



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 2

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

Your Reference: 240380(2)

Certificate No: 10584

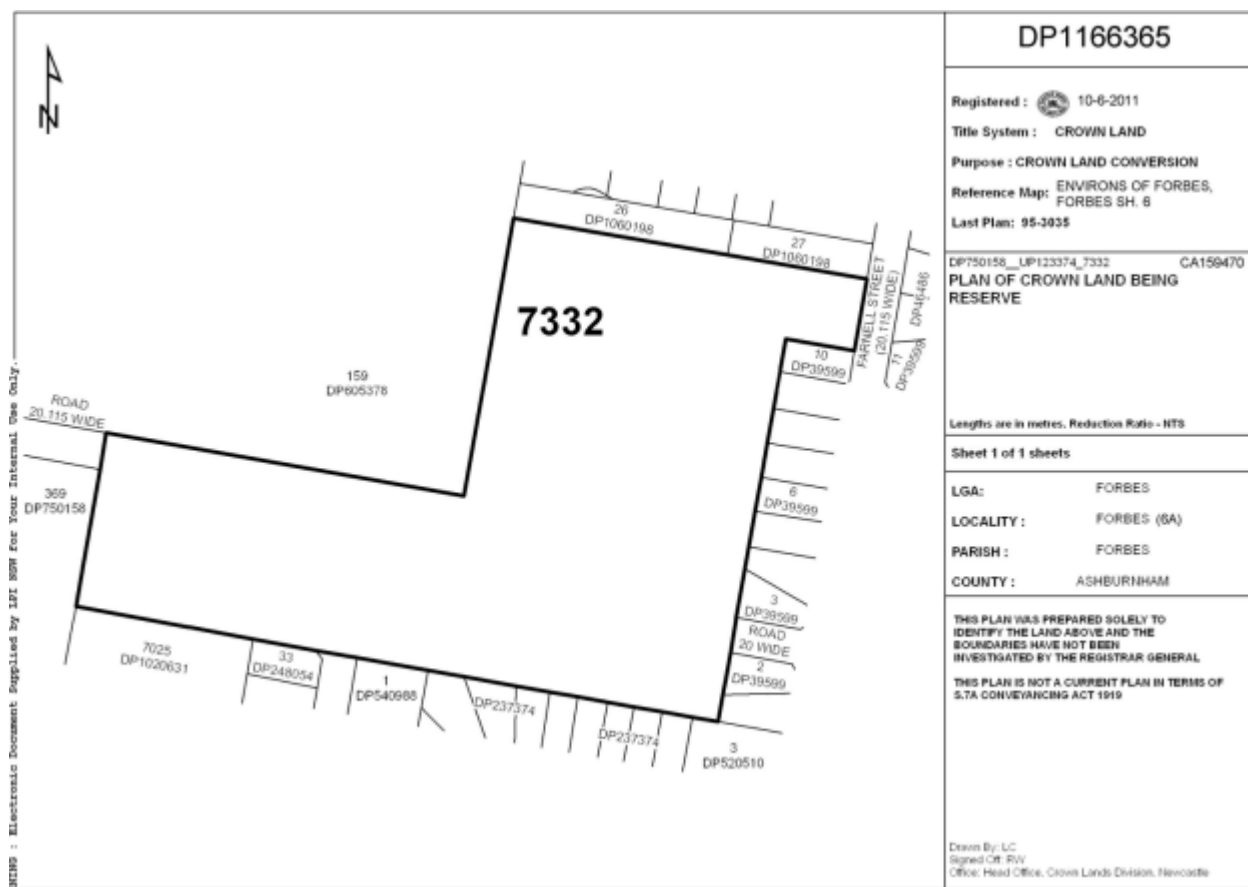
Date: 23 January 2024

Assessment Number: 2111213

Subject Land: Lot: 7332 DP: 1166365, Farnell Street FORBES

Owners: The State of New South Wales

Location Map: As shown on the map below, with parcel/property edged in red



Note This drawing is provided by Forbes Shire Council to its clients and correspondents for their information on an as is basis. It represents a depiction of the land details as currently held and should not be relied upon as a definitive or complete statement of the title details

<p>1 Names of relevant planning instruments and DCPs</p> <p>(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.</p>	<p><i>The Forbes Local Environmental Plan 2013 (FLEP 2013) (as amended) and the following State Environmental Planning Policies:</i></p> <p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> <i>State Environmental Planning Policy (Housing) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Primary Production) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Resources and Energy) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p>
<p>(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).</p>	<p>Name of proposed policy: <i>The Fun SEPP</i> When publicly released: <i>Exhibited 29.10.2021 – 30.11.2021</i> Further Information: <i>The Fun SEPP is available for viewing on the NSW Planning Portal website.</i></p>
<p>(3) The name of each development control plan that applies to the carrying out of development on the land.</p>	<p>Forbes Development Control Plan 2013</p>
<p>(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.</p>	<p>Noted</p>
<p>2 Zoning and land use under relevant LEPs</p> <p>For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):</p>	<p><i>R1 – General Residential</i></p>

(a) the identity of the zone	
(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	<i>Home-based child care; Home occupations; Roads; Water reticulation systems</i>
(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	<i>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Take away food and drink premises; Any other development not specified in response 2 (b) or (d)</i>
(d) the purposes for which the instrument provides that development is prohibited within the zone,	<i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Car parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</i>

(e) Whether additional permitted uses apply to the land	There are no additional permitted uses that apply to the land.
(f) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,	550 M sqm
(g) whether the land is in an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>	No, the land is not an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> .
(h) whether the land is in a conservation area (however described),	No, the land is not located within a Heritage Conservation Area
(i) whether an item of environmental heritage (however described) is situated on the land.	No, the land does not contain any item of environmental heritage
3 Contributions plans The name of each contributions plan applying to the land.	The Forbes Shire Council Section 7.12 Contribution Plan 2021 applies to the land.
4 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	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 the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

<p>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.</p> <p>(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	
<p>5 Exempt Development</p> <p>If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.</p> <p>If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.</p> <p>If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—</p> <ul style="list-style-type: none"> ○ a restriction applies to the land, but it may not apply to all of the land, and ○ the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land. ○ If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land. 	<p>Exempt Development may occur on the property in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Any person wishing to make use of this code should rely on their own investigations as to whether their proposal complies with the development standards of this code.</p>
<p>6 Affected building notices and building product rectification orders</p> <p>Whether the council is aware that—</p> <ul style="list-style-type: none"> ○ an affected building notice is in force in relation to the land, or ○ a building product rectification order is in force in relation to the land that has not been fully complied with, or ○ a notice of intention to make a building product rectification order given in relation to the land is 	<p>Council is not aware of any affected building notices in force that applies to the land.</p> <p>Council is not aware of any building product rectification order in force that applies to the land.</p> <p>Council is not aware of any intention to make a product rectification order that applies to the land.</p>

outstanding.	
<p>7 Land reserved for acquisition</p> <p>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.</p>	No the subject land is not land reserved for acquisition
<p>8 Road widening and road realignment</p> <p>Whether or not the land is affected by any road widening or road realignment under:</p> <p>(a) Division 2 of Part 3 of the <i>Roads Act 1993</i>, or</p>	No
<p>(b) any environmental planning instrument, or</p>	Council is not aware of any environmental planning instrument that may designate the subject site for future road widening or alignment
<p>(c) any resolution of the council.</p>	There are currently no resolutions of council designating the subject site for future road widening or alignment.
<p>9 Flood related development controls information</p> <p>(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.</p> <p>(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.</p> <p>Note Words and expressions in this clause have the same meanings as in the Standard Instrument.</p>	The subject property is not subject to flood related development controls as it is not flood liable.
<p>10 Council and other public authority policies on hazard risk restrictions</p> <p>Whether any of the land is affected by an</p>	<p><i>Salinity: Council is aware that some areas within the Shire are potentially liable to the impact of salinity. The applicant should make their own</i></p>

