

**Dfp Planning Pty Ltd**  
11 Dartford Road  
THORNLEIGH NSW 2120**Issue Date:** 08 March 2022  
**Certificate No:** PLN2022/1041  
**Your Ref:** 21286A PS

## PLANNING CERTIFICATE SECTION 10.7

NSW Environmental Planning and Assessment Act 1979 ('Act')

**Property Address:** 5 Malvina St RYDE NSW 2112  
**Legal Description:** Lot 284 DP 752035  
**Property Reference:** 517951  
**Land Reference:** 20027

### INFORMATION PROVIDED PURSUANT TO SECTION 10.7(2) OF THE ACT AND SCHEDULE 4 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

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

**a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS**  
Ryde Local Environment Plan 2014**b) PROPOSED LOCAL ENVIRONMENTAL PLANS that are or have been the subject of community consultation or public exhibition under the Act.**  
Nil**c) DEVELOPMENT CONTROL PLANS**  
City of Ryde Development Control Plan 2014**d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS**

The Minister for Planning has notified Council that the following State Environmental Planning Policies and Proposed State Environmental Plans apply to the land and should be specified in this certificate:

**State Environmental Planning Policies**State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development.  
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy (Biodiversity and Conservation) 2021  
State Environmental Planning Policy (Housing) 2021  
State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Planning Systems) 2021  
State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021  
State Environmental Planning Policy (Primary Production) 2021  
State Environmental Planning Policy (Resilience and Hazards) 2021  
State Environmental Planning Policy (Resources and Energy) 2021  
State Environmental Planning Policy (Transport and Infrastructure) 2021

**Deemed State Environmental Planning Policies**

NIL

**Proposed State Environmental Planning Policies**

State Environmental Planning Policy (Design and Place) 2021

*Note: Specific constraints and zoning of the land may affect the applicability of certain provisions within the Policies listed above.*

<b>2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS</b>
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**(a) ZONING and ZONING TABLE**

**Ryde Local Environmental Plan 2014 - Zone SP2 Infrastructure - Educational Establishment**

**1 Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure the orderly development of land so as to minimise any adverse effect of development on other land uses.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

**4 Prohibited**

Any development not specified in item 2 or 3

**(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE**

No development standards under the Local Environment Plan apply to the land that fix minimum land dimension for the erection of a dwelling house on the land.

**(c) CRITICAL HABITAT**

No. The land does not include or comprise critical habitat under Local Environmental Plan.

**(d) CONSERVATION AREA (however described)**

No. The land has not been identified as being within a heritage conservation area under the Local Environment Plan.

**(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)**

No. An item of environmental heritage is not situated on the land under the Local Environmental Plan.

## 2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

This policy was repealed by *State Environmental Planning Policy (Precincts – Central River City) 2021* on 1 March 2022. The *State Environmental Planning Policy (Precincts – Central River City) 2021* does not apply to land within the Ryde Local Government Area.

## OTHER PRESCRIBED INFORMATION

### 3. COMPLYING DEVELOPMENT

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

#### Rural Housing Code, Greenfield Housing Code and Inland Code

The Rural Housing Code, Greenfield Housing Code and Inland Code **do not apply** to this Local Government Area.

#### Housing Code, Low Rise Housing Diversity Code, Industrial and Business Building Code, Housing Alterations Code, Industrial and Business Alterations Code, Subdivisions Code, General Development Code, Demolition Code, Fire Safety Code, and Container Recycling Facilities Code

Housing Code, Low Rise Housing Diversity Code, Industrial and Business Building Code, Housing Alterations Code, Industrial and Business Alterations Code, Subdivisions Code, General Development Code, Demolition Code, Fire Safety Code, and Container Recycling Facilities Code **do apply** to this Local Government Area.

Clause 1.17A(1)(c) to (e), (2), (3) and (4); 1.18(1)(c3); and 1.19 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* determine the extent to which complying development **may** or **may not** be carried out on land in response to the provisions of those clauses.

Refer to **Appendix 1** for detail on what codes **may** or **may not** allow complying development on the land.

