

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au

**Planning Certificate**

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/285	FILE NO.	PR187-7056
FEE:	\$133.00	RECEIPT NO.	259550
APPLICANT REF:	Paling Yards WF	DATE:	7 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Maxine Anne Bell*

ASSESSMENT No.: 12350037

PROPERTY ADDRESS: 7056 Abercrombie Road PALING YARDS 2580

PROPERTY DESCRIPTION Lots 1-4, 30-32 in DP 753019, Lots 1, 5, 11, 13, 14, 17, 18, 20, 22- 25, 27, 31, 45, 49, 56, in DP 753037, Lot 41 in DP 1025920

DRAINAGE DIAGRAM NO.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

.....
Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 7 May 2021

7/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercromble Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/285**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site is greater than 100Ha. Upon consolidation of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Council's mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows a groundwater bore on or in close proximity to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"

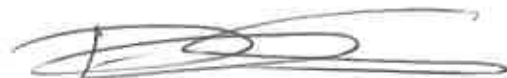
If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....

Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 7 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
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 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/286	FILE NO.	PR187-6650
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Richard Ross Bell*

ASSESSMENT No.: 12353315

PROPERTY ADDRESS: 6650 Abercrombie Road PALING YARDS NSW
 2580

PROPERTY DESCRIPTION Lot 53 in DP 753037

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

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Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

10/05/2021

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Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

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the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Hellpads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercromble Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL

ANNEXURE TO PLANNING CERTIFICATE NO. 2020/286

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

NII

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

NII

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site is greater than 100Ha, and dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further

investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

“Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au”

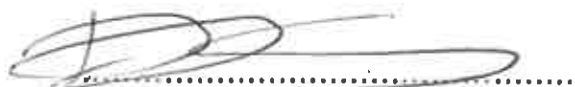
If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
Telephone (02) 6329 8100, Facsimile (02) 6329 8142
Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/287	FILE NO.	PR187-6466
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
Suite 4, Level 3, 24 Marcus Clarke Street
CANBERRA ACT 2600*

OWNER : (as recorded by Council) *Richard Ross Bell*

ASSESSMENT No.: 12353242

PROPERTY ADDRESS: 6466 Abercrombie Road PALING YARDS NSW
2580

PROPERTY DESCRIPTION Lots 2,41 & 42 in DP 753037

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.



Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/287**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

18.2018.18.1 Complying Development Certificate (Private) for Telecommunication Tower

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

NII

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site is greater than 100Ha. Upon consolidation, or potential subdivision of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Council's mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows a groundwater bore on or in close proximity to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"

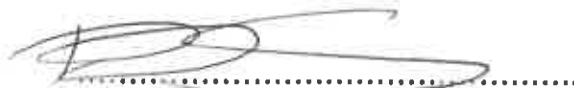
If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/288	FILE NO.	PR187-6335
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : (as recorded by Council) *Anza Investments PTY LTD*

ASSESSMENT No.: 12353275

PROPERTY ADDRESS: 6335 Abercrombie Road PALING YARDS NSW
 2580

PROPERTY DESCRIPTION Lots 6, 16, 21, 26, 28, 35, 40 & 44 in DP 753037

Note: Lot 35 in DP 753037 was not requested, therefore has not been included as part of this Certificate.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed Instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/288**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site is greater than 100Ha. Upon consolidation or potential subdivision of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further Investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further Investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further Investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows a groundwater bore on or in close proximity to the subject land. Further Investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"


If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....
Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

10/05/2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/289	FILE NO.	PR187-6057
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : (as recorded by Council) *Kenneth Richard Maloney*

ASSESSMENT No.: 12353397

PROPERTY ADDRESS: 6057 Abercrombie Road PALING YARDS NSW 2580

PROPERTY DESCRIPTION Lots 2, 61 & 67 in DP 753064

Note: Lot 61 in DP 753064 was not requested, therefore has not been included as part of this Certificate.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

.....
Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the Instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a State Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/289**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site (Lot 2 & 67 in DP 753064) is greater than 100Ha. Upon consolidation of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further

Investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"


If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/290	FILE NO.	PR187-00
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Crown*

ASSESSMENT No.: 12387976

PROPERTY ADDRESS: Abercrombie Road PALING YARDS NSW 2580

PROPERTY DESCRIPTION Lot 13 in DP 257010

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7.