<p>adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.</p>	<p><i>enquiries from the relevant authorities to establish if the property is suitable for the intended use.</i></p> <p><i>Contaminated Land: Council has a policy relating to Contaminated Lands, which also nominates relevant controls and a register of effected land. The applicant should rely on their own investigations against this policy.</i></p> <p><i>The land subject to this certificate is affected by a policy adopted by the Rural Fire Service known as the 'Forbes LGA – Bush Fire Prone Land Map' that identifies categories which may restrict development of the land because of the likelihood of bush fire.</i></p>
<p>11 Bush fire prone land</p> <p>If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.</p> <p>If none of the land is bush fire prone land, a statement to that effect.</p>	<p>No, the land is not bushfire prone</p>
<p>12 Loose-fill asbestos insulation</p> <p>If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <i>Home Building Act 1989</i>) that are listed on the register that is required to be maintained under that Division, a statement to that effect.</p>	<p>No, council is not aware of any loose fill asbestos</p> <p>NOTE: Some buildings located in the Forbes Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.</p> <p>You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants. Contact NSW Fair Trading for further information.</p> <p>Loose fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.</p>
<p>13 Mine subsidence</p> <p>Whether or not the land is proclaimed to be</p>	<p>The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act</i></p>

<p>a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act 1961</i>.</p>	<p><u>1961.</u></p>
<p>14 Paper subdivision information</p> <p>(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.</p> <p>(2) The date of any subdivision order that applies to the land.</p> <p>Note Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.</p>	<p>Not applicable as the land is not part of a paper subdivision.</p>
<p>15 Property vegetation plans</p> <p>If the land is land to which a property vegetation plan approved under Part 4 of the <i>Native Vegetation Act 2003</i> (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).</p>	<p>No, Council is not aware of any property vegetation plans applicable to the subject land</p>
<p>16 Biodiversity stewardship sites</p> <p>If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).</p> <p>Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the <i>Threatened Species Conservation Act 1995</i> that are taken to be biodiversity stewardship agreements under Part 5 of the <i>Biodiversity Conservation Act 2016</i>.</p>	<p>No, Council is not aware of any biobanking agreement applicable to the subject land</p>
<p>17 Biodiversity certified land</p> <p>If the land is biodiversity certified land under Part 8 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect.</p> <p>Note. Biodiversity certified land includes land certified under Part 7AA of the <i>Threatened Species Conservation Act 1995</i> that is</p>	<p>No, Council has not been notified that the subject site contains land classified as biodiversity certified land under Part 8 of the Biodiversity Act 2016.</p>

	taken to be certified under Part 8 of the <i>Biodiversity Conservation Act 2016</i> .	
18	Orders under Trees (Disputes Between Neighbours) Act 2006 Whether an order has been made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on the land (but only if the council has been notified of the order).	No, Council is not aware of any orders under the trees disputes between neighbours act which are applicable to the subject land
19	Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works	Not Applicable
20	Western Sydney Aerotropolis	Not applicable
21	Site compatibility certificates and conditions for seniors housing If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).	Council is not aware of any valid Site Compatibility Certificate (Seniors Housing) issued in relation to the subject land <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 does not apply to the land.
22	Site compatibility certificates and conditions for affordable rental housing (1) A statement of whether there is a former site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: <ul style="list-style-type: none"> (a) the period for which the certificate is current, and (b) that a copy may be obtained from the head office of the Department. (2) If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1). (3) Any conditions of development consent in relation to land that are of a kind referred to in <i>State Environmental</i>	Council is not aware of a former site compatibility certificate for affordable rental housing that applies to the land. <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 does not apply to the land.

<p>Planning Policy (Affordable Rental Housing) 2009, Clause 17(1) or 38(1).</p>	
<p>Note. The following matters are prescribed by section 59 (2) of the <i>Contaminated Land Management Act 1997</i> as additional matters to be specified in a planning certificate:</p>	<p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is significantly contaminated land</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to a management order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a voluntary management proposal</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to an ongoing maintenance order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a site audit statement</p>

DISCLAIMERS:

- 1.1 Other authorities may hold information in respect of the property not contained in the Council's records, and
- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully,



Per

Mathew Teale
DIRECTOR
PLANNING & GROWTH



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 5

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

Your Reference: 240380(2)

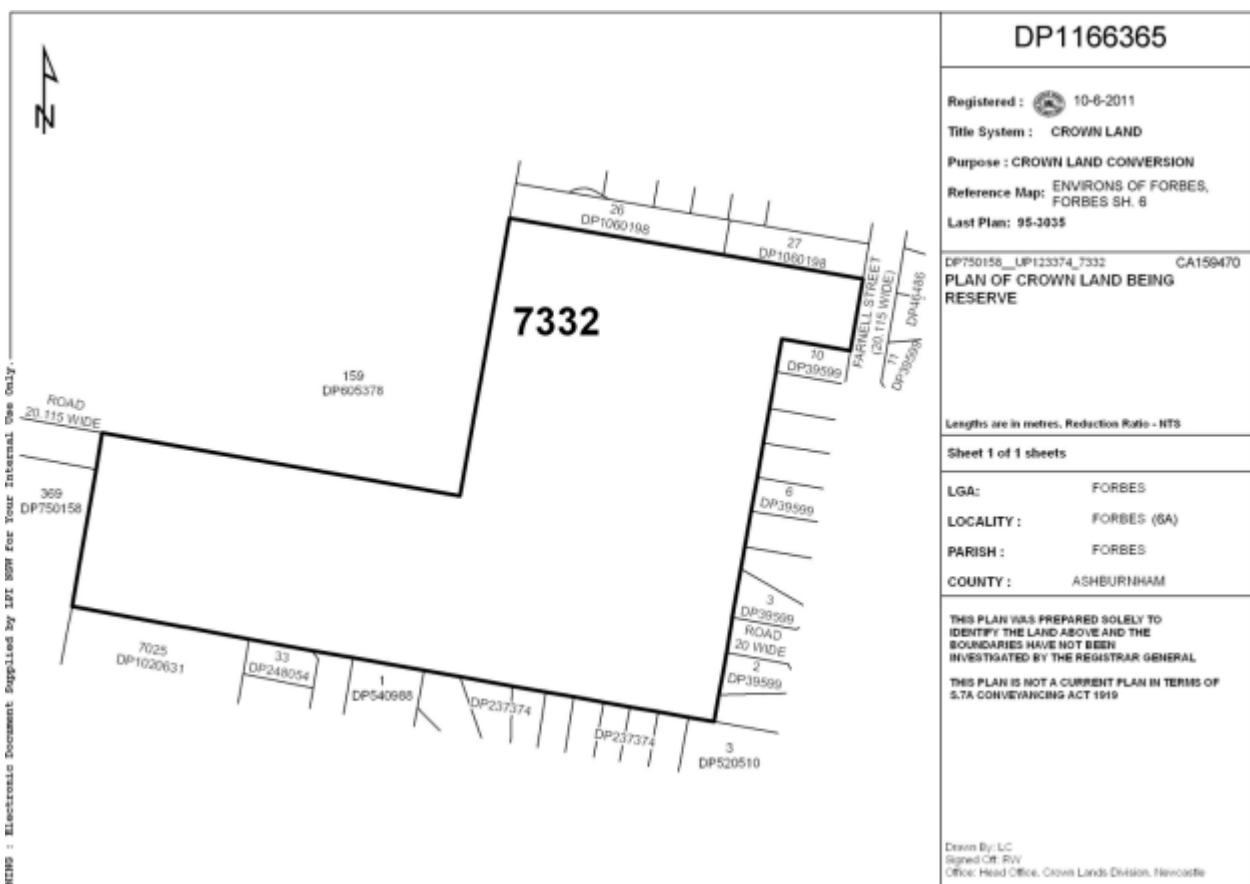
Certificate No: 10585 **Date:** 23 January 2024

