

housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**

**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

**Council has been provided with** written information indicating the presence of contamination on the subject land which may restrict development and use of the land. The relevant

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool

**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

information is available for inspection at the office of the Council.

**9. Airport Noise Affection  
Badgery's Creek Airport**  
Nil

**Hoxton Park Airport**  
Nil

**10. Airport Acquisition**  
Nil

**11. Environmentally Significant Land  
Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**  
Nil

**13. Unhealthy Building Land Proclamation**  
Nil



Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcity council**  
creating our future together

Issue Date: 19/07/2011

Issue No: 2025943

File No: 2011/0144

Premises at Lot 3001 DP 1125930

Moorebank Avenue Moorebank

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **16.1**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **15.6**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **15.5**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **15.5**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Anzac Creek Flood Study - Adopted by Council 12 June 2007**.

Name of Assessor: **W. Siripala**

Signature:



**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Ref.:** POST  
**Ppty:** 10214

**Cert. No.:** 263  
**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 15-Jul-2011

**Owner: (as recorded by Council):**  
MS HELEN LOUISE KENNETT and  
KENNETT PTY LTD  
PO BOX 19  
GLENFIELD NSW 2167

**Property Desc:** LOT 5 GLENFIELD ROAD, CASULA NSW 2170  
LOT 5 DP 833516

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.

<b>JOB NO.</b>
GOLDER ASSOCIATES PTY LTD
21 JUL 2011
SYDNEY OFFICE

**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

**(1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008

**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies

**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil

**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
 State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
 State Environmental Planning Policy – (Infrastructure) 2007  
 State Environmental Planning Policy – (Major Development) 2005  
 State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
 State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
 State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
 State Environmental Planning Policy No 62 – Sustainable Aquaculture  
 State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
 State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
 State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
 State Environmental Planning Policy No. 21 – Caravan Parks  
 State Environmental Planning Policy No. 30 – Intensive Agriculture  
 State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
 State Environmental Planning Policy No. 44 – Koala Habitat  
 State Environmental Planning Policy No. 50 – Canal Estate Development  
 State Environmental Planning Policy No. 55 – Remediation of Land  
 State Environmental Planning Policy No. 64 – Advertising and Signage

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

**(b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -



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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 263  
Page No.: 4**

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

- (e) **Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are such as to permit the erection of a dwelling house on the land.

- (f) **Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

**An item of Environmental Heritage is not situated on the land.**

**3. COMPLYING DEVELOPMENT**

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

Complying development under the General Housing Code **may** be carried out on the land in circumstances where the Bushfire Affected Level or Bushfire Flame Zone has been determined.

Complying development under the General Housing Code **may not** be carried out on the land.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.

**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence, acid sulphate soils or any other risk.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool

**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170

**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

public authority is/are listed below: -

Nil

**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -

**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009 NSW)**

Nil

**11. Bushfire Prone Land**

**None of the land subject** to this certificate is bush fire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**

**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**  
Nil

**8. Contaminated Land**  
Nil

**9. Airport Noise Affection  
Badgery's Creek Airport**  
Nil

**Hoxton Park Airport**  
Nil

**10. Airport Acquisition**  
Nil

**11. Environmentally Significant Land  
Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**  
Nil

**13. Unhealthy Building Land Proclamation**  
Nil



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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 263**

**Page No.: 10**

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Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcitycouncil**  
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Issue Date: 19/07/2011

Issue No: 2025942

File No: 2011/0144

Premises at Lot 5 DP 833516  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **14.1**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.6**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **11.2**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.4**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

Name of Assessor: **W. Siripala**

Signature:

A handwritten signature in black ink, appearing to read 'W. Siripala', written over a horizontal line.

**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Ref.:** POST  
**Ppty:** 10215

**Cert. No.:** 267  
**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 18-Jul-2011

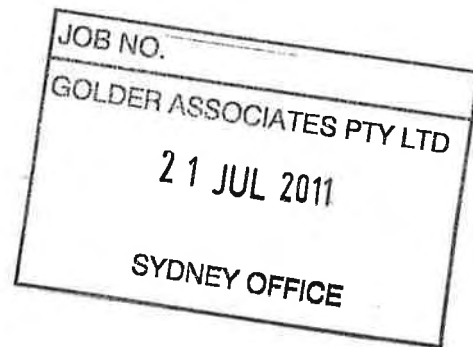
**Owner: (as recorded by Council):**  
J C & F W KENNETT PTY LTD  
PO BOX 19  
GLENFIELD NSW 2167

**Property Desc:** LOT 52 GLENFIELD ROAD, CASULA NSW 2170  
LOT 52 DP 517310

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.





