



*All communications to be addressed to the General Manager*

SHIRE OFFICE  
57 Bathurst Street  
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## Planning Certificate Issued under S 10.7 (2) of the Environmental Planning and Assessment Act 1979

### APPLICATION DETAILS:

Certificate No: 33 - 2021

Fee: \$53

Receipt No: Pt 21400  
23-8-21

Applicant Name: Infotrack

Applicant address: 95 Bathurst St Brewarrina NSW 2839

### DESCRIPTION OF LAND:

Street: Bathurst No 95 Brewarrina

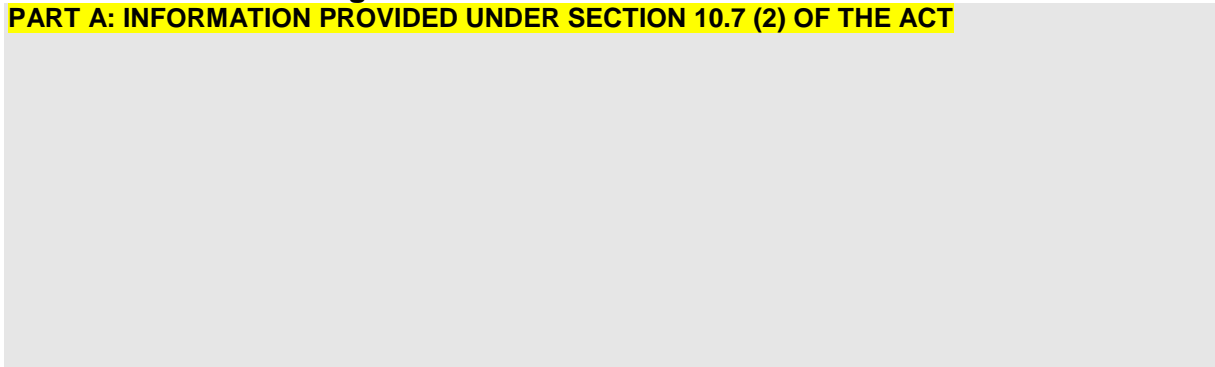
Council's Ass. 46

No:

Lot No: 2 Sect 9  
DP758161

Owner Brewarrina Drug and Alcohol

**PART A: INFORMATION PROVIDED UNDER SECTION 10.7 (2) OF THE ACT**



<b>1</b>	<b>Names of relevant Planning Instruments</b>	
	(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.	Brewarrina Local Environmental Plan 2012
	(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 <u>Act</u> (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved)	(2) There are no proposed Environmental Planning Instruments which apply to the land.
	(3) The name of each development control plan that applies to the carrying out of development on the land. (4) In this clause proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.	(3) NIL  (4) LEP 2012 has been adopted by council.
<b>2</b>	<b>Zoning and land use under relevant LEPs</b>	
	<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>(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),</p> <p>(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,</p> <p>(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,</p>	<p><b>(a) RU5 Village</b></p> <p>(b) SEPP Exempt and Complying Development</p> <p>(c) Refer to attachment "B"</p>

	<p>(d) the purposes for which the instrument provides that development is prohibited within the zone,</p> <p>(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,</p> <p>(f) whether the land includes or comprises critical habitat,</p> <p>(g) whether the land is in a conservation area (however described),</p> <p>(h) Whether an item or environmental heritage (however described) is situated on the land.</p>	<p>(d)) Refer to attachment "B"</p> <p>(e) Refer to attachment "B"</p> <p>(f) No</p> <p>(g) No</p> <p>(h) An item of environmental heritage is not situated on the land.</p>
<b>2A</b>	<b>Zoning and land use under State Environmental Planning Policy Sydney Region Growth centres)2006</b>	<b>Not Applicable</b>
<b>3</b>	<b>Complying Development</b>	
	<p>(1) Whether or not 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 (c) and (d) and 1.19 of <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p> <p>(2) If complying development may not be carried out on that land because of one or more of the requirements under clause 1.19 of that Policy, why it may not be carried out.</p>	<p>(1) Yes</p> <p>(2) Not Applicable</p>
<b>4(A) and (B)</b>	<b>Coastal Protection</b>	<b>Not Applicable</b>
<b>5</b>	<b>Mine Subsidence</b>	The land is not affected
<b>6</b>	<b>Road widening and road realignment</b>	
	<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> <p>(b) any environmental planning instrument, or</p> <p>(c) any resolution of the council.</p>	<p>(a) No</p> <p>(b) No</p> <p>(c) No</p>
<b>7</b>	<b>Council and other public authority policies on hazard risk restrictions</b>	
	<p>Whether or not the land is affected by a policy:</p> <p>(a) adopted by the council, or</p>	<p>(a) The subject land is not affected by any related policies adopted by Council.</p>