10/05/2021

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- ***LEP Oberon Local Environmental Plan 2013***

State Environmental Planning Policies

- ***SEPP 21 Caravan Parks***
- ***SEPP 33 Hazardous and Offensive Development***
- ***SEPP 36 Manufactured Home Estates***
- ***SEPP 50 Canal Estate Development***
- ***SEPP 55 Remediation of Land***
- ***SEPP 64 Advertising and Signage***
- ***SEPP 65 Design Quality of Residential Flat Development***
- ***SEPP 70 Affordable Housing***
- ***SEPP Housing for Seniors or People with a Disability (2004)***
- ***SEPP Building Sustainability Index: BASIX (2004)***
- ***SEPP Mining, Petroleum Production and Extractive Industries (2007)***
- ***SEPP Infrastructure (2007)***
- ***SEPP Exempt and Complying Development Code (2008)***
- ***SEPP Affordable Rental Housing (2009)***
- ***SEPP Sydney Drinking Water Catchment (2011)***
- ***SEPP State and Regional Development (2011)***
- ***SEPP Educational Establishments and Childcare Facilities (2017)***
- ***SEPP Vegetation in Non-Rural Areas (2017)***
- ***SEPP Concurrences & Consents (2018)***
- ***SEPP Primary Production and Rural Development (2019)***
- ***SEPP Koala Habitat Protection (2020)***
- ***SEPP State Significant Precincts***

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being wholly Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/290**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

The subject land is a creek and access to creek, as such a dwelling is not permissible on the lot.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Council's mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

“Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au”

If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....
Oberon Council
 Damian O'Shannassy
 Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/291	FILE NO.	PR187-5734
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Patricia Dawn Robinson*

ASSESSMENT No.: 12375812

PROPERTY ADDRESS: 5734 Abercrombie Road PALING YARDS NSW
 2580

PROPERTY DESCRIPTION Lots 8, 17, 42, 52, 58, 59, 60, 81 in DP 753064
 and Lots 82-88 in DP 820901 and Lots 2 & 27 in
 DP 1033361

Note: This certificate only relates to the lots
 requested, being Lots 2 & 27 In DP 1033361,
 and Lots 8, 52, 81 In DP 753064.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

10/05/2021

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

The subject land is not impacted by clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 in relation to limiting or excluding complying development.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercromble Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/291**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

The subject land (Lots 2 & 27 In DP 1033361 and Lots 8, 52 & 81 In DP 753064) is part of 5734 Abercrombie Road, PALING YARDS, which also consists of Lots 82-88 in DP 820901 and Lots 17, 42 & 58-60 In DP 753064.

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

5734 Abercrombie Road, PALING YARDS is greater than 100Ha. Upon consolidation of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Council's mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows that the subject land is located in close proximity to a state or private forest. Further investigations may be warranted and applicants should rely on their own enquiries.

Councils mapping data shows that the subject land (Lots 52 & 81 in DP 753064) has an easement for high voltage power lines. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"

If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....
Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
Telephone (02) 6329 8100, Facsimile (02) 6329 8142
Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/292	FILE NO.	PR187-5733
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
Suite 4, Level 3, 24 Marcus Clarke Street
CANBERRA ACT 2600*

OWNER : (as recorded by Council) *Patricia Dawn Robinson*

ASSESSMENT No.: 12375829

PROPERTY ADDRESS: 5733 Abercrombie Road PALING YARDS NSW
2580

PROPERTY DESCRIPTION Lot 11, 12, 51, 80 In DP 753064

Note: This Certificate only relates to the lot requested, being Lot 12 In DP 753064.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.



Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Hellpads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the Instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

The subject land is not impacted by clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 in relation to limiting or excluding complying development.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercromble Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/292**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

NII

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

NII

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

The subject land (Lot 12 In DP 753064) is part of 5733 Abercromble Road, PALING YARDS, which also consists of Lots 11, 51 & 80 in DP 753064.

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

5733 Abercromble Road is greater than 100Ha. Upon consolidation of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas considered to be mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows that the subject land is located in close proximity to a state or private forest. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"


If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....
Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/293	FILE NO.	PR36-1633
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Marion Sormanl*

ASSESSMENT No.: 12353267

PROPERTY ADDRESS: 1633 Jerrong Road JERRONG NSW 2787

PROPERTY DESCRIPTION Lot 8-10, 36-38 in DP 753037

Note: This Certificate only relates to the lot requested, being Lot 36 in DP 753037.

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain and item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- a Precinct Plan (within the meaning of the 2006 SEPP), or
- a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

The subject land is not impacted by clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 in relation to limiting or excluding complying development.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is not affected by road widening or road realignment.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being wholly Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/293**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

Nil

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

Nil

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

The subject land (Lot 36 In DP 753037) is part of 1633 Jerrong Road, JERRONG, which also consists of Lots 8, 9, 10, 37 & 38 In DP 753037.

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

1633 Jerrong Road, TARALGA is greater than 100Ha. Upon consolidation of lots (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land (Lot 36 In DP 753037) does not include areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

“Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au”

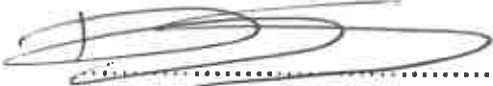
If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

10/05/2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
 Telephone (02) 6329 8100, Facsimile (02) 6329 8142
 Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2020/294	FILE NO.	PR187-6790
FEE:	\$133.00	RECEIPT NO.	260224
APPLICANT REF:	Paling Yards WF	DATE:	10 May 2021

APPLICANT: *Global Power Generation
 Suite 4, Level 3, 24 Marcus Clarke Street
 CANBERRA ACT 2600*

OWNER : *(as recorded by Council) Richard Ross Bell*

ASSESSMENT No.: 12350053

PROPERTY ADDRESS: 6790 Abercrombie Road PALING YARDS NSW
 2580

PROPERTY DESCRIPTION Lots 39, 43, 50 & 51 in DP 753037, Lot 51 in DP
 621232, & Lot 33 in DP 753019

**Note: Lot 33 In DP 753019 was not requested
 and does not form part of this Certificate.**

**The following information included within this certificate has been taken from the
 Council's records; Council cannot accept responsibility for any omission or inaccuracy.**

.....
Oberon Council
 Damian O'Shannassy
 Director of Planning & Development

Date: 10 May 2021

10/05/2021

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7.

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP** **Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **SEPP 21** **Caravan Parks**
- **SEPP 33** **Hazardous and Offensive Development**
- **SEPP 36** **Manufactured Home Estates**
- **SEPP 50** **Canal Estate Development**
- **SEPP 55** **Remediation of Land**
- **SEPP 64** **Advertising and Signage**
- **SEPP 65** **Design Quality of Residential Flat Development**
- **SEPP 70** **Affordable Housing**
- **SEPP** **Housing for Seniors or People with a Disability (2004)**
- **SEPP** **Building Sustainability Index: BASIX (2004)**
- **SEPP** **Mining, Petroleum Production and Extractive Industries (2007)**
- **SEPP** **Infrastructure (2007)**
- **SEPP** **Exempt and Complying Development Code (2008)**
- **SEPP** **Affordable Rental Housing (2009)**
- **SEPP** **Sydney Drinking Water Catchment (2011)**
- **SEPP** **State and Regional Development (2011)**
- **SEPP** **Educational Establishments and Childcare Facilities (2017)**
- **SEPP** **Vegetation in Non-Rural Areas (2017)**
- **SEPP** **Concurrences & Consents (2018)**
- **SEPP** **Primary Production and Rural Development (2019)**
- **SEPP** **Koala Habitat Protection (2020)**
- **SEPP** **State Significant Precincts**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Hellpads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in Item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain an item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- **3D Inland Code**
- **4 Housing Alterations**
- **4A General Development**
- **5 Commercial & Industrial**
- **6 Subdivision**
- **7 Demolition**
- **8 Fire Safety**

