

Canada Bay Real Estate
30 Consett Street
Concord West NSW 2138

Issue Date : 23/03/2020
Receipt No. : 41673
Fee Paid : \$53.00

Address : 35 LOFTUS CRESCENT HOMEBUSH NSW 2140
Description : LOT: 31 DP: 9154
Owner : YU HENG CHAN

Fees : Planning Certificate under Section 10.7(2) - \$53.00
Planning Certificate under Section 10.7(5) - \$80.00
Urgency fee - \$153.00 (includes GST)

PLANNING CERTIFICATE

Issued under Section 10.7 (2) Environmental Planning & Assessment Act 1979

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at www.legislation.nsw.gov.au

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land and Property Information. Applicants must verify all property and lot information with NSW Land and Property Information.

The information contained in this certificate relates only to the lot described on page 1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

At the date of this certificate, the subject land may be affected by the following matters.

Item 1. Names of relevant environmental planning instruments and development control plans.

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

REPLY: *Strathfield Local Environmental Plan 2012* commenced 29/3/13.
Refer to attachment for relevant State Environmental Planning Policies.

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved). In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

REPLY:

- Housekeeping Amendments to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Review of Environmental Planning and Assessment Regulations 2000
- Proposed new Remediation of Land State Environmental Planning Policy.
- 2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield
Proposal to amend Strathfield Local Environmental Plan 2012 to increase height and floor space ratio development standards

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>

- 1 Loftus Crescent
Proposal to reclassify the land from Community Land to Operational Land.

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>
- 7-23 and 25-33 Water Street, Strathfield South
Proposal to amend zoning, FSR and height controls to increase development standards at 7-23 and 25-33 Water Street, Strathfield South.

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>

- (3) The name of each Development Control Plan (DCP) that applies to the carrying out of development on the land.

REPLY: Refer to attachment for relevant DCPs.

Item 2. Zoning and land use under relevant Local Environmental Plans.

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP).

- (a) The identity of the zone, whether by reference to a name or by reference to a number.

REPLY: R4 - High Density Residential in the Strathfield Local Environmental Plan 2012.

- (b) The purposes for which the instrument provides that development may be carried out within the zone without the need for development consent.
- (c) The purposes for which the instrument provides that development may not be carried out without development consent.
- (d) The purposes for which the instrument provides that the carrying out of development is prohibited within the zone.

REPLY: Refer to attachment for relevant land use table in the *Strathfield Local Environmental Plan 2012*.

- (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.

REPLY: There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house under the Strathfield Local Environmental Plan 2012.

- (f) Whether the land includes or comprises critical habitat.

REPLY: No.

- (g) Whether the land is in a heritage conservation area.

REPLY: No.

- (h) Whether an item of environmental heritage is situated on the land.

REPLY: No.

Item 2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act, the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not identify land within the Strathfield Council Local Government Area as a growth centre and therefore the policy does not apply.

Item 3. Complying development

- (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 and (e),(2),(3) and (4),1.18(1),(c3) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code

REPLY: Yes - Complying Development under the General Housing Code may be carried out on this land.

Rural Housing Code

REPLY: No – Complying Development under the Rural Housing Code may not be carried out on this land.

Greenfield Housing Code

REPLY: No – Complying development under the Greenfield Housing Code does not apply to Strathfield Council Local Government Area.

Medium Density Code (Exemption till 1 July 2020)

REPLY: No – Complying development under the Medium Density Code does not apply to Strathfield Council Local Government Area, as Strathfield is exempted from this code till 1 July 2020.

Housing Alterations Code

REPLY: Yes – Complying Development under the Housing Alterations Code may be carried out on this land.

General Development Code

REPLY: Yes – Complying Development under the General Development Code may be carried out on this land.

Commercial and Industrial Alterations Code

REPLY: Yes – Complying Development under the Commercial and Industrial Alterations Code may be carried out on this land.

Commercial and Industrial Code (New Building and Additions Code)

REPLY: Yes – Complying Development under the Commercial and Industrial Code (New Building and Additions Code) may be carried out on this land.

