site features.
- > Defined the topography, surface water drainage of the site and its proximity to the nearest surface water body.
- > Identified the location of nearby sensitive environments and receptors such as residential, child-care and primary schools, wetlands, streams or rivers.
- > Identified the zoning of the site under the local Planning Scheme.

Hydrogeology & Groundwater Resource Use

- > Ascertained the potential utilisation of groundwater at and near the site through a search of the NSW Groundwater Database at NSW Office of Water website.

Review of Public Records on Site History

Review publicly available documents relevant to the site including:

- > Undertake review of NSW Land Registry Services.
- > Historical and current maps of the area.
- > Selected historical aerial photos available from the Department of Lands.
- > Undertake review of the NSW EPA Contaminated Lands Register to identify nearby contaminated sites reported to the NSW EPA under section 60 of the CLM (1997).

Site Inspection & Surrounds

- > Confirmed the site features and identified any visible evidence of fuel storage tanks (above or below ground) and other infrastructure with potential to act as a source of soil and/or groundwater.
- > Confirmed the soil type and looked for evidence of site cutting and filling.
- > Assessed the surrounding area (to a radius of approximately 500 m) for potential sources of contamination of soil or groundwater at the site.

Reporting

- > Preparation of this Preliminary Site Investigation (PSI) report to document the assessment activities and results to including findings and recommendations relevant to the objectives of the assessment.
- > Developed a Conceptual Site Model (CSM) for the site, identifying complete and potential pathways between known and potential sources and receptors. This CSM is incorporated in this investigation report.

2 Site Identification & Background Information

2.1 Site Identification

The subject site is located in Sawyers Gully (NSW) and comprises a collection of 19 Lots immediately bounded by Sawyers Gully Rd, Gingers Ln, Metcalfe Ln, and Frame Dr, as indicated within Figure 2-1.

The site is approximately 95ha, falling within the Maitland City Council (MCC) area with a relative land zoning defined as Rural Landscape (RU2).



Figure 2-1 Location of Subject Site - Sawyers Gully, NSW

2.2 Previous Investigations

2.2.1 North Gingers Lane Investigation Area Briefing Report - Insite Planning Services (2019) [3]

Insite Planning Services (Insite) prepared a briefing report for the proposed subject site for the purpose of providing background information on the investigation area and the previous rezoning process.

As part of the briefing report, review of a previously undertaken Stage 1 - Preliminary Site Investigation (prepared by Insite) was conducted. The review revealed several past and present activities occurring within the subject site with the potential for contamination, which comprised the following:

- > Vacant and operational poultry sheds to the eastern side of the site, anticipated to have minor contamination related to waste disposal and carcass burials;
- > Junk yard located at 27 Sawyers Gully Rd (Lot 2 DP 314641 - eastern portion of site), with anticipated soil contamination associated with petroleum-based products;
- > Evidence of prior cropping at 59 Sawyers Gully Rd (Lot 277 DP 755231 - north-eastern portion of site), as such, potential for minor shallow soil contamination; and
- > General rural residential activities with potential for contamination e.g. on-site effluent disposal, petrochemicals and accumulation of heavy metals, herbicides and pesticides within farm dams.

The investigation concluded that only relatively minor contamination issues were identified, generally related to typical agricultural and rural residential activities, and was not considered to significantly impact the future development of the site. The investigation also considered the further sampling would not be required given the likely sources of contamination are minor, however, it was recommended that further contamination reporting would be required and could be undertaken at the development application stage.

2.3 Published Information

2.3.1 Regional Geology

Reference to the New South Wales Seamless Geology dataset [4] indicates the site is underlain by the Farley Formation of the Dalwood Group known to comprise poorly sorted, light- and dark-grey, micaceous sandy siltstone, silty sandstone, mudstone and shale; sporadic thin limestone near Pokolbin; abundant marine fossils, and residual soils derived through the decomposition of these rocks.

2.3.2 Acid Sulfate Soils

Review of the ASS risk maps for the local area indicates the site is not situated within a mapped area of known occurrence of acid sulfate soils.

2.3.3 Hydrogeology

A search of the NSW Groundwater Database from Department of Primary Industries – Office of Water NSW, found no wells within 500m of the site. The searches are present in the Lotsearch Report (LS018806), attached in Appendix B.

3 Site History

The site history comprised review of the Lotsearch Report LS018806, available published data, Section 10.7 planning certificates and aerial photography review, all attached in Appendix A and B. The site history review is detailed herein.

3.1 EPA Records Search

3.1.1 Contaminated Land Record of Notices

The Contaminated Land Record of Notices is maintained by the Office of Environment and Heritage (OEH) in accordance with Part 5 of the Contaminated Land Management (CLM) Act 1997 and contains regulatory notices issued by the Environment Protection Authority (EPA) in relation to contaminated sites.

A search of NSW EPA Record of Notices revealed no notices listed within 1 km of the site. Records are attached in Appendix B, as part of the Lotsearch Report (LS018806).

3.1.2 PoEO Public Register

The PoEO Public Register under Section 308 of the Protection of the Environment Operations (PoEO) Act 1997 contains Environment Protection Licences (EPLs), applications and notices issued by the EPA.

The search revealed eight (8) licenced activities within 1 km radius of the Site. The search results are present in Table 3-1 below and attached as Appendix B, as part of the Lotsearch Report (LS018806).

Table 3-1 PoEO Public Register

EPL	Organisation	Name	Address	Activity	Distance
4708	Cessnock City Council	-	-	Other Activities	Onsite
13013	Central Waste Plant Pty Ltd	Central Waste Station Pty Limited	8 Styles St, Kurri Kurri	Non-thermal treatment of general waste Waste storage - other types of waste	476m south-east
20908	Australian Native Landscapes Pty Ltd	-	2-6 Styles St, Weston	Recovery of general waste; Waste storage - other types of waste	609m south-east
6423	Weston Aluminium Pty Limited	Weston Aluminium Pty Ltd	129 Mitchel Av, Kurri Kurri	Aluminium production (scrap metal) Recovery of hazardous and other waste Scrap metal processing Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	888m south-east

Furthermore, six (6) licensed activities now revoked or surrendered were found within 1 km of the Site. The search results are presented in Table 3-2 below and attached as Appendix B, as part of the Lotsearch Report (LS018806).

Table 3-2 Former Licensed Activities under the PoEO Act 1997

License No.	Organisation	Location	Date Issued	Activity	Distance
4653	Luhrmann Environment Management Pty Ltd	Waterways Throughout NSW	6/09/2000	Other Activities / Non Scheduled Activity – Application of Herbicides	Onsite
4838	Robert Orchard	Various Waterways throughout NSW Sydney NSW 200	7/09/2000	Other Activities / Non Scheduled Activity – Application of Herbicides	Onsite
6630	Sydney Weed & Pest Management Pty Ltd	Waterways Throughout NSW- Prospect, NSW 2148	9/11/2000	Other Activities / Non Scheduled Activity – Application of Herbicides	Onsite
13352	Acciona Infrastructure Projects Australia Pty Ltd	Hunter Expressway Kurri Kurri (Chainage 12900) to Branxton (Chainage 39500), 1056 Old Maitland Rd, Sawyers Gully	22/12/2010	Crushing, grinding, or separating Land-based extractive activity Road construction	769m east

The risk of potential contamination occurring from these onsite or offsite sources is considered to be low.

3.1.3 List of NSW Contaminated Sites Notified to the EPA

A search of the List of NSW Contaminated Sites Notified to the EPA on 29 September 2020 did not identify contaminated sites within 1km of the Site. It should be noted the former Kurri Kurri aluminium smelter located off Hart Rd in Loxford, approximately 2km north-east of the investigation site, is known to be a contaminated site notified to the EPA.

The search results are presented in Appendix B, as part of the Lotsearch Report (LS018806).

3.2 Cessnock City Council (CCC) Planning Information

A Section 10.7(2) Planning Certificate search was undertaken for all 19 lots forming the site. No notations of potential contamination issues were detailed in regards to the site area. The complete certificate is attached in **Appendix B** and summarised below:

- > Zoned as RU2 Rural Landscape.
- > Cessnock Development Control Plan 2010 applies to this land.
- > The land is not identified as a critical habitat.
- > The land is not identified as having either Conservation or Environmental Heritage value.
- > The land is not within a proclaimed Mine Subsidence District.
- > The land is not affected by road realignment or road widening.
- > Development on this land is NOT subject to acid sulfate soil related development controls.
- > Development on this land is NOT subject to flood related development controls.
- > The land is NOT subjected to Land Reserved for Acquisition.
- > The land is NOT biodiversity certified land.
- > Land is mapped as being bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

- > Land is NOT subject to a property vegetation plan under the Native Vegetation Act 2003
- > The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.

The complete certificates are attached in Appendix B and summarised within Table 3-3 below.

3.3 Review of the Historical Aerial Photos

Cardno has conducted a review of historical aerial photographs or available aerial imagery, current site inspection, previous investigations and knowledge of the area.

A summary of the interpreted site features is detailed in Table 3-3 below and aerial photographs are provided in Figures F2-F12, attached in Appendix A.

Table 3-3 Aerial Imagery Review

Date	Reference	Observations
1954	Black & White	Onsite: <ul style="list-style-type: none"> ▪ Site generally comprises a mixture of cleared land and rural bushland, with rural dams evident along the southern site boundary. ▪ Tracings of possible access tracks throughout bushland areas (Lot 274-275 DP755231). ▪ Multiple poultry sheds adjacent the eastern site boundary (Sawyer Gully Rd), with noted footprints of previously removed sheds. ▪ Minor structures noted to in the eastern and western portion of site, anticipated to be rural residential. Offsite: <ul style="list-style-type: none"> ▪ Surrounding areas generally appeared to comprise predominantly rural bushland and cleared rural residential properties. ▪ Multiple poultry sheds noted immediately to the east of site, and further to the north of site.
1966	Black & White	Onsite: <ul style="list-style-type: none"> ▪ Removal of several poultry sheds adjacent eastern site boundary, and construction of new rural farm shed. ▪ Some site clearing and construction of new poultry sheds within Lot 276 DP 755231. ▪ Discoloration patch of land towards south east corner of site, likely due to agricultural applications. Offsite: <ul style="list-style-type: none"> ▪ Generally consistent with 1954 aerial imagery. ▪ Construction of poultry sheds south-west of the site.
1975	Black & White	Onsite: <ul style="list-style-type: none"> ▪ Further removal of remaining poultry sheds along eastern boundary, and appeared removal of poultry sheds within Lot 276 DP 755231 (footprints remain visible). ▪ Construction of three new poultry sheds within Lot 280 DP 755231 (1 shed) and Lot 1 345294 (2 sheds), with lots predominantly cleared. ▪ Discoloration to two adjacent patches of land within Lot 277 DP 755231 appeared to be related to cropping. ▪ Increased development to the west of site (Lots 2721-2721 DP 1104897 & Lot 2731 DP884423), comprising site clearing, construction of rural farm sheds, and track circling the western property (possible motorbike or trotting track). Offsite: <ul style="list-style-type: none"> ▪ Site clearing to areas north, east, and west of the site. ▪ Removal of existing poultry sheds further to the north of site, and construction of two new poultry sheds. Construction of three poultry sheds to east of Sawyers Gully Rd. ▪ Creation of rural residential property to the west of site appeared to comprise residential dwelling, shed/s, access tracks, etc. ▪ Construction of Hydro Aluminium facility to the north-east of site. Construction known to commence in 1967, with operations starting late 1969.
1980	Black & White	Onsite: <ul style="list-style-type: none"> ▪ Construction of 2nd poultry shed within Lot 280 DP 75523. ▪ Generally, some localised clearing appeared to occur across site.

		<ul style="list-style-type: none"> Rural dam constructed within Lot 274 DP 755231. Offsite: <ul style="list-style-type: none"> Appeared removal of several poultry sheds to the east of site. Construction of dam with surrounding oval track, immediately north of the eastern portion of site (north of Lot 276 DP 755231). The dam is noted to receive flows from the north-east and discharges to the south-west onto site. Further construction/development to north-east Hydro Aluminium facility (additional structures evident).
1984	Black & White	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 1980 aerial imagery. Construction of rural dam within north-eastern portion of Lot 275 DP 755231, with a connecting access track visible. Offsite: <ul style="list-style-type: none"> Generally consistent with 1980 aerial imagery. Some removal of poultry sheds to the east of site. Further construction/development to north-east Hydro Aluminium facility.
1991	Colour	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 1984 aerial imagery. Minor structures constructed on Lot 282 DP 755231, appeared to comprise small residential dwelling and shed. Lot appeared to be sectioned off (fenced) for possible private agricultural purposes. Offsite: <ul style="list-style-type: none"> Generally consistent with 1984 aerial imagery. Continual removal of poultry sheds to the east of site.
1994	Colour	Onsite: <ul style="list-style-type: none"> Generally consistent with 1991 aerial imagery. Some tree clearing undertaken to Lot 275 & 282 DP 755231. Appeared use of Lot 1 DP 663726 as junk yard. Offsite: <ul style="list-style-type: none"> Generally consistent with 1991 aerial imagery.
1998	Colour	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 1994 aerial imagery. Removal of single poultry shed from Lot 280 DP 755231 Rural dam constructed within south-east corner of Lot 282 DP 755231. Offsite: <ul style="list-style-type: none"> Generally consistent with 1994 aerial imagery
2001	Colour	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 1998 aerial imagery. Oval track (e.g. possible motor bike track) formed within Lot 1 345294. Offsite: <ul style="list-style-type: none"> Generally consistent with 198 aerial imagery. Pronounced access track to the south of site, generally extending to the south, noted to later form Grey Gum Rd. Construction of poultry shed to the north-east of site.
2010	Colour (nearmap)	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 2001 aerial imagery. Removal of two poultry sheds within Lot 277 DP 755231. Offsite: <ul style="list-style-type: none"> Residential development (rural residential) to the south of site i.e. site clearing, construction of residential dwellings, pavements, and associated infrastructure. Some rural residential development to the north of site also evident. Recreational motorbike track constructed to the north of site (e.g. ramps, berms, etc.)
2021	Colour (nearmap)	Onsite: <ul style="list-style-type: none"> Site predominantly consistent with 2010 aerial imagery. Removal of poultry shed from Lot 1 DP 345294. Offsite: <ul style="list-style-type: none"> Generally consistent with 2010 aerial imagery.

- Removal of motorbike track to north of site, ground disturbance evident.
- Further residential development to the south of site.

3.4 Summary of Site History

Based on the available historical data and public searches, the western portion of site was predominantly used for rural residential land use with the potential of light agricultural use such as grazing from 1954 to present. Site use to the eastern portion of site appeared to predominantly comprise poultry farming, isolated cropping, and general rural residential activities.

At the time of the earliest aerial imagery (1954), the surrounding areas predominantly appeared to comprise rural residential properties and rural private acreage, with only minor agricultural activities and gradual increases to the rural residential landscape development occurring to the surrounding site. Poultry farming activities to the east to north-east of site were observed, with progressive removal and construction of poultry sheds occurring over the years.

The former Kurri Kurri aluminium smelter site is located approximately 2km north-east of the investigation site, which was known to commence operations in 1969. Typical contamination associated with aluminium smelting is fluoride emissions from the stacks, and it is noted that the emissions have the ability to travel several kilometres.

4 Site Inspection & Surrounding Environment

4.1 Site Use & Infrastructure

A site inspection was undertaken by Cardno on 26 March 2021 in order to identify and map salient features of the site and the surrounding area.

At the time of inspection, access to the site had only been granted to 5 lots located towards the central portion of the site, and as such the inspection was limited to the site boundary.

Observations made from the limited site inspection were considered to be generally consistent with the findings of the review of the historical aerial imagery of the site (undertaken within Section 3.3), and the areas identified as potential concern for contamination within the Insite Briefing Report [3]. The site inspection also identified areas impacted by uncontrolled filling of unknown origin, throughout majority of the lots within the site area.

Site features and observations are detailed in Table 4-1 below.

Table 4-1 Site Features and Observations

Item	Observations
Site use	<ul style="list-style-type: none"> Predominantly rural residential towards the western portion of site, anticipated light agricultural (e.g. grazing). Poultry farming operations, minor cropping, isolated junkyard, and general rural residential activities to the east of site.
Weather condition	<ul style="list-style-type: none"> Sunny
Site slopes and drainage features	<ul style="list-style-type: none"> Site is generally described as gently undulating, falling away from Gingers Ln to the west, east, and north towards internal gully lines, which generally trend north to east on site, and exit site to the north-east. Site slopes are generally in the order of 0° to 5° with localised steeper land adjacent creek lines. Gully lines generally trend north to east within the site boundary and exit site to the north-east. Drainage to the site is expected to generally comprise surficial runoff to existing internal gully lines.
Nearby water bodies	<ul style="list-style-type: none"> Black Waterholes Creek located approx. 1km north of site, with internal site gully lines intersecting the creek approx. 3km due north-east of site. Swamp Creek approx. 500m south-east of site. Hebburn Dam approx. 2km south of site. Multiple farm dams located across the whole subject site, and surrounding land.
Site surface coverings	<ul style="list-style-type: none"> Surface predominately comprised a mixture of managed grass pasture and scattered trees interspersed with stands of remnant vegetation.
Surface soils	<ul style="list-style-type: none"> Surface soils are predominately organic silt topsoil materials (based on Insite report [3]).
Site cut and fill	<ul style="list-style-type: none"> Existing rural dams were noted throughout site. Rural access tracks with the potential for imported fill materials. Building pads for the associated site structures - residential dwellings, sheds (e.g. poultry, farm), etc.
Buildings	<ul style="list-style-type: none"> Residential dwellings and associated rural residential structures e.g. farm sheds. Residential dwellings appeared to comprise a mixture of older and newer construction. Two poultry sheds towards the eastern portion of site, with evidence of previously removed sheds. Poultry sheds and prior poultry farming operations observed to the east of site.
Hazardous Materials in building materials	<ul style="list-style-type: none"> Possible inclusion of hazardous materials in older building construction (e.g. asbestos, lead paint, etc).

Manufacturing, industrial or chemical processes and infrastructure	▪ Not observed.
Fuel storage tanks (USTs/ASTs)	▪ Unknown.
Dangerous goods	▪ Unknown.
Presence of stockpiles, fly tipping or anthropogenic materials	▪ Levelling, stockpiles throughout multiple of the lots.
Liquid waste disposal features	▪ Onsite septic disposal systems.
Evidence of land contamination (staining or odours)	▪ Unknown.
Evidence of groundwater contamination	▪ Unknown.
Groundwater use	▪ No record of registered wells.
Vegetation	▪ Areas of natural bushland to areas of maintained pasture and ornamental gardens.
Site fencing	▪ Predominantly post and wire/rail fencing for site boundaries and sections of areas within individual properties/lots.
Additional Notes and Observations	▪ Stockpiles of filling of unknown origin.

4.2 Surrounding Environment & Land Uses

The site is located within a residential district. Land uses around the site are detailed in the Table 4-2 below.

Table 4-2 Surrounding Land Use

Direction	Land Use or Activity
North	<ul style="list-style-type: none"> ▪ Rural residential properties and general associated rural residential activities. ▪ North-east trending gully line extending towards Black Waterholes Creek, receiving flows from internal site gully lines.
West	<ul style="list-style-type: none"> ▪ Rural residential properties and general associated rural residential activities.
East	<ul style="list-style-type: none"> ▪ Rural residential properties and general associated rural residential activities. ▪ Poultry farming operations. ▪ Rural bushland further to the east.
South	<ul style="list-style-type: none"> ▪ Rural residential properties and general associated rural residential activities. It is noted much of the residential areas to the south are newer construction varying in density i.e. larger rural lots to small higher density subdivision style housing. ▪ Poultry farming operations further to the south-west. ▪ Swamp Creek.

The area is serviced by public roads and access to the site is via Gingers Ln, Sawyers Gully Rd, Frame Dr, and Metcalfe Ln.

5 Areas & Contaminants of Potential Concern

The assessment has identified several potential sources of contamination (and related Contaminants of Potential Concern – COPC), which are summarised in the Table 5-1 below.