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development can not occur in areas mapped as Riparian Lands and Watercourses within the Oberon Local Environmental Plan 2013.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2020/21***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL**ANNEXURE TO PLANNING CERTIFICATE NO. 2020/294**

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1 Primary Production

What is the minimum allotment size of the subject zone?

100Ha

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

NII

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

NII

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3)(a) allows for the development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map.

The subject site (Lot 39, 43, 50, 51 in DP 753037 and Lot 51 in DP 621232), is greater than 100Ha. Upon consolidation of lots, or potential subdivision, (to meet the required minimum lot size of 100Ha), dwellings and dual occupancies are permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Does Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian Land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Council's mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows a groundwater bore on or in close proximity to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

"Prospective purchasers of land are advised to also obtain a Certificate as to Adverse Affectations relating to weed biosecurity matters from the Upper Macquarie County Council. This certificate will confirm whether or not there are any Biosecurity Directions, Undertakings or enforcement charges currently affecting the land. The County Council can be contacted on admin@umcc.nsw.gov.au"

If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



.....
Oberon Council
Damian O'Shannassy
Planning and Development Director

Date: 10 May 2021

10/05/2021

Oberon Council

P. O. Box 84, Oberon NSW 2787
Telephone (02) 6329 8100, Facsimile (02) 6329 8142
Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2022/101	FILE NO.	PR187-6055
FEE:	\$156	RECEIPT NO.	295530
APPLICANT REF:	Paling Yards WF	DATE:	15 August 2022

APPLICANT: *Tract Consultants Pty Ltd
Level 8,80 Mount Street
NORTH SYDNEY NSW 2060*

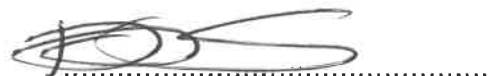
OWNER : *(as recorded by Council) Kenneth Richard Maloney*

ASSESSMENT No.: 12386591

PROPERTY ADDRESS: 6055 Abercrombie Road PALING YARDS NSW
2850

PROPERTY DESCRIPTION Lot 56 in DP753064

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.



Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: 15 August 2022

15/08/2022

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **State Environmental Planning Policy (Biodiversity and Conservation) 2021**
- **State Environmental Planning Policy (Building Sustainability Index BASIX) 2004**
- **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**
- **State Environmental Planning Policy (Housing) 2021**
- **State Environmental Planning Policy (Industry and Employment) 2021**
- **State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development**
- **State Environmental Planning Policy (Planning Systems) 2021**
- **State Environmental Planning Policy (Precincts – Central River City) 2021**
- **State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021**
- **State Environmental Planning Policy (Precincts – Regional) 2021**
- **State Environmental Planning Policy (Precincts – Western Parkland City) 2021**
- **State Environmental Planning Policy (Primary Production) 2021**
- **State Environmental Planning Policy (Resilience and Hazards) 2021**
- **State Environmental Planning Policy (Resources and Energy) 2021**
- **State Environmental Planning Policy (Transport and Infrastructure) 2021**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Function Centres; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain an item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- *3D Inland Code*
- *4 Housing Alterations*
- *4A General Development*
- *5 Commercial & Industrial*
- *6 Subdivision*
- *7 Demolition*
- *8 Fire Safety*

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Complying Development within the excluded codes may not be carried out on the land within a designated buffer area (Riparian land and watercourses).

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2022/2023***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL

ANNEXURE TO PLANNING CERTIFICATE NO. 2022/101

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1- Primary Production

What is the minimum allotment size of the subject zone?

100 Hectares

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

No Development Applications approved

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

No Resolutions

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Oberon Local Environmental Plan 2013 Clause 4.2B(3) allows development of dwellings and dual occupancies on land in the RU1 Primary Production zone, where the land is at least the minimum lot size shown on the Lot Size Map (100Ha.)