Assessment Number: 2111213

Subject Land: Lot: 7332 DP: 1166365, Farnell Street FORBES

Owners: The State of New South Wales

Location Map: As shown on the map below



1 Development consent:

Whether any development consent with respect to the land has been granted within the previous two years:

Development consent has not been granted on the subject land in the previous 2 years

2 Bushfire prone land category:

What is the category of the land as identified on the Forbes LGA – Bush Fire Prone Land Map as being bushfire prone:

Not applicable as the subject land is not identified as being bushfire prone

3 Flood risk precinct:

Does Chapter 4 – Flooding and Flood Affected Land of Forbes Shire Councils Development Control Plan 2013 indicate that the land is flood prone, if so what is the flood risk precinct:

Not applicable, as the subject land is not identified as being flood prone

4 Building Certificate:

A Building Certificate issued under Section 10.7 of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

5 Other Certificates:

The following certificates are also available from Council:


- a) Section 603 – Local Government Act 1993 – “Rates Certificate” which details any monies payable to Council (eg. outstanding rates, charges for works undertaken by Council). A separate application and fee is required.
- b) Section 735A – Local Government Act 1993 – “Outstanding Notices Certificate (LGA)” which details any outstanding notices issued under the Local Government Act. A separate application and fee is required.
- c) Section 121ZP – Environmental Planning and Assessment Act, 1979 – “Outstanding Notices Certificate (EPPA)” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979. A separate application and fee is required.
- d) Combined Section 735A and 121ZP. A separate application and fee is required.

DISCLAIMERS:

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- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
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- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
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Yours faithfully

Per



Mathew Teale
DIRECTOR
PLANNING AND GROWTH



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 2

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

Your Reference: 240380(2)

Certificate No: 10582

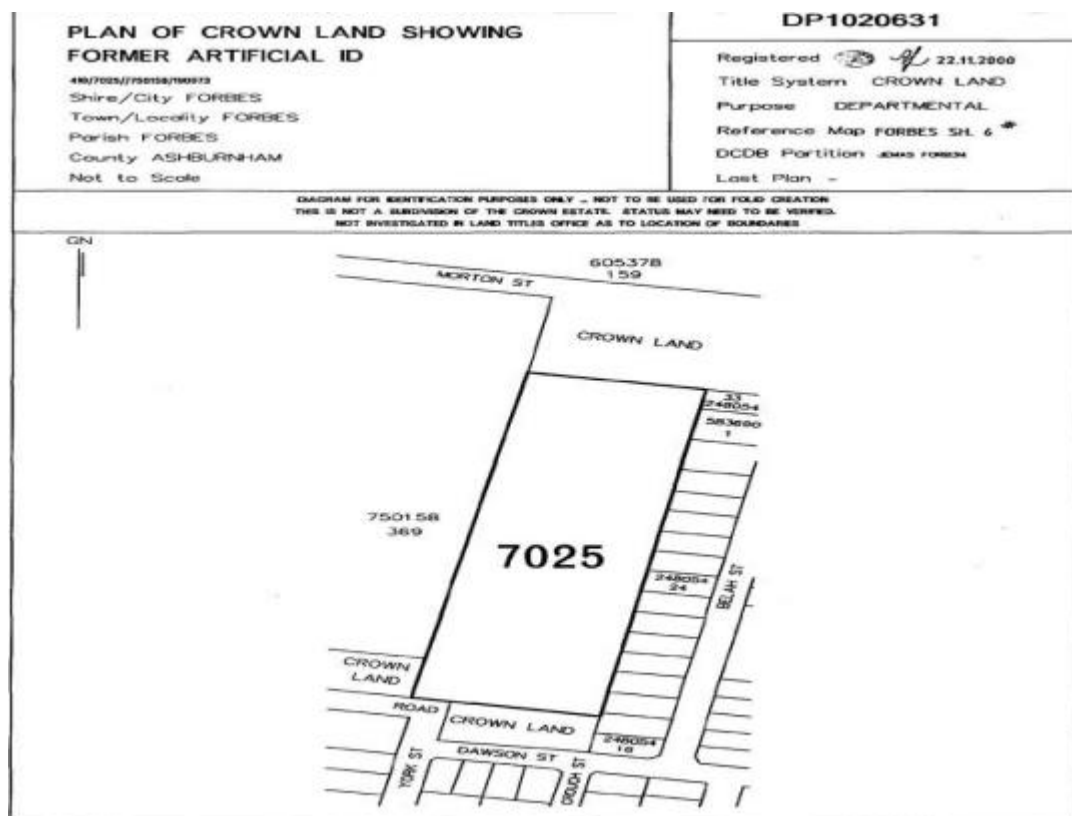
Date: 23 January 2024

Assessment Number: 2111190

Subject Land: Lot: 7025 DP: 1020631, Public Reserve 190073/ Dawson Street FORBES

Owners: Forbes Shire Council

Location Map: As shown on the map below



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<p>1 Names of relevant planning instruments and DCPs</p> <p>(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.</p>	<p><i>The Forbes Local Environmental Plan 2013 (FLEP 2013) (as amended) and the following State Environmental Planning Policies:</i></p> <p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> <i>State Environmental Planning Policy (Housing) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Primary Production) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Resources and Energy) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p>
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<p>(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.</p>	<p>Noted</p>
<p>2 Zoning and land use under relevant LEPs</p> <p>For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):</p>	<p><i>R1 – General Residential</i></p>

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(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	<i>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Take away food and drink premises; Any other development not specified in response 2 (b) or (d)</i>
(d) the purposes for which the instrument provides that development is prohibited within the zone,	<i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Car parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</i>

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(f) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,	550 M sqr
(g) whether the land is in an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>	No, the land is not an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> .
(h) whether the land is in a conservation area (however described),	No, the land is not located within a Heritage Conservation Area
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4 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	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 the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

<p>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.</p> <p>(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	
<p>5 Exempt Development</p> <p>If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.</p> <p>If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.</p> <p>If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—</p> <ul style="list-style-type: none"> ○ a restriction applies to the land, but it may not apply to all of the land, and ○ the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land. ○ If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land. 	<p>Exempt Development may occur on the property in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Any person wishing to make use of this code should rely on their own investigations as to whether their proposal complies with the development standards of this code.</p>
<p>6 Affected building notices and building product rectification orders</p> <p>Whether the council is aware that—</p> <ul style="list-style-type: none"> ○ an affected building notice is in force in relation to the land, or ○ a building product rectification order is in force in relation to the land that has not been fully complied with, or ○ a notice of intention to make a building product rectification order given in relation to the land is 	<p>Council is not aware of any affected building notices in force that applies to the land.</p> <p>Council is not aware of any building product rectification order in force that applies to the land.</p> <p>Council is not aware of any intention to make a product rectification order that applies to the land.</p>

outstanding.	
<p>7 Land reserved for acquisition</p> <p>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.</p>	No the subject land is not land reserved for acquisition
<p>8 Road widening and road realignment</p> <p>Whether or not the land is affected by any road widening or road realignment under:</p> <p>(a) Division 2 of Part 3 of the <i>Roads Act 1993</i>, or</p>	No
<p>(b) any environmental planning instrument, or</p>	Council is not aware of any environmental planning instrument that may designate the subject site for future road widening or alignment
<p>(c) any resolution of the council.</p>	There are currently no resolutions of council designating the subject site for future road widening or alignment.
<p>9 Flood related development controls information</p> <p>(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.</p> <p>(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.</p> <p>Note Words and expressions in this clause have the same meanings as in the Standard Instrument.</p>	The subject property is not subject to flood related development controls as it is not flood liable.
<p>10 Council and other public authority policies on hazard risk restrictions</p> <p>Whether any of the land is affected by an</p>	<p><i>Salinity: Council is aware that some areas within the Shire are potentially liable to the impact of salinity. The applicant should make their own</i></p>