Table 5-1 Site Activities and Potential Contaminants of Concern

Area of Environmental Concern (AoEC)	Site Activity / Potential Source	Contaminants of Potential Concern (CoPC)	Comments	Location / Lot ID
<i>Onsite Sources</i>				
Site leveling and trenching, stock piles, uncontrolled filling	<ul style="list-style-type: none"> Potential cut and fill operations Stockpiling of uncontrolled fill materials of unknown origin 	<ul style="list-style-type: none"> 8 Heavy Metals PAH, TRH BTEXN OCP/OPP Asbestos 	<ul style="list-style-type: none"> Potential for uncontrolled fill material present onsite for onsite leveling with building footprints. Potential cut / fill for leveling, dam construction Potential for uncontrolled fill in existing farm dams. 	<ul style="list-style-type: none"> Majority of Lots
Machinery Use	<ul style="list-style-type: none"> Agricultural Use Installation of service utility 	<ul style="list-style-type: none"> 8 Heavy Metals PAH, TRH BTEXN 	<ul style="list-style-type: none"> Potential machinery use on Site. 	<ul style="list-style-type: none"> Majority of lots associated with commercial farming and rural residential activities
Junkyard	<ul style="list-style-type: none"> Storage of vehicles/machinery and appeared building waste products 	<ul style="list-style-type: none"> 8 Heavy Metals TRH/BTEXN/PAHs PCBs Asbestos 	<ul style="list-style-type: none"> Potential for soil contamination associated with petroleum-based products. 	<ul style="list-style-type: none"> Lot 2 DP 314641
Access Tracks / Loops	<ul style="list-style-type: none"> Potential isolated imported filling Surficial clearing 	<ul style="list-style-type: none"> TRH/BTEXN/PAHs/Metals Asbestos 	<ul style="list-style-type: none"> Surficial disturbance onsite associated with access tracks and training loops. Potential for imported fill materials. 	<ul style="list-style-type: none"> Lot 275 DP 755231 Lot 2721 DP 1104897 Potential to encounter across site associated with rural residential and agricultural activities.
Buildings / Sheds	<ul style="list-style-type: none"> Potential hazardous building materials and storage of chemicals 	<ul style="list-style-type: none"> ACM (asbestos containing materials) and lead paint. Potential storage of pesticides, chemicals & fuels. Heavy Metals 	<ul style="list-style-type: none"> Age of the structures indicate that ACM may have been used in construction materials, including lead paint usage. 	<ul style="list-style-type: none"> Buildings and/or sheds generally observed within all lots
Poultry Farming	<ul style="list-style-type: none"> Potential hazardous building materials and storage of machinery/chemicals 	<ul style="list-style-type: none"> ACM (asbestos containing materials) and lead paint. Potential storage of pesticides, chemicals & fuels. 	<ul style="list-style-type: none"> Age of the structures indicate that ACM may have been used in construction materials, including lead paint usage. Machinery use 	<ul style="list-style-type: none"> Eastern portion of site: <ul style="list-style-type: none"> Lot 1 DP 345294 Lot 280 DP 755231 Lot 276 DP 755231

		<ul style="list-style-type: none"> PAH, TRH, BTEXN Heavy Metals 	<ul style="list-style-type: none"> Waste disposal Burial carcasses 	<ul style="list-style-type: none"> Lot 277 DP 75521 Lot 1 DP 663 726
Grass Pasture	<ul style="list-style-type: none"> Cattle grazing Agricultural activities 	<ul style="list-style-type: none"> OCP/OPP and metals 	<ul style="list-style-type: none"> Potential use of pesticides. 	<ul style="list-style-type: none"> Potential to occur throughout majority of the lots on site.
Cropping	<ul style="list-style-type: none"> Potential shallow soil contamination Machinery Use 	<ul style="list-style-type: none"> OCP/OPP and metals PAH, TRH BTEXN 	<ul style="list-style-type: none"> Pesticide / herbicide usage Potential machinery use on Site. 	<ul style="list-style-type: none"> Lot 227 DP 755231
<i>Offsite Sources</i>				
Kurri Kurri Aluminium Smelter (former)	<ul style="list-style-type: none"> Metal Smelting Activities 	<ul style="list-style-type: none"> Particulate emissions (Fluoride) 	<ul style="list-style-type: none"> Potential impacts to topsoil. 	<ul style="list-style-type: none"> Hart Road, Loxford

6 Conceptual Site Model

6.1 Preliminary Conceptual Site Model

Generally, a conceptual site model (CSM) provides an assessment of the fate and transport of COPCs relative to site-specific subsurface conditions with regard to their potential risk to human health and the environment. The CSM considers site-specific factors including:

- > Source(s) of contamination,
- > Identification of contaminants of potential concern (COPCs) associated with past (and present) source(s),
- > Vertical, lateral and temporal distribution of COPCs,
- > Site specific lithological information including soil type(s), depth to groundwater, effective porosity, and groundwater flow velocity,
- > Actual or potential receptors considering both current and future land use for both the site and adjacent properties, and any sensitive ecological receptors.

Based on the information sourced in this report, a preliminary CSM has been developed and is outlined in Table 6-1 below. Additional details are included in the sections that follow as necessary.

Table 6-1 Preliminary Conceptual Site Model

Conceptual Site Model Element	Description
Site History	<ul style="list-style-type: none"> ▪ Rural residential development with potential agricultural activities – grazing. ▪ Commercial agricultural activities - poultry farming, minor cropping.
Site Current and Future Use	<ul style="list-style-type: none"> ▪ Existing rural residential development and agricultural activities. ▪ Proposed to be developed into a residential development.
Site Geology	<ul style="list-style-type: none"> ▪ No intrusive investigation was undertaken. ▪ Based on site conditions, published data, and previous investigation, the subsurface conditions can be generally summarised as natural materials with some isolated filling associated with building pad levelling, access tracks, and construction of farm dams. ▪ Review of Cessnock Council Briefing Report for the site prepared by Insite [3], prior field investigations indicated soil comprising clay to depths of approximately 0.8 to 1.7m, which was overlain by surficial organic silt materials.
Site Hydrogeology	<ul style="list-style-type: none"> ▪ Groundwater assessment was not undertaken as part of the scope
Area of Environmental Concern (AoEC) - Onsite	<ul style="list-style-type: none"> ▪ No significant potentially contaminating activities are known to have occurred on site.
Media Potentially Impacted	<ul style="list-style-type: none"> ▪ Surface soils and areas of uncontrolled filling
Potential Human Receptors	<ul style="list-style-type: none"> ▪ Site users / workers / employees (onsite) ▪ Site Construction workers (onsite) ▪ Local rural residents and surrounding properties (offsite)
Potential Environmental Receptors	<ul style="list-style-type: none"> ▪ Flora and fauna. ▪ Surrounding soils. ▪ Nearby waterbodies – Onsite and offsite creek lines.
Potential Exposure Pathways	<ul style="list-style-type: none"> ▪ Air – inhalation of dusts. ▪ Soil – dermal / direct contact. ▪ Lateral migration via surficial runoff

6.2 Data Gaps

Based on the inspection, the potential for contamination at this site is not considered to present a significant constraint on the proposed redevelopment of subject site. However, it must be appreciated that assessment was limited to review of historical data and observations made from the boundary of the subject site, with no intrusive sampling undertaken.

The following data gaps and uncertainties regarding the assessment are detailed below:

- > No intrusive sampling spatially and vertically.
- > No groundwater samples collected however; groundwater contamination is considered unlikely.
- > No dangerous goods search was undertaken for the site.
- > No historical title deed search was undertaken for the site.
- > No site observations were made from within the site area. Limited site observations were undertaken from the site boundary, due to access not being granted to several of the allotments.

7 Summary of Assessment

Based on the review of the site history, previously undertaken investigations, and site inspection, Cardno have identified that minor past and current potentially contaminating activities have been undertaken on or adjacent to the site, however, no gross contaminating activities have been identified that precluded the proposed development of large lot rural/residential development.

Given the potentially minor contamination identified at the site, further assessment should be undertaken on a stage by stage basis to determine the need for any isolated remedial works as part of development to render the site suitable for the proposed development.

A stage by stage assessment process would allow identification at the development approval stage and the resultant need for localised remedial treatment or development of stage specific remediation plans. Alternatively, stage development could proceed using an unexpected finds protocol should be developed to address any potential contamination during construction phase.

Based on the current assessment the site is currently considered a low risk of potential contamination based on the findings of the investigation and the identified data gaps.

In accordance with the State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55) [5], which requires the planning authority to consider whether the Site is suitable for the proposed usage prior to approving and determining a development application, Cardno has undertaken a Preliminary Site Investigation (PSI). Based on the findings of the PSI, Cardno have not identify gross contamination or potentially contaminating activities previously undertaken on site that could be remediated such that the site could be rendered unsuitable for its proposed use.

8 Standard of Assessment & Limitations

This investigation has been undertaken in general accordance with the current “industry standards” for a site investigation for the purpose, objectives and scope identified in this report. These standards are set out in:

- > National Environment Protection Council (NEPC) (1999) *National Environment Protection (Assessment of Site Contamination) Measure*, as amended (registered on 15 May 2013) [2]. This is referred to from here on as “the NEPM” or “NEPM”.
- > Standards Australia (2005) *AS4482.1- 2005: Guide to the investigation and sampling of sites with potentially contaminated soil Part 1: Non-volatile and semi-volatile compounds*. [6].
- > NSW EPA “*Guidelines for Consultants Reporting on Contaminated Sites*” [1].

The agreed scope of this investigation has been limited for the current purposes of the Client. The investigation may not identify contamination occurring in all areas of the site, or occurring after sampling was conducted. Subsurface conditions may vary considerably away from the sample locations where information has been obtained.

This site investigation report is not any of the following:

- > An Environmental Audit Report as defined under NSW Site Auditor Scheme [7].
- > A detailed site investigation (DSI) report sufficient for an Environmental Auditor to be able to conclude a statutory or non-statutory environmental audit.
- > A geotechnical report, and the bore logs or test pit logs may not be sufficient as the basis for geotechnical advice.
- > A detailed hydrogeological assessment or an assessment of groundwater contaminants potentially arising from other sites or sources nearby.
- > A waste classification report of soil analytical results from the site.

9 References

- [1] NSW EPA, ""Consultants reporting on contaminated land guidelines", " NSW Environmental Protection Authority, 2020.
- [2] National Environment Protection (Assessment of Site Contamination) Measure 1999, "Schedule B1 Guidelines on Investigation Levels For Soil and Groundwater," National Environment Protection Council (NEPC), 16 May 2013.
- [3] Insite Planning Services, "North Gingers Lane Precinct Investigation Area Briefing Report," May 2019.
- [4] State of New South Wales (Department of Planning, Industries and Environment), "Minview - Geosciences NSW," 2020. [Online]. Available: <https://minview.geoscience.nsw.gov.au>.
- [5] NSW Government, "State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)," 1998.
- [6] Standards Australia, "Australian Standard - Guide to the investigation and sampling of sites with potentially contaminated soils - Part one: Non-volatile and semi-volatile compounds," Standards Australia, 2005.
- [7] NSW DEC, "Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (3rd Edition)," Department of Environment and Conservation NSW, 2017.

APPENDIX

A

FIGURES & PHOTOS

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NOTES:
Image underlay adapted from nearmaps aerial imagery.

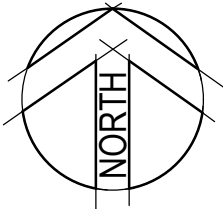
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--- Approximate site boundary.

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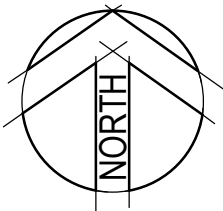


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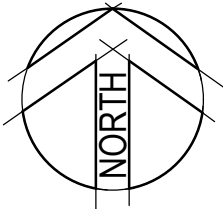
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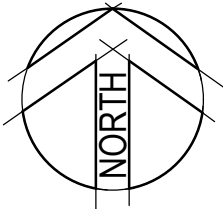


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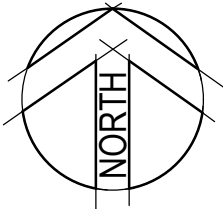
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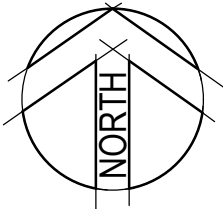
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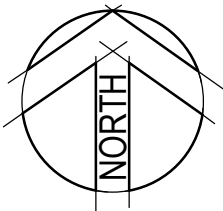
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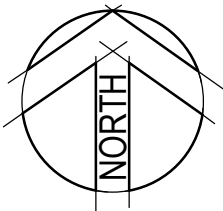
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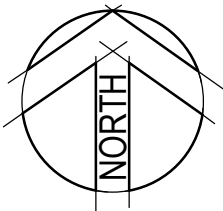
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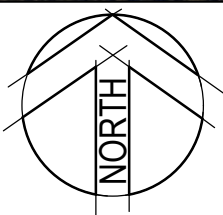
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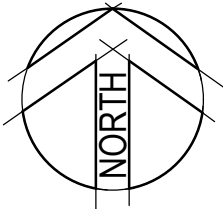
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Project	PRELIMINARY SITE INVESTIGATION STAGE 1 - GINGERS LANE PRECINCT SAWYERS GULLY, NSW
Title	2010 AERIAL IMAGERY

Status	FOR INFORMATION ONLY NOT TO BE USED FOR CONSTRUCTION PURPOSES		
Project Number	Scale	Size	
81021085-001	NTS	A3	
Figure Number	Revision		
F11	A		

DATE PLOTTED: 18 May 2021 12:00 PM BY: TED BARTLETT

NOTES:
Historical Aerial Imagery sourced from nearmap.

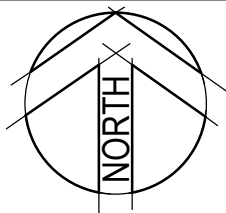


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Drawn TB	Date 12.03.2021	Client NEWPRO 16 PTY LTD C/- PERCEPTION PLANNING PTY LTD
Checked	Date	Project PRELIMINARY SITE INVESTIGATION STAGE 1 - GINGERS LANE PRECINCT SAWYERS GULLY, NSW
Designed	Date	Title 2021 AERIAL IMAGERY
Verified	Date	
Approved		Status FOR INFORMATION ONLY NOT TO BE USED FOR CONSTRUCTION PURPOSES
		Project Number 81021085-001
		Scale NTS
		Size A3
		Figure Number F12
		Revision A



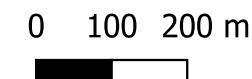
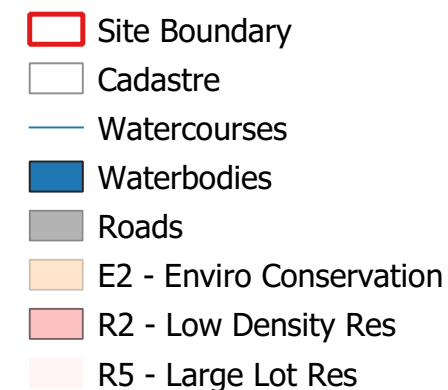
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Drawn TB	Date 27.05.2021	Client NEWPRO 16 PTY LTD C/- PERCEPTION PLANNING PTY LTD
Checked	Date	Project PRELIMINARY SITE INVESTIGATION STAGE 1 - GINGERS LANE PRECINCT SAWYERS GULLY, NSW
Designed	Date	Title LIMITED SITE INSPECTION 26.03.2021 - SITE PHOTOS
Verified	Date	Status FOR INFORMATION ONLY NOT TO BE USED FOR CONSTRUCTION PURPOSES
Approved		Project Number 81021085-001
		Scale NTS
		Size A3
		Figure Number F13
		Revision A

**Figure A -
Proposed
Land-Use Zone**



Job No: J000909 Date: 17/05/2021

Gingers Lane Precinct

Figure B - Proposed Minimum Lot Size

- Site Boundary
- Cadastre
- Watercourses
- Waterbodies
- Roads
- MLS - 450sqm
- MLS - 1,500sqm
- MLS - 40ha

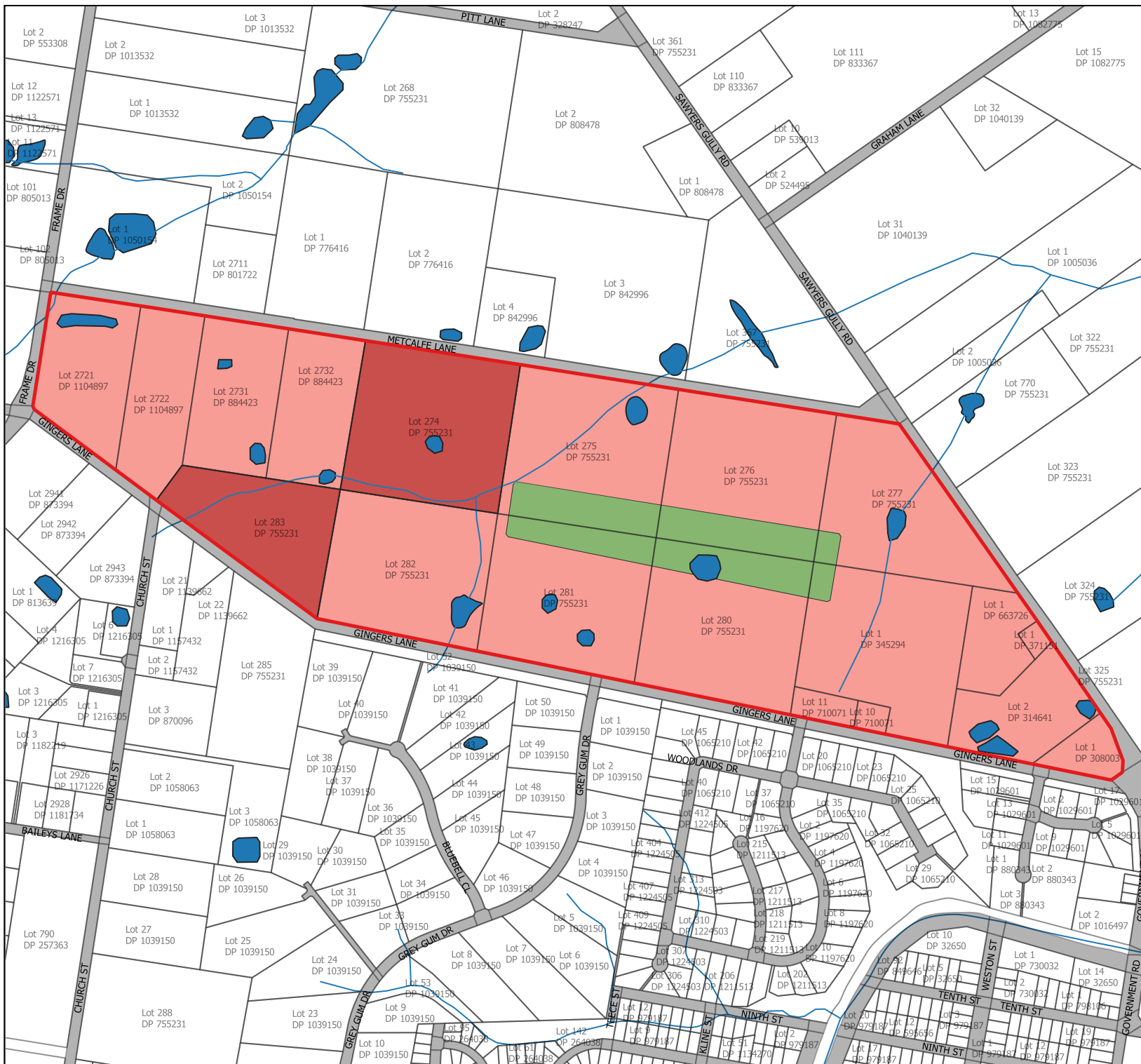


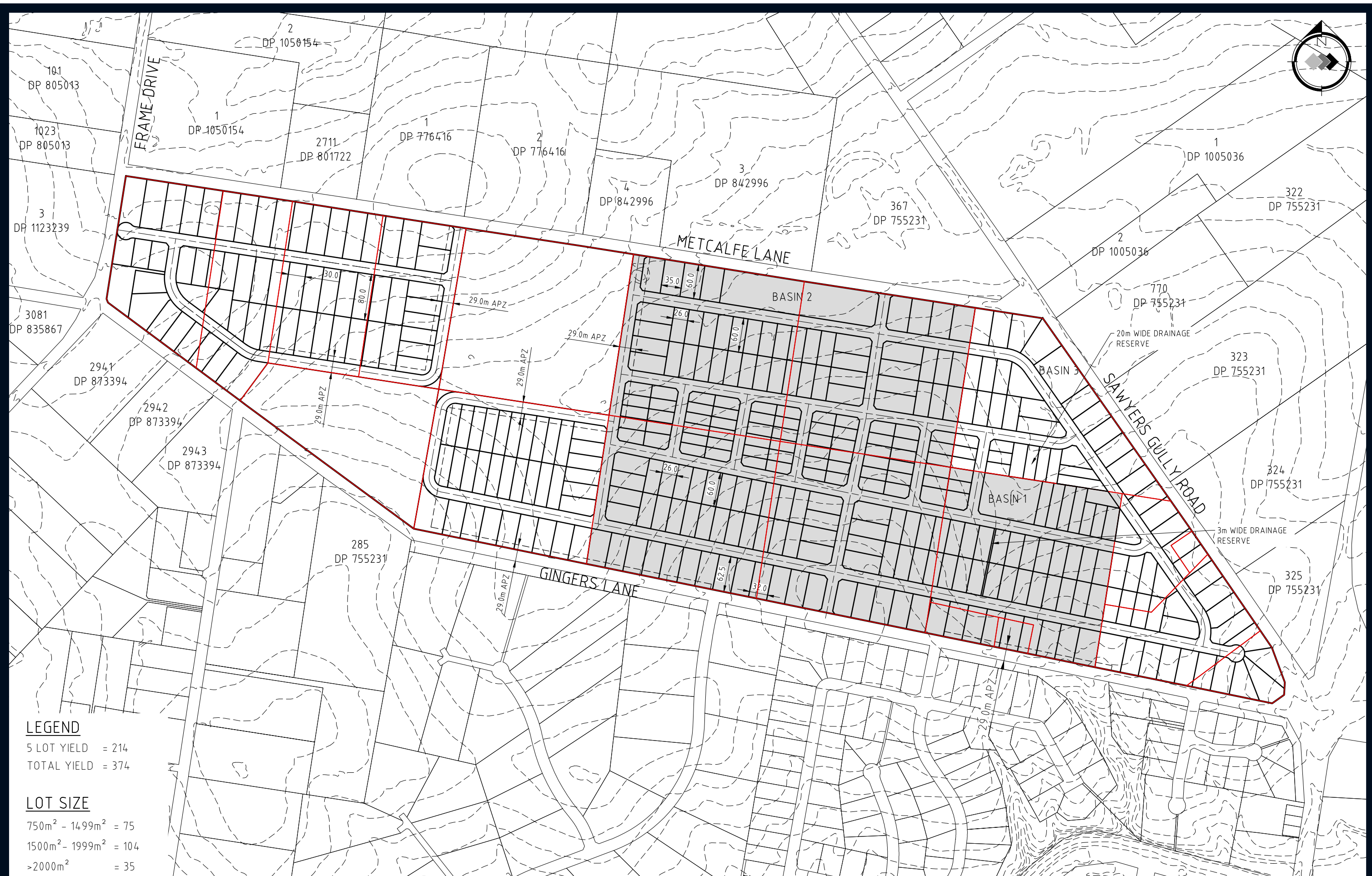
0 100 200 m



While every effort is made to ensure this map is free of errors, there is no warrant the map or its features are either spatially or temporally accurate or fit for a particular use. This map is provided without any warranty of any kind whatsoever, either express or implied.