	<p>(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,</p> <p>that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).</p>	<p>(b) The subject land is not affected by a policy adopted by another public authority being referred to in planning certificates issued by the Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)</p>
<b>7A</b>	<b>Flood related development controls information</b>	
	<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>(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>.</p>	<p><b>(1) The land may be subject to Flooding In the event that the Brewarrina Flood levy failed.</b></p> <p><b>(2) Refer to (1)</b></p>
<b>8</b>	<b>Land reserved for acquisition</b>	
	<p>Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in <u>clause 1</u> makes provision in relation to the acquisition of the land by a <u>public authority</u> as referred to in section 27 of <u>the act</u></p>	No
<b>9</b>	<b>Contributions Plans</b>	
	<p>The name of each contributions plan applying to the land.</p>	Council has not adopted a sec 94 contribution plan
<b>10</b>	<b>Biobanking Agreements</b>	

	If the land to which a biobanking agreement under Part 7A of the <u><i>Biodiversity Conservation Act 2016</i></u> relates, a statement to that effect (but only if the Council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change & Water.	Council has not been notified of any biobanking agreement that affects the land
<b>11</b>	<b>Bush fire prone land</b>	
	If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.  If none of the land is bush fire prone land, a statement to that effect.	This property is not identified in the Bush Fire prone land Map.
<b>12</b>	<b>Property vegetation plans</b>	
	If the land is land to which a property vegetation plan under the <u><i>Biodiversity Conservation Act 2016</i></u> applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).	The land is not known to be affected by any property vegetation plan under the <u><i>Biodiversity Conservation Act 2016</i></u>
<b>13</b>	<b>Orders under Trees (Disputes Between Neighbours) Act 2006</b>	
	Whether an order has been made under the <u><i>Trees (Disputes Between Neighbours) Act 2006</i></u> to carry out work in relation to a tree on the land (but only if the council has been notified of the order).	Council has not been notified of such order.
<b>14</b>	<b>Directions under Part 3A</b>	
	If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.	Council has not been notified of such direction under 75P (2) (c1) by the Minister.
<b>15</b>	<b>Site compatibility certificates and conditions for seniors housing</b>	
	If the land is land to which <u><i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i></u> applies:	

	<p>(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:</p> <p>(i) the period for which the certificate is current, and</p> <p>(ii) that a copy may be obtained from the head office of the Department of Planning, and</p> <p>(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.</p>	<p>(a) Council has not been notified of any site compatibility certificate.</p> <p>(b) Because the previous use has ceased, any re-development may require Development Consent, however, it may also be exempt or complying development.</p>
<b>16</b>	<b>Site Compatibility certificates for infrastructure</b>	
	<p>A statement of whether there is a valid site compatibility certificate (of which the Council is aware), issued under clause 19 of <i>State Environmental Planning Policy (Infrastructure) 2007</i> 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 valid, and</p> <p>(b) that a copy may be obtained from the head office of the Department of Planning</p>	<p>Council has not been notified of any site compatibility certificate.</p>
<b>17</b>	<b>Site compatibility certificates and conditions for affordable rental housing</b>	
	<p>(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:</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 of Planning.</p> <p>(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> that have been imposed as a condition of consent to a development application in respect of the land.</p>	<p>(1) Council has not been notified of any site compatibility certificate.</p> <p>(2) No conditions of consent to a Development Application in respect of the land set out any terms of a kind referred to in clause 17(1) or 38 (1) of the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i></p>

<b>Matters described by the Contaminated Land Management Act 1997</b>	
<p>The following matters are prescribed by section 59 (2) of the <u>Contaminated Land Management Act 1997</u> as additional matters to be specified in a planning certificate:</p> <p>(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,</p> <p>(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,</p> <p>(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,</p> <p>(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,</p> <p>(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.</p>	<p>(a) No</p> <p>(b) No</p> <p>(c) No</p> <p>(d) No</p> <p>(e) No</p>

## **PART B: INFORMATION PROVIDED UNDER SECTION 10(7) OF THE ACT**

### **Important Note:**

When information under Section 10(7) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to Clause (6) of the Environmental Planning and Assessment Act 1979 that states that a Council shall not incur any liability in respect to advice provided in good faith pursuant to subclause (5). However, this subsection does not apply to advice provided in relation to contaminated land (including the likelihood of land being contaminated land)

or to the nature or extent of contamination of land within the meaning of schedule 6. The absence of any reference to any matter affecting the land does not imply that the land is affected by any matter referred to in this planning certificate.