<p>adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.</p>	<p><i>enquiries from the relevant authorities to establish if the property is suitable for the intended use.</i></p> <p><i>Contaminated Land: Council has a policy relating to Contaminated Lands, which also nominates relevant controls and a register of effected land. The applicant should rely on their own investigations against this policy.</i></p> <p><i>The land subject to this certificate is affected by a policy adopted by the Rural Fire Service known as the 'Forbes LGA – Bush Fire Prone Land Map' that identifies categories which may restrict development of the land because of the likelihood of bush fire.</i></p>
<p>11 Bush fire prone land</p> <p>If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.</p> <p>If none of the land is bush fire prone land, a statement to that effect.</p>	<p>No, the land is not bushfire prone</p>
<p>12 Loose-fill asbestos insulation</p> <p>If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <i>Home Building Act 1989</i>) that are listed on the register that is required to be maintained under that Division, a statement to that effect.</p>	<p>No, council is not aware of any loose fill asbestos</p> <p>NOTE: Some buildings located in the Forbes Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.</p> <p>You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants. Contact NSW Fair Trading for further information.</p> <p>Loose fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.</p>
<p>13 Mine subsidence</p> <p>Whether or not the land is proclaimed to be</p>	<p>The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act</i></p>

<p>a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act 1961</i>.</p>	<p><u>1961.</u></p>
<p>14 Paper subdivision information</p> <p>(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.</p> <p>(2) The date of any subdivision order that applies to the land.</p> <p>Note Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.</p>	<p>Not applicable as the land is not part of a paper subdivision.</p>
<p>15 Property vegetation plans</p> <p>If the land is land to which a property vegetation plan approved under Part 4 of the <i>Native Vegetation Act 2003</i> (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).</p>	<p>No, Council is not aware of any property vegetation plans applicable to the subject land</p>
<p>16 Biodiversity stewardship sites</p> <p>If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).</p> <p>Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the <i>Threatened Species Conservation Act 1995</i> that are taken to be biodiversity stewardship agreements under Part 5 of the <i>Biodiversity Conservation Act 2016</i>.</p>	<p>No, Council is not aware of any biobanking agreement applicable to the subject land</p>
<p>17 Biodiversity certified land</p> <p>If the land is biodiversity certified land under Part 8 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect.</p> <p>Note. Biodiversity certified land includes land certified under Part 7AA of the <i>Threatened Species Conservation Act 1995</i> that is</p>	<p>No, Council has not been notified that the subject site contains land classified as biodiversity certified land under Part 8 of the Biodiversity Act 2016.</p>

	taken to be certified under Part 8 of the <i>Biodiversity Conservation Act 2016</i> .	
18	Orders under Trees (Disputes Between Neighbours) Act 2006 Whether an order has been made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on the land (but only if the council has been notified of the order).	No, Council is not aware of any orders under the trees disputes between neighbours act which are applicable to the subject land
19	Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works	Not Applicable
20	Western Sydney Aerotropolis	Not applicable
21	Site compatibility certificates and conditions for seniors housing If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).	Council is not aware of any valid Site Compatibility Certificate (Seniors Housing) issued in relation to the subject land <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 does not apply to the land.
22	Site compatibility certificates and conditions for affordable rental housing (1) A statement of whether there is a former site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: <ul style="list-style-type: none"> (a) the period for which the certificate is current, and (b) that a copy may be obtained from the head office of the Department. (2) If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1). (3) Any conditions of development consent in relation to land that are of a kind referred to in <i>State Environmental</i>	Council is not aware of a former site compatibility certificate for affordable rental housing that applies to the land. <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 does not apply to the land.

<p>Planning Policy (Affordable Rental Housing) 2009, Clause 17(1) or 38(1).</p>	
<p>Note. The following matters are prescribed by section 59 (2) of the <i>Contaminated Land Management Act 1997</i> as additional matters to be specified in a planning certificate:</p>	<p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is significantly contaminated land</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to a management order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a voluntary management proposal</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to an ongoing maintenance order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a site audit statement</p>

DISCLAIMERS:

- 1.1 Other authorities may hold information in respect of the property not contained in the Council's records, and
- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully,



Per

Mathew Teale
DIRECTOR
PLANNING & GROWTH



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 5

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

Your Reference: 240380(2)

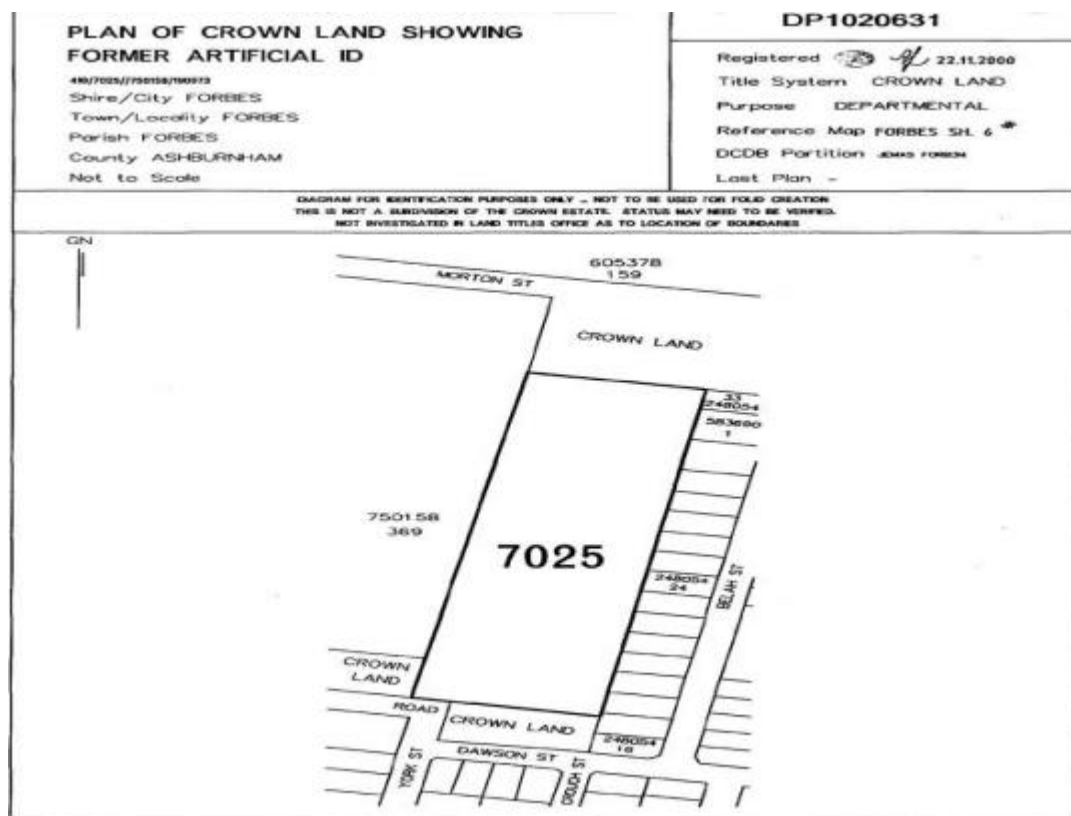
Certificate No: 10583 **Date:** 23 January 2024

Assessment Number: 2111190

Subject Land: Lot: 7025 DP: 1020631, Public Reserve 190073/ Dawson Street FORBES

Owners: Forbes Shire Council

Location Map: As shown on the map below



1 Development consent:

Whether any development consent with respect to the land has been granted within the previous two years:

Development consent has not been granted on the subject land in the previous 2 years

2 Bushfire prone land category:

What is the category of the land as identified on the Forbes LGA – Bush Fire Prone Land Map as being bushfire prone:

Not applicable as the subject land is not identified as being bushfire prone

3 Flood risk precinct:

Does Chapter 4 – Flooding and Flood Affected Land of Forbes Shire Councils Development Control Plan 2013 indicate that the land is flood prone, if so what is the flood risk precinct:

Not applicable, as the subject land is not identified as being flood prone

4 Building Certificate:

A Building Certificate issued under Section 10.7 of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

5 Other Certificates:

The following certificates are also available from Council:

- a) Section 603 – Local Government Act 1993 – “Rates Certificate” which details any monies payable to Council (eg. outstanding rates, charges for works undertaken by Council). A separate application and fee is required.
- b) Section 735A – Local Government Act 1993 – “Outstanding Notices Certificate (LGA)” which details any outstanding notices issued under the Local Government Act. A separate application and fee is required.
- c) Section 121ZP – Environmental Planning and Assessment Act, 1979 – “Outstanding Notices Certificate (EPPA)” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979. A separate application and fee is required.
- d) Combined Section 735A and 121ZP. A separate application and fee is required.