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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 267**

**Page No.: 2**

**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

**(1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies  
**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
State Environmental Planning Policy No. 21 – Caravan Parks  
State Environmental Planning Policy No. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy No 62 – Sustainable Aquaculture  
State Environmental Planning Policy No. 64 – Advertising and Signage  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Major Development) 2005  
State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

- (a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

- (b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -



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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 267**

**Page No.: 4**

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

- (e) **Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

- (f) **Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool

**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 2064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 94 181 182 471



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**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

Complying development under the General Housing Code **may not** be carried out on the land.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.

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**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

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**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil

**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.



**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009 NSW)**

Nil

**11. Bushfire Prone Land**

**None of the land subject** to this certificate is bush fire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.



**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection**



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**Badgery's Creek Airport**  
Nil

**Hoxton Park Airport**  
Nil

**10. Airport Acquisition**  
Nil

**11. Environmentally Significant Land**  
**Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**  
Nil

**13. Unhealthy Building Land Proclamation**  
Nil

Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



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Issue Date: 19/07/2011

Issue No: 2025939

File No: 2011/0144

Premises at Lot 52 DP 517310  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.9**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.4**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.9**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.2**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

Name of Assessor: **W. Siripala**

Signature:

A handwritten signature in black ink, appearing to read 'W. Siripala', written over a horizontal line.

**PLANNING CERTIFICATE UNDER SECTION 149  
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**Ref.:** POST  
**Ppty:** 170890

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**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 18-Jul-2011

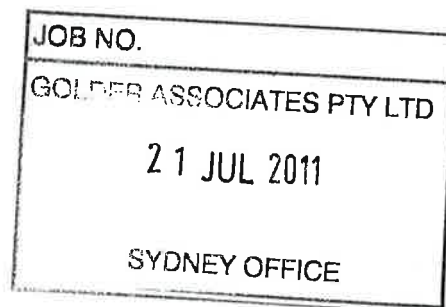
**Owner: (as recorded by Council):**  
RAIL CORPORATION NEW SOUTH  
WALES  
1 HOXTON PARK RD  
LIVERPOOL NSW 2170

**Property Desc:** LOT 102 GLENFIELD ROAD, CASULA NSW 2170  
LOT 102 DP 1143827

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.





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**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

- (1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies  
**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471



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**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
State Environmental Planning Policy No. 21 – Caravan Parks  
State Environmental Planning Policy No. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy No 62 – Sustainable Aquaculture  
State Environmental Planning Policy No. 64 – Advertising and Signage  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Major Development) 2005  
State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
State Environmental Planning Policy – (Affordable Rental Housing) 2009

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

**(b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

All correspondence to The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
Fax 9821 9333 Email [lcc@liverpool.nsw.gov.au](mailto:lcc@liverpool.nsw.gov.au) Web [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au) TTY 9821 8800 ABN 84 181 182 471



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**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

- (e) **Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

- (f) **Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

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**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471



**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

Complying development under the General Housing Code **may not** be carried out on the land.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.



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**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil

**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

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**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009  
NSW)**

Nil

**11. Bushfire Prone Land**

**Part of the land subject** to this certificate is bushfire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**



**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection  
Badgery's Creek Airport**

Nil

**Hoxton Park Airport**

Nil

**10. Airport Acquisition**

Nil

**11. Environmentally Significant Land  
Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**

Nil

**13. Unhealthy Building Land Proclamation**

Nil



Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcity council**  
creating our future together

Issue Date: 19/07/2011

Issue No: 2025935

File No: 2011/0144

Premises at Lot 102 DP 1143827  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.9**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.4**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.9**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.2**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

Name of Assessor: **W. Siripala**

Signature:



**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Ref.:** POST  
**Ppty:** 170892

**Cert. No.:** 265  
**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 15-Jul-2011

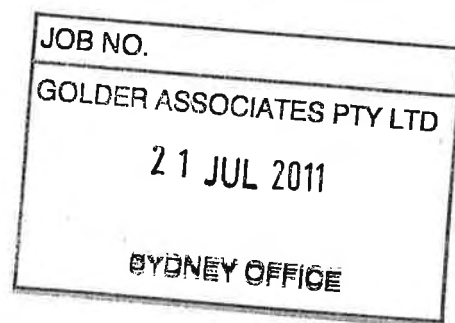
**Owner: (as recorded by Council):**  
J C & F W KENNETT PTY LTD  
PO BOX 19  
GLENFIELD NSW 2167

**Property Desc:** LOT 104 GLENFIELD ROAD, CASULA NSW 2170  
LOT 104 DP 1143827

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.