Job No: J000909 Date: 17/05/2021





LEGEND

5 LOT YIELD = 214
TOTAL YIELD = 374

LOT SIZE

750m² - 1499m² = 75
1500m² - 1999m² = 104
>2000m² = 35



Geoff Craig & Associates
1 Hartley Drive,
P.O. Box 3337,
Thornton NSW 2322
Phone: 49641811

TITLE:
PROPOSED SUBDIVISION
GINGERS LANE
SAWYERS GULLY
PLAN SHEET

Cad Ref: 18184LD LD06 r1		Scale: 1:6000		Designed: DB		Project No	
						18184LD	
						Drawing No	
						Revision	
1	ORIGINAL ISSUE			DB	27.04.21	LD06	1
No	Amendment			Drawn	Date		

APPENDIX

B

REVIEW DATA



LOTSEARCH

LOTSEARCH ENVIRO LITE

Date: 18 Mar 2021 12:18:05

Reference: LS018806 EL

**Address: Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road,
Sawyers Gully, NSW 2326**

Disclaimer:

The purpose of this report is to provide an overview of some of the site history, environmental risk and planning information available, affecting an individual address or geographical area in which the property is located. It is not a substitute for an on-site inspection or review of other available reports and records. It is not intended to be, and should not be taken to be, a rating or assessment of the desirability or market value of the property or its features.

You should obtain independent advice before you make any decision based on the information within the report.

The detailed terms applicable to use of this report are set out at the end of this report.

Dataset Listing

Datasets contained within this report, detailing their source and data currency:

Dataset Name	Custodian	Supply Date	Currency Date	Update Frequency	Dataset Buffer (m)	No. Features Onsite	No. Features within 100m	No. Features within Buffer
Cadastre Boundaries	NSW Department of Finance, Services & Innovation	19/02/2021	19/02/2021	Quarterly	-	-	-	-
Topographic Data	NSW Department of Finance, Services & Innovation	25/06/2019	25/06/2019	As required	-	-	-	-
List of NSW contaminated sites notified to EPA	Environment Protection Authority	11/03/2021	08/03/2021	Monthly	1000	0	0	0
Contaminated Land Records of Notice	Environment Protection Authority	04/03/2021	04/03/2021	Monthly	1000	0	0	0
Former Gasworks	Environment Protection Authority	09/03/2021	11/10/2017	Monthly	1000	0	0	0
National Waste Management Facilities Database	Geoscience Australia	11/02/2021	07/03/2017	Quarterly	1000	0	0	2
National Liquid Fuel Facilities	Geoscience Australia	15/02/2021	13/07/2012	Quarterly	1000	0	0	0
EPA PFAS Investigation Program	Environment Protection Authority	12/03/2021	23/11/2020	Monthly	2000	0	0	0
Defence PFAS Investigation & Management Program - Investigation Sites	Department of Defence	02/03/2021	02/03/2021	Monthly	2000	0	0	0
Defence PFAS Investigation & Management Program - Management Sites	Department of Defence	02/03/2021	02/03/2021	Monthly	2000	0	0	0
Airservices Australia National PFAS Management Program	Airservices Australia	01/03/2021	01/03/2021	Monthly	2000	0	0	0
Defence 3 Year Regional Contamination Investigation Program	Department of Defence	12/03/2021	12/03/2021	Monthly	2000	0	0	0
EPA Other Sites with Contamination Issues	Environment Protection Authority	02/02/2021	13/12/2018	Annually	1000	0	0	0
Licensed Activities under the POEO Act 1997	Environment Protection Authority	08/03/2021	08/03/2021	Monthly	1000	1	1	8
Delicensed POEO Activities still regulated by the EPA	Environment Protection Authority	08/03/2021	08/03/2021	Monthly	1000	0	0	0
Former POEO Licensed Activities now revoked or surrendered	Environment Protection Authority	08/03/2021	08/03/2021	Monthly	1000	3	3	6
UBD Business Directories (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business Directories (Road & Area Matches)	Hardie Grant			Not required	150	-	13	14
UBD Business Directory Dry Cleaners & Motor Garages/Service Stations (Premise & Intersection Matches)	Hardie Grant			Not required	500	0	0	0
UBD Business Directory Dry Cleaners & Motor Garages/Service Stations (Road & Area Matches)	Hardie Grant			Not required	500	-	0	0
Points of Interest	NSW Department of Finance, Services & Innovation	18/02/2021	18/02/2021	Quarterly	1000	3	3	12
Tanks (Areas)	NSW Department of Customer Service - Spatial Services	16/02/2021	16/02/2021	Quarterly	1000	0	0	0
Tanks (Points)	NSW Department of Customer Service - Spatial Services	16/02/2021	16/02/2021	Quarterly	1000	0	0	2
Major Easements	NSW Department of Finance, Services & Innovation	17/02/2021	17/02/2021	Quarterly	1000	0	0	3
State Forest	Forestry Corporation of NSW	25/02/2021	14/02/2021	Annually	1000	0	0	0
NSW National Parks and Wildlife Service Reserves	NSW Office of Environment & Heritage	22/01/2021	11/12/2020	Annually	1000	0	0	0
Hydrogeology Map of Australia	Commonwealth of Australia (Geoscience Australia)	08/10/2014	17/03/2000	As required	1000	1	1	1
Temporary Water Restriction (Botany Sands Groundwater Source) Order 2018	NSW Department of Planning, Industry and Environment	26/10/2020	21/02/2018	Annually	1000	0	0	0

Dataset Name	Custodian	Supply Date	Currency Date	Update Frequency	Dataset Buffer (m)	No. Features Onsite	No. Features within 100m	No. Features within Buffer
Groundwater Boreholes	NSW Dept. of Primary Industries - Water NSW; Commonwealth of Australia (Bureau of Meteorology)	24/07/2018	23/07/2018	Annually	2000	0	0	1
Geological Units 1:250,000	NSW Department of Planning, Industry and Environment	20/08/2014		Annually	1000	1	-	2
Geological Structures 1:250,000	NSW Department of Planning, Industry and Environment	20/08/2014		Annually	1000	0	-	0
Naturally Occurring Asbestos Potential	NSW Dept. of Industry, Resources & Energy	04/12/2015	24/09/2015	Unknown	1000	0	0	0
Atlas of Australian Soils	Australian Bureau of Agriculture and Resource Economics and Sciences (ABARES)	19/05/2017	17/02/2011	As required	1000	1	1	1
Soil Landscapes of Central and Eastern NSW	NSW Department of Planning, Industry and Environment	14/10/2020	27/07/2020	Annually	1000	2	-	3
Environmental Planning Instrument Acid Sulfate Soils	NSW Department of Planning, Industry and Environment	22/02/2021	12/02/2021	Monthly	500	0	-	-
Atlas of Australian Acid Sulfate Soils	CSIRO	19/01/2017	21/02/2013	As required	1000	1	1	2
Dryland Salinity - National Assessment	National Land and Water Resources Audit	18/07/2014	12/05/2013	None planned	1000	1	1	1
Dryland Salinity Potential of Western Sydney	NSW Department of Planning, Industry and Environment	12/05/2017	01/01/2002	None planned	1000	-	-	-
Mining Subsidence Districts	NSW Department of Customer Service - Subsidence Advisory NSW	16/02/2021	16/02/2021	Quarterly	1000	0	0	0
Current Mining Titles	NSW Department of Industry	04/03/2021	04/03/2021	Monthly	1000	0	0	0
Mining Title Applications	NSW Department of Industry	04/03/2021	04/03/2021	Monthly	1000	0	0	0
Historic Mining Titles	NSW Department of Industry	04/03/2021	04/03/2021	Monthly	1000	6	6	7
Environmental Planning Instrument SEPP State Significant Precincts	NSW Department of Planning, Industry and Environment	22/02/2021	07/12/2018	Monthly	1000	0	0	0
Environmental Planning Instrument Land Zoning	NSW Department of Planning, Industry and Environment	22/02/2021	12/02/2021	Monthly	1000	1	3	13
Commonwealth Heritage List	Australian Government Department of the Agriculture, Water and the Environment	23/02/2021	20/11/2019	Quarterly	1000	0	0	0
National Heritage List	Australian Government Department of the Agriculture, Water and the Environment	23/02/2021	20/11/2019	Quarterly	1000	0	0	0
State Heritage Register - Curtilages	NSW Department of Planning, Industry and Environment	15/02/2021	30/11/2020	Quarterly	1000	0	0	0
Environmental Planning Instrument Local Heritage	NSW Department of Planning, Industry and Environment	22/02/2021	12/02/2021	Monthly	1000	0	0	1
Bush Fire Prone Land	NSW Rural Fire Service	15/03/2021	11/02/2021	Weekly	1000	2	3	4
Lower Hunter and Central Coast Regional Vegetation Survey	NSW Office of Environment & Heritage	28/02/2015	16/11/2009	As required	1000	4	4	9
Ramsar Wetlands of Australia	Australian Government Department of Agriculture, Water and the Environment	24/02/2021	19/03/2020	Annually	1000	0	0	0
Groundwater Dependent Ecosystems	Bureau of Meteorology	14/08/2017	15/05/2017	Annually	1000	3	3	3
Inflow Dependent Ecosystems Likelihood	Bureau of Meteorology	14/08/2017	15/05/2017	Unknown	1000	8	8	8
NSW BioNet Species Sightings	NSW Office of Environment & Heritage	15/03/2021	15/03/2021	Weekly	10000	-	-	-

Site Diagram

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Legend <div><div></div> Site Boundary</div> <div><div></div> Internal Parcel Boundaries</div>	Total Area: 960180m ² Total Perimeter: 4849m <small>Disclaimers:</small> Measurements are approximate only and may have been simplified or smaller lengths removed for readability. Parcels that make up a small percentage of the total site area have not been labelled for increased legibility.	Scale: <div><div></div><div>0 50 100 200 300 400 500 Meters</div></div> <div>Data Sources: Aerial Imagery © Aerometrex Pty Ltd</div> <div><div>Coordinate System: GDA 1994 MGA Zone 56</div><div>Date: 18 March 2021</div></div>
---	--	--

Contaminated Land

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

List of NSW contaminated sites notified to EPA

Records from the NSW EPA Contaminated Land list within the dataset buffer:

Map Id	Site	Address	Suburb	Activity	Management Class	Status	Location Confidence	Dist (m)	Direction
N/A	No records in buffer								

The values within the EPA site management class in the table above, are given more detailed explanations in the table below:

EPA site management class	Explanation
Contamination being managed via the planning process (EP&A Act)	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. The contamination of this site is managed by the consent authority under the Environmental Planning and Assessment Act 1979 (EP&A Act) planning approval process, with EPA involvement as necessary to ensure significant contamination is adequately addressed. The consent authority is typically a local council or the Department of Planning and Environment.
Contamination currently regulated under CLM Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). Management of the contamination is regulated by the EPA under the CLM Act. Regulatory notices are available on the EPA's Contaminated Land Public Record of Notices.
Contamination currently regulated under POEO Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. Management of the contamination is regulated under the Protection of the Environment Operations Act 1997 (POEO Act). The EPA's regulatory actions under the POEO Act are available on the POEO public register.
Contamination formerly regulated under the CLM Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). The contamination was addressed under the CLM Act.
Contamination formerly regulated under the POEO Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed under the Protection of the Environment Operations Act 1997 (POEO Act).
Contamination was addressed via the planning process (EP&A Act)	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed by the appropriate consent authority via the planning process under the Environmental Planning and Assessment Act 1979 (EP&A Act).
Ongoing maintenance required to manage residual contamination (CLM Act)	The EPA has determined that ongoing maintenance, under the Contaminated Land Management Act 1997 (CLM Act), is required to manage the residual contamination. Regulatory notices under the CLM Act are available on the EPA's Contaminated Land Public Record of Notices.
Regulation being finalised	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997. A regulatory approach is being finalised.
Regulation under the CLM Act not required	The EPA has completed an assessment of the contamination and decided that regulation under the Contaminated Land Management Act 1997 is not required.
Under assessment	The contamination is being assessed by the EPA to determine whether regulation is required. The EPA may require further information to complete the assessment. For example, the completion of management actions regulated under the planning process or Protection of the Environment Operations Act 1997. Alternatively, the EPA may require information via a notice issued under s77 of the Contaminated Land Management Act 1997 or issue a Preliminary Investigation Order.

NSW EPA Contaminated Land List Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Contaminated Land

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Contaminated Land: Records of Notice

Record of Notices within the dataset buffer:

Map Id	Name	Address	Suburb	Notices	Area No	Location Confidence	Distance	Direction
N/A	No records in buffer							

Contaminated Land Records of Notice Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

Terms of use and disclaimer for Contaminated Land: Record of Notices, please visit

<http://www.epa.nsw.gov.au/clm/clmdisclaimer.htm>

Former Gasworks

Former Gasworks within the dataset buffer:

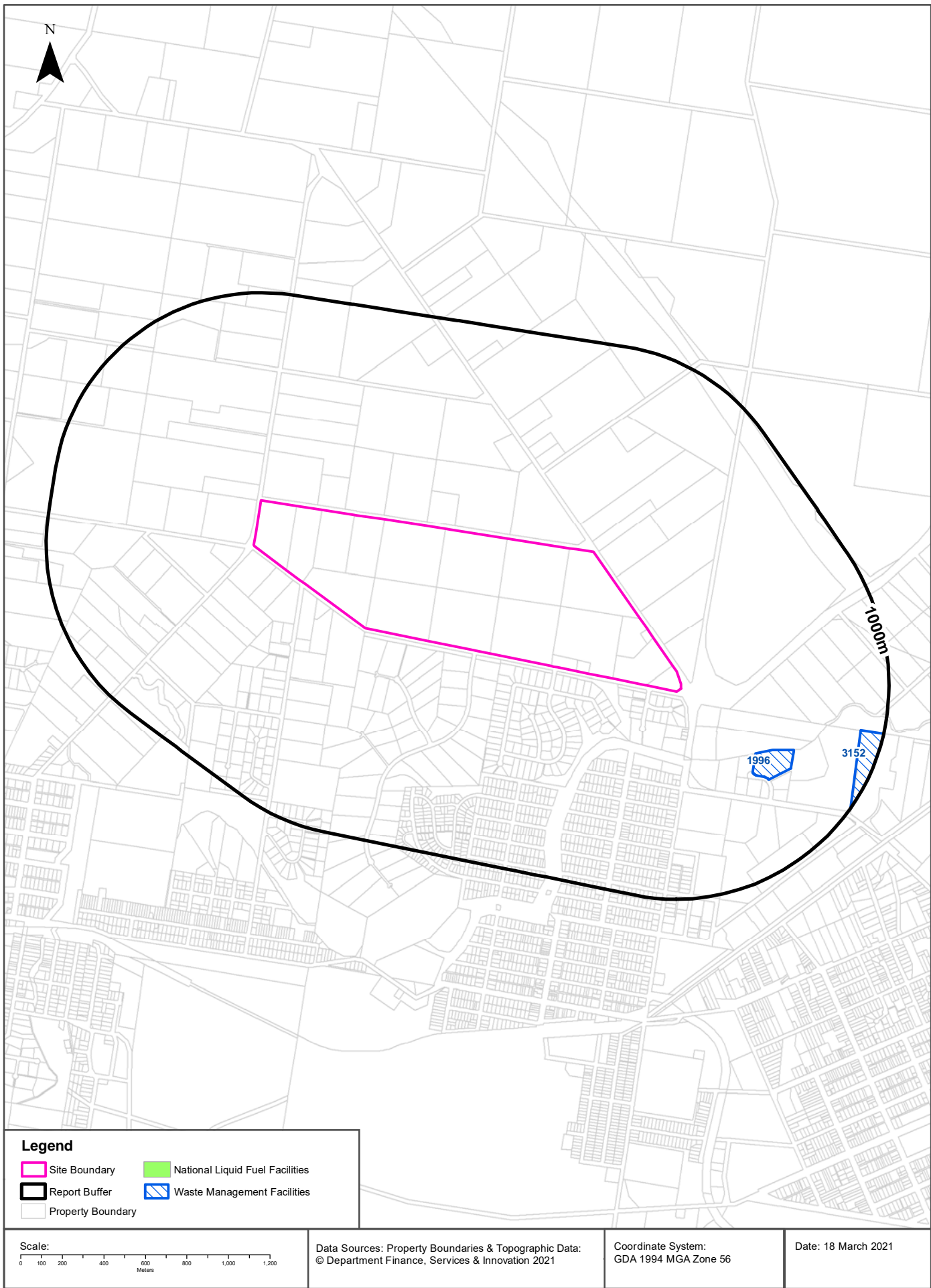
Map Id	Location	Council	Further Info	Location Confidence	Distance	Direction
N/A	No records in buffer					

Former Gasworks Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

Waste Management & Liquid Fuel Facilities

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Waste Management & Liquid Fuel Facilities

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

National Waste Management Site Database

Sites on the National Waste Management Site Database within the dataset buffer:

Site Id	Owner	Name	Address	Suburb	Class	Landfill	Reprocess	Transfer	Comments	Loc Conf	Dist (m)	Direction
1996	Central Recycling Station Pty Ltd	Central Waste Station Pty Limited	8 Styles Street	Kurri Kurri	Multi-Purpose		Operational	Operational		Premise Match	476 m	South East
3152	Weston Aluminium Pty Ltd	Weston Aluminium Plant (Kurri Kurri)	129 Mitchell Avenue	Weston	Reprocessing		Operational		Spent Pot Lining and Al Dross Processing Facility.	Premise Match	888 m	South East

Waste Management Facilities Data Source: Geoscience Australia
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

National Liquid Fuel Facilities

National Liquid Fuel Facilities within the dataset buffer:

Map Id	Owner	Name	Address	Suburb	Class	Operational Status	Operator	Revision Date	Loc Conf	Dist (m)	Direction
N/A	No records in buffer										

National Liquid Fuel Facilities Data Source: Geoscience Australia
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PFAS Investigation & Management Programs

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

EPA PFAS Investigation Program

Sites that are part of the EPA PFAS investigation program, within the dataset buffer:

Id	Site	Address	Loc Conf	Dist	Dir
N/A	No records in buffer				

EPA PFAS Investigation Program: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Defence PFAS Investigation Program

Sites being investigated by the Department of Defence for PFAS contamination within the dataset buffer:

Map ID	Base Name	Address	Loc Conf	Dist	Dir
N/A	No records in buffer				

Defence PFAS Investigation Program Data Custodian: Department of Defence, Australian Government

Defence PFAS Management Program

Sites being managed by the Department of Defence for PFAS contamination within the dataset buffer:

Map ID	Base Name	Address	Loc Conf	Dist	Dir
N/A	No records in buffer				

Defence PFAS Management Program Data Custodian: Department of Defence, Australian Government

Airservices Australia National PFAS Management Program

Sites being investigated or managed by Airservices Australia for PFAS contamination within the dataset buffer:

Map ID	Site Name	Impacts	Loc Conf	Dist	Dir
N/A	No records in buffer				

Airservices Australia National PFAS Management Program Data Custodian: Airservices Australia

Defence Sites

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Defence 3 Year Regional Contamination Investigation Program

Sites which have been assessed as part of the Defence 3 Year Regional Contamination Investigation Program within the dataset buffer:

Property ID	Base Name	Address	Known Contamination	Loc Conf	Dist	Dir
N/A	No records in buffer					

Defence 3 Year Regional Contamination Investigation Program, Data Custodian: Department of Defence, Australian Government

EPA Other Sites with Contamination Issues

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

EPA Other Sites with Contamination Issues

This dataset contains other sites identified on the EPA website as having contamination issues. This dataset currently includes:

- James Hardie asbestos manufacturing and waste disposal sites
- Radiological investigation sites in Hunter's Hill
- Pasminco Lead Abatement Strategy Area