**Note: All Exempt and Complying Development Codes:** Council does not have sufficient information to ascertain the extent of a land-based exclusion on a property. Despite any statement preventing the carrying out of complying development in the Codes listed in Appendix 1, complying development may still be carried out providing the development is not on the land affected by the exclusion and meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

#### 4, 4A (Repealed)

#### **4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

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

NO

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

#### **5. MINE SUBSIDENCE**

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

No. The land has not been proclaimed to be a mine subsidence district.

#### **6. ROAD WIDENING AND ROAD REALIGNMENT**

#### **Whether or not the land is affected by any road widening or road realignment.**

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

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

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

#### **Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of:**

- (i) landslip - NO.
- (ii) bush fire - YES.
  
- (iii) tidal inundation - NO.
- (iv) subsidence - NO.
- (v) acid sulphate soil - NO.
- (vi) any other risk (other than flooding) - NO.

*Note: The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.*

#### **7A. FLOOD RELATED DEVELOPMENT CONTROLS**

(1) Whether or not the land or part of the land is within the flood planning area and subject to flood related development controls - **YES**

(2) Whether or not the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls - **YES**

(3) In this clause-

**flood planning area** has the same meaning as in the Floodplain Development Manual.

**Floodplain Development Manual** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**probable maximum flood** has the same meaning as in the Floodplain Development Manual.

## 8. LAND RESERVED FOR ACQUISITION

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

No Environmental Planning Instrument applying to the land provides for the acquisition of the land by a public authority as referred to in Section 3.15 of the Act.

## 9. CONTRIBUTIONS PLAN

The name of each contributions plan applying to the land:

- City of Ryde Section 7.11 Development Contributions Plan 2020.
- City of Ryde Fixed Rate Levy (Section 7.12) Development Contributions Plan 2020.

## 9A. BIODIVERSITY CERTIFIED LAND

This land is not biodiversity certified land Under Part 8 of the *Biodiversity Conservation Act 2016*.

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

## 10. BIODIVERSITY STEWARDSHIP SITES

The land is not the subject of a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

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

## 10A. NATIVE VEGETATION CLEARING SET ASIDES

Council has not been notified that the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013* by Local Land Services.

## 11. BUSH FIRE PRONE LAND

The land described in this certificate is bush fire prone land (as defined in the Act).

## 12. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

## 13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

#### **14. DIRECTIONS UNDER PART 3A (REPEALED)**

There is no direction in force under section 75P (2)(c1) of the *Environmental Planning and Assessment Act 1979*.

#### **15. CONDITIONS FOR SENIORS HOUSING**

There are no terms of a kind referred to in Clause 88(2) of Chapter 3, Part 5 of State Environmental Planning Policy (Housing) 2021 that have been imposed as a condition of development consent granted after 11 October 2007 in relation to the land.

#### **16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS**

There is no valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the Council is aware, in respect of proposed development on the land.

#### **17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

(1) There is no current site compatibility certificate (affordable rental housing) that Council is aware of, in respect of proposed development on the land.

(2) There are no terms of a kind referred to in Clause 21(1) or 40(1) of Chapter 2, Part 2, Division 1 or 5 of State Environmental Planning Policy (Housing) 2021 that have been imposed as a condition of consent to a development application in respect of the land.

#### **18. PAPER SUBDIVISION INFORMATION**

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot. NIL

(2) The date of any subdivision order that applies to the land. NIL

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of *Environmental Planning and Assessment Regulation 2000*.

**Note:** *City of Ryde does not hold any paper subdivision within the meaning of this clause.*

#### **19. SITE VERIFICATION CERTIFICATES**

There is no current site verification certificate of which the Council is aware in respect of the land.

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

The land does NOT include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division.

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

(1) Whether or not there is any affected building notice of which the council is aware that is in force in respect of the land.

No

(2) (a) Whether or not there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with,

No

and

(b) Whether or not there is any notice of intention to make a building product rectification order of which the council is aware that has been given in respect of the land and is outstanding.

No

(3) In this clause:

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

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

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

- (a) The land to which this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject of a site audit statement.