DISCLAIMERS:

- 1.1 Other authorities may hold information in respect of the property not contained in the Council's records, and
- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Mathew Teale', with a stylized, cursive script.

per

Mathew Teale

DIRECTOR

PLANNING AND GROWTH



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 2

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

Your Reference: 240380(2)

Certificate No: 10580

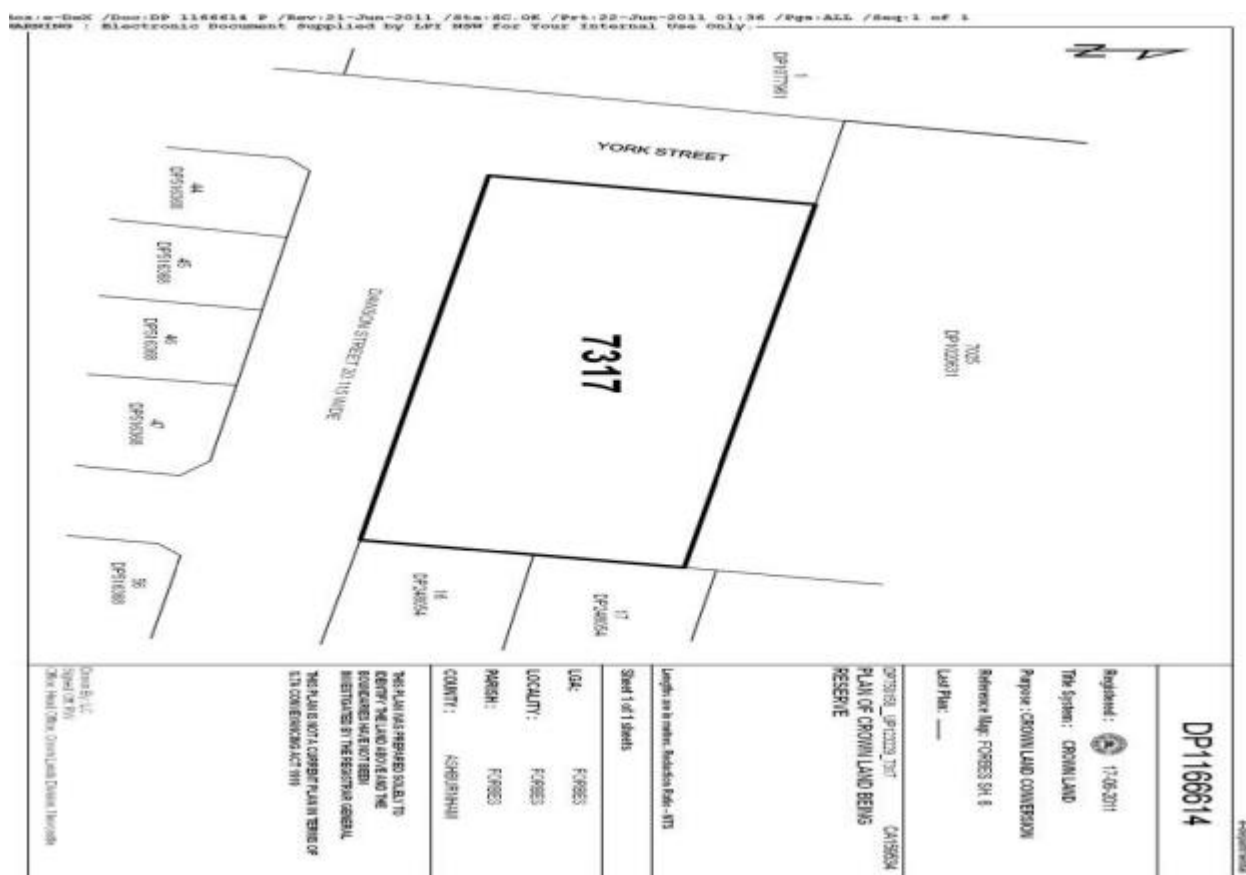
Date: 23 January 2024

Assessment Number: 2111205

Subject Land: Lot: 7317 DP: 1166614, Dawson Street FORBES

Owners: The State of New South Wales

Location Map: As shown on the map below



Note This drawing is provided by Forbes Shire Council to its clients and correspondents for their information on an as is basis. It represents a depiction of the land details as currently held and should not be relied upon as a definitive or complete statement of the title details

<p>1 Names of relevant planning instruments and DCPs</p> <p>(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.</p>	<p><i>The Forbes Local Environmental Plan 2013 (FLEP 2013) (as amended) and the following State Environmental Planning Policies:</i></p> <p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> <i>State Environmental Planning Policy (Housing) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Primary Production) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Resources and Energy) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p>
<p>(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).</p>	<p>Name of proposed policy: <i>The Fun SEPP</i> When publicly released: <i>Exhibited 29.10.2021 – 30.11.2021</i> Further Information: <i>The Fun SEPP is available for viewing on the NSW Planning Portal website.</i></p>
<p>(3) The name of each development control plan that applies to the carrying out of development on the land.</p>	<p>Forbes Development Control Plan 2013</p>
<p>(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.</p>	<p>Noted</p>
<p>2 Zoning and land use under relevant LEPs</p> <p>For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):</p>	<p><i>R1 – General Residential</i></p>

(a) the identity of the zone	
(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	<i>Home-based child care; Home occupations; Roads; Water reticulation systems</i>
(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	<i>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Take away food and drink premises; Any other development not specified in response 2 (b) or (d)</i>
(d) the purposes for which the instrument provides that development is prohibited within the zone,	<i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Car parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</i>

(e) Whether additional permitted uses apply to the land	There are no additional permitted uses that apply to the land.
(f) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,	550 M sqm
(g) whether the land is in an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>	No, the land is not an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> .
(h) whether the land is in a conservation area (however described),	No, the land is not located within a Heritage Conservation Area
(i) whether an item of environmental heritage (however described) is situated on the land.	No, the land does not contain any item of environmental heritage
3 Contributions plans The name of each contributions plan applying to the land.	The Forbes Shire Council Section 7.12 Contribution Plan 2021 applies to the land.
4 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	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 the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