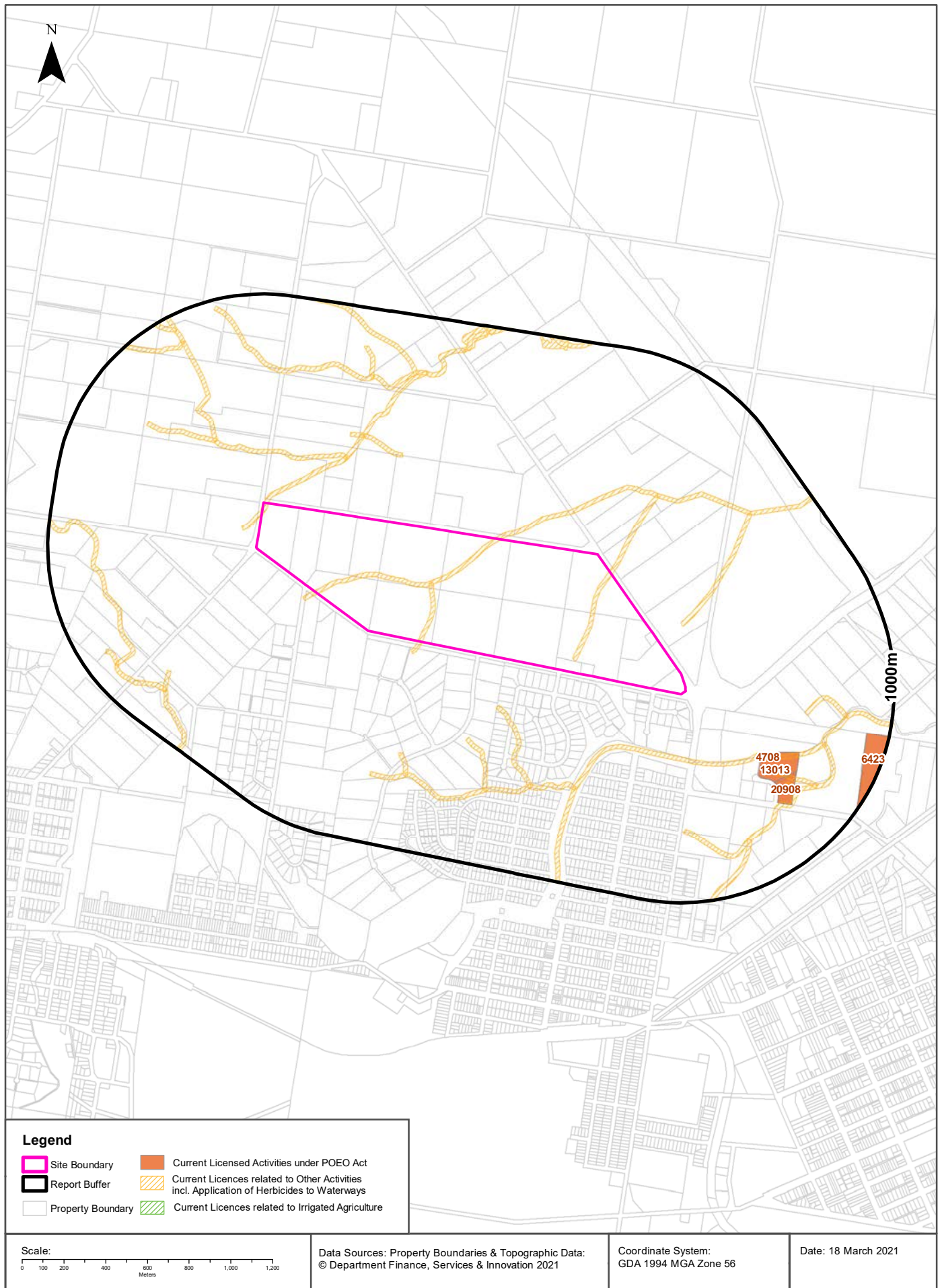
Sites within the dataset buffer:

Site Id	Site Name	Site Address	Dataset	Comments	Location Confidence	Distance	Direction
N/A	No records in buffer						

EPA Other Sites with Contamination Issues: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Current EPA Licensed Activities

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



EPA Activities

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Licensed Activities under the POEO Act 1997

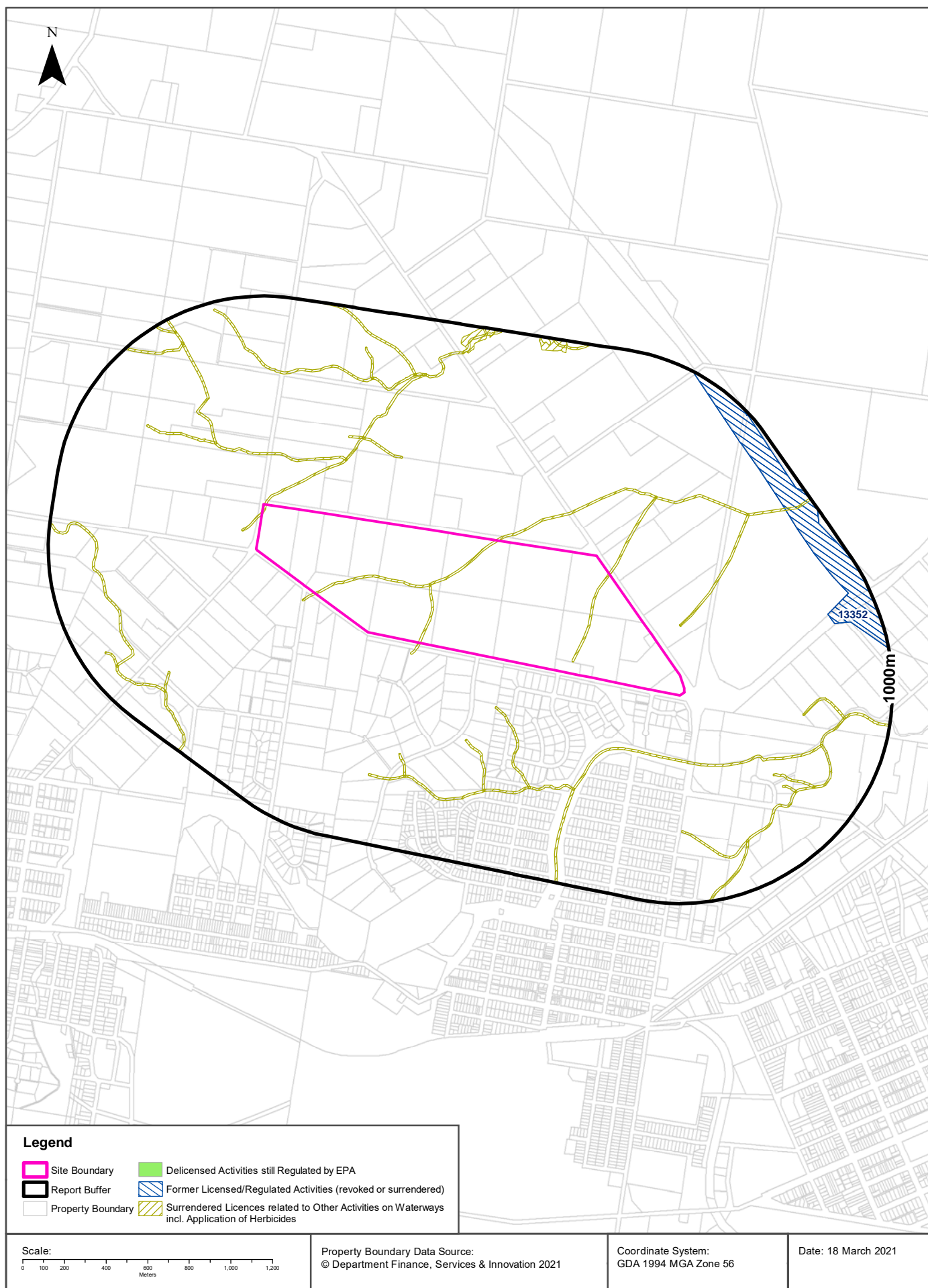
Licensed activities under the Protection of the Environment Operations Act 1997, within the dataset buffer:

EPL	Organisation	Name	Address	Suburb	Activity	Loc Conf	Distance	Direction
4708	CESSNOCK CITY COUNCIL	-	-	CESSNOCK	Other activities	Network of Features	0m	Onsite
13013	CENTRAL WASTE PLANT PTY LTD	Central Waste Station Pty Limited	8 Styles Street	KURRI KURRI	Non-thermal treatment of general waste	Premise Match	476m	South East
13013	CENTRAL WASTE PLANT PTY LTD	Central Waste Station Pty Limited	8 Styles Street	KURRI KURRI	Waste storage - other types of waste	Premise Match	476m	South East
20908	AUSTRALIAN NATIVE LANDSCAPES PTY LTD		2-6 Styles St, WESTON, NSW 2326		Recovery of general waste; Waste storage - other types of waste	Premise Match	609m	South East
6423	WESTON ALUMINIUM PTY LIMITED	WESTON ALUMINIUM PTY LTD	129 MITCHELL AVENUE	KURRI KURRI	Aluminium production (scrap metal)	Premise Match	888m	South East
6423	WESTON ALUMINIUM PTY LIMITED	WESTON ALUMINIUM PTY LTD	129 MITCHELL AVENUE	KURRI KURRI	Recovery of hazardous and other waste	Premise Match	888m	South East
6423	WESTON ALUMINIUM PTY LIMITED	WESTON ALUMINIUM PTY LTD	129 MITCHELL AVENUE	KURRI KURRI	Scrap metal processing	Premise Match	888m	South East
6423	WESTON ALUMINIUM PTY LIMITED	WESTON ALUMINIUM PTY LTD	129 MITCHELL AVENUE	KURRI KURRI	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Premise Match	888m	South East

POEO Licence Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



EPA Activities

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Delicensed Activities still regulated by the EPA

Delicensed activities still regulated by the EPA, within the dataset buffer:

Licence No	Organisation	Name	Address	Suburb	Activity	Loc Conf	Distance	Direction
N/A	No records in buffer							

Delicensed Activities Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Former Licensed Activities under the POEO Act 1997, now revoked or surrendered

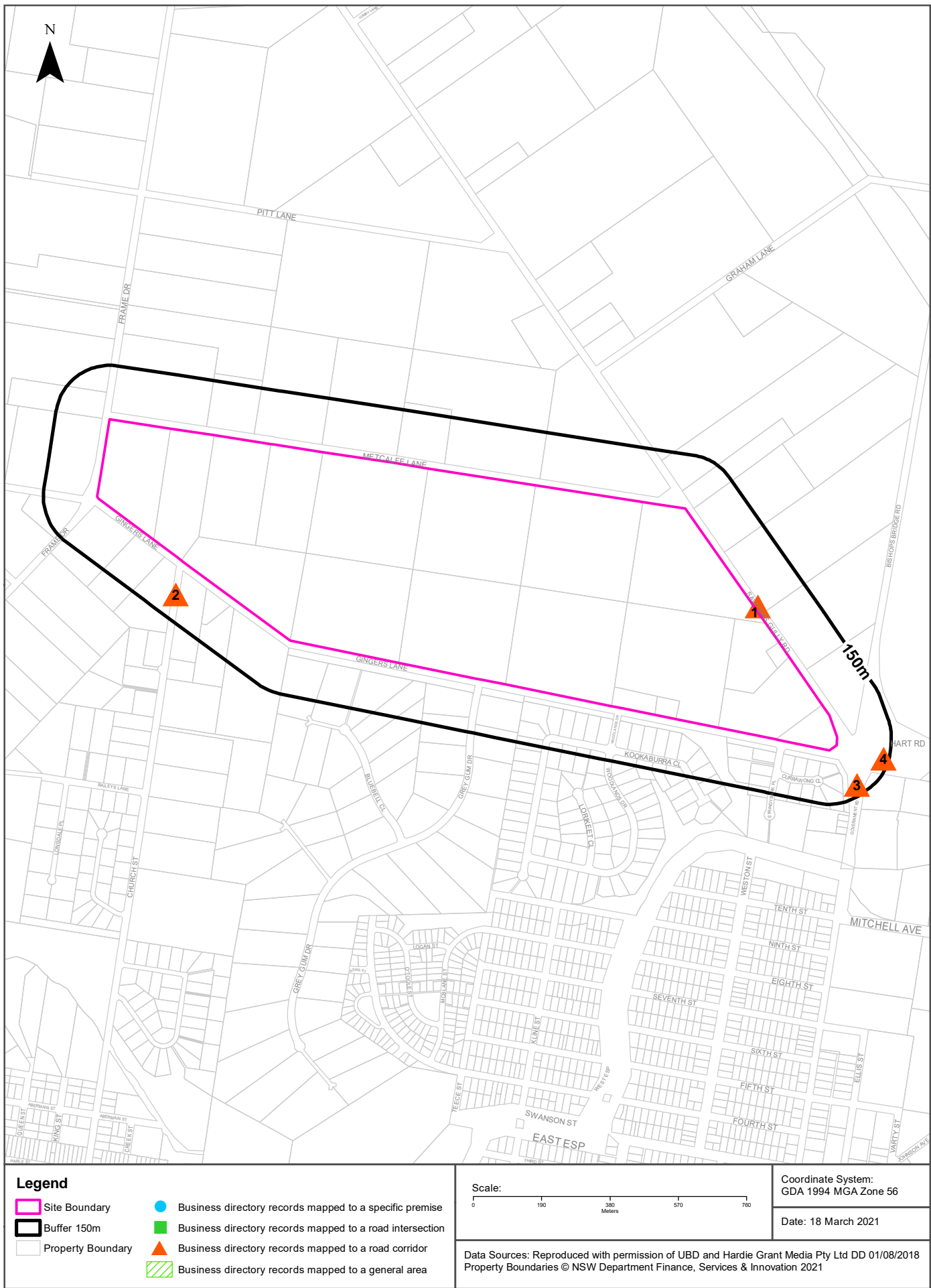
Former Licensed activities under the Protection of the Environment Operations Act 1997, now revoked or surrendered, within the dataset buffer:

Licence No	Organisation	Location	Status	Issued Date	Activity	Loc Conf	Distance	Direction
4653	LUHRMANN ENVIRONMENT MANAGEMENT PTY LTD	WATERWAYS THROUGHOUT NSW	Surrendered	06/09/2000	Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	0m	Onsite
4838	Robert Orchard	Various Waterways throughout New South Wales - SYDNEY NSW 2000	Surrendered	07/09/2000	Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	0m	Onsite
6630	SYDNEY WEED & PEST MANAGEMENT PTY LTD	WATERWAYS THROUGHOUT NSW - PROSPECT, NSW, 2148	Surrendered	09/11/2000	Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	0m	Onsite
13352	ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD	Hunter Expressway Kurri Kurri (Chainage 12900) to Branxton (Chainage 39500), 1056 Old Maitland Rd, SAWYERS GULLY	Surrendered	22/12/2010	Crushing, grinding or separating	Road Match	769m	East
13352	ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD	Hunter Expressway Kurri Kurri (Chainage 12900) to Branxton (Chainage 39500), 1056 Old Maitland Rd, SAWYERS GULLY	Surrendered	22/12/2010	Land-based extractive activity	Road Match	769m	East
13352	ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD	Hunter Expressway Kurri Kurri (Chainage 12900) to Branxton (Chainage 39500), 1056 Old Maitland Rd, SAWYERS GULLY	Surrendered	22/12/2010	Road construction	Road Match	769m	East

Former Licensed Activities Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Historical Business Directories

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Historical Business Directories

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Business Directory Records 1950-1991 Premise or Road Intersection Matches

Universal Business Directory records from years 1991, 1982, 1970, 1961 & 1950, mapped to a premise or road intersection within the dataset buffer:

Map Id	Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Property Boundary or Road Intersection	Direction
	No records in buffer						

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Business Directory Records 1950-1991

Road or Area Matches

Universal Business Directory records from years 1991, 1982, 1970, 1961 & 1950, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Map Id	Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Road Corridor or Area
1	PLUMBERS &/OR GASFITTERS.	Hocking B K & D., Sawyers Gully Rd., Weston 2326	77177	1991	Road Match	0m
	KITCHEN UNITS MFRS. &/OR DISTS. &/OR INSTALLERS.	Stix Joinery., Sawyers Gully Rd., Abermain 2326	78269	1991	Road Match	0m
	BAG & SACK MERCHANTS	Ellenor Bros., Sawyers Gully Rd. Abermain	129821	1950	Road Match	0m
	POULTRY FARMERS	Graham, J. F., Sawyers Gully Rd. Weston	182833	1950	Road Match	0m
	POULTRY FARMERS	Oxford, M., Sawyers Gully Rd. Kurri Kurri	201922	1950	Road Match	0m
2	SCHOOLS & COLLEGES-PRIVATE & PUBLIC	St. Joseph's Convent, Church St., Abermain 2321	639396	1970	Road Match	20m
3	MOTOR CYCLE ACCESSORIES &/OR SPARE PARTS MFRS. &/OR IMPS. &/OR DISTS.	Kurri Tri Bits., Government Rd., Weston 2326	77083	1991	Road Match	85m
	NOT LISTED	Lynch, I. P. & L., H., Steel Mercht., Government Rd., Weston 2326	182083	1982	Road Match	85m
	NOT LISTED	Rays Car Care Service, Government Rd., Weston 2326	182091	1982	Road Match	85m
	ASSOCIATIONS, SOCIETIES, CLUBS & SPORTING BODIES	Workers' Club, Government Rd., Weston 2326	640412	1970	Road Match	85m
	CLUBS & SPORTS BODIES	Workers' Club, Government Rd., Weston	177218	1961	Road Match	85m
	POULTRY FARMERS	Pitts Poultry Farm and Hatchery Pty. Ltd., Government Rd. Weston	182835	1950	Road Match	85m
	WINE SALOONS	Weston Wine Saloon, Government St. Weston	182851	1950	Road Match	85m
4	DOG &/OR CAT BOARDING KENNELS	Yenesy Kennels., 7 Hart Rd, Kurri Kurri 2327	76913	1991	Road Match	120m

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Historical Business Directories

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Dry Cleaners, Motor Garages & Service Stations Premise or Road Intersection Matches

Dry Cleaners, Motor Garages & Service Stations from UBD Business Directories, mapped to a premise or road intersection, within the dataset buffer.

Map Id	Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Property Boundary or Road Intersection	Direction
	No records in buffer						

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Dry Cleaners, Motor Garages & Service Stations Road or Area Matches

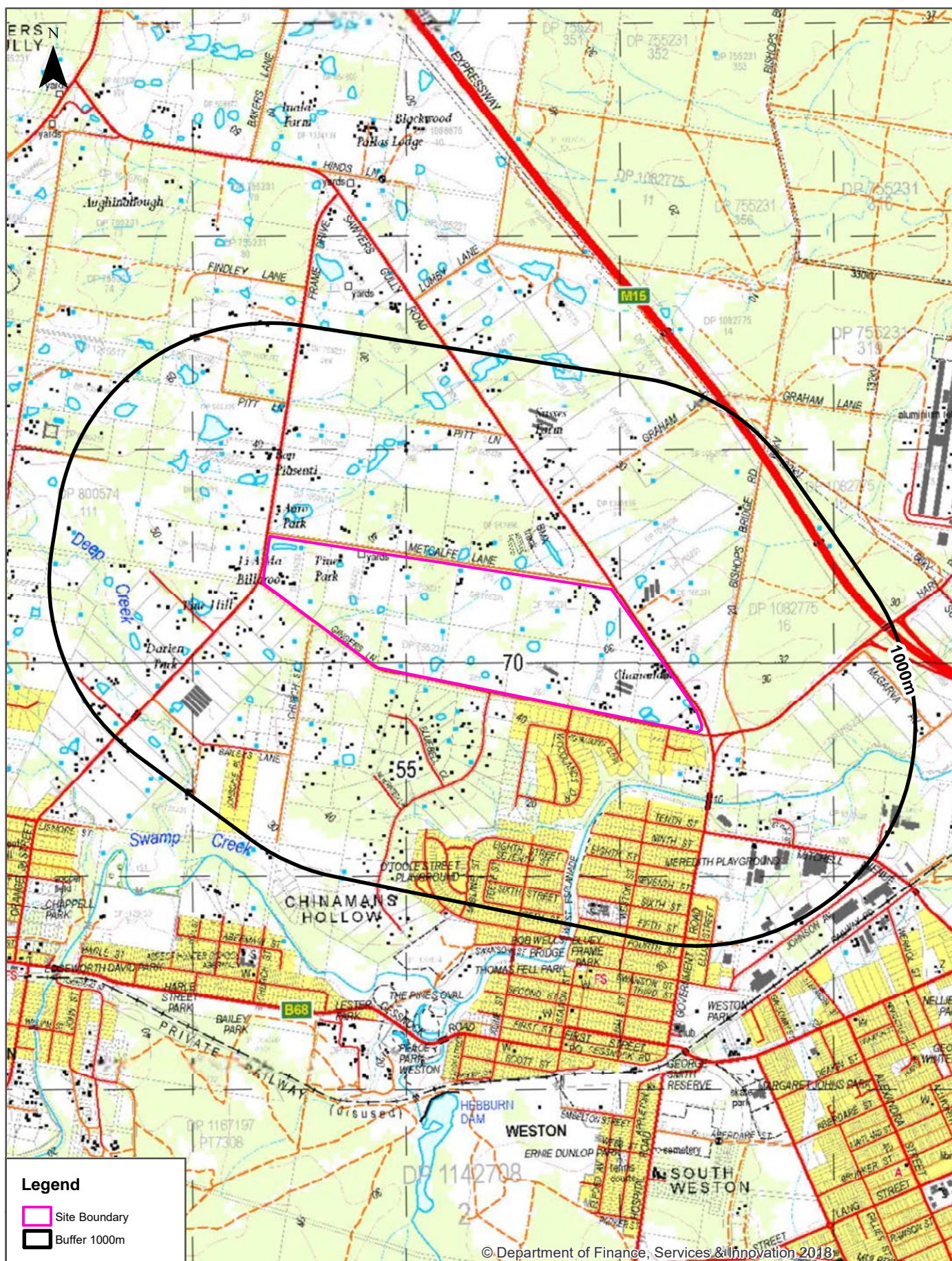
Dry Cleaners, Motor Garages & Service Stations from UBD Business Directories, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published.