#### **ADDITIONAL INFORMATION UNDER SECTION 10.7(5) OF THE ACT**

Environmental planning instruments or development control plans may place restrictions on matters such as:

- i) the purpose for which buildings, works or land may be erected, carried out or used;
- ii) the extent of development permitted;
- iii) minimum site requirements; and/or
- iv) the means of vehicular access to the land.

The instruments and the plans should be examined in relation to the specific restrictions which may apply to any development which may be proposed.

Registers of Consents may be examined at Council's Customer Service Centre for particulars relating to development consents which may have been issued for the use or development of the land.

Enquiries regarding areas reserved for Classified Road and Regional Open Space should be directed to the Roads and Maritime Services and Departments of Planning and Environment respectively.

The information provided concerning the Coastal Protection Act, 1979 is only to the extent that the Council has been notified by the Office of Environment and Heritage.

Council has adopted by resolution a policy concerning the management of contaminated land. This policy applies to all land in the City of Ryde and will restrict development of the land if the circumstances set out in the policy prevail. Copies of the policy are available on Council's Website at [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au).

#### **FURTHER ADDITIONAL INFORMATION UNDER SECTION 10.7(5) OF THE ACT**

**Bush Fire Prone Land**

The following map indicates the property has been identified as bush fire prone land: City of Ryde - Bush Fire Prone Land Map certified by the Commissioner for the NSW Rural Fire Service.

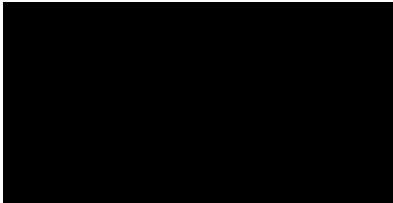
**Bushland**

The following studies /internal reports indicate the land may contain inadequately conserved bushland:

- OEHL (2016) The Native Vegetation of the Sydney Metropolitan Area. Volume 1: Technical Report. Version 3.0. Office of Environment and Heritage Sydney.

• OEH (2016) The Native Vegetation of the Sydney Metropolitan Area. Volume 2: Vegetation Community Profiles. Version 3.0. NSW Office of Environment and Heritage, Sydney.  
These reports identify that the subject property may contain inadequately conserved bushland. The reports and the associated maps are available for inspection at Council's Customer Service Centre. For any proposed development of the land further investigation may be required to determine the condition and value of the existing bushland.

**Note:** *The information in this certificate is current as of the date of the certificate.*



Liz Coad  
Director City Planning and Environment



## Appendix 1 – Complying Development

### Housing Alterations Code, Industrial and Business Alterations Code, Subdivisions Code, General Development Code, Demolition Code, Fire Safety Code, and Container Recycling Facilities Code.

If any of the following statements are **YES** in response to the provisions of Clause 1.17A(1)(c) to (e), (2), (3) and (4) and 1.18(1)(c3) complying development **may not** be carried out on land under the above codes:

<b>1.17A Requirements for complying development for all environmental planning instruments</b>	
To be complying development for the purposes of any environmental planning instrument, the development must not:	
be on land that is, or is part of, a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ) (See 1.17A(1)(c))	NO
be carried out on land that: (i) comprises an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or on which such an item is located, (ii) is subject to an interim heritage order under that Act or on which is located an item that is so subject, or (iii) is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified. (See 1.17A(1)(d))	NO
Except as otherwise provided by this Policy, be on land that is within an environmentally sensitive area (See 1.17A(1)(e)).	NO
<b>1.18 General requirements for complying development under this Policy</b>	
To be complying development for the purposes of this Policy, the development must:	
Not be carried out on land that comprises, or on which there is, a draft heritage item (See 1.18(c3))	NO

### Housing Code, Low Rise Housing Diversity Code, and Industrial and Business Building Code

If any of the following statements are **YES** in response to the provisions of Clause 1.17A(1)(c) to (e), (2), (3) and (4); 1.18(1)(c3); and 1.19 complying development **may not** be carried out on land under the above codes:

<b>1.17A Requirements for complying development for all environmental planning instruments</b>	
To be complying development for the purposes of any environmental planning instrument, the development must not:	
be on land that is, or is part of, a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ) (See 1.17A(1)(c))	NO