**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

**(1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies  
**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil



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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 265**

**Page No.: 3**

**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
State Environmental Planning Policy No. 21 – Caravan Parks  
State Environmental Planning Policy No. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy No 62 – Sustainable Aquaculture  
State Environmental Planning Policy No. 64 – Advertising and Signage  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Major Development) 2005  
State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
State Environmental Planning Policy – (Affordable Rental Housing) 2009

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

**(b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

Administration Centre 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
Customer Service Centre Liverpool City Library, 170 George Street, Liverpool NSW 2170

All correspondence to The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 Call Centre 1300 36 2170  
Fax 9821 9333 Email [lcc@liverpool.nsw.gov.au](mailto:lcc@liverpool.nsw.gov.au) Web [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au) TTY 9821 8800 ABN 84 181 182 471



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**Cert. No.: 265**

**Page No.: 4**

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

- (e) **Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

- (f) **Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 184 182 471



**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

Complying development under the General Housing Code **may not** be carried out on the land.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.



**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil

**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

**9. CONTRIBUTION PLANS**

Administration Centre 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
Customer Service Centre Liverpool City Library, 170 George Street, Liverpool NSW 2170

All correspondence to The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 Call Centre 1300 36 2170  
Fax 9821 9333 Email [lcc@liverpool.nsw.gov.au](mailto:lcc@liverpool.nsw.gov.au) Web [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au) TTY 9821 8800 ABN 84 181 182 471



The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009 NSW)**

Nil

**11. Bushfire Prone Land**

**Part of the land subject** to this certificate is bushfire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**

**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection**



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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 265**

**Page No.: 9**

**Badgery's Creek Airport**

Nil

**Hoxton Park Airport**

Nil

**10. Airport Acquisition**

Nil

**11. Environmentally Significant Land**

**Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**

Nil

**13. Unhealthy Building Land Proclamation**

Nil

Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE - 9821 9222

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcity council**  
creating our future together

Issue Date: 19/07/2011

Issue No: 2025938

File No: 2011/0144

Premises at Lot 104 DP 1143827  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.9**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.4**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.9**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.2**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

Name of Assessor: **W. Siripala**

Signature:



**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Ref.:** POST  
**Ppty:** 170891

**Cert. No.:** 268  
**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 18-Jul-2011

**Owner: (as recorded by Council):**  
FIGELA PTY LTD  
C/- GLENFIELD WASTE DEPOT  
CAMBRIDGE  
GLENFIELD NSW 2167

**Property Desc:** PART LOT 103 GLENFIELD ROAD, CASULA NSW 2170  
PART LOT 103 DP 1143827

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.

JOB NO.
GOLDER ASSOCIATES PTY LTD
21 JUL 2011
SYDNEY OFFICE



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**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 268**

**Page No.: 2**

**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

**(1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies  
**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil

**Administration Centre** 4 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
 State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
 State Environmental Planning Policy No. 21 – Caravan Parks  
 State Environmental Planning Policy No. 30 – Intensive Agriculture  
 State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)  
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 State Environmental Planning Policy No. 50 – Canal Estate Development  
 State Environmental Planning Policy No. 55 – Remediation of Land  
 State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
 State Environmental Planning Policy No 62 – Sustainable Aquaculture  
 State Environmental Planning Policy No. 64 – Advertising and Signage  
 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
 State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
 State Environmental Planning Policy – (Major Development) 2005  
 State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
 State Environmental Planning Policy – (Infrastructure) 2007  
 State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
 State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
 State Environmental Planning Policy – (Affordable Rental Housing) 2009

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

**(b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -



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**Cert. No.: 268**

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**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

**(e) Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

**(f) Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool

**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
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**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

Complying development under the General Housing Code **may not** be carried out on the land.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

This land is excluded being land that is identified in a foreshore area.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool

**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses, "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil

**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the

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acquisition of the land by a public authority, as referred to in Section 27 of the Act.