Container Recycling Facilities Code

REPLY: Yes – Complying Development under the Container Recycling Facilities Code may be carried out on this land.

Subdivision Code

REPLY: Yes – Complying Development under the Subdivision Code may be carried out on this land.

Demolition Code

REPLY: Yes – Complying Development under the Demolition Code may be carried out on this land.

Fire Safety Code

REPLY: Yes – Complying Development under the Fire Safety Code may be carried out on this land.

Disclaimer: The information above addresses matters raised in Clause 1.17A (1) (b) to (e), (2), (3), and (4), 1.18(1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

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

Item 4. Coastal protection – Repealed (03/04/2018)

**Item 4A. Certain information relating to beaches and coasts – Repealed
(03/04/2018)**

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

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

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

REPLY: No - Council records as at the date of this certificate do not indicate that the owner (or any previous owner) of the subject land has consented in writing to the land being subject to annual charges under Section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

Item 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961*.

REPLY: No.

Item 6. Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*; or
- (b) Any environmental planning instrument; or
- (c) Any resolution of the Council

REPLY: No.

Item 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) Adopted by the council, or;
- (b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

REPLY: Yes – Council has adopted by resolution a policy for the management of development on contaminated land. This policy will restrict development of land:

- Which is affected by contamination;
- Which has been used for certain purposes;
- In respect of which there is not sufficient information about contamination;
- Which is proposed to be used for certain purposes;
- In other circumstances contained in the policy.

Refer to Part K – Development on Contaminated Land of the *Strathfield Consolidated Development Control Plan 2005* for more information.

Item 7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

REPLY: The site is within the '1 - in - 100 flood event'. Any queries should be referred to Council's Development Control Engineer - Stormwater Hydraulics on 97489999.

Item 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

REPLY: No.

Item 9. Contributions plans

The name of each contributions plan applying to the land.

REPLY: Strathfield Indirect Development Contributions Plan 2010
(Amended 3 September 2010).

Strathfield Direct Development Contributions Plan 2010 - 2030
(Amended 21 May 2019).

Item 9A. Biodiversity certified land

Whether or not the subject land is biodiversity certified land?

REPLY: Council has not been notified by the Chief Executive of the Office of Environment and Heritage, that the subject land is biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

Item 10. Bio-banking stewardship sites

Whether or not the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

Reply: Council has not been notified by the Chief Executive of the Office of Environment and Heritage, that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

Item 10A. Native vegetation clearing set asides

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

REPLY: Council has not been notified by the Local Land Services that the land contains a set aside area nor is the land registered in the public register under section 60ZC of the *Local Land Services Act 2013*.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 11. Bush fire prone land

Whether or not the land is bush fire prone land.

REPLY: No - No land in Strathfield LGA is identified as bush fire prone land as defined in the Act.

Item 12. Property vegetation plans

If the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* 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).

REPLY: No.

Item 13. Orders under Trees (Disputes between neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order).

REPLY: No.

Item 14. Directions under Part 3A

Whether or not 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.

REPLY: No, the site has not been identified as a project on the land under Part 4 of the Act.

Item 15. Site compatibility certificates and conditions for seniors housing

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

(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:

- (i) the period for which the certificate is current, and
- (ii) that a copy may be obtained from the head office of the Department, and

(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.

REPLY: No - Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 16. Site compatibility certificates for infrastructure

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

- (a) The period for which the certificate is current, and
- (b) That a copy may be obtained from the head office of the Department

REPLY: No - Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure) or (Schools or TAFE Establishments), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 17. Site compatibility certificates and conditions for affordable rental housing

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land, and:

- (a) The period for which the certificate is valid, and;
- (b) That a copy may be obtained from the head office of the Department of Planning

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

REPLY: No – Council is not aware of a current site compatibility certificate (affordable rental housing) being issued in respect of the proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 18. Paper subdivision information

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

REPLY: No – Council does not hold any paper subdivision within the meaning of this clause.

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

REPLY: Not applicable.