<p>be carried out on land that:</p> <p>(i) comprises an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or on which such an item is located,</p> <p>(ii) is subject to an interim heritage order under that Act or on which is located an item that is so subject, or</p> <p>(iii) is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified.</p> <p>(See 1.17A(1)(d))</p>	NO
<p>Except as otherwise provided by this Policy, be on land that is within an environmentally sensitive area (See 1.17A(1)(e)).</p>	NO
<p><b>1.18 General requirements for complying development under this Policy</b></p>	
<p>To be complying development for the purposes of this Policy, the development must:</p>	
<p>Not be carried out on land that comprises, or on which there is, a draft heritage item (See 1.18(c3))</p>	NO
<p><b>1.19 Land on which complying development may not be carried out</b></p>	
<p>To be complying development specified for the Housing Code, Low Rise Housing Diversity Code, and Industrial and Business Building Code the development must not be carried out on:</p>	
<p>Land within a heritage conservation area or a draft heritage conservation area, unless the development is a detached outbuilding, detached development (other than a detached studio) or swimming pool (See 1.19(1)(a)).</p> <p>However, any complying development under the Industrial and Business Building Code must not be carried out on land within a heritage conservation area or a draft heritage conservation area (See 1.19(5)(a)).</p>	NO
<p>Land that is reserved for a public purpose by an environmental planning instrument (See 1.19(1)(b) and 1.19(5)(b))</p>	NO
<p>Land identified on an Acid Sulfate Soils Map as being Class 1 or Class 2 (See 1.19(1)(c) and 1.19(5)(c))</p>	NO
<p>Land that is significantly contaminated land within the meaning of the <i>Contaminated Land Management Act 1997</i> (see 1.19(1)(c1) and 1.19(5)(d))</p>	NO
<p>Land identified by an environmental planning instrument as being:</p> <p>(i) within a buffer area, or</p> <p>(ii) within a river front area, or</p> <p>(iii) within an ecologically sensitive area, or</p> <p>(iv) environmentally sensitive land, or</p> <p>(v) within a protected area.(See 1.19(1)(e) and 1.19(5)(f))</p>	<p>Council does not have sufficient information to ascertain the extent of this land-based exclusion on a property</p>

<p>Land that is identified by an environmental planning instrument, a development control plan or a policy adopted by the council as being or affected by:</p> <ul style="list-style-type: none"> <li>(i) a coastline hazard, or</li> <li>(ii) a coastal hazard, or</li> <li>(iii) a coastal erosion hazard.</li> </ul> <p>(see 1.19(1)(f) and 1.19(5)(g))</p>	<p>Council does not have sufficient information to ascertain the extent of this land-based exclusion on a property</p>
<p>Land in a foreshore area (see 1.19(1)(g) and 1.19(5)(h))</p>	<p>NO</p>
<p>(3A) Development specified in the Low Rise Housing Diversity Code is not complying development under that code if it is carried out on land on which there is a heritage item or a draft heritage item.</p>	<p>NO</p>

**Dfp Planning Pty Ltd**  
11 Dartford Road  
THORNLEIGH NSW 2120

<b>Issue Date:</b>	08 March 2022
<b>Certificate No:</b>	PLN2022/1042
<b>Your Ref:</b>	21286A PS

## PLANNING CERTIFICATE SECTION 10.7

NSW Environmental Planning and Assessment Act 1979 ('Act')

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Ryde Local Environment Plan 2014

**b) PROPOSED LOCAL ENVIRONMENTAL PLANS that are or have been the subject of community consultation or public exhibition under the Act.**  
Nil

**c) DEVELOPMENT CONTROL PLANS**  
City of Ryde Development Control Plan 2014

**d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS**

The Minister for Planning has notified Council that the following State Environmental Planning Policies and Proposed State Environmental Plans apply to the land and should be specified in this certificate:

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**Deemed State Environmental Planning Policies**

NIL

**Proposed State Environmental Planning Policies**

State Environmental Planning Policy (Design and Place) 2021

*Note: Specific constraints and zoning of the land may affect the applicability of certain provisions within the Policies listed above.*

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**(a) ZONING and ZONING TABLE**

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- To ensure the orderly development of land so as to minimise any adverse effect of development on other land uses.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

**4 Prohibited**

Any development not specified in item 2 or 3

**(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE**

No development standards under the Local Environment Plan apply to the land that fix minimum land dimension for the erection of a dwelling house on the land.