Map Id	Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Road Corridor or Area
	No records in buffer					

Reproduced with permission of UBD and Hardie Grant Media Pty Ltd DD 01/08/2018

Topographic Map 2015

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



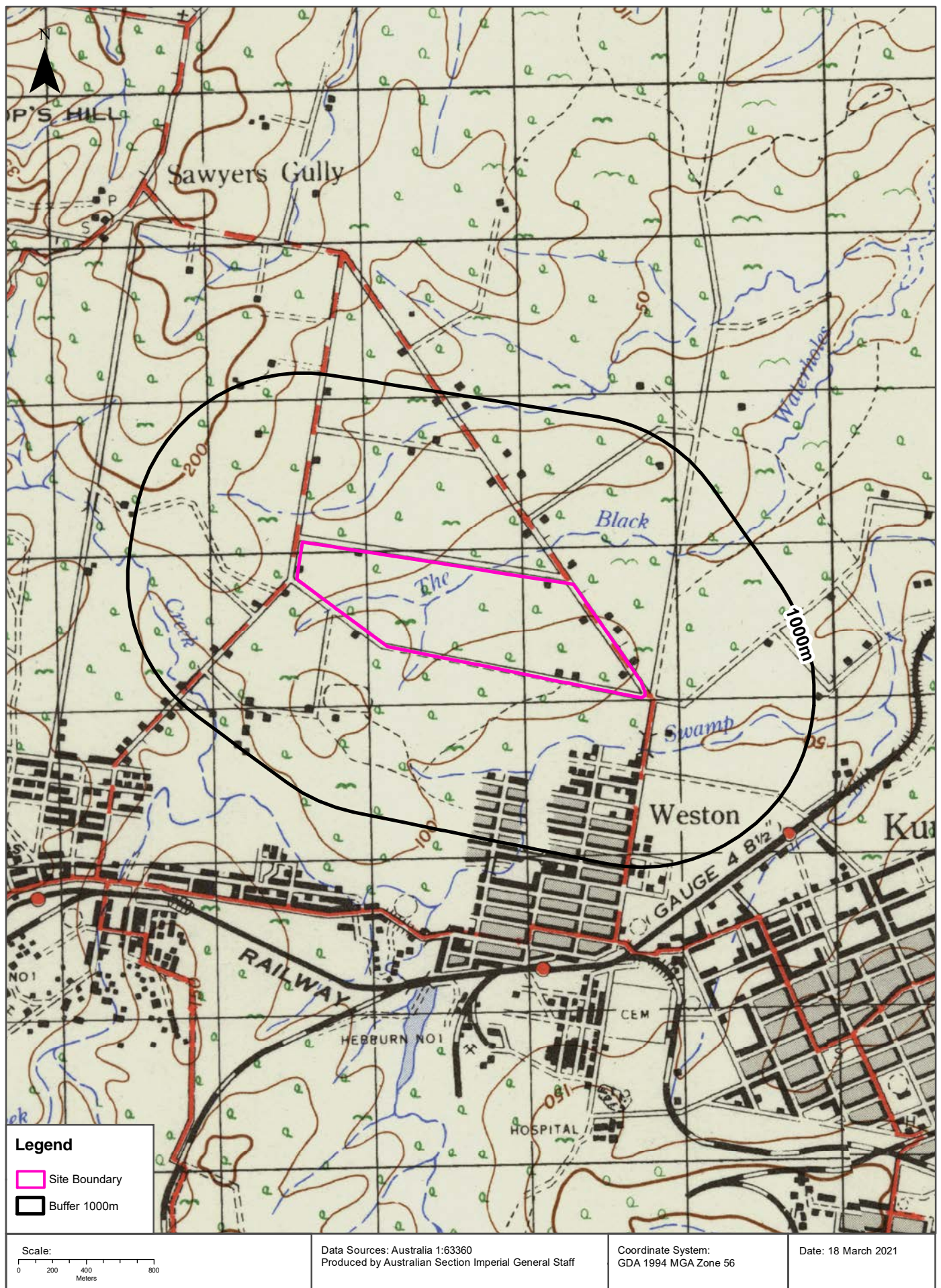
Historical Map 1982

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



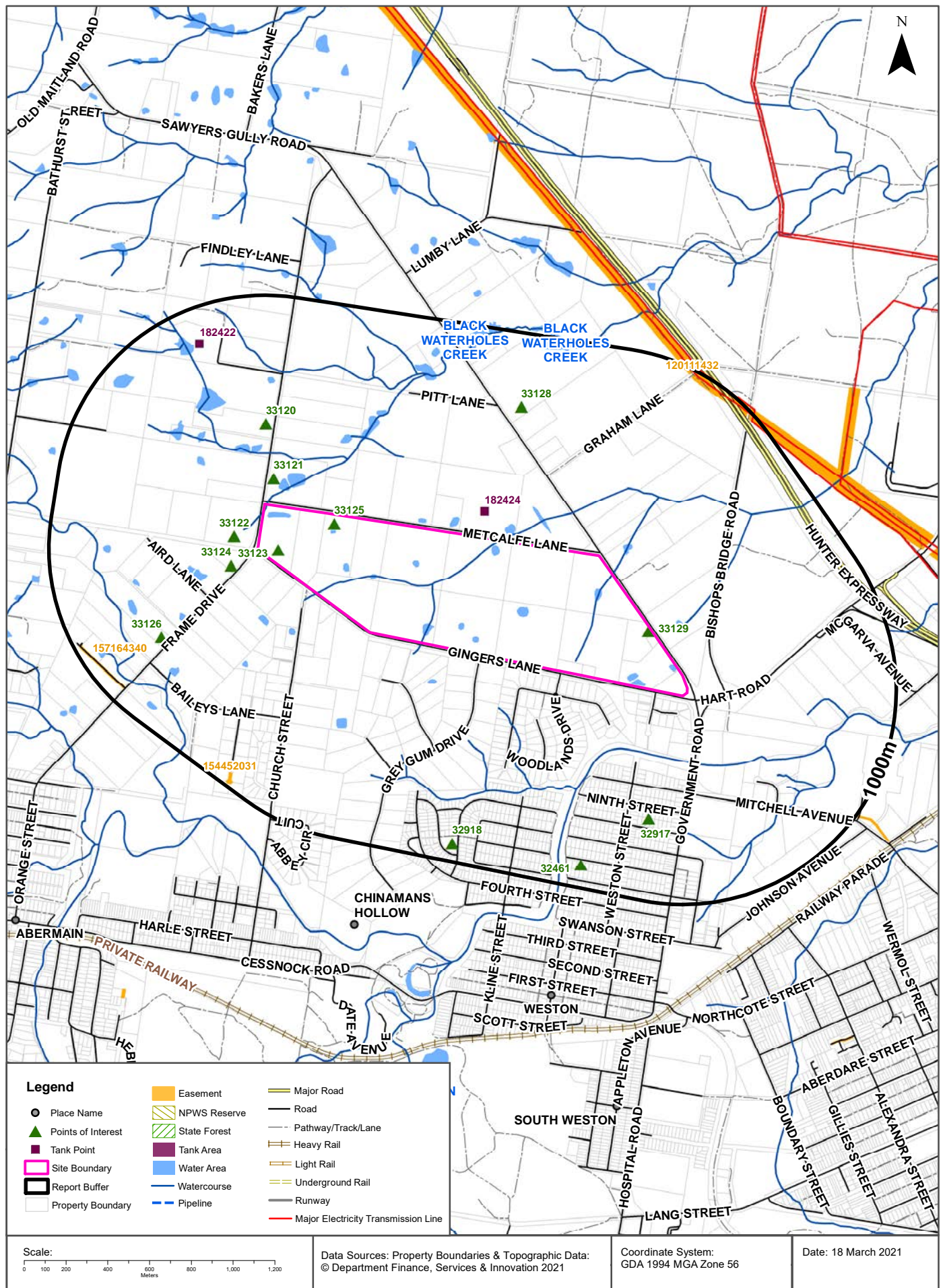
Historical Map c.1954

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Topographic Features

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Topographic Features

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Points of Interest

What Points of Interest exist within the dataset buffer?

Map Id	Feature Type	Label	Distance	Direction
33123	Homestead	BILLAROO	0m	Onsite
33125	Homestead	PINE PARK	0m	Onsite
33129	Homestead	CHANANDOR	0m	Onsite
33122	Homestead	LI A MA	120m	West
33121	Homestead	AURO PARK	125m	North West
33124	Homestead	PINE HILL	149m	West
33120	Homestead	BON PIASENTI	382m	North West
32917	Park	MEREDITH PLAYGROUND	611m	South East
33126	Homestead	DARIEN PARK	624m	West
33128	Homestead	SUSSES FARM	646m	North
32461	Primary School	WESTON PUBLIC SCHOOL	891m	South
32918	Park	O'TOOLE STREET PLAYGROUND	913m	South

Topographic Data Source: © Land and Property Information (2015)

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Topographic Features

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Tanks (Areas)

What are the Tank Areas located within the dataset buffer?

Note. The large majority of tank features provided by LPI are derived from aerial imagery & are therefore primarily above ground tanks.

Map Id	Tank Type	Status	Name	Feature Currency	Distance	Direction
	No records in buffer					

Tanks (Points)

What are the Tank Points located within the dataset buffer?

Note. The large majority of tank features provided by LPI are derived from aerial imagery & are therefore primarily above ground tanks.

Map Id	Tank Type	Status	Name	Feature Currency	Distance	Direction
182424	Water	Operational		14/07/2018	125m	North
182422	Water	Operational		14/07/2018	827m	North West

Tanks Data Source: © Land and Property Information (2015)

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Major Easements

What Major Easements exist within the dataset buffer?

Note. Easements provided by LPI are not at the detail of local governments. They are limited to major easements such as Right of Carriageway, Electrical Lines (66kVa etc.), Easement to drain water & Significant subterranean pipelines (gas, water etc.).

Map Id	Easement Class	Easement Type	Easement Width	Distance	Direction
157164340	Primary	Right of way	6m and VArable	918m	West
154452031	Primary	Right of way	10 and Variable	937m	South West
120111432	Primary	Undefined		951m	North West

Easements Data Source: © Land and Property Information (2015)

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Topographic Features

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

State Forest

What State Forest exist within the dataset buffer?

State Forest Number	State Forest Name	Distance	Direction
N/A	No records in buffer		

State Forest Data Source: © NSW Department of Finance, Services & Innovation (2018)
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National Parks and Wildlife Service Reserves

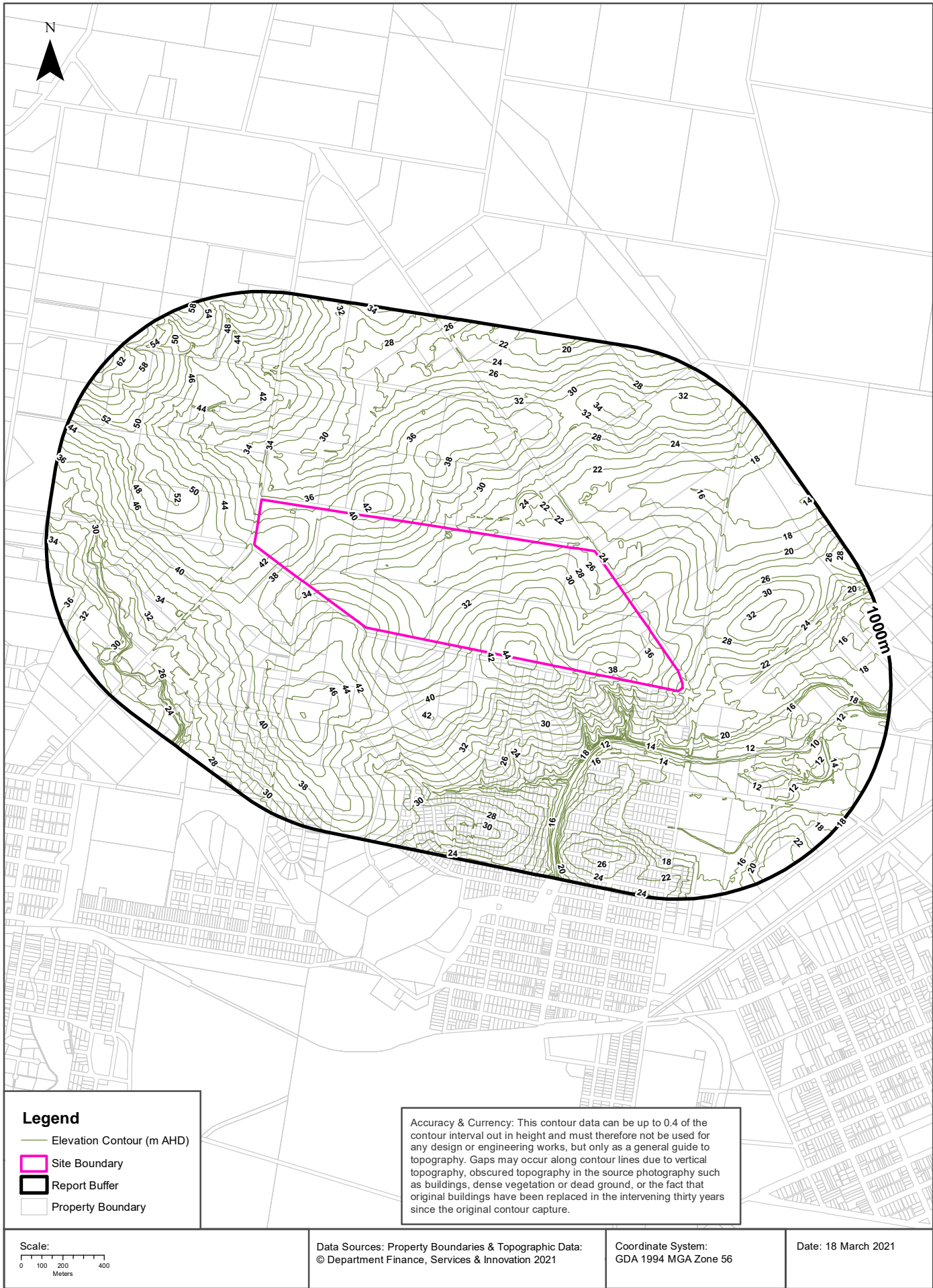
What NPWS Reserves exist within the dataset buffer?

Reserve Number	Reserve Type	Reserve Name	Gazetted Date	Distance	Direction
N/A	No records in buffer				

NPWS Data Source: © NSW Department of Finance, Services & Innovation (2018)
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Elevation Contours (m AHD)

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Hydrogeology & Groundwater

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Hydrogeology

Description of aquifers on-site:

Description
Fractured or fissured, extensive aquifers of low to moderate productivity

Description of aquifers within the dataset buffer:

Description
Fractured or fissured, extensive aquifers of low to moderate productivity

Hydrogeology Map of Australia : Commonwealth of Australia (Geoscience Australia)

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Temporary Water Restriction (Botany Sands Groundwater Source) Order 2018

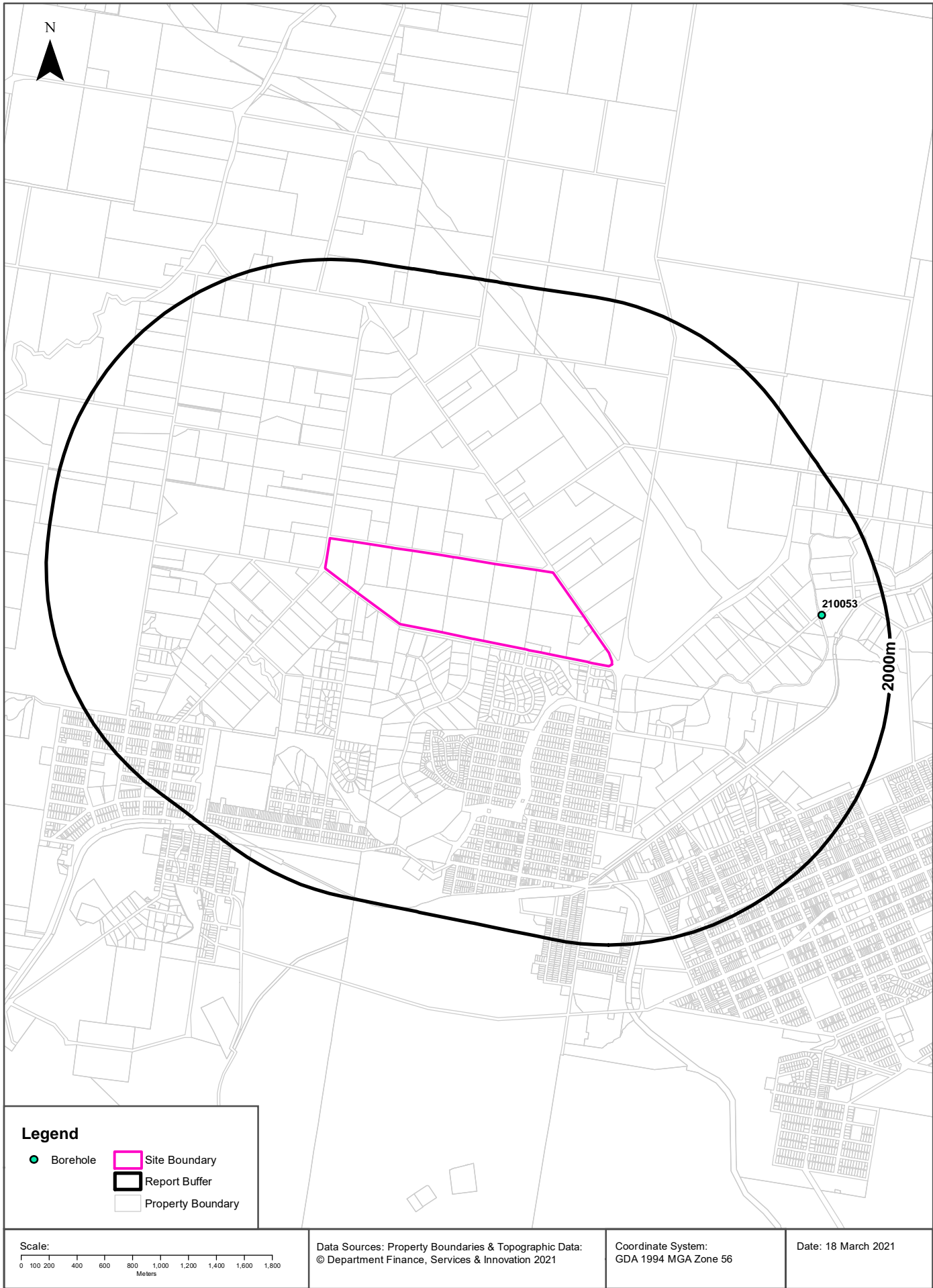
Temporary water restrictions relating to the Botany Sands aquifer within the dataset buffer:

Prohibition Area No.	Prohibition	Distance	Direction
N/A	No records in buffer		

Temporary Water Restriction (Botany Sands Groundwater Source) Order 2018 Data Source : NSW Department of Primary Industries

Groundwater Boreholes

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Hydrogeology & Groundwater

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Groundwater Boreholes

Boreholes within the dataset buffer:

GW No.	Licence No	Work Type	Owner Type	Authorised Purpose	Intended Purpose	Name	Complete Date	Final Depth (m)	Drilled Depth (m)	Salinity (mg/L)	SWL (m bgl)	Yield (L/s)	Elev (AHD)	Dist	Dir
210053					UNK								10.87	1542m	East

Borehole Data Source : NSW Department of Primary Industries - Office of Water / Water Administration Ministerial Corporation for all bores prefixed with GW. All other bores © Commonwealth of Australia (Bureau of Meteorology) 2015. Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Hydrogeology & Groundwater

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Driller's Logs

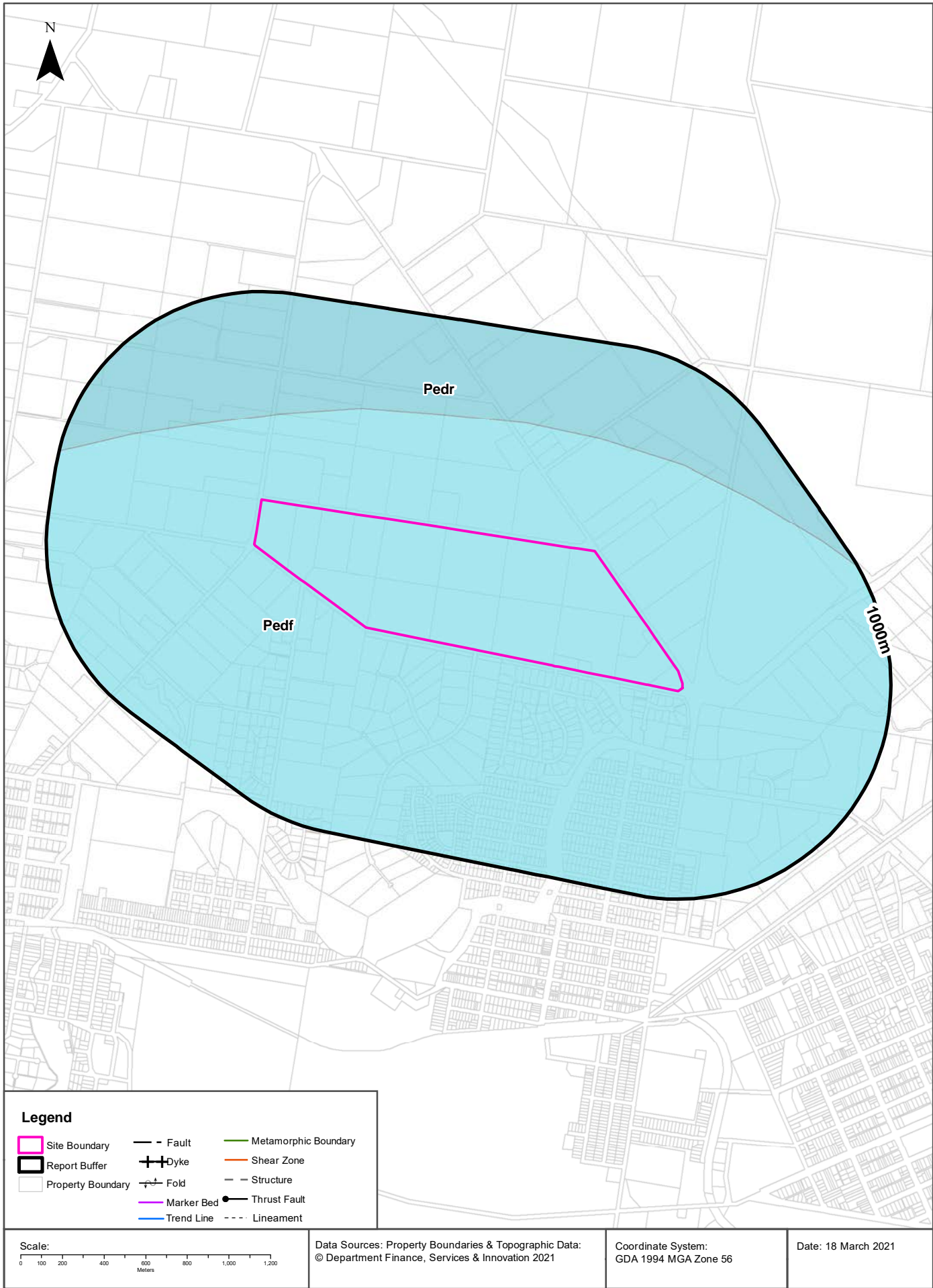
Drill log data relevant to the boreholes within the dataset buffer:

Groundwater No	Drillers Log	Distance	Direction
No related drill log data			

Drill Log Data Source: NSW Department of Primary Industries - Office of Water / Water Administration Ministerial Corp
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Geology 1:250,000

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Geology

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Geological Units

What are the Geological Units onsite?