<p>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.</p> <p>(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	
<p>5 Exempt Development</p> <p>If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.</p> <p>If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.</p> <p>If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—</p> <ul style="list-style-type: none"> ○ a restriction applies to the land, but it may not apply to all of the land, and ○ the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land. ○ If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land. 	<p>Exempt Development may occur on the property in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Any person wishing to make use of this code should rely on their own investigations as to whether their proposal complies with the development standards of this code.</p>
<p>6 Affected building notices and building product rectification orders</p> <p>Whether the council is aware that—</p> <ul style="list-style-type: none"> ○ an affected building notice is in force in relation to the land, or ○ a building product rectification order is in force in relation to the land that has not been fully complied with, or ○ a notice of intention to make a building product rectification order given in relation to the land is 	<p>Council is not aware of any affected building notices in force that applies to the land.</p> <p>Council is not aware of any building product rectification order in force that applies to the land.</p> <p>Council is not aware of any intention to make a product rectification order that applies to the land.</p>

outstanding.	
<p>7 Land reserved for acquisition</p> <p>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.</p>	No the subject land is not land reserved for acquisition
<p>8 Road widening and road realignment</p> <p>Whether or not the land is affected by any road widening or road realignment under:</p> <p>(a) Division 2 of Part 3 of the <i>Roads Act 1993</i>, or</p>	No
<p>(b) any environmental planning instrument, or</p>	Council is not aware of any environmental planning instrument that may designate the subject site for future road widening or alignment
<p>(c) any resolution of the council.</p>	There are currently no resolutions of council designating the subject site for future road widening or alignment.
<p>9 Flood related development controls information</p> <p>(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.</p> <p>(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.</p> <p>Note Words and expressions in this clause have the same meanings as in the Standard Instrument.</p>	The subject property is not subject to flood related development controls as it is not flood liable.
<p>10 Council and other public authority policies on hazard risk restrictions</p> <p>Whether any of the land is affected by an</p>	<p><i>Salinity: Council is aware that some areas within the Shire are potentially liable to the impact of salinity. The applicant should make their own</i></p>

<p>adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.</p>	<p><i>enquiries from the relevant authorities to establish if the property is suitable for the intended use.</i></p> <p><i>Contaminated Land: Council has a policy relating to Contaminated Lands, which also nominates relevant controls and a register of effected land. The applicant should rely on their own investigations against this policy.</i></p> <p><i>The land subject to this certificate is affected by a policy adopted by the Rural Fire Service known as the 'Forbes LGA – Bush Fire Prone Land Map' that identifies categories which may restrict development of the land because of the likelihood of bush fire.</i></p>
<p>11 Bush fire prone land</p> <p>If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.</p> <p>If none of the land is bush fire prone land, a statement to that effect.</p>	<p>No, the land is not bushfire prone</p>
<p>12 Loose-fill asbestos insulation</p> <p>If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <i>Home Building Act 1989</i>) that are listed on the register that is required to be maintained under that Division, a statement to that effect.</p>	<p>No, council is not aware of any loose fill asbestos</p> <p>NOTE: Some buildings located in the Forbes Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.</p> <p>You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants. Contact NSW Fair Trading for further information.</p> <p>Loose fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.</p>
<p>13 Mine subsidence</p> <p>Whether or not the land is proclaimed to be</p>	<p>The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act</i></p>

<p>a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act 1961</i>.</p>	<p><u>1961.</u></p>
<p>14 Paper subdivision information</p> <p>(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.</p> <p>(2) The date of any subdivision order that applies to the land.</p> <p>Note Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.</p>	<p>Not applicable as the land is not part of a paper subdivision.</p>
<p>15 Property vegetation plans</p> <p>If the land is land to which a property vegetation plan approved under Part 4 of the <i>Native Vegetation Act 2003</i> (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).</p>	<p>No, Council is not aware of any property vegetation plans applicable to the subject land</p>
<p>16 Biodiversity stewardship sites</p> <p>If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).</p> <p>Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the <i>Threatened Species Conservation Act 1995</i> that are taken to be biodiversity stewardship agreements under Part 5 of the <i>Biodiversity Conservation Act 2016</i>.</p>	<p>No, Council is not aware of any biobanking agreement applicable to the subject land</p>
<p>17 Biodiversity certified land</p> <p>If the land is biodiversity certified land under Part 8 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect.</p> <p>Note. Biodiversity certified land includes land certified under Part 7AA of the <i>Threatened Species Conservation Act 1995</i> that is</p>	<p>No, Council has not been notified that the subject site contains land classified as biodiversity certified land under Part 8 of the Biodiversity Act 2016.</p>

	taken to be certified under Part 8 of the <i>Biodiversity Conservation Act 2016</i> .	
18	Orders under Trees (Disputes Between Neighbours) Act 2006 Whether an order has been made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on the land (but only if the council has been notified of the order).	No, Council is not aware of any orders under the trees disputes between neighbours act which are applicable to the subject land
19	Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works	Not Applicable
20	Western Sydney Aerotropolis	Not applicable
21	Site compatibility certificates and conditions for seniors housing If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).	Council is not aware of any valid Site Compatibility Certificate (Seniors Housing) issued in relation to the subject land <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5 does not apply to the land.
22	Site compatibility certificates and conditions for affordable rental housing (1) A statement of whether there is a former site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: <ul style="list-style-type: none"> (a) the period for which the certificate is current, and (b) that a copy may be obtained from the head office of the Department. (2) If <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1). (3) Any conditions of development consent in relation to land that are of a kind referred to in <i>State Environmental</i>	Council is not aware of a former site compatibility certificate for affordable rental housing that applies to the land. <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 2, Part 2, Division 1 or 5 does not apply to the land.

<p>Planning Policy (Affordable Rental Housing) 2009, Clause 17(1) or 38(1).</p>	
<p>Note. The following matters are prescribed by section 59 (2) of the <i>Contaminated Land Management Act 1997</i> as additional matters to be specified in a planning certificate:</p>	<p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is significantly contaminated land</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to a management order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a voluntary management proposal</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to an ongoing maintenance order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a site audit statement</p>

DISCLAIMERS:

- 1.1 Other authorities may hold information in respect of the property not contained in the Council's records, and
- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully,



Per

Mathew Teale
DIRECTOR
PLANNING & GROWTH



2 Bushfire prone land category:

What is the category of the land as identified on the Forbes LGA – Bush Fire Prone Land Map as being bushfire prone:

Not applicable as the subject land is not identified as being bushfire prone

3 Flood risk precinct:

Does Chapter 4 – Flooding and Flood Affected Land of Forbes Shire Councils Development Control Plan 2013 indicate that the land is flood prone, if so what is the flood risk precinct:

Not applicable, as the subject land is not identified as being flood prone

4 Building Certificate:

A Building Certificate issued under Section 10.7 of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

5 Other Certificates:

The following certificates are also available from Council:

- a) Section 603 – Local Government Act 1993 – “Rates Certificate” which details any monies payable to Council (eg. outstanding rates, charges for works undertaken by Council). A separate application and fee is required.
- b) Section 735A – Local Government Act 1993 – “Outstanding Notices Certificate (LGA)” which details any outstanding notices issued under the Local Government Act. A separate application and fee is required.
- c) Section 121ZP – Environmental Planning and Assessment Act, 1979 – “Outstanding Notices Certificate (EPPA)” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979. A separate application and fee is required.
- d) Combined Section 735A and 121ZP. A separate application and fee is required.

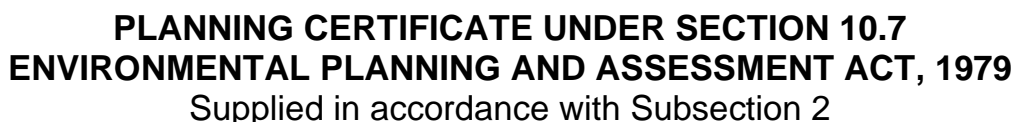
DISCLAIMERS:

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- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully
per

A handwritten signature in dark ink, appearing to read 'Mathew Teale', with a stylized, cursive script.