**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009  
NSW)**

Nil

**11. Bushfire Prone Land**

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**

**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection**

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
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**Liverpool**citycouncil  
creating our future together

**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Cert. No.: 268**

**Page No.: 9**

**Badgery's Creek Airport**

Nil

**Hoxton Park Airport**

Nil

**10. Airport Acquisition**

Nil

**11. Environmentally Significant Land  
Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**

Nil

**13. Unhealthy Building Land Proclamation**

Nil

Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcitycouncil**  
creating our future together

**Issue Date:** 19/07/2011

**Issue No:** 2025937

**File No:** 2011/0144

**Premises at** Lot 103 DP 1143827  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

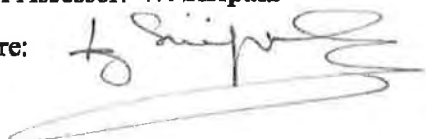
1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.8**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.3**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.9**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.2**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

**Name of Assessor: W. Siripala**

**Signature:**





**Liverpool**city council  
creating our future together

**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Ref.:** POST  
**Ppty:** 170889

**Cert. No.:** 270  
**Page No.:** 1

**Applicant:**  
GOLDER ASSOCIATES PTY LTD  
PO BOX 1302  
CROWS NEST NSW 1585

**Receipt No.:** 1988714  
**Receipt Amt.:** 133.00  
**Date:** 18-Jul-2011

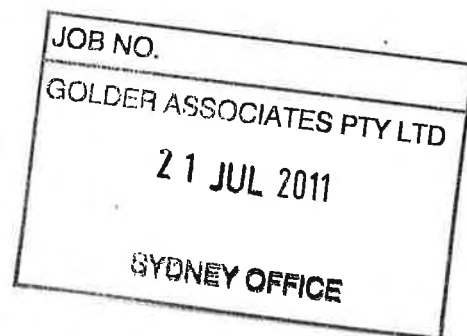
**Owner: (as recorded by Council):**  
RAIL CORPORATION NEW SOUTH  
WALES  
1 HOXTON PARK RD  
LIVERPOOL NSW 2170

**Property Desc:** LOT 101 GLENFIELD ROAD, CASULA NSW 2170  
LOT 101 DP 1143827

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.



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Fax 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

**1. Names of Relevant LEP's, DCP's, REPs, and SEPPs**

**(1)(a)** The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** RE1 Public Recreation

**(1)(b) Draft Local Environmental Plan(s)**

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 - Anomalies  
**Name of Zone:** Subject to all zones

**(1)(c) Development Control Plan(s) under Section 72**

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008 (as amended).

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

**(2)(a) Regional Environmental Plan(s)**

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 - Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

**(2)(b) Draft Regional Environmental Plan(s)**

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are listed below:

Nil



**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

State Environmental Planning Policy No. 6 – Number of Storeys in a Building  
State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
State Environmental Planning Policy No. 21 – Caravan Parks  
State Environmental Planning Policy No. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy No 62 – Sustainable Aquaculture  
State Environmental Planning Policy No. 64 – Advertising and Signage  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Major Development) 2005  
State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
State Environmental Planning Policy – (Affordable Rental Housing) 2009

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

**Section (1)(a) of this Planning Certificate.**

**(b)** The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.**

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.**

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

**See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.**

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

**(e) Dwelling House**

The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land.

**(f) Critical Habitat**

The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

**Land is not located in a Conservation Area.**

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

Complying development under the General Housing Code **may not** be carried out on the land.

Complying development under the Housing Internal Alterations Code **may not** be carried out on the land.

Complying Development under the General Commercial and Industrial Code **may not** be carried out on this land.

This land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

This land is excluded being land that is reserved for a public purposed in an environmental planning instrument.

This land is excluded being land identified in an environmental planning instrument as being a flood control lot.

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.



**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

**(a) Council Policy – Other Risks**

**The land is not affected** by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

However, the land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**(b) Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. The property is affected by flood inundation and therefore the controls applying to residential forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
2. The property is affected by flood inundation and therefore the controls applying to all forms of development contained with the Liverpool Local Environmental Plan 2008 and Development Control Plan 2008 apply to this property.
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil



**Liverpool Local Environmental Plan 2008** applies to the land and does not provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2001**

**10. Matters arising to the Contaminated Land Management Amendment Act 2009 NSW)**

Nil

**11. Bushfire Prone Land**

**Part of the land subject** to this certificate is bushfire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

The provisions applying to the land that relate to property vegetation plans is/are listed below:-

The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.

**13. Orders under Trees (Disputes Between Neighbours Act 2006)**

There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).

**14. Directions under Part 3A**

There has been no notification of 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 stage of a project on the land under Part 4 of the Act does not have effect.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.

**16. Site Compatibility Certificates for Infrastructure**

There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.