Symbol	Description	Unit Name	Group	Sub Group	Age	Dom Lith	Map Sheet	Dataset
Pedf	Silty sandstone	Farley Formation	Dalwood Group		Palaeozoic			1:250,000

What are the Geological Units within the dataset buffer?

Symbol	Description	Unit Name	Group	Sub Group	Age	Dom Lith	Map Sheet	Dataset
Pedf	Silty sandstone	Farley Formation	Dalwood Group		Palaeozoic			1:250,000
Pedr	Siltstone, marl and minor sandstone	Rutherford Formation	Dalwood Group		Palaeozoic			1:250,000

Geological Structures

What are the Geological Structures onsite?

Feature	Name	Description	Map Sheet	Dataset
No features				1:250,000

What are the Geological Structures within the dataset buffer?

Feature	Name	Description	Map Sheet	Dataset
No features				1:250,000

Geological Data Source : NSW Department of Industry, Resources & Energy

© State of New South Wales through the NSW Department of Industry, Resources & Energy

Naturally Occurring Asbestos Potential

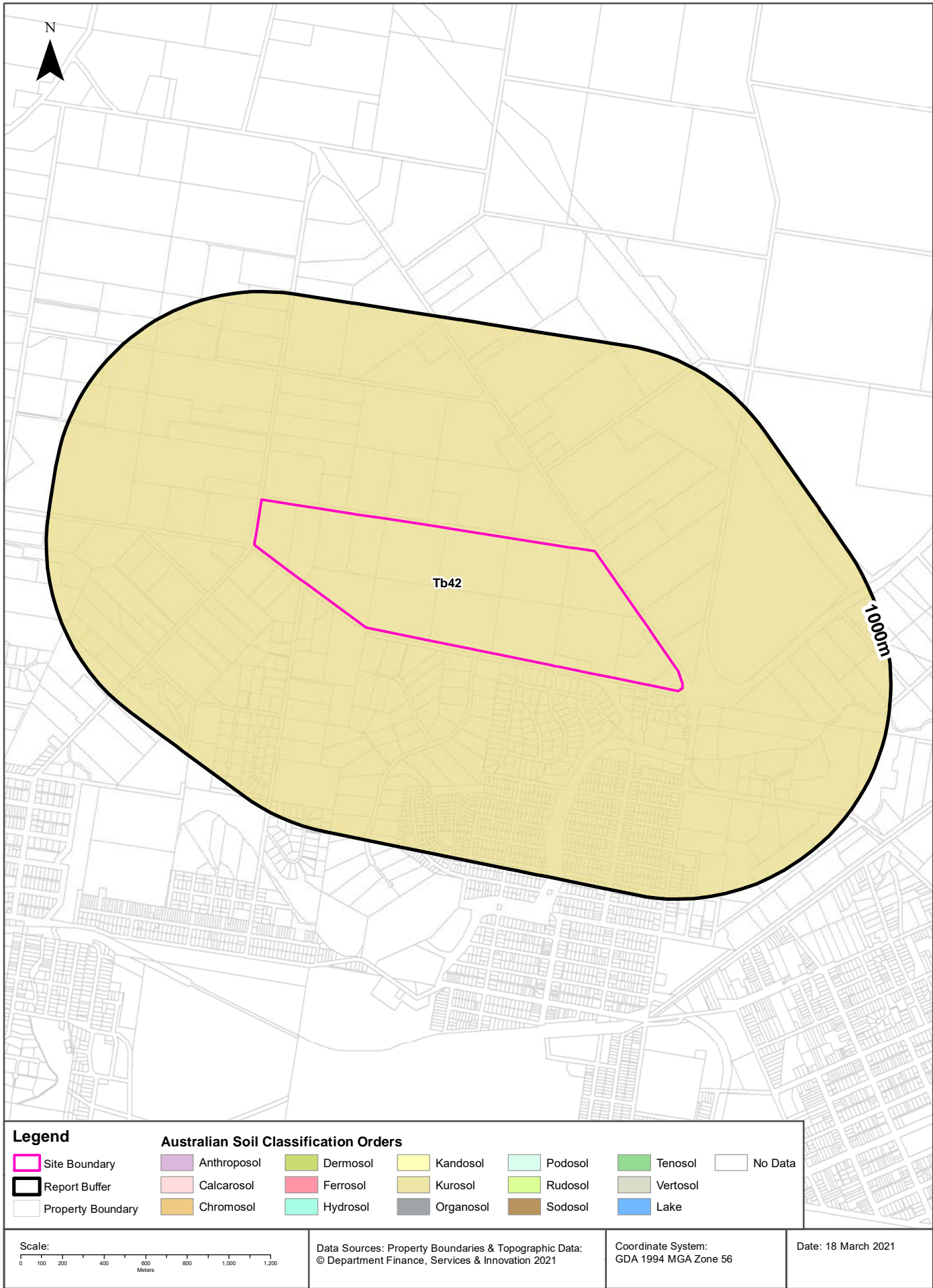
Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Naturally Occurring Asbestos Potential

Naturally Occurring Asbestos Potential within the dataset buffer:

Potential	Sym	Strat Name	Group	Formation	Scale	Min Age	Max Age	Rock Type	Dom Lith	Description	Dist	Dir
No records in buffer												

Naturally Occurring Asbestos Potential Data Source: © State of New South Wales through NSW Department of Industry, Resources & Energy



Soils

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Atlas of Australian Soils

Soil mapping units and Australian Soil Classification orders within the dataset buffer:

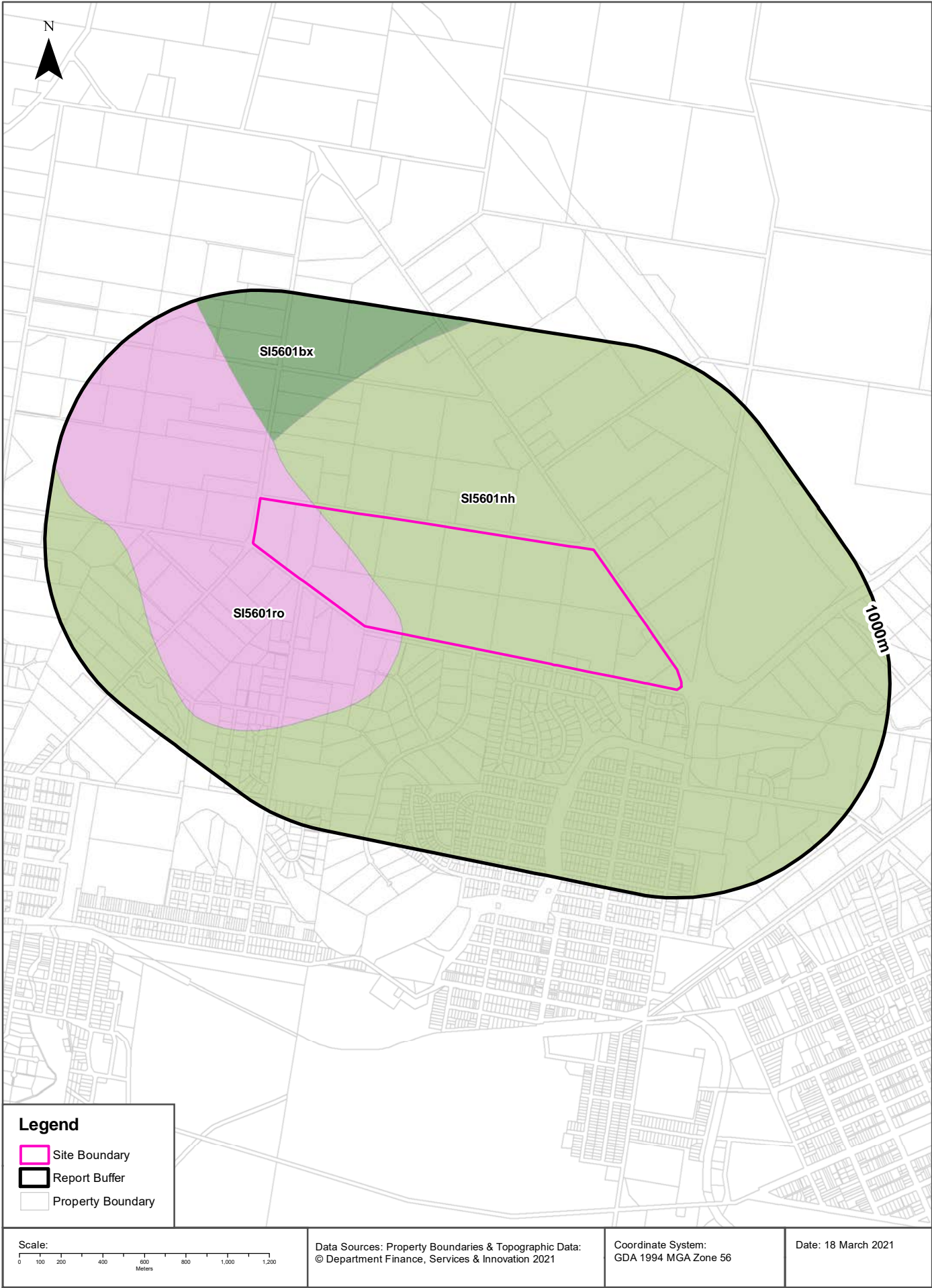
Map Unit Code	Soil Order	Map Unit Description	Distance
Tb42	Kurosol	Undulating to hilly with a general ridge, slope, and valley sequence throughout; some outcropping sandstone or conglomerate on the ridges, occasionally some escarpments: chief soils are hard acidic yellow mottled soils (Dy3.41), possibly with (Dy3.42). Associated are: narrow ridges of shallow (Dy3.41) and (Dr3.41) soils, both often containing ironstone gravel; (Dr2.41) soils on broader ridges some broad sandy flats of (Dy5.81) soils containing ironstone gravels; dunes of (Uc1.2) soils on local sand deposits; and various undescribed soils along the streams where salinity is a common local feature.	0m

Atlas of Australian Soils Data Source: CSIRO

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Soil Landscapes of Central and Eastern NSW

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Soils

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Soil Landscapes of Central and Eastern NSW

What are the on-site Soil Landscapes?

Soil Code	Name
SI5601nh	Neath
SI5601ro	Rothbury

What are the Soil Landscapes within the dataset buffer?

Soil Code	Name
SI5601bx	Branxton
SI5601nh	Neath
SI5601ro	Rothbury

Soil Landscapes of Central and Eastern NSW: NSW Department of Planning, Industry and Environment
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Acid Sulfate Soils

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Environmental Planning Instrument - Acid Sulfate Soils

What is the on-site Acid Sulfate Soil Plan Class that presents the largest environmental risk?

Soil Class	Description	EPI Name
N/A		

If the on-site Soil Class is 5, what other soil classes exist within 500m?

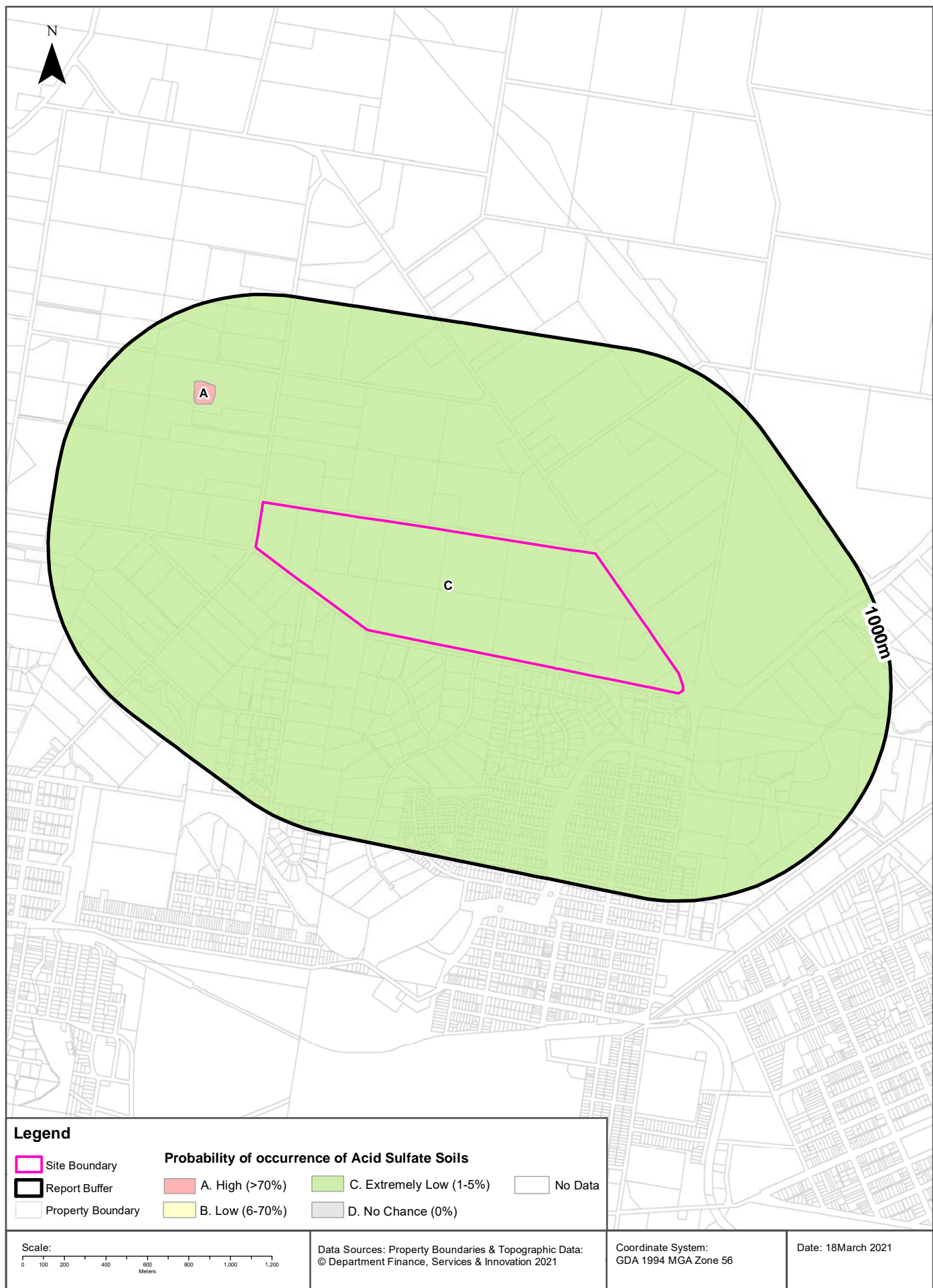
Soil Class	Description	EPI Name	Distance	Direction
N/A				

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Atlas of Australian Acid Sulfate Soils

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Acid Sulfate Soils

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Atlas of Australian Acid Sulfate Soils

Atlas of Australian Acid Sulfate Soil categories within the dataset buffer:

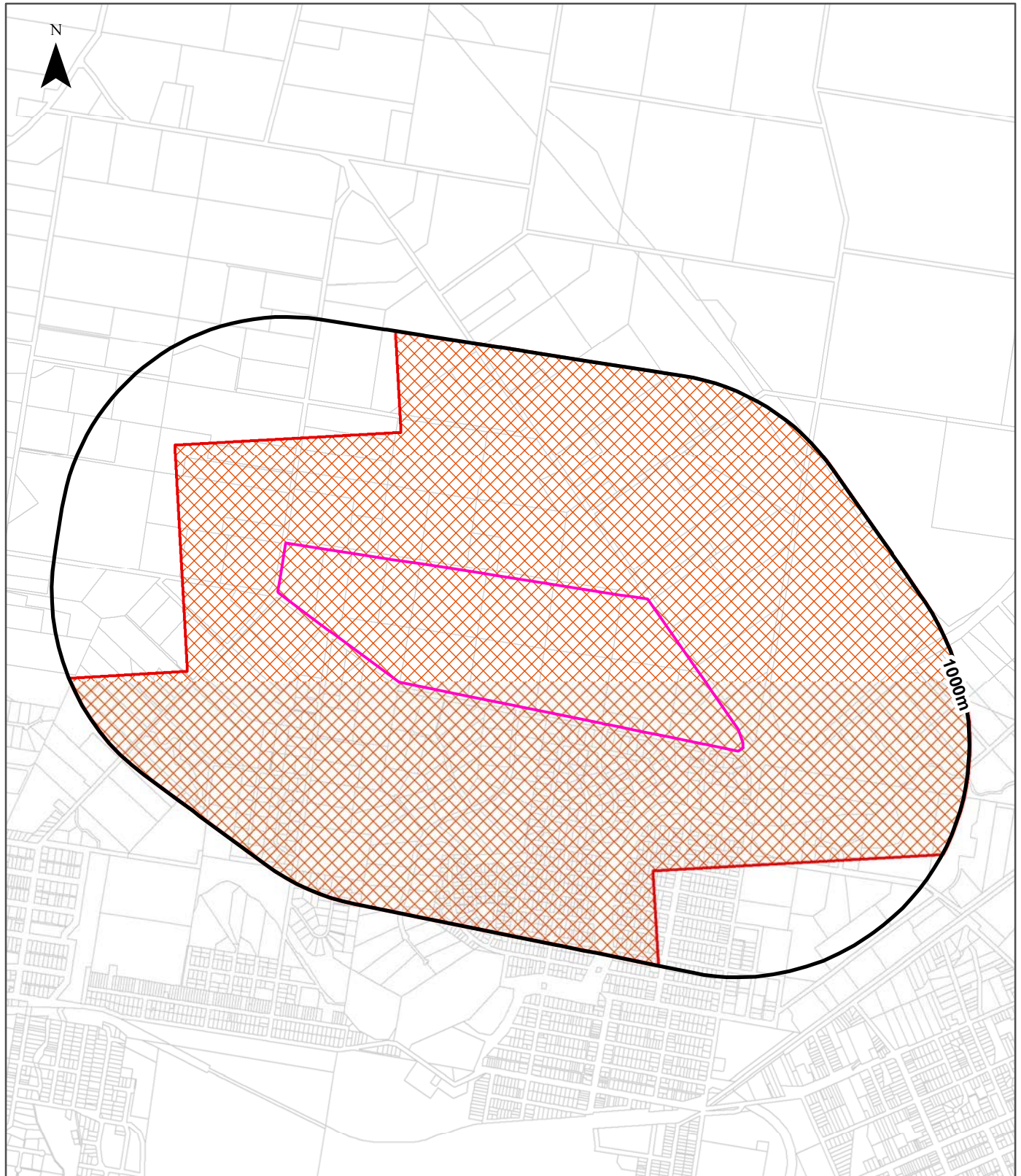
Class	Description	Distance
C	Extremely low probability of occurrence. 1-5% chance of occurrence with occurrences in small localised areas.	0m
A	High Probability of occurrence. >70% chance of occurrence.	537m

Atlas of Australian Acid Sulfate Soils Data Source: CSIRO

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Dryland Salinity

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Legend

- Site Boundary
- Report Buffer
- Property Boundary

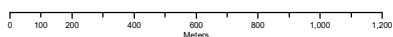
Dryland Salinity - National Assessment

- Delineated risk area but no high hazard or risk rating for either 2000, 2020, 2050
- High hazard or risk in 2050 only
- High hazard or risk defined for 2050, but no assessment made for 2000 or 2020
- High hazard or risk in 2020 and 2050
- High hazard or risk in 2000 and 2050. 2020 not defined as high hazard
- High hazard or risk defined for all years: 2000, 2020, 2050

Salinity Potential of Western Sydney

- Area of Known Salinity
- Area of High Salinity Potential
- Area of Moderate Salinity Potential
- Area of Very Low Salinity Potential
- Area of Water

Scale:



Data Sources: Property Boundaries & Topographic Data:
© Department Finance, Services & Innovation 2021

Coordinate System:
GDA 1994 MGA Zone 56

Date: 18 March 2021

Dryland Salinity

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Dryland Salinity - National Assessment

Is there Dryland Salinity - National Assessment data onsite?

Yes

Is there Dryland Salinity - National Assessment data within the dataset buffer?

Yes

What Dryland Salinity assessments are given?

Assessment 2000	Assessment 2020	Assessment 2050	Distance	Direction
High hazard or risk	High hazard or risk	High hazard or risk	0m	Onsite

Dryland Salinity Data Source : National Land and Water Resources Audit

The Commonwealth and all suppliers of source data used to derive the maps of "Australia, Forecast Areas Containing Land of High Hazard or Risk of Dryland Salinity from 2000 to 2050" do not warrant the accuracy or completeness of information in this product. Any person using or relying upon such information does so on the basis that the Commonwealth and data suppliers shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Any persons using this information do so at their own risk.

In many cases where a high risk is indicated, less than 100% of the area will have a high hazard or risk.

Dryland Salinity Potential of Western Sydney

Dryland Salinity Potential of Western Sydney within the dataset buffer?