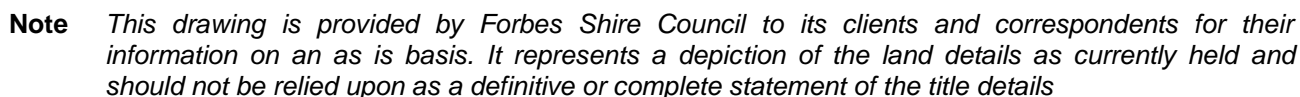
Mathew Teale
DIRECTOR
PLANNING AND GROWTH



Your Reference: 240380(2)

Date:23 January 2024

Location Map: As shown on the map below



<p>1 Names of relevant planning instruments and DCPs</p> <p>(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.</p>	<p><i>The Forbes Local Environmental Plan 2013 (FLEP 2013) (as amended) and the following State Environmental Planning Policies:</i></p> <p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> <i>State Environmental Planning Policy (Housing) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Primary Production) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Resources and Energy) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p>
<p>(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).</p>	<p>Name of proposed policy: <i>The Fun SEPP</i> When publicly released: <i>Exhibited 29.10.2021 – 30.11.2021</i> Further Information: <i>The Fun SEPP is available for viewing on the NSW Planning Portal website.</i></p>
<p>(3) The name of each development control plan that applies to the carrying out of development on the land.</p>	<p>Forbes Development Control Plan 2013</p>
<p>(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.</p>	<p>Noted</p>
<p>2 Zoning and land use under relevant LEPs</p> <p>For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):</p>	<p><i>R1 – General Residential</i> <i>RE1 – Public Recreation</i></p>

(a) the identity of the zone	
(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	<p><i>R1 – General Residential</i></p> <p>Home-based child care; Home occupations; Roads; Water reticulation systems</p> <p><i>RE1 – Public Recreation</i></p> <p>Environmental protection works; Roads; Water reticulation systems</p>
(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	<p><i>R1 – General Residential</i></p> <p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4</p> <p><i>RE1 – Public Recreation</i></p> <p>Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Water recreation structures</p>

(d) the purposes for which the instrument provides that development is prohibited within the zone,	<p><i>R1 – General Residential</i></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Car parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</p> <p><i>RE1 – Public Recreation</i></p> <p>Any development not specified in item 2 or 3</p>
(e) Whether additional permitted uses apply to the land	There are no additional permitted uses that apply to the land.
(f) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,	550m2

<p>(g) whether the land is in an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i></p>	<p>No, the land is not an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>.</p>
<p>(h) whether the land is in a conservation area (however described),</p>	<p>No, the land is not located within a Heritage Conservation Area</p>
<p>(i) whether an item of environmental heritage (however described) is situated on the land.</p>	<p>No, the land does not contain any item of environmental heritage</p>
<p>3 Contributions plans</p> <p>The name of each contributions plan applying to the land.</p>	<p>The Forbes Shire Council Section 7.12 Contribution Plan 2021 applies to the land.</p>
<p>4 Complying development</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	<p><i>Complying Development MAY NOT be carried out on the land as the area is reserved for public purpose in accordance with Forbes Local Environmental Plan 2013.</i></p>
<p>5 Exempt Development</p>	<p>Exempt Development may occur on the property in</p>

<p>If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.</p> <p>If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.</p> <p>If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—</p> <ul style="list-style-type: none"> ○ a restriction applies to the land, but it may not apply to all of the land, and ○ the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land. ○ If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land. 	<p>accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Any person wishing to make use of this code should rely on their own investigations as to whether their proposal complies with the development standards of this code.</p>
<p>6 Affected building notices and building product rectification orders</p> <p>Whether the council is aware that—</p> <ul style="list-style-type: none"> ○ an affected building notice is in force in relation to the land, or ○ a building product rectification order is in force in relation to the land that has not been fully complied with, or ○ a notice of intention to make a building product rectification order given in relation to the land is outstanding. 	<p>Council is not aware of any affected building notices in force that applies to the land.</p> <p>Council is not aware of any building product rectification order in force that applies to the land.</p> <p>Council is not aware of any intention to make a product rectification order that applies to the land.</p>
<p>7 Land reserved for acquisition</p> <p>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.</p>	<p><i>Yes, the subject land has been listed in the Forbes Local Environmental Plan, 2013 as being land for acquisition by a public authority</i></p>

<p>8 Road widening and road realignment</p> <p>Whether or not the land is affected by any road widening or road realignment under:</p> <p>(a) Division 2 of Part 3 of the <i>Roads Act 1993</i>, or</p>	No
<p>(b) any environmental planning instrument, or</p>	Council is not aware of any environmental planning instrument that may designate the subject site for future road widening or alignment
<p>(c) any resolution of the council.</p>	There are currently no resolutions of council designating the subject site for future road widening or alignment.
<p>9 Flood related development controls information</p> <p>(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.</p> <p>(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.</p> <p>Note Words and expressions in this clause have the same meanings as in the Standard Instrument.</p>	<p><i>Flooding development controls apply for all development on the subject site as it is designated as flood prone in accordance with Forbes Development Control Plan 2013.</i></p>
<p>10 Council and other public authority policies on hazard risk restrictions</p> <p>Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.</p>	<p><i>Salinity: Council is aware that some areas within the Shire are potentially liable to the impact of salinity. The applicant should make their own enquiries from the relevant authorities to establish if the property is suitable for the intended use.</i></p> <p><i>Contaminated Land: Council has a policy relating to Contaminated Lands, which also nominates relevant controls and a register of effected land. The applicant should rely on their own investigations against this policy.</i></p> <p><i>The land subject to this certificate is</i></p>

	<p><i>affected by a policy adopted by the Rural Fire Service known as the 'Forbes LGA – Bush Fire Prone Land Map' that identifies categories which may restrict development of the land because of the likelihood of bush fire.</i></p>
<p>11 Bush fire prone land</p> <p>If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.</p> <p>If none of the land is bush fire prone land, a statement to that effect.</p>	<p>No, the land is not bushfire prone</p>
<p>12 Loose-fill asbestos insulation</p> <p>If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <i>Home Building Act 1989</i>) that are listed on the register that is required to be maintained under that Division, a statement to that effect.</p>	<p>No, council is not aware of any loose fill asbestos</p> <p>NOTE: Some buildings located in the Forbes Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.</p> <p>You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants. Contact NSW Fair Trading for further information.</p> <p>Loose fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.</p>
<p>13 Mine subsidence</p> <p>Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the <i>Mine Subsidence Compensation Act 1961</i>.</p>	<p>The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the <u><i>Mine Subsidence Compensation Act 1961</i></u>.</p>
<p>14 Paper subdivision information</p> <p>(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.</p> <p>(2) The date of any subdivision order that</p>	<p>Not applicable as the land is not part of a paper subdivision.</p>

<p>applies to the land.</p> <p>Note Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.</p>	
<p>15 Property vegetation plans</p> <p>If the land is land to which a property vegetation plan approved under Part 4 of the <i>Native Vegetation Act 2003</i> (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).</p>	<p>No, Council is not aware of any property vegetation plans applicable to the subject land</p>
<p>16 Biodiversity stewardship sites</p> <p>If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).</p> <p>Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the <i>Threatened Species Conservation Act 1995</i> that are taken to be biodiversity stewardship agreements under Part 5 of the <i>Biodiversity Conservation Act 2016</i>.</p>	<p>No, Council is not aware of any biobanking agreement applicable to the subject land</p>
<p>17 Biodiversity certified land</p> <p>If the land is biodiversity certified land under Part 8 of the <i>Biodiversity Conservation Act 2016</i>, a statement to that effect.</p> <p>Note. Biodiversity certified land includes land certified under Part 7AA of the <i>Threatened Species Conservation Act 1995</i> that is taken to be certified under Part 8 of the <i>Biodiversity Conservation Act 2016</i>.</p>	<p>No, Council has not been notified that the subject site contains land classified as biodiversity certified land under Part 8 of the Biodiversity Act 2016.</p>
<p>18 Orders under Trees (Disputes Between Neighbours) Act 2006</p> <p>Whether an order has been made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on the land (but only if the council has been notified of the order).</p>	<p>No, Council is not aware of any orders under the trees disputes between neighbours act which are applicable to the subject land</p>