The Council has made no inspection of the property for the purposes of this Certificate. The purchaser should satisfy himself/herself by his/her own inspection of the property that there are no breaches of development consent in respect of the subject property.

Information provided by Council under Section 10(7) of the Act does not include advice as to whether or not the subject land is affected by any easements, rights of way, covenants or other similar instruments. This information is included on the title information for the subject property.

**General Property Comments:**

Any request for further information in connection with the above should be marked for the attention of the Consultant - Planning, Health and Building

**Phone: (02) 6830 5133**

a) Has the Council information which would indicate that the land is subject to the risk of flooding	<b>No. Only if the Brewarrina Flood levy was to fail.</b>
b) Has the Council information which would indicate that the land is subject to slip or subsidence?	<b>No</b>
c) Is the land affected by a Tree Preservation Order?	<b>No</b>
d) Has any development consent with respect to the land been granted within the previous two years?	<b>No</b>
e) Any outstanding Orders	<b>Yes – a demolition order was placed on the property in relation to an outbuilding and it appears to be outstanding.</b>
f) Is the land affected by any resolution of Council to seek amendment to any environmental planning instrument or draft environmental planning instrument applying to the land?	<b>No</b>





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Phillip Denniston  
Consultant Environmental Health and Building

Date of Issue: 7-7-2021

## **ATTACHMENT "A"**

### **Land Use Table**

#### **State Environmental Planning Policies referred to under Brewarrina LEP 2012**

#### **Land Use Table**

**Note.** A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies:

*State Environmental Planning Policy (Affordable Rental Housing) 2009* (including provision for secondary dwellings)

*State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

*State Environmental Planning Policy (Infrastructure) 2007* (relating to infrastructure facilities such as those that comprise, or are for air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply

#### **systems**

*State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

*State Environmental Planning Policy (Rural Lands) 2008*

*State Environmental Planning Policy No 33—Hazardous and Offensive Development*

*State Environmental Planning Policy No 50—Canal Estate Development*

*State Environmental Planning Policy No 62—Sustainable Aquaculture*

*State Environmental Planning Policy No 64—Advertising and Signage*

*State Environment Planning Policy No 1 – Development Standards*

*State Environment Planning Policy No 21- Caravan Parks*

*State Environment Planning Policy No 30 – Intensive Agriculture*

*State Environment Planning Policy No 36 – Manufactured Home Estates*

*State Environment Planning Policy No 44 – Koala Habitat Protection*

*State Environment Planning policy No 55- Remediation of Land*

*State Environment Planning Policy No 65 – Design Quality of Residential Flat Development*

*State Environment Planning Policy – Building Sustainability Index BASIX 2004*

*State Environment Planning Policy – (Miscellaneous Consent Provisions) 2007*

*State Environment Planning Policy – (State and Regional Development) 2011*  
A full copy of the SEPP's are available on the NSW Legislation website- [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

## **Exempt development**

**Note.** Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Biosecurity Conservation Act 2016* and
- (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.

(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.

(3) To be exempt development, the development:

- (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
- (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
- (c) must not be designated development, and
- (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.

(4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:

- (a) the building has a current fire safety certificate or fire safety statement, or
- (b) no fire safety measures are currently implemented, required or proposed for the building.

(5) To be exempt development, the development must:

- (a) be installed in accordance with the manufacturer's specifications, if applicable, and
- (b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Biodiversity Conservation Act 2016*.

(6) A heading to an item in Schedule 2 is part of that Schedule.

## **Complying development**

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Biodiversity Conservation Act 2016*, or
- (b) it is on land within a wilderness area (identified under the *Wilderness Act*

1987), or

(c) the development is designated development, or

(d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or

(e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Biodiversity Conservation Act 2016*), or

(f) the development is on land identified as an environmentally sensitive area.