**17. Site Compatibility Certificates and Condition for Affordable Rental Housing**

Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**1. Threatened Species Conservation Act**

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection**

**Badgery's Creek Airport**  
Nil

**Hoxton Park Airport**  
Nil

**10. Airport Acquisition**  
Nil

**11. Environmentally Significant Land**  
**Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

(1) The objectives of this clause are as follows:

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

**12. Archaeological Management Plan**  
Nil

**13. Unhealthy Building Land Proclamation**  
Nil



Mr Milan Marecic  
Director City Planning  
Liverpool City Council

For further information, please contact  
CALL CENTRE – 9821 9222

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpoolcitycouncil**  
creating our future together

Issue Date: 19/07/2011

Issue No: 2025936

File No: 2011/0144

Premises at Lot 101 DP 1143827  
Glenfield Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.9**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **10.4**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.9**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.2**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

Name of Assessor: **W. Siripala**

Signature:

A handwritten signature in black ink, appearing to read 'W. Siripala', with a long horizontal flourish underneath.



# APPENDIX E

## Site Photographs



## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia

<b>Photo number:</b>	1	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b> View towards the south of vacant area immediately south of the Stage 1A development area. Area is also suspected to contain partially remediate unauthorised areas of dumping.		

<b>Photo number:</b>	2	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b> View towards the Moorebank Avenue of vacant areas immediately south of the Stage 1A development area.		




<b>Photo number:</b>	3	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b> Rail spur entering the DNSDC site from the East hills rail line.		



## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia

<b>Photo number:</b> 4 <b>Date taken:</b> 2011-07-25 <b>Taken by:</b> OB <b>Caption:</b> View south west into the bush land located south of the Stage 1A development area	
<b>Photo number:</b> 5 <b>Date taken:</b> 2011-07-25 <b>Taken by:</b> OB <b>Caption:</b> Fragments of asbestos identified in the area vacant area south of the Stage 1A development	
<b>Photo number:</b> 6 <b>Date taken:</b> 2011-07-25 <b>Taken by:</b> OB <b>Caption:</b> View west along the southern extremities of the DNSDC site	



## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia


Photo number:	7	
Date taken:	2011-07-25	
Taken by:	OB	
Caption:  Looking east into the bush land located south of the DNSDC site		



Photo number:	8	
Date taken:	2011-07-25	
Taken by:	OB	
Caption:  Looking south along Moorebank Avenue, at the western boundary of the bush land located south of the DNSDC site		


Photo number:	9	
Date taken:	2011-07-25	
Taken by:	OB	
Caption:  Illegal dumping identified north of the Railcorp portion of land		





## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia

<b>Photo number:</b>	10	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b>  Illegal dumping north of the Railcorp portion of land		

<b>Photo number:</b>	11	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b>  Filling 2-2.5 m in Lot 1 DP 825352		




<b>Photo number:</b>	12	
<b>Date taken:</b>	2011-07-25	
<b>Taken by:</b>	OB	
<b>Caption:</b>  Overgrown piles of building rubble located north of Lot 1 DP825352		



## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia


<b>Photo number:</b> 13 <b>Date taken:</b> 2011-07-25 <b>Taken by:</b> OB <b>Caption:</b> Looking west along the southern boundary of the Golf Course	
<b>Photo number:</b> 14 <b>Date taken:</b> 2011-11-15 <b>Taken by:</b> GVS <b>Caption:</b> Looking east along the East Hills Passenger Line, rail corridor land is on the left	
<b>Photo number:</b> 15 <b>Date taken:</b> 2011-11-15 <b>Taken by:</b> GVS <b>Caption:</b> Looking west along the East Hills Passenger Line, rail corridor land is on the right	




## APPENDIX E

### Photographs

#### Site: Rail Corridor Lands, Moorebank, Australia

<b>Photo number:</b>	16	
<b>Date taken:</b>	2011-11-15	
<b>Taken by:</b>	GVS	
<b>Caption:</b>  Looking at the East Hills Passenger Line, from within the Glenfield Quarry and Landfill		

<b>Photo number:</b>	17	
<b>Date taken:</b>	2011-11-15	
<b>Taken by:</b>	GVS	
<b>Caption:</b>  Looking south-east across Glenfield Quarry and Landfill		

<b>Photo number:</b>	18	
<b>Date taken:</b>	2011-11-15	
<b>Taken by:</b>	GVS	
<b>Caption:</b>  Looking south across Glenfield Quarry and Landfill		

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