<p>19 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works</p>	<p>Not Applicable</p>
<p>20 Western Sydney Aerotropolis</p>	<p>Not applicable</p>
<p>21 Site compatibility certificates and conditions for seniors housing</p> <p>If <i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).</p>	<p>Council is not aware of any valid Site Compatibility Certificate (Seniors Housing) issued in relation to the subject land</p> <p><i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 3, Part 5 does not apply to the land.</p>
<p>22 Site compatibility certificates and conditions for affordable rental housing</p> <p>(1) A statement of whether there is a former site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:</p> <p> (a) the period for which the certificate is current, and</p> <p> (b) that a copy may be obtained from the head office of the Department.</p> <p>(2) If <i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).</p> <p>(3) Any conditions of development consent in relation to land that are of a kind referred to in <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>, Clause 17(1) or 38(1).</p>	<p>Council is not aware of a former site compatibility certificate for affordable rental housing that applies to the land.</p> <p><i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 2, Part 2, Division 1 or 5 does not apply to the land.</p>
<p>Note. The following matters are prescribed by section 59 (2) of the <i>Contaminated Land Management Act 1997</i> as additional matters to be specified in a planning certificate:</p>	<p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is significantly contaminated land</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to a management order</p>

	<p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a voluntary management proposal</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject to an ongoing maintenance order</p> <p>Forbes Shire Council has not been advised by the Department of Environment & Heritage that the land is subject of a site audit statement</p>
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 - 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
 - 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
 - 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully,



Per

Mathew Teale
DIRECTOR
PLANNING & GROWTH



**PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**
Supplied in accordance with Subsection 5

Applicant: ADW Johnson Pty Ltd
335 Hillsborough Road
Warners Bay NSW 2282

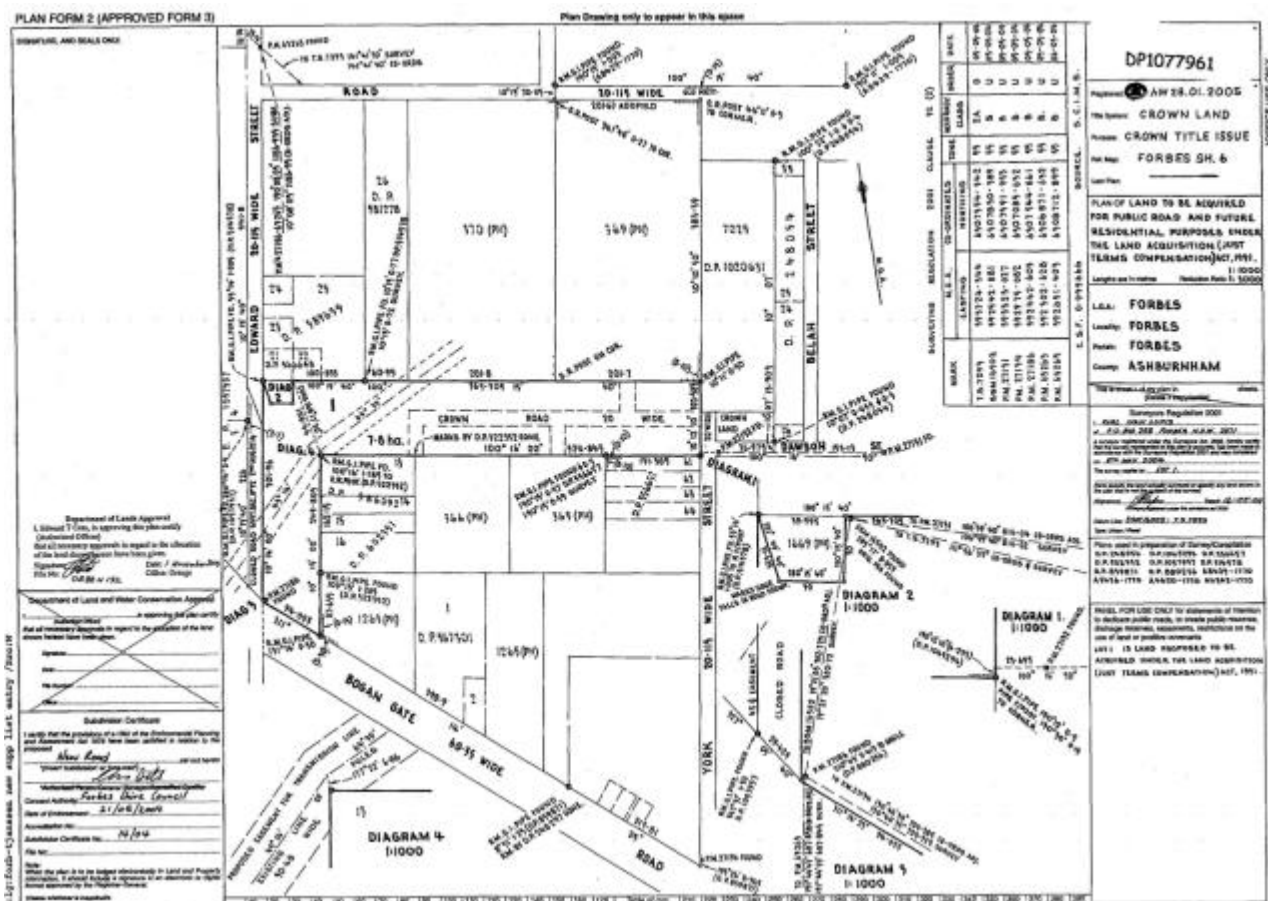
Your Reference: 240380(2)

Certificate No: 10579 **Date:** 23 January 2024

Subject Land: Lot: 1 DP: 1077961, Morton Street FORBES

Owners: Forbes Shire Council

Location Map: As shown on the map below



1 Development consent:

Whether any development consent with respect to the land has been granted within the previous two years:

Development consent has not been granted on the subject land in the previous 2 years

2 Bushfire prone land category:

What is the category of the land as identified on the Forbes LGA – Bush Fire Prone Land Map as being bushfire prone:

Not applicable as the subject land is not identified as being bushfire prone

3 Flood risk precinct:

Does Chapter 4 – Flooding and Flood Affected Land of Forbes Shire Councils Development Control Plan 2013 indicate that the land is flood prone, if so what is the flood risk precinct:

The subject land is identified as flood prone land.

There is no specific flood risk precinct under the Development Control Plan that applies to the subject land.

4 Building Certificate:

A Building Certificate issued under Section 10.7 of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

5 Other Certificates:

The following certificates are also available from Council:

- a) Section 603 – Local Government Act 1993 – “Rates Certificate” which details any monies payable to Council (eg. outstanding rates, charges for works undertaken by Council). A separate application and fee is required.
- b) Section 735A – Local Government Act 1993 – “Outstanding Notices Certificate (LGA)” which details any outstanding notices issued under the Local Government Act. A separate application and fee is required.
- c) Section 121ZP – Environmental Planning and Assessment Act, 1979 – “Outstanding Notices Certificate (EPPA)” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979. A separate application and fee is required.
- d) Combined Section 735A and 121ZP. A separate application and fee is required.

DISCLAIMERS:

- 1.1 Other authorities may hold information in respect of the property not contained in the Council's records, and
- 1.2 The Council's records themselves may not be complete or accurate in respect of the property; and
- 1.3 The Council cannot and does not accept any liability in respect of any error, inaccuracy or omission in this certificate which relates to any information provided to the Council by another authority or by another person.
- 2 The instruments referred to in this certificate may contain other important information in respect of the property. In order to understand the effects of the instrument(s) on the property, the Council advises that the whole of each instrument should be read and considered. This certificate cannot be used as a substitute for reading the whole of the instrument(s) referred to in the certificate.
- 3 It may be appropriate or necessary to obtain legal or other expert advice in respect of the matters contained in the certificate or the instruments referred to in the certificate.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Mathew Teale', written over a light grey rectangular background.

per

Mathew Teale

**DIRECTOR
PLANNING AND GROWTH**