Feature Id	Classification	Description	Distance	Direction
N/A	Outside Data Coverage			

Dryland Salinity Potential of Western Sydney Data Source : NSW Office of Environment and Heritage

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Mining

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Mining Subsidence Districts

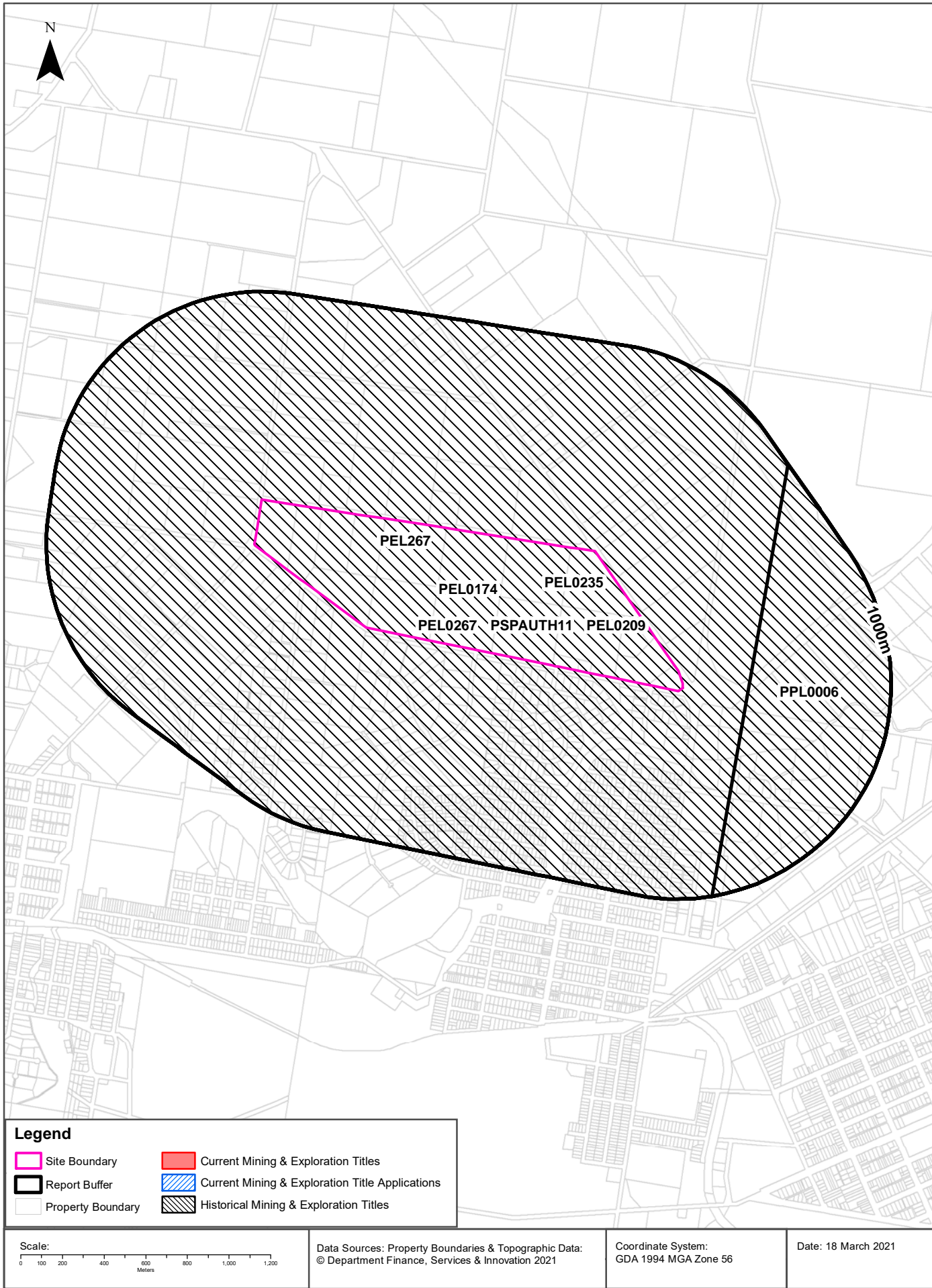
Mining Subsidence Districts within the dataset buffer:

District	Distance	Direction
There are no Mining Subsidence Districts within the report buffer		

Mining Subsidence District Data Source: © Land and Property Information (2016)
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Mining & Exploration Titles

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Mining

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Current Mining & Exploration Titles

Current Mining & Exploration Titles within the dataset buffer:

Title Ref	Holder	Grant Date	Expiry Date	Last Renewed	Operation	Resource	Minerals	Dist (m)	Dir'
N/A	No Records in Buffer								

Current Mining & Exploration Titles Data Source: © State of New South Wales through NSW Department of Industry

Current Mining & Exploration Title Applications

Current Mining & Exploration Title Applications within the dataset buffer:

Application Ref	Applicant	Application Date	Operation	Resource	Minerals	Dist (m)	Dir'
N/A	No Records in Buffer						

Current Mining & Exploration Title Applications Data Source: © State of New South Wales through NSW Department of Industry

Mining

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Historical Mining & Exploration Titles

Historical Mining & Exploration Titles within the dataset buffer:

Title Ref	Holder	Start Date	End Date	Resource	Minerals	Dist (m)	Dir'
PEL0174	NSW OIL AND GAS COMPANY NL			PETROLEUM	Petroleum	0m	Onsite
PEL0209	EARTH RESOURCES AUSTRALIA PTY LTD			PETROLEUM	Petroleum	0m	Onsite
PEL0235	EASTMET LTD	17/04/1980		PETROLEUM	Petroleum	0m	Onsite
PEL0267	SYDNEY OIL CO (NSW) PTY LTD, MANVANE PTY LTD AUSTRALIA NL, BASE RESOURCES LTD, SEAHAWK OIL AUSTRALIA NL, READING & BATES	20/01/1984	6/07/2015	PETROLEUM	Petroleum	0m	Onsite
PEL267	AGL UPSTREAM INVESTMENTS PTY LIMITED			MINERALS		0m	Onsite
PSPAUTH11	SANTELLE PTY LTD	20/05/2005	19/05/2006	PETROLEUM	Petroleum	0m	Onsite
PPL0006	PLANET EXPLORATION	15/05/1905		PETROLEUM	Petroleum	313m	East

Historical Mining & Exploration Titles Data Source: © State of New South Wales through NSW Department of Industry

State Environmental Planning Policy

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

State Significant Precincts

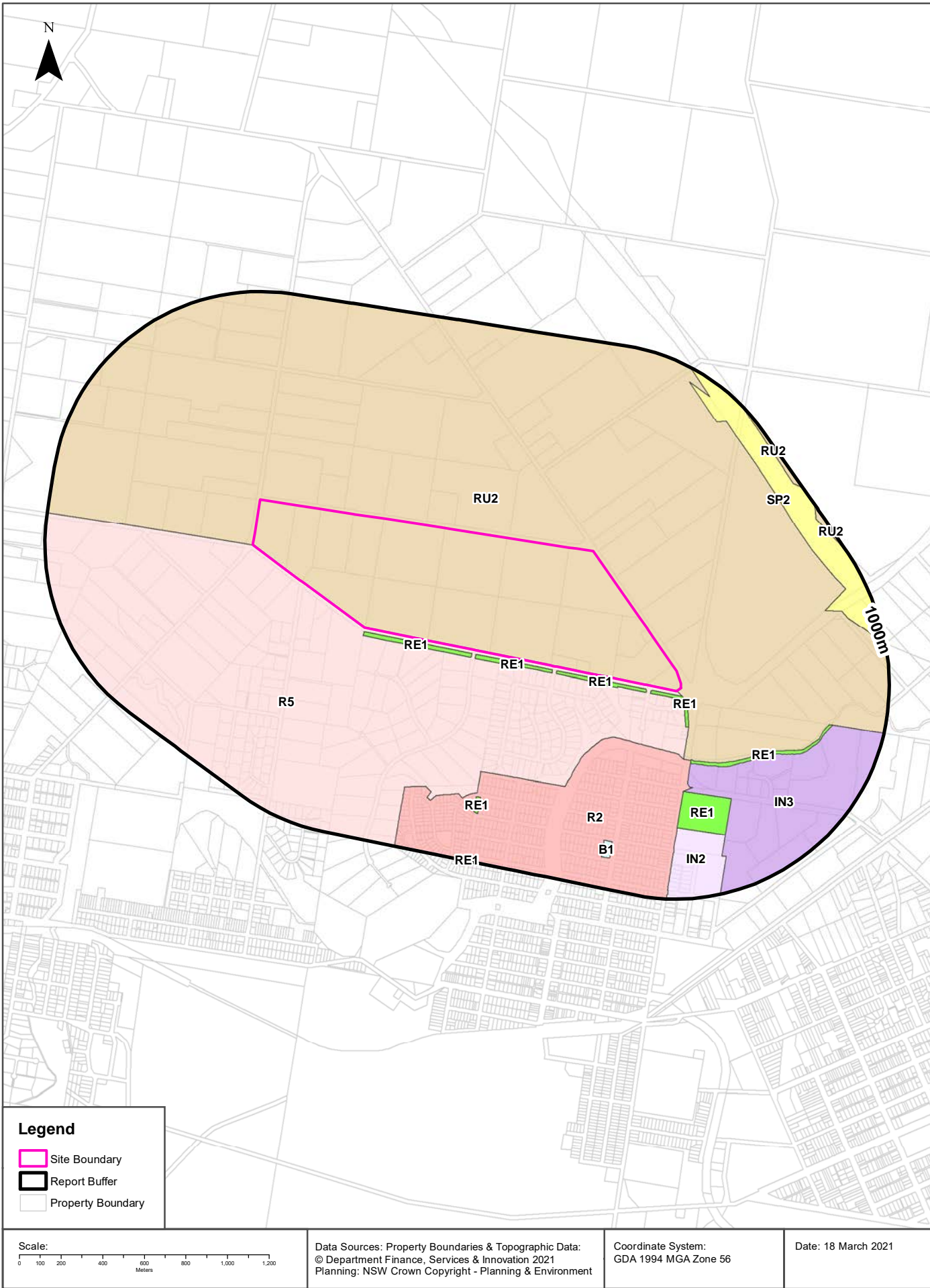
What SEPP State Significant Precincts exist within the dataset buffer?

Map Id	Precinct	EPI Name	Published Date	Commenced Date	Currency Date	Amendment	Distance	Direction
N/A	No Records in Buffer							

State Environment Planning Policy Data Source: NSW Crown Copyright - Planning & Environment
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EPI Planning Zones

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Environmental Planning Instrument

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Land Zoning

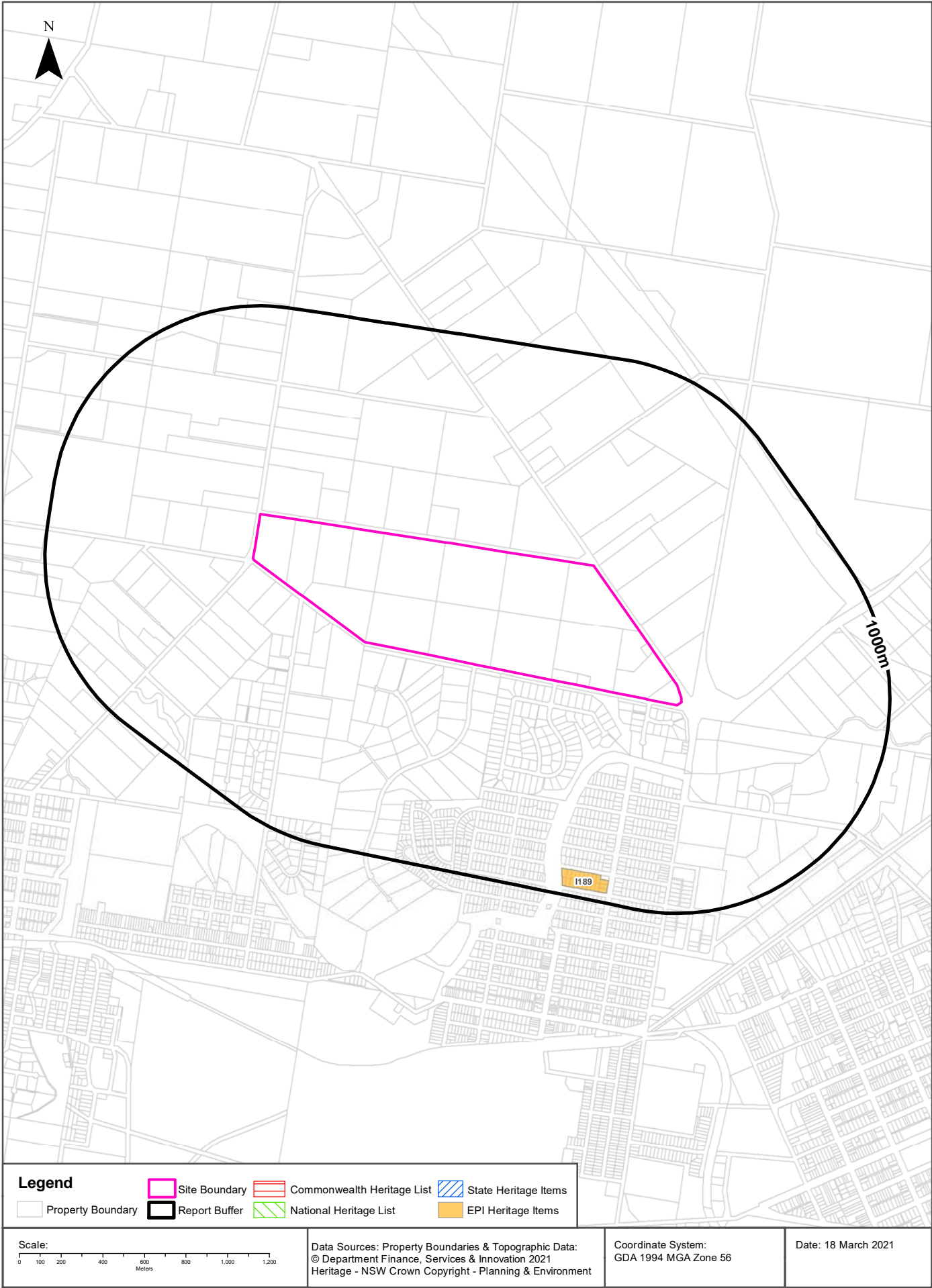
What EPI Land Zones exist within the dataset buffer?

Zone	Description	Purpose	EPI Name	Published Date	Commenced Date	Currency Date	Amendment	Distance	Direction
RU2	Rural Landscape		Cessnock Local Environmental Plan 2011	07/02/2020	07/02/2020	07/02/2020	Amendment No 32	0m	Onsite
R5	Large Lot Residential		Cessnock Local Environmental Plan 2011	07/02/2020	07/02/2020	07/02/2020	Amendment No 32	0m	South West
RE1	Public Recreation		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		20m	South East
R2	Low Density Residential		Cessnock Local Environmental Plan 2011	07/02/2020	07/02/2020	07/02/2020	Amendment No 32	279m	South
RE1	Public Recreation		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		337m	South East
IN3	Heavy Industrial		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		355m	South East
RE1	Public Recreation		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		482m	South East
IN2	Light Industrial		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		657m	South East
RE1	Public Recreation		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		687m	South
SP2	Infrastructure	Classified Road	Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		769m	North
B1	Neighbourhood Centre		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		772m	South East
RU2	Rural Landscape		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		963m	North East
RE1	Public Recreation		Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	07/02/2020		989m	South

Environmental Planning Instrument Data Source: NSW Crown Copyright - Planning & Environment
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Heritage Items

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Heritage

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Commonwealth Heritage List

What are the Commonwealth Heritage List Items located within the dataset buffer?

Place Id	Name	Address	Place File No	Class	Status	Register Date	Distance	Direction
N/A	No records in buffer							

Heritage Data Source: Australian Government Department of the Environment and Energy - Heritage Branch
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National Heritage List

What are the National Heritage List Items located within the dataset buffer?

Note. Please click on Place Id to activate a hyperlink to online website.

Place Id	Name	Address	Place File No	Class	Status	Register Date	Distance	Direction
N/A	No records in buffer							

Heritage Data Source: Australian Government Department of the Environment and Energy - Heritage Branch
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State Heritage Register - Curtilages

What are the State Heritage Register Items located within the dataset buffer?

Map Id	Name	Address	LGA	Listing Date	Listing No	Plan No	Distance	Direction
N/A	No records in buffer							

Heritage Data Source: NSW Crown Copyright - Office of Environment & Heritage
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Environmental Planning Instrument - Heritage

What are the EPI Heritage Items located within the dataset buffer?

Map Id	Name	Classification	Significance	EPI Name	Published Date	Commenced Date	Currency Date	Distance	Direction
I189	Weston Public School	Item - General	Local	Cessnock Local Environmental Plan 2011	23/12/2011	23/12/2011	03/05/2019	874m	South East

Heritage Data Source: NSW Crown Copyright - Planning & Environment
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Natural Hazards - Bush Fire Prone Land

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Natural Hazards

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Bush Fire Prone Land

What are the nearest Bush Fire Prone Land Categories that exist within the dataset buffer?

Bush Fire Prone Land Category	Distance	Direction
Vegetation Category 1	0m	Onsite
Vegetation Category 3	0m	Onsite
Vegetation Buffer	19m	South East
Vegetation Category 2	317m	South East

NSW Bush Fire Prone Land - © NSW Rural Fire Service under Creative Commons 4.0 International Licence

Ecological Constraints - Vegetation & Ramsar Wetlands

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Ecological Constraints

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Lower Hunter and Central Coast Regional Vegetation Survey

What vegetation from the Lower Hunter and Central Coast Regional Survey exists within the dataset buffer?

Map Id	Unit Desc	Canopy Code	Canopy Cover	Species	Distance	Direction
17	Lower Hunter Spotted Gum - Ironbark Forest	WO	Sparse (Woodland) 20-<50% cover	C. maculata / E. fibrosa / E. punctata	0m	Onsite
35	Kurri Sand Swamp Woodland	WO	Sparse (Woodland) 20-<50% cover	E. parramattensis subsp. decadens / A. bakeri / Melaleuca nodosa	0m	Onsite
17	Lower Hunter Spotted Gum - Ironbark Forest	OF	Mid Dense (Open Forest) 50-<100% cover	C. maculata / E. fibrosa / E. punctata	0m	Onsite
35	Kurri Sand Swamp Woodland	OF	Mid Dense (Open Forest) 50-<100% cover	E. parramattensis subsp. decadens / A. bakeri / Melaleuca nodosa	0m	Onsite
35	Kurri Sand Swamp Woodland	S	Scrub	E. parramattensis subsp. decadens / A. bakeri / Melaleuca nodosa	174m	East
17	Lower Hunter Spotted Gum - Ironbark Forest	S	Scrub	C. maculata / E. fibrosa / E. punctata	284m	North West
19	Hunter Lowland Redgum Forest	OF	Mid Dense (Open Forest) 50-<100% cover	E. tereticornis / E. punctata / E. crebra / A. floribunda / C. maculata	391m	West
19	Hunter Lowland Redgum Forest	WO	Sparse (Woodland) 20-<50% cover	E. tereticornis / E. punctata / E. crebra / A. floribunda / C. maculata	473m	West
19	Hunter Lowland Redgum Forest	S	Scrub	E. tereticornis / E. punctata / E. crebra / A. floribunda / C. maculata	772m	South West

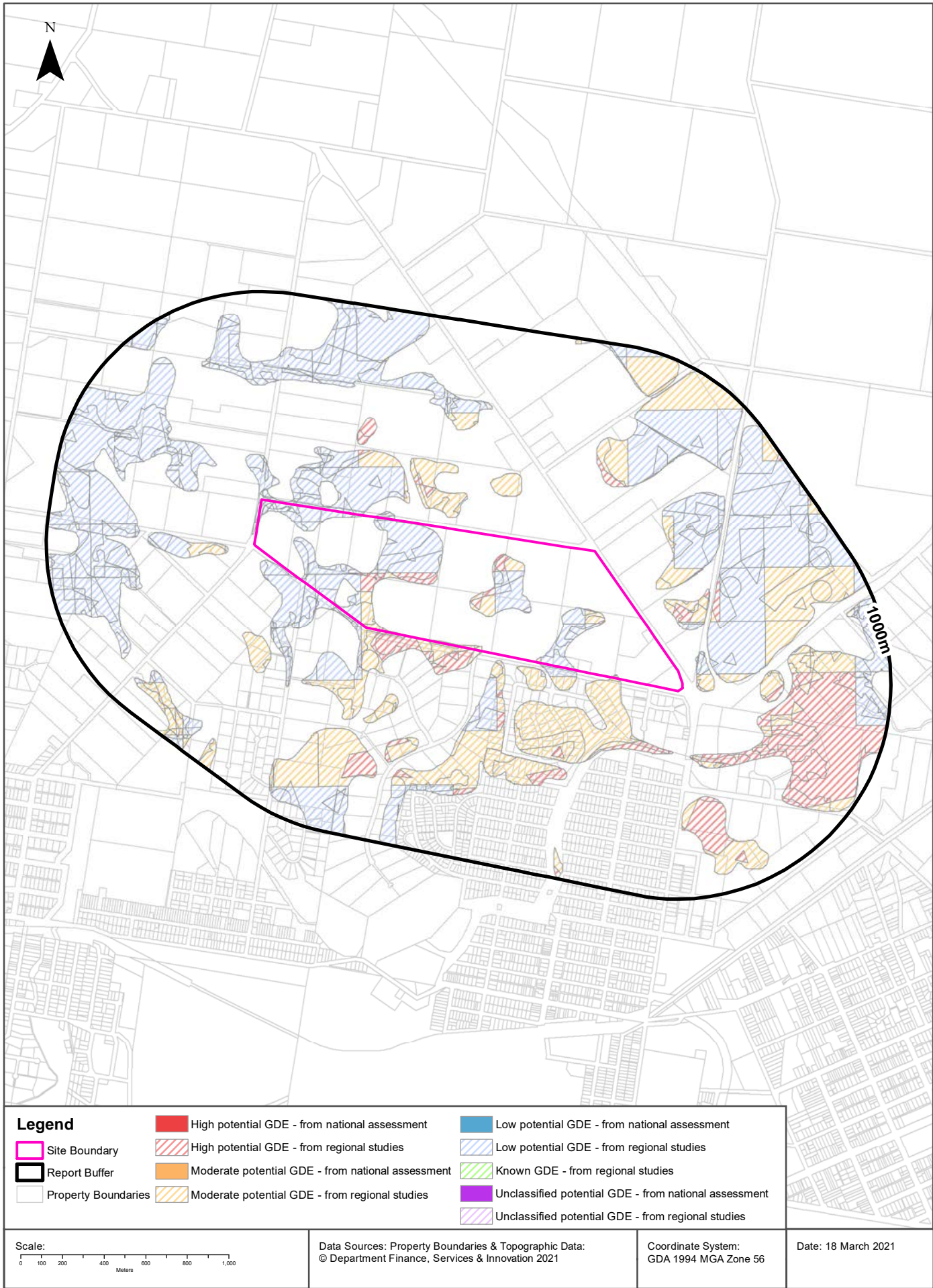
Lower Hunter and Central Coast Regional Vegetation Survey: NSW Office of Environment and Heritage

Ramsar Wetlands

What Ramsar Wetland areas exist within the dataset buffer?