The subject land is greater than 100Ha, therefore a dwelling or dual occupancy is permissible with development consent.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Do Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land includes areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013). Further investigations may be warranted and applicants should rely on their own enquiries.

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows that the subject land is located in close proximity to a state or private forest. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

.OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

It is advised that the applicant obtain an Outstanding Notices Certificate under Section 64 of the Noxious Weeds Act from the Upper Macquarie County Council, 7 Lee Street, Kelso 2795.

If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of Industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: **15 August 2022**

Oberon Council

P. O. Box 84, Oberon NSW 2787
Telephone (02) 6329 8100, Facsimile (02) 6329 8142
Email: council@oberon.nsw.gov.au



Planning Certificate

under Section 10.7 Environmental Planning and Assessment Act 1979 (as amended)

CERTIFICATE NO:	2022/102	FILE NO.	PR187-6057
FEE:	\$156.00	RECEIPT NO.	295530
APPLICANT REF:	PALING YARDS WF	DATE:	11 August 2022

APPLICANT: *Tract Consultants Pty Ltd
Level 8,80 Mount Street
NORTH SYDNEY NSW 2060*

OWNER : *(as recorded by Council) Kenneth Richard Maloney*

ASSESSMENT No.: 12353397

PROPERTY ADDRESS: 6057 Abercrombie Road PALING YARDS NSW
2850

PROPERTY DESCRIPTION Lot 61 in DP753037

The following information included within this certificate has been taken from the Council's records; Council cannot accept responsibility for any omission or inaccuracy.

Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: 11 August 2022

11/08/2022

Note: Additional information on the property is available in a certificate under Section 10.7(5) of the EP&A Act. This is usually applied for at the same time as, and not normally issued separately from, the relevant 10.7).

NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCP'S

The name of each environmental planning instrument that applies to the carrying out of development on the land.

Local Environmental Plans

- **LEP Oberon Local Environmental Plan 2013**

State Environmental Planning Policies

- **State Environmental Planning Policy (Biodiversity and Conservation) 2021**
- **State Environmental Planning Policy (Building Sustainability Index BASIX) 2004**
- **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**
- **State Environmental Planning Policy (Housing) 2021**
- **State Environmental Planning Policy (Industry and Employment) 2021**
- **State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development**
- **State Environmental Planning Policy (Planning Systems) 2021**
- **State Environmental Planning Policy (Precincts – Central River City) 2021**
- **State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021**
- **State Environmental Planning Policy (Precincts – Regional) 2021**
- **State Environmental Planning Policy (Precincts – Western Parkland City) 2021**
- **State Environmental Planning Policy (Primary Production) 2021**
- **State Environmental Planning Policy (Resilience and Hazards) 2021**
- **State Environmental Planning Policy (Resources and Energy) 2021**
- **State Environmental Planning Policy (Transport and Infrastructure) 2021**

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 Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are currently no draft Environmental Planning Instruments that apply to the land.

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

Oberon Development Control Plan 2001

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

ZONING AND LAND USE UNDER RELEVANT LEP'S

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

the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone Identity

- ***RU1 – Primary Production Zone***

Objectives of zone

- ***To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.***
- ***To encourage diversity in primary industry enterprises and systems appropriate for the area.***
- ***To minimise the fragmentation and alienation of resource lands.***
- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***
- ***To enable other forms of development associated with primary production activities, which may require an isolated location or which support tourism or recreational activities.***

the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,

Permitted without consent

- ***Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Water reticulation systems***

the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Permitted with consent

- ***Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Function Centres; Helipads; Highway service centres; Home-based child care; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems***

the purposes for which the instrument provides that development is prohibited within the zone,

Prohibited

- ***Any development not specified in item 2 or 3***

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

The minimum allotment size for dwelling permissibility applying to the subject land is 100 hectares, however no minimum dimensions apply within the development standards.

whether the land includes or comprises critical habitat,

None Applicable

whether the land is in a conservation area (however described),

The subject land is not located within a conservation area as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

whether an item of environmental heritage (however described) is situated on the land.