Item 19. Site verification certificates

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and

- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

REPLY: No – Council is not aware of a current site verification certificate (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) being issued in respect of the proposed development on the land.

Item 20. Loose-fill asbestos insulation

Does the land include any residential premises listed on the Loose-Fill Asbestos Insulation Register maintained under Division 1A of Part 8 of the *Home Building Act 1989*?

REPLY: No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Strathfield Municipal Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

Item 21. Affected building notices and building product rectification orders

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

In this clause:

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

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

REPLY: No – Council is not aware of a building rectification order being issued in respect of the proposed development on the land.

No – Council is not aware of any notice of intention to make a building product rectification order in respect of the proposed development on the land.

Additional Matters: Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* prescribes the following additional matters to be specified in planning certificates:

- (a) At the date of this certificate, is the land to which this certificate relates significantly contaminated land?

REPLY: No - Council records as at the date of this certificate do not indicate that the subject land is declared by the Environment Protection Authority to be significantly contaminated land as defined under the Contaminated Land Management Act 1997.

- (b) At the date of this certificate, is the land to which this certificate relates subject to a management order?

REPLY: No – Council records as at the date of this certificate do not indicate that the subject land is subject to a management order.

- (c) At the date of this certificate, is the land to which this certificate relates the subject of an approved voluntary management proposal?

REPLY: No – Council records do not indicate at the date of this certificate that the land to which this certificate relates is the subject of an approved voluntary management proposal.

- (d) At the date of this certificate, is the land to which this certificate relates subject to an ongoing maintenance order?

REPLY: No – Council records do not indicate at the date of this certificate that the land to which this certificate relates is subject to an ongoing maintenance order.

- (e) At the date of this certificate, is the land to which this certificate relates the subject of a site audit statement and a copy of such a statement has been provided to the Council?

REPLY: No - Council records do not indicate at the date of this certificate that the land to which this certificate relates is subject of a site audit statement and a copy of such a statement has been provided to the Council.


GEOFF BAKER
PUBLIC OFFICER

Strathfield Development Control Plan(DCP) 2005
Part O -Tree Management

TREE PRESERVATION ORDER

In accordance with the Tree Preservation Order applying to the Strathfield Council area, no tree having a height greater than 4.0 metres or a girth greater than 0.5 metres measured at a point 1.0 metres above ground level, shall be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed without prior written consent of Council.

NOTE:

- 1) Any person who contravenes or causes or permits to be contravened the provisions of the Tree Preservation Order shall be guilty of an offence.

- 2) **PENALTY:** Section 9.56 of the Environmental Planning and Assessment Act. 1979

A person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and, if no penalty is so imposed, to a penalty not exceeding \$1,100,000. The Court may also direct that new trees and vegetation be planted and that a security be paid to ensure their establishment.

Strathfield Municipal Council
Residential Zoned Sites

Attachments referred to in Section 10.7 Certificate

Attachment referred to in Item 1 (1)

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estate Development
- No. 55 - Remediation of Land
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Apartment Development
- No. 70 - Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Primary Production and Rural Development) 2019
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017

Attachment referred to in Item 1 (2)

Refer to **attachment**

Attachment referred to in Item 1 (3)

Strathfield Consolidated Development Control Plan 2005 Part A- Dwelling Houses and Ancillary Structures.

Strathfield Consolidated Development Control Plan 2005 Part B - Dual Occupancy Developments.

Strathfield Consolidated Development Control Plan 2005 Part C - Multiple Unit Housing (applies to Residential B zone only)

Strathfield Consolidated Development Control Plan 2005 Part E Child Care Centres

Strathfield Consolidated Development Control Plan 2005 Part F - Bed and Breakfast Establishments

Strathfield Consolidated Development Control Plan 2005 Part H - Waste Management

Strathfield Consolidated Development Control Plan 2005 Part I - Provision of Off-Street Parking Facilities.

Strathfield Consolidated Development Control Plan 2005 Part J - Erection and Display of and Advertising Signs and Structures.