Map Id	Ramsar Name	Wetland Name	Designation Date	Source	Distance	Direction
N/A	No records in buffer					

Ramsar Wetlands Data Source: © Commonwealth of Australia - Department of Environment



Ecological Constraints

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Groundwater Dependent Ecosystems Atlas

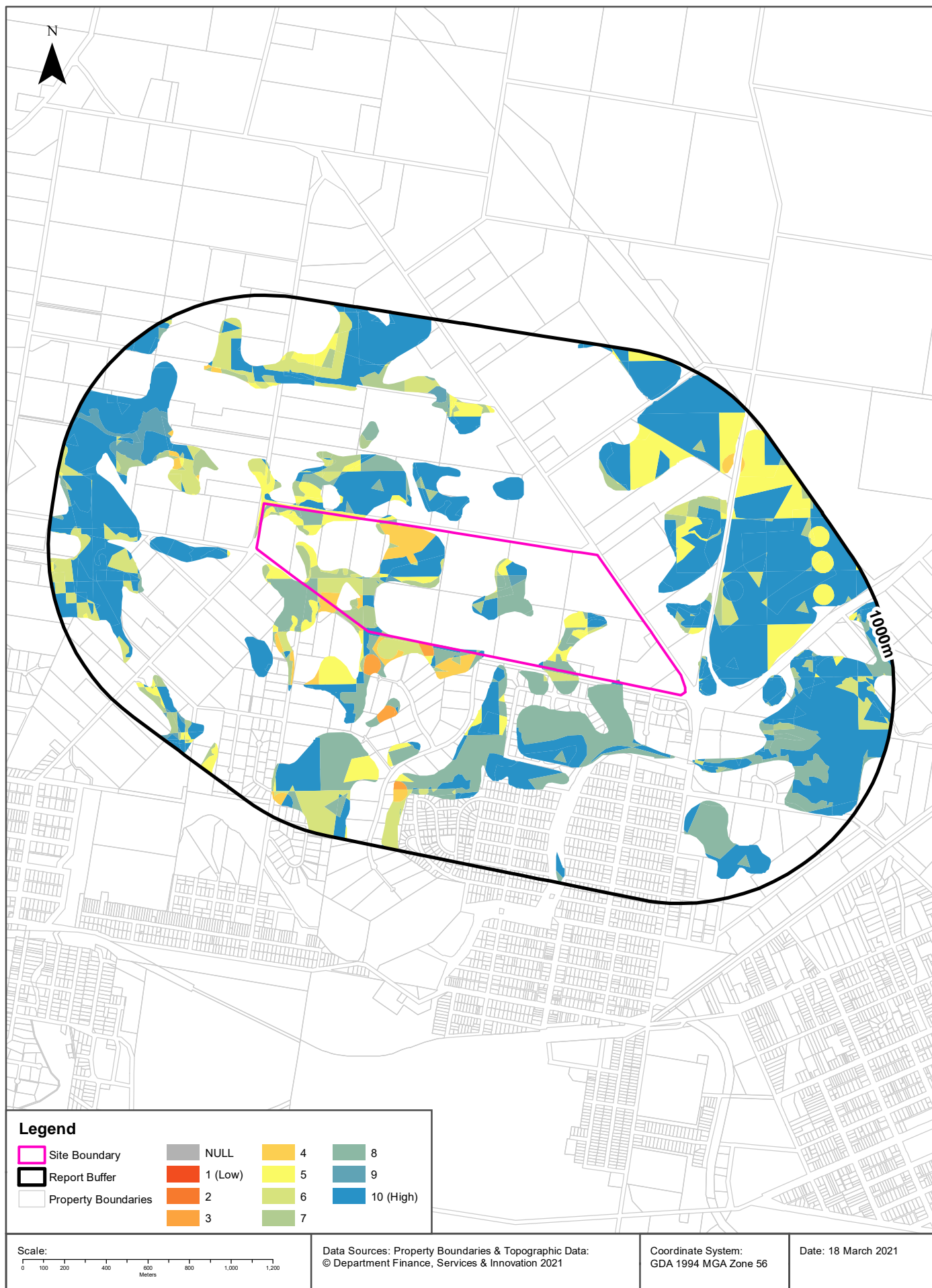
Type	GDE Potential	Geomorphology	Ecosystem Type	Aquifer Geology	Distance
Terrestrial	High potential GDE - from regional studies	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	Low potential GDE - from regional studies	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	Moderate potential GDE - from regional studies	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m

Groundwater Dependent Ecosystems Atlas Data Source: The Bureau of Meteorology

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Ecological Constraints - Inflow Dependent Ecosystems Likelihood

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326



Ecological Constraints

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

Inflow Dependent Ecosystems Likelihood

Type	IDE Likelihood	Geomorphology	Ecosystem Type	Aquifer Geology	Distance
Terrestrial	3	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	4	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	5	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	6	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	7	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	8	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	9	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m
Terrestrial	10	Undulating to low hilly country on weak rocks, with alluvial and sandy littoral plains.	Vegetation		0m

Inflow Dependent Ecosystems Likelihood Data Source: The Bureau of Meteorology
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Ecological Constraints

Frame Drive, Metcalfe Lane, Gingers Lane & Sawyers Gully Road, Sawyers Gully, NSW 2326

NSW BioNet Atlas

Species on the NSW BioNet Atlas that have a NSW or federal conservation status, a NSW sensitivity status, or are listed under a migratory species agreement, and are within 10km of the site?

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Animalia	Amphibia	Litoria aurea	Green and Golden Bell Frog	Endangered	Not Sensitive	Vulnerable	
Animalia	Amphibia	Litoria brevipalmata	Green-thighed Frog	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Anthochaera phrygia	Regent Honeyeater	Critically Endangered	Not Sensitive	Critically Endangered	
Animalia	Aves	Ardena pacifica	Wedge-tailed Shearwater	Not Listed	Not Sensitive	Not Listed	JAMBA
Animalia	Aves	Artamus cyanopterus cyanopterus	Dusky Woodswallow	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Calidris melanotos	Pectoral Sandpiper	Not Listed	Not Sensitive	Not Listed	ROKAMBA;JAMBA
Animalia	Aves	Callocephalon fimbriatum	Gang-gang Cockatoo	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Calyptrorhynchus lathamii	Glossy Black-Cockatoo	Vulnerable	Category 2	Not Listed	
Animalia	Aves	Chthonicola sagittata	Speckled Warbler	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Circus assimilis	Spotted Harrier	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Climacteris picumnus victoriae	Brown Treecreeper (eastern subspecies)	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Daphoenositta chrysoptera	Varied Sittella	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Ephippiorhynchus asiaticus	Black-necked Stork	Endangered	Not Sensitive	Not Listed	
Animalia	Aves	Falco subniger	Black Falcon	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Gallinago hardwickii	Latham's Snipe	Not Listed	Not Sensitive	Not Listed	ROKAMBA;JAMBA
Animalia	Aves	Glossopsitta pusilla	Little Lorikeet	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Haliaeetus leucogaster	White-bellied Sea-Eagle	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Hamirostra melanosternon	Black-breasted Buzzard	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Hieraaetus morphnoides	Little Eagle	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Hirundapus caudacutus	White-throated Needletail	Not Listed	Not Sensitive	Vulnerable	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Irediparra gallinacea	Comb-crested Jacana	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Ixobrychus flavicollis	Black Bittern	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Lathamus discolor	Swift Parrot	Endangered	Category 3	Critically Endangered	
Animalia	Aves	Lophoictinia isura	Square-tailed Kite	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Melanodryas cucullata cucullata	Hooded Robin (south-eastern form)	Vulnerable	Not Sensitive	Not Listed	

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Animalia	Aves	Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Neophema pulchella	Turquoise Parrot	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Ninox connivens	Barking Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Ninox strenua	Powerful Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Numenius minutus	Little Curlew	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Pachycephala pectoralis contempta	Golden Whistler (Lord Howe Is. subsp.)	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Petroica boodang	Scarlet Robin	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Petroica phoenicea	Flame Robin	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Petroica rodinogaster	Pink Robin	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Pomatostomus temporalis temporalis	Grey-crowned Babbler (eastern subspecies)	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Rostratula australis	Australian Painted Snipe	Endangered	Not Sensitive	Endangered	
Animalia	Aves	Sternula albifrons	Little Tern	Endangered	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Thinornis rubricollis	Hooded Plover	Critically Endangered	Not Sensitive	Vulnerable	
Animalia	Aves	Tringa stagnatilis	Marsh Sandpiper	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Tyto novaehollandiae	Masked Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Tyto tenebricosa	Sooty Owl	Vulnerable	Category 3	Not Listed	
Animalia	Mammalia	Chalinolobus dwyeri	Large-eared Pied Bat	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Dasyurus maculatus	Spotted-tailed Quoll	Vulnerable	Not Sensitive	Endangered	
Animalia	Mammalia	Falsistrellus tasmaniensis	Eastern False Pipistrelle	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Micronomus norfolkensis	Eastern Coastal Free-tailed Bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Miniopterus australis	Little Bent-winged Bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Miniopterus orianae oceanensis	Large Bent-winged Bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Myotis macropus	Southern Myotis	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Petaurus australis	Yellow-bellied Glider	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Petaurus norfolcensis	Squirrel Glider	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Phascogale tapoatafa	Brush-tailed Phascogale	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Phascolarctos cinereus	Koala	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Pseudomys novaehollandiae	New Holland Mouse	Not Listed	Not Sensitive	Vulnerable	
Animalia	Mammalia	Pteropus poliocephalus	Grey-headed Flying-fox	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Saccolaimus flaviventris	Yellow-bellied Sheath-tail-bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Scoteanax rueppellii	Greater Broad-nosed Bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Vespadelus trougtoni	Eastern Cave Bat	Vulnerable	Not Sensitive	Not Listed	
Plantae	Flora	Acacia bakeri	Marblewood	Vulnerable	Not Sensitive	Not Listed	

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Plantae	Flora	Acacia bynoeana	Bynoe's Wattle	Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Callistemon linearifolius	Netted Bottle Brush	Vulnerable	Category 3	Not Listed	
Plantae	Flora	Cymbidium canaliculatum	Tiger Orchid	Endangered Population	Category 2	Not Listed	
Plantae	Flora	Diuris pedunculata	Small Snake Orchid	Endangered	Category 2	Endangered	
Plantae	Flora	Eucalyptus camaldulensis	River Red Gum	Endangered Population	Not Sensitive	Not Listed	
Plantae	Flora	Eucalyptus glaucina	Slaty Red Gum	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Eucalyptus nicholii	Narrow-leaved Black Peppermint	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Eucalyptus parramattensis subsp. decadens		Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Grevillea parviflora subsp. parviflora	Small-flower Grevillea	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Persoonia pauciflora	North Rothbury Persoonia	Critically Endangered	Category 3	Critically Endangered	
Plantae	Flora	Pterostylis gibbosa	Illawarra Greenhood	Endangered	Category 2	Endangered	
Plantae	Flora	Rutidosia heterogama	Heath Wrinklewort	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Syzygium paniculatum	Magenta Lilly Pilly	Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Tetralix juncea	Black-eyed Susan	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Zannichellia palustris		Endangered	Not Sensitive	Not Listed	

Data does not include NSW category 1 sensitive species.

NSW BioNet: © State of NSW and Office of Environment and Heritage

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LC Code	Location Confidence
Premise match	Georeferenced to the site location / premise or part of site
General area or suburb match	Georeferenced with the confidence of the general/approximate area
Road match	Georeferenced to the road or rail
Road intersection	Georeferenced to the road intersection
Feature is a buffered point	Feature is a buffered point
Land adjacent to geocoded site	Land adjacent to Georeferenced Site
Network of features	Georeferenced to a network of features

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 926
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 101 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 274 DP: 755231
PARCEL NO.: 20477

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) The land is identified as being in:

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) The purpose for which development may be carried out without consent within the zone;
(c) The purposes for which development may not be carried out within the zone except with development consent; and
(d) The purpose for which development is prohibited within the zone.

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:

No

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**ISSUED UNDER SECTION 10.7 (2)
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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 924
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 107 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 2732 DP: 884423
PARCEL NO.: 501731

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant



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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 923
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 131 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 2731 DP: 884423
PARCEL NO.: 501730

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

**ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000**

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



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Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 922
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 135 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 2722 DP: 1104897
PARCEL NO.: 505823

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

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[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

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[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

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[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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and associated
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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 936
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 15 Sawyers Gully Road SAWYERS GULLY
NSW 2326
TITLE: LOT: 1 DP: 308003
PARCEL NO.: 20094

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

**ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000**

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 927
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 152 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 282 DP: 755231
PARCEL NO.: 20500

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

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[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

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[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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**ISSUED UNDER SECTION 10.7 (2)
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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 921
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 156 Frame Drive SAWYERS GULLY NSW
2326
TITLE: LOT: 2721 DP: 1104897
PARCEL NO.: 505822

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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and associated
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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 925
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 176 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 283 DP: 755231
PARCEL NO.: 20499

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



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Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 928
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 19 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 276 DP: 755231
PARCEL NO.: 20479

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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ABN 60 919 148 928

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

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[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

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[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

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[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 935
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 27 Sawyers Gully Road SAWYERS GULLY
NSW 2326
TITLE: LOT: 2 DP: 314641
PARCEL NO.: 20095

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

**ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000**

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 934
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 37 Sawyers Gully Road SAWYERS GULLY
NSW 2326
TITLE: LOT: 1 DP: 371151
PARCEL NO.: 20098

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

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[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

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[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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**ISSUED UNDER SECTION 10.7 (2)
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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000**

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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and associated

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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 933
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 43 Sawyers Gully Road SAWYERS GULLY
NSW 2326
TITLE: LOT: 1 DP: 663726
PARCEL NO.: 15052

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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and associated
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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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ISSUED UNDER SECTION 10.7 (2)
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and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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ISSUED UNDER SECTION 10.7 (2)
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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 932
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 52 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 10 DP: 710071
PARCEL NO.: 20508

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

**ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000**

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

PLANNING CERTIFICATE

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



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ISSUED UNDER SECTION 10.7 (2)
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 930
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 59 Sawyers Gully Road SAWYERS GULLY
NSW 2326
TITLE: LOT: 277 DP: 755231
PARCEL NO.: 20100

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

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[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

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[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

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[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 931
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 60 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 11 DP: 710071
PARCEL NO.: 20503

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
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and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Ashika Jagdish
Level 3, 68 Alfred Street
Milsons Point
NSW 2061

Applicants Reference
LS018806

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 929
DATE OF CERTIFICATE: 30/03/2021

PROPERTY DETAILS

ADDRESS: 72 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 280 DP: 755231
PARCEL NO.: 20502

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

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[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

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[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

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[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):**

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:**

No

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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.**

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant

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	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



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Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

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7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.

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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4100.

Martin Johnson
Acting Director Planning & Environment



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InfoTrack
DX 578 Sydney

Applicants Reference
80350-#50204077#

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 2444
DATE OF CERTIFICATE: 12/09/2018

PROPERTY DETAILS

ADDRESS: 102 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 281 DP: 755231
PARCEL NO.: 20501

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

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1. Name 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:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 14—Coastal Wetlands](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 30—Intensive Agriculture](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 44—Koala Habitat Protection](#)

[State Environmental Planning Policy No 50—Canal Estate Development](#)

[State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 62—Sustainable Aquaculture](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy No 71—Coastal Protection](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Integration and Repeals\) 2016](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Rural Lands\) 2008](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

[State Environmental Planning Policies Amendment \(State and Regionally Significant Development and Law Revision\) 2018](#)

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- (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):

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) The land is identified as being in:

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011

- (b) The purpose for which development may be carried out without consent within the zone;
(c) The purposes for which development may not be carried out within the zone except with development consent; and
(d) The purpose for which development is prohibited within the zone.

RU2 Rural Landscape

- 2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

- 3) Permitted with consent

Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4

- 4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:

No

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(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

(1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code

Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

Rural housing code

Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3.4 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Low Rise Medium Density Housing Code

Complying Development may not be carried out under the Low Rise Medium Density Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

Greenfield Housing Code

Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

Housing Alterations Code



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Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

General Development Code

Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial Alterations Code

Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

Container Recycling Facilities Code

Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

Subdivisions Code

Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Demolition Code

Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Fire Safety Code

Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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



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6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not



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including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Section 94 Contribution Plan for Residential Development

Cessnock Section 94A Levy Contributions Plan 2017

Section 94 Contribution Plan for Tourist Development

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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

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The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.



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- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Strategic Land Use Planning unit, of the Planning & Environment directorate on 02 4993 4183.

Gareth Curtis
Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Info Track
DX 578
SYDNEY

Applicants Reference
20150-#70286533#

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1802
DATE OF CERTIFICATE: 13/07/2020

PROPERTY DETAILS

ADDRESS: 71 Metcalfe Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 275 DP: 755231
PARCEL NO.: 20478

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:

Cessnock Local Environmental Plan 2011
Hunter Regional Plan 2036
State Environmental Planning Policy No 1—Development Standards
State Environmental Planning Policy No 19—Bushland in Urban Areas
State Environmental Planning Policy No 21—Caravan Parks
State Environmental Planning Policy No 33—Hazardous and Offensive Development
State Environmental Planning Policy No 36—Manufactured Home Estates
State Environmental Planning Policy No 55—Remediation of Land
State Environmental Planning Policy No 64—Advertising and Signage
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)
State Environmental Planning Policy (Aboriginal Land) 2019
State Environmental Planning Policy (Affordable Rental Housing) 2009
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (Coastal Management) 2018
State Environmental Planning Policy (Concurrences) 2018
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (Infrastructure) 2007
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
State Environmental Planning Policy (Primary Production and Rural Development) 2019
State Environmental Planning Policy (State and Regional Development) 2011
State Environmental Planning Policy (State Significant Precincts) 2005
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
State Environmental Planning Policy (Sydney Region Growth Centres) 2006
State Environmental Planning Policy (Urban Renewal) 2010
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017



PLANNING CERTIFICATE
ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) The land is identified as being in:

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) The purpose for which development may be carried out without consent within the zone;
(c) The purposes for which development may not be carried out within the zone except with development consent; and
(d) The purpose for which development is prohibited within the zone.

RU2 Rural Landscape

- 2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

- 3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

- 4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
 and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3.4 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

- (1) Landslip

No

- (2) Bushfire

No

- (3) Tidal inundation

No

- (4) Subsidence

No

- (5) Acid Sulphate Soils

No

- (6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.



PLANNING CERTIFICATE

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ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4183.

Martin Johnson
Acting Director Planning & Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Info Track
DX 578
SYDNEY

Applicants Reference
80870-#68649982#

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1147
DATE OF CERTIFICATE: 21/05/2020

PROPERTY DETAILS

ADDRESS: 40 Gingers Lane SAWYERS GULLY NSW
2326
TITLE: LOT: 1 DP: 345294
PARCEL NO.: 20511

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100
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EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name 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:

Cessnock Local Environmental Plan 2011

Hunter Regional Plan 2036

State Environmental Planning Policy No 1—Development Standards

State Environmental Planning Policy No 19—Bushland in Urban Areas

State Environmental Planning Policy No 21—Caravan Parks

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 36—Manufactured Home Estates

State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Aboriginal Land) 2019

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Coastal Management) 2018

State Environmental Planning Policy (Concurrences) 2018

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (Urban Renewal) 2010

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017



PLANNING CERTIFICATE
ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (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):

There are no Draft Local Environmental Plan/s affecting this land.

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

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) The land is identified as being in:

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) The purpose for which development may be carried out without consent within the zone;
(c) The purposes for which development may not be carried out within the zone except with development consent; and
(d) The purpose for which development is prohibited within the zone.

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (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:

No



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
 and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, 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) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under 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*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3.4 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Medium Density Housing Code	Complying Development may not be carried out under the Low Rise Medium Density Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
 and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

	standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Mine subsidence



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7 (2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

No

6. Road widening and road alignment

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.

The land is not affected by a road widening or road realignment proposal 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.

7. Council and other public authority 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:

(1) Landslip

No

(2) Bushfire

No

(3) Tidal inundation

No

(4) Subsidence

No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No



PLANNING CERTIFICATE

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ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.

No

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Section 94 Contribution Plan for Residential Development

Cessnock Section 7.12 Levy Contributions Plan.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

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

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

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*.



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10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as 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 under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

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

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

- (2) There are no 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.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing



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- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the 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.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.



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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) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

For further information, please contact Council's Assistant Strategic Planner on 02 4993 4183.

Gareth Curtis
Director Planning & Environment