The subject land does not contain an item of environmental heritage as prescribed by Schedule 5 of the Oberon Local Environmental Plan.

ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Oberon Council.

COMPLYING DEVELOPMENT

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development may be carried out within the following codes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- *3D Inland Code*
- *4 Housing Alterations*
- *4A General Development*
- *5 Commercial & Industrial*
- *6 Subdivision*
- *7 Demolition*
- *8 Fire Safety*

The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

The subject land is not impacted by clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 in relation to limiting or excluding complying development.

If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

Annual Charges for Coastal Protection Services are not applicable to land within the Oberon Council.

MINE SUBSIDENCE

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

The subject land is not proclaimed to be a mine subsidence district.

ROAD WIDENING AND ROAD REALIGNMENT

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

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

The subject land is located along Abercrombie Road which is a Regional Road and may be subject to future road widening.

COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

The subject land is not affected by a policy on hazard risk reduction by Council or another public authority.

FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

1. Whether or not development on that 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.
2. Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
3. Words and expressions in this clause have the same meanings as in the Standard Instrument.

The subject land is not identified by the Oberon Local Environmental Plan 2013 as flood affected and is therefore not subject to any flood related development controls.

LAND RESERVED FOR ACQUISITION

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

The subject land is not reserved for land acquisition.

CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

- ***Section 94 Development Contributions Plan 2004***
- ***Oberon Fees and Charges 2022/2023***

BIODIVERSITY CERTIFIED LAND

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

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.

The subject land does not contain any Biodiversity Certified Land.

BIODIVERSITY STEWARDSHIP SITES

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

The subject land does not contain a Biodiversity Stewardship site.

NATIVE VEGETATION CLEARING SET ASIDES

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

The subject land does not contain a set aside area.

BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

Oberon Council's Bush Fire Prone Land Map dated the 13 August 2003 identifies the Land as being partially Bush Fire Prone. The Bush Fire Prone Land Map may be viewed at the Council office.

Note: As of 1 March 2020 Planning for Bush Fire Protection 2019 has been adopted. State Government legislation mandates that grassland vegetation, which may impact subject land, is now required to be assessed as part of a development application if applicable. Assessment of grassland vegetation may be undertaken even if the subject land has not been identified as bushfire prone land on Oberon Council's Bushfire Prone Land Map.

PROPERTY VEGETATION PLANS

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

The subject land is not part of a Property Vegetation Plan.

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).

The subject land is not subject to or affected by any orders under the Trees (Disputes Between Neighbours) Act 2006.

DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any directions from the Minister under Part 3A of the Act.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

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

The subject land is not impacted by any compatibility certificates in relation to the above.

SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

1. A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
2. A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

The subject land is not impacted by any compatibility certificates or conditions of consent in relation to the above.

PAPER SUBDIVISION INFORMATION

1. The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
2. The date of any subdivision order that applies to the land.
3. Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The subject land is not affected by any paper subdivisions.

SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

The subject land is not affected by any site verification certificates.

LOOSE-FILL ASBESTOS INSULATION

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

The subject property is not registered as being impacted by loose-fill asbestos insulation.

AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

1. A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.
2. A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

3. In this clause:

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

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

Council records indicate that the subject land is not impacted by any affected building notices or building product rectification orders.

NOTE. (CONTAMINATED LAND)

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

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

Council records do not indicate that the subject land is significantly contaminated land.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by a management order.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an approved voluntary management proposal.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Council records do not indicate that the subject land is affected by an ongoing maintenance order.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Council records do not indicate that the subject land is affected by a site audit statement.

OBERON COUNCIL

ANNEXURE TO PLANNING CERTIFICATE NO. 2022/102

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

The following information has been taken from the Council's records and Council cannot accept responsibility for any omission or inaccuracy.

GENERAL INFORMATION

What is the current use of the property?