**(c) CRITICAL HABITAT**

No. The land does not include or comprise critical habitat under Local Environmental Plan.

**(d) CONSERVATION AREA (however described)**

No. The land has not been identified as being within a heritage conservation area under the Local Environment Plan.

**(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)**

No. An item of environmental heritage is not situated on the land under the Local Environmental Plan.

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This policy was repealed by *State Environmental Planning Policy (Precincts – Central River City) 2021* on 1 March 2022. The *State Environmental Planning Policy (Precincts – Central River City) 2021* does not apply to land within the Ryde Local Government Area.

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

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The Rural Housing Code, Greenfield Housing Code and Inland Code **do not apply** to this Local Government Area.

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Clause 1.17A(1)(c) to (e), (2), (3) and (4); 1.18(1)(c3); and 1.19 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* determine the extent to which complying development **may** or **may not** be carried out on land in response to the provisions of those clauses.

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#### **4, 4A (Repealed)**

#### **4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

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

NO

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

#### **5. MINE SUBSIDENCE**

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

No. The land has not been proclaimed to be a mine subsidence district.

#### **6. ROAD WIDENING AND ROAD REALIGNMENT**

#### **Whether or not the land is affected by any road widening or road realignment.**

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

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

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

#### **Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of:**

- (i) landslip - NO.
- (ii) bush fire - YES.
  
- (iii) tidal inundation - NO.
- (iv) subsidence - NO.
- (v) acid sulphate soil    YES

(vi) any other risk (other than flooding) - NO.

*Note: The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.*

#### **7A. FLOOD RELATED DEVELOPMENT CONTROLS**

(1) Whether or not the land or part of the land is within the flood planning area and subject to flood related development controls - **YES**

(2) Whether or not the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls - **YES**

(3) In this clause-

**flood planning area** has the same meaning as in the Floodplain Development Manual.

**Floodplain Development Manual** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**probable maximum flood** has the same meaning as in the Floodplain Development Manual.

## 8. LAND RESERVED FOR ACQUISITION

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

No Environmental Planning Instrument applying to the land provides for the acquisition of the land by a public authority as referred to in Section 3.15 of the Act.

## 9. CONTRIBUTIONS PLAN

The name of each contributions plan applying to the land:

- City of Ryde Section 7.11 Development Contributions Plan 2020.
- City of Ryde Fixed Rate Levy (Section 7.12) Development Contributions Plan 2020.

## 9A. BIODIVERSITY CERTIFIED LAND

This land is not biodiversity certified land Under Part 8 of the *Biodiversity Conservation Act 2016*.

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

## 10. BIODIVERSITY STEWARDSHIP SITES

The land is not the subject of a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

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

## 10A. NATIVE VEGETATION CLEARING SET ASIDES

Council has not been notified that the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013* by Local Land Services.

## 11. BUSH FIRE PRONE LAND

The land described in this certificate is bush fire prone land (as defined in the Act).

## 12. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

## 13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.



#### **14. DIRECTIONS UNDER PART 3A (REPEALED)**

There is no direction in force under section 75P (2)(c1) of the *Environmental Planning and Assessment Act 1979*.

#### **15. CONDITIONS FOR SENIORS HOUSING**

There are no terms of a kind referred to in Clause 88(2) of Chapter 3, Part 5 of State Environmental Planning Policy (Housing) 2021 that have been imposed as a condition of development consent granted after 11 October 2007 in relation to the land.

#### **16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS**

There is no valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the Council is aware, in respect of proposed development on the land.

#### **17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

(1) There is no current site compatibility certificate (affordable rental housing) that Council is aware of, in respect of proposed development on the land.

(2) There are no terms of a kind referred to in Clause 21(1) or 40(1) of Chapter 2, Part 2, Division 1 or 5 of State Environmental Planning Policy (Housing) 2021 that have been imposed as a condition of consent to a development application in respect of the land.