Strathfield Consolidated Development Control Plan 2005 Part K - Development on Contaminated Land

Strathfield Consolidated Development Control Plan 2005 Part L - Public Notification Requirements for Development and Complying Development Applications

Strathfield Consolidated Development Control Plan 2005 Part M - Educational Establishments

Strathfield Consolidated Development Control Plan 2005 Part N – Water Sensitive Urban Design

Strathfield Consolidated Development Control Plan 2005 Part O – Tree Management

Strathfield Consolidated Development Control Plan 2005 Part P – Heritage

Strathfield Consolidated Development Control Plan 2005 Part R – Subdivision Minimum Frontage

Development Control Plan No. 20 - Parramatta Road Corridor Area (Site Specific DCP) (3.5.06)

Development Control Plan No. 25 - 79 Courallie Avenue, Homebush West (Site Specific DCP) (3.5.06)

***Codes** - Council has adopted codes relating to hospitals and landscaping.

Attachment referred to in Items 2 (d)

Refer to **attached** "LAND USE TABLE - RESIDENTIAL ZONES"

LAND USE TABLE - RESIDENTIAL ZONES

Zone R2 Low Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.

2. Permitted without consent

Home occupations

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home businesses; Home industries; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Water recycling facilities

4. Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home businesses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential care facilities; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Water recycling facilities

4. Prohibited

Any development not specified in item 2 or 3

Zone R4 High Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations

3. Permitted with consent

Boarding houses; Child care centres; Community facilities; Hotel or motel accommodation; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4. Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water treatment facilities; Wholesale supplies

STRATHFIELD LEP 2012 - EXEMPT AND COMPLYING DEVELOPMENT

The LEP identifies the types of development which are exempt and complying development within the Strathfield Municipality.

Exempt development consists of development that has minimal impact and complies with the set criteria listed in Part 3 of the Strathfield LEP 2012. No development consent is required for exempt development.

Complying development consists of development that is more complex than exempt and does require development consent by either Council or an Accredited Certifier. Development is only complying development if it meets all the specified criteria in Part 3 of the Strathfield LEP 2012.

Details of exempt and complying development can be obtained by contacting the Customer Service Staff on 9748-9999 during business hours.

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Canada Bay Real Estate
30 Consett Street
Concord West NSW 2138

Issue Date : 23/03/2020
Receipt No. : 41673
Fee Paid : \$53.00

Address : 36 LOFTUS CRESCENT HOMEBUSH NSW 2140
Description : LOT: 32 DP: 9154
Owner : HN QUACH & KC TRAN

Fees : Planning Certificate under Section 10.7(2) - \$53.00
Planning Certificate under Section 10.7(5) - \$80.00
Urgency fee - \$153.00 (includes GST)

PLANNING CERTIFICATE

Issued under Section 10.7 (2) Environmental Planning & Assessment Act 1979

This planning certificate should be read in conjunction with the relevant Local Environmental Plan listed under Names of Relevant Planning Instruments and DCPs. This is available on the NSW legislation website at www.legislation.nsw.gov.au

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land and Property Information. Applicants must verify all property and lot information with NSW Land and Property Information.

The information contained in this certificate relates only to the lot described on page 1 of this certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

At the date of this certificate, the subject land may be affected by the following matters.

Item 1. Names of relevant environmental planning instruments and development control plans.

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

REPLY: *Strathfield Local Environmental Plan 2012* commenced 29/3/13.
Refer to attachment for relevant State Environmental Planning Policies.

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved). In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

REPLY:

- Housekeeping Amendments to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Review of Environmental Planning and Assessment Regulations 2000
- Proposed new Remediation of Land State Environmental Planning Policy.
- 2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield
Proposal to amend Strathfield Local Environmental Plan 2012 to increase height and floor space ratio development standards

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>

- 1 Loftus Crescent
Proposal to reclassify the land from Community Land to Operational Land.

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>
- 7-23 and 25-33 Water Street, Strathfield South
Proposal to amend zoning, FSR and height controls to increase development standards at 7-23 and 25-33 Water Street, Strathfield South.