RU1- Primary Production

What is the minimum allotment size of the subject zone?

100 Hectares

Is the land affected by a Tree Preservation Order?

No Tree Preservation Order

Has any development consent with respect to the land been granted within the previous five (5) years?

No Development Applications approved

Is the land affected by any resolution of the Council to seek amendment to the planning instrument or draft environmental planning instrument applying to this land?

No Resolutions

PERMISSIBILITY OF A DWELLING

Permissible Development under the Oberon Local Environmental Plan 2013:

Lot 61 in DP 753037 has no building entitlement its own right for a dwelling as the lot does not meet the minimum allotment size of the RU1 – Primary Production zone being 100 hectares.

The subject land was part of an original holding consisting of Lot 61 in DP 753037, Lot 2 in DP 753064 and Lot 67 in DP 753064 being part of an Original Holding and have an area of 316.30 hectares and therefore a dwelling House is permissible with all lots amalgamated.

COUNCIL RECORDS

Does the subject land have any records of potential contamination?

Council has no record of the subject land being potentially contaminated land. Further investigations may be warranted and applicants should rely on their own enquiries.

Do Council records indicate a potential for Aboriginal Relics to be located on the subject land?

Council's records do not indicate that the subject land may have Aboriginal relics or artefacts located in the vicinity. Further investigations may be warranted and applicants should rely on their own enquiries.

Are there any other Council records which are relevant to the subject land?

Council's records do not indicate any other records which are relevant to the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

MAPPING SEARCH

Does the land include areas which are mapped as being Riparian lands and/or watercourses within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as Riparian land and Watercourses (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped buffer of the Oberon Timber Complex within the Oberon Local Environmental Plan 2013?

The subject land does not include areas mapped as within the designated buffer area of the Oberon Timber Complex (clause 6.3 of OLEP 2013).

Is the subject land located within the mapped area of the Sydney Drinking Water Catchment?

Councils mapping shows the subject land as not being located within the mapped area of the Sydney Drinking Water Catchment.

Is the land subject to any buffers detailed within the Oberon Development Control Plan 2001?

The subject land is not mapped as being affected by any buffers detailed within the Oberon Development Control Plan 2001. Further investigations may be warranted and applicants should rely on their own enquiries.

Does a search of Council's mapping data show any other potential hazards or features which may affect future development?

Council's mapping data shows that the subject land is located in close proximity to a state or private forest. Further investigations may be warranted and applicants should rely on their own enquiries.

A search of Council's mapping data does not show any other potential hazards or features which may affect future development of the subject land. Further investigations may be warranted and applicants should rely on their own enquiries.

OTHER MATTERS

Other matters relevant not elsewhere detailed in this certificate:

It is advised that the applicant obtain an Outstanding Notices Certificate under Section 64 of the Noxious Weeds Act from the Upper Macquarie County Council, 7 Lee Street, Kelso 2795.

If the site is not connected to the town sewer, it should have an installation approval for any on-site effluent disposal, under the Local Government Act. Please note that the system may require upgrading in the future.

The land may be located within the proximity of Industrial activities and/or agricultural activities and/or forestry activities and potential exists for impact upon the environmental amenity of residents. Known land uses in or adjacent to the village of Oberon and Burruga that may impact on the environmental amenity include: sawmills, timber processing and manufacturing factors and related industries, heavy transport movements, logging, chipping and general farming activities. Further investigations may be warranted and applicants should rely on their own enquiries.

The land may comprise significant areas of landfill. Further investigations may be warranted and applicants should rely on their own enquiries.

Note: The Oberon Local Environmental Plan 2013 and Development Control Plan 2001 can be obtained from the Council's website www.oberon.nsw.gov.au.

Please note that the above information is provided on the basis of the information available to Council staff at the time of your enquiry and does not constitute development consent. Should there be any additional facts of which Council staff is not aware of and which may change the advice given, these facts should be brought to Council's attention.



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Oberon Council
Damian O'Shannassy
Director of Planning & Development

Date: **15 August 2022**