#### **18. PAPER SUBDIVISION INFORMATION**

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot. NIL

(2) The date of any subdivision order that applies to the land. NIL

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of *Environmental Planning and Assessment Regulation 2000*.

**Note:** *City of Ryde does not hold any paper subdivision within the meaning of this clause.*

#### **19. SITE VERIFICATION CERTIFICATES**

There is no current site verification certificate of which the Council is aware in respect of the land.

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

The land does NOT include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division.

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

(1) Whether or not there is any affected building notice of which the council is aware that is in force in respect of the land.

No

(2) (a) Whether or not there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with,

No

and

(b) Whether or not there is any notice of intention to make a building product rectification order of which the council is aware that has been given in respect of the land and is outstanding.

No

(3) In this clause:

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

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

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

- (a) The land to which this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject of a site audit statement.

#### **ADDITIONAL INFORMATION UNDER SECTION 10.7(5) OF THE ACT**

Environmental planning instruments or development control plans may place restrictions on matters such as:

- i) the purpose for which buildings, works or land may be erected, carried out or used;
- ii) the extent of development permitted;
- iii) minimum site requirements; and/or
- iv) the means of vehicular access to the land.

The instruments and the plans should be examined in relation to the specific restrictions which may apply to any development which may be proposed.

Registers of Consents may be examined at Council's Customer Service Centre for particulars relating to development consents which may have been issued for the use or development of the land.

Enquiries regarding areas reserved for Classified Road and Regional Open Space should be directed to the Roads and Maritime Services and Departments of Planning and Environment respectively.

The information provided concerning the Coastal Protection Act, 1979 is only to the extent that the Council has been notified by the Office of Environment and Heritage.

Council has adopted by resolution a policy concerning the management of contaminated land. This policy applies to all land in the City of Ryde and will restrict development of the land if the circumstances set out in the policy prevail. Copies of the policy are available on Council's Website at [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au).

#### **FURTHER ADDITIONAL INFORMATION UNDER SECTION 10.7(5) OF THE ACT**

##### Bush Fire Prone Land

The following map indicates the property has been identified as bush fire prone land: City of Ryde - Bush Fire Prone Land Map certified by the Commissioner for the NSW Rural Fire Service.

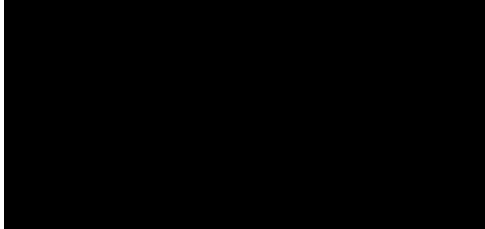
##### Bushland

The following studies /internal reports indicate the land may contain inadequately conserved bushland:

- OEHL (2016) The Native Vegetation of the Sydney Metropolitan Area. Volume 1: Technical Report. Version 3.0. Office of Environment and Heritage Sydney.

• OEH (2016) The Native Vegetation of the Sydney Metropolitan Area. Volume 2: Vegetation Community Profiles. Version 3.0. NSW Office of Environment and Heritage, Sydney.  
These reports identify that the subject property may contain inadequately conserved bushland. The reports and the associated maps are available for inspection at Council's Customer Service Centre. For any proposed development of the land further investigation may be required to determine the condition and value of the existing bushland.

**Note:** *The information in this certificate is current as of the date of the certificate.*



Liz Coad  
Director City Planning and Environment

## Appendix 1 – Complying Development

### Housing Alterations Code, Industrial and Business Alterations Code, Subdivisions Code, General Development Code, Demolition Code, Fire Safety Code, and Container Recycling Facilities Code.