(1) The objective of this clause is to identify development as complying development.

(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:

(a) the development standards specified in relation to that development, and

(b) the requirements of this Part,

is complying development.

**Note.** See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.

(3) To be complying development, the development must:

(a) be permissible, with development consent, in the zone in which it is carried out, and

(b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and

(c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.

(5) A heading to an item in Schedule 3 is part of that Schedule

## **ATTACHMENT “B”**

**Note:** A full copy of the Brewarrina Local Environmental Plan and Maps are available on the Council Web Site.

### **Part 2 Permitted or prohibited development**

#### **2.1 Land use zones**

The land use zones under this Plan are as follows:

##### **Rural Zones**

RU1 Primary Production

**RU5 Village**

##### **Residential Zones**

R5 Large Lot Residential

##### **Special Purpose Zones**

SP2 Infrastructure

##### **Recreation Zones**

RE1 Public Recreation

**Environment Protection Zones**E1 National Parks and Nature Reserves

## **2.2 Zoning of land to which Plan applies [compulsory]**

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

## **2.3 Zone objectives and Land Use Table [compulsory]**

(1) The Land Use Table at the end of this Part specifies for each zone:

- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.

(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

(3) In the Land Use Table at the end of this Part:

- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
- (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

(4) This clause is subject to the other provisions of this Plan

# **The land is Zone**

## **RU5 Village**

### **1 Objectives of zone**

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To retain and facilitate expansion and redevelopment of the existing central business districts of the villages of Brewarrina and Goodooga and to further strengthen the core retail functions of those areas.
- To ensure that development retains and enhances the existing village character.

### **2 Permitted without consent**

Environmental protection works; Home-based child care; Home occupations; Roads; Water reticulation systems

### **3 Permitted with consent**

Child care centres; Community facilities; Dwelling houses; Liquid fuel depots; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Any other development not specified in item 2 or 4

## 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Cellar door premises; Electricity generating works; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Marinas; Mooring pens; Moorings; Open cut mining; Roadside stalls; Rural workers' dwellings; Waste disposal facilities; Wharf or boating facilities.

## Exempt and complying development

### Exempt development

#### Application of SEPPs

(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.

(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

*State Environmental Planning Policy No 1—Development Standards*

*State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* (clause 6 and Parts 3 and 4)

*State Environmental Planning Policy No 60—Exempt and Complying Development*

**Note.** Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*), and
- (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.

(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.

(3) To be exempt development, the development:

- (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
- (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
- (c) must not be designated development, and
- (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.

(4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development

only if:

(a) the building has a current fire safety certificate or fire safety statement,

Or

(b) no fire safety measures are currently implemented, required or proposed for the building.

(5) To be exempt development, the development must:

(a) be installed in accordance with the manufacturer's specifications, if applicable, and

(b) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Biodiversity Conservation Act 2016*.

(6) A heading to an item in Schedule 2 is part of that Schedule.

### Complying development

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

(a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*), or

(b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or

(c) the development is designated development, or

(d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or

(e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Biodiversity Conservation Act 2016*)), or

(f) the development is on land identified as an environmentally sensitive area.

(1) The objective of this clause is to identify development as complying development.

(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:

(a) the development standards specified in relation to that development, and

(b) the requirements of this Part, is complying development.

**Note.** See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.

(3) To be complying development, the development must:

(a) be permissible, with development consent, in the zone in which it is carried out, and

(b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and

(c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on un-sewered land.





LAND  
REGISTRY  
SERVICES

# Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/9/758161

SEARCH DATE	TIME	EDITION NO	DATE
16/11/2021	1:15 PM	2	1/11/2014

LAND

LOT 2 OF SECTION 9 IN DEPOSITED PLAN 758161  
AT BREWARRINA  
LOCAL GOVERNMENT AREA BREWARRINA  
PARISH OF BREWARRINA COUNTY OF CLYDE  
(FORMERLY KNOWN AS ALLOTMENT 2 OF SECTION 9)  
TITLE DIAGRAM CROWN PLAN 2.1829

FIRST SCHEDULE

BREWARRINA DRUG AND ALCOHOL COMMITTEE INCORPORATED (T 0644544)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)  
2 AJ1947 MORTGAGE TO NEW SOUTH WALES LAND AND HOUSING  
CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

211258

PRINTED ON 16/11/2021

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