If any of the following statements are **YES** in response to the provisions of Clause 1.17A(1)(c) to (e), (2), (3) and (4) and 1.18(1)(c3) complying development **may not** be carried out on land under the above codes:

<b>1.17A Requirements for complying development for all environmental planning instruments</b>	
To be complying development for the purposes of any environmental planning instrument, the development must not:	
be on land that is, or is part of, a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ) (See 1.17A(1)(c))	NO
be carried out on land that: (i) comprises an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or on which such an item is located, (ii) is subject to an interim heritage order under that Act or on which is located an item that is so subject, or (iii) is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified. (See 1.17A(1)(d))	NO
Except as otherwise provided by this Policy, be on land that is within an environmentally sensitive area (See 1.17A(1)(e)).	NO
<b>1.18 General requirements for complying development under this Policy</b>	
To be complying development for the purposes of this Policy, the development must:	
Not be carried out on land that comprises, or on which there is, a draft heritage item (See 1.18(c3))	NO

### Housing Code, Low Rise Housing Diversity Code, and Industrial and Business Building Code

If any of the following statements are **YES** in response to the provisions of Clause 1.17A(1)(c) to (e), (2), (3) and (4); 1.18(1)(c3); and 1.19 complying development **may not** be carried out on land under the above codes:

<b>1.17A Requirements for complying development for all environmental planning instruments</b>	
To be complying development for the purposes of any environmental planning instrument, the development must not:	
be on land that is, or is part of, a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ) (See 1.17A(1)(c))	NO

<p>be carried out on land that:</p> <p>(i) comprises an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or on which such an item is located,</p> <p>(ii) is subject to an interim heritage order under that Act or on which is located an item that is so subject, or</p> <p>(iii) is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified.</p> <p>(See 1.17A(1)(d))</p>	NO
<p>Except as otherwise provided by this Policy, be on land that is within an environmentally sensitive area (See 1.17A(1)(e)).</p>	NO
<p><b>1.18 General requirements for complying development under this Policy</b></p>	
<p>To be complying development for the purposes of this Policy, the development must:</p>	
<p>Not be carried out on land that comprises, or on which there is, a draft heritage item (See 1.18(c3))</p>	NO
<p><b>1.19 Land on which complying development may not be carried out</b></p>	
<p>To be complying development specified for the Housing Code, Low Rise Housing Diversity Code, and Industrial and Business Building Code the development must not be carried out on:</p>	
<p>Land within a heritage conservation area or a draft heritage conservation area, unless the development is a detached outbuilding, detached development (other than a detached studio) or swimming pool (See 1.19(1)(a)).</p> <p>However, any complying development under the Industrial and Business Building Code must not be carried out on land within a heritage conservation area or a draft heritage conservation area (See 1.19(5)(a)).</p>	NO
<p>Land that is reserved for a public purpose by an environmental planning instrument (See 1.19(1)(b) and 1.19(5)(b))</p>	NO
<p>Land identified on an Acid Sulfate Soils Map as being Class 1 or Class 2 (See 1.19(1)(c) and 1.19(5)(c))</p>	NO
<p>Land that is significantly contaminated land within the meaning of the <i>Contaminated Land Management Act 1997</i> (see 1.19(1)(c1) and 1.19(5)(d))</p>	NO
<p>Land identified by an environmental planning instrument as being:</p> <p>(i) within a buffer area, or</p> <p>(ii) within a river front area, or</p> <p>(iii) within an ecologically sensitive area, or</p> <p>(iv) environmentally sensitive land, or</p> <p>(v) within a protected area.(See 1.19(1)(e) and 1.19(5)(f))</p>	<p>Council does not have sufficient information to ascertain the extent of this land-based exclusion on a property</p>

<p>Land that is identified by an environmental planning instrument, a development control plan or a policy adopted by the council as being or affected by:</p> <ul style="list-style-type: none"> <li>(i) a coastline hazard, or</li> <li>(ii) a coastal hazard, or</li> <li>(iii) a coastal erosion hazard.</li> </ul> <p>(see 1.19(1)(f) and 1.19(5)(g))</p>	<p>Council does not have sufficient information to ascertain the extent of this land-based exclusion on a property</p>
<p>Land in a foreshore area (see 1.19(1)(g) and 1.19(5)(h))</p>	<p>NO</p>
<p>(3A) Development specified in the Low Rise Housing Diversity Code is not complying development under that code if it is carried out on land on which there is a heritage item or a draft heritage item.</p>	<p>NO</p>