Further information is available on the NSW Department of Planning & Environment's LEP Online System: <http://leptracking.planning.nsw.gov.au/currentproposal.php>

- (3) The name of each Development Control Plan (DCP) that applies to the carrying out of development on the land.

REPLY: Refer to attachment for relevant DCPs.

Item 2. Zoning and land use under relevant Local Environmental Plans.

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP).

- (a) The identity of the zone, whether by reference to a name or by reference to a number.

REPLY: R4 - High Density Residential in the Strathfield Local Environmental Plan 2012.

- (b) The purposes for which the instrument provides that development may be carried out within the zone without the need for development consent.
- (c) The purposes for which the instrument provides that development may not be carried out without development consent.
- (d) The purposes for which the instrument provides that the carrying out of development is prohibited within the zone.

REPLY: Refer to attachment for relevant land use table in the *Strathfield Local Environmental Plan 2012*.

- (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.

REPLY: There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house under the Strathfield Local Environmental Plan 2012.

- (f) Whether the land includes or comprises critical habitat.

REPLY: No.

- (g) Whether the land is in a heritage conservation area.

REPLY: No.

- (h) Whether an item of environmental heritage is situated on the land.

REPLY: No.

Item 2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act, the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not identify land within the Strathfield Council Local Government Area as a growth centre and therefore the policy does not apply.

Item 3. Complying development

- (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 and (e),(2),(3) and (4),1.18(1),(c3) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code

REPLY: Yes - Complying Development under the General Housing Code may be carried out on this land.

Rural Housing Code

REPLY: No – Complying Development under the Rural Housing Code may not be carried out on this land.

Greenfield Housing Code

REPLY: No – Complying development under the Greenfield Housing Code does not apply to Strathfield Council Local Government Area.

Medium Density Code (Exemption till 1 July 2020)

REPLY: No – Complying development under the Medium Density Code does not apply to Strathfield Council Local Government Area, as Strathfield is exempted from this code till 1 July 2020.

Housing Alterations Code

REPLY: Yes – Complying Development under the Housing Alterations Code may be carried out on this land.

General Development Code

REPLY: Yes – Complying Development under the General Development Code may be carried out on this land.

Commercial and Industrial Alterations Code

REPLY: Yes – Complying Development under the Commercial and Industrial Alterations Code may be carried out on this land.

Commercial and Industrial Code (New Building and Additions Code)

REPLY: Yes – Complying Development under the Commercial and Industrial Code (New Building and Additions Code) may be carried out on this land.

Container Recycling Facilities Code

REPLY: Yes – Complying Development under the Container Recycling Facilities Code may be carried out on this land.

Subdivision Code

REPLY: Yes – Complying Development under the Subdivision Code may be carried out on this land.

Demolition Code

REPLY: Yes – Complying Development under the Demolition Code may be carried out on this land.

Fire Safety Code

REPLY: Yes – Complying Development under the Fire Safety Code may be carried out on this land.

Disclaimer: The information above addresses matters raised in Clause 1.17A (1) (b) to (e), (2), (3), and (4), 1.18(1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

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

Item 4. Coastal protection – Repealed (03/04/2018)

**Item 4A. Certain information relating to beaches and coasts – Repealed
(03/04/2018)**

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

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

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

REPLY: No - Council records as at the date of this certificate do not indicate that the owner (or any previous owner) of the subject land has consented in writing to the land being subject to annual charges under Section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

Item 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961*.

REPLY: No.

Item 6. Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*; or
- (b) Any environmental planning instrument; or
- (c) Any resolution of the Council

REPLY: No.

Item 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) Adopted by the council, or;
- (b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

REPLY: Yes – Council has adopted by resolution a policy for the management of development on contaminated land. This policy will restrict development of land:

- Which is affected by contamination;
- Which has been used for certain purposes;
- In respect of which there is not sufficient information about contamination;
- Which is proposed to be used for certain purposes;
- In other circumstances contained in the policy.

Refer to Part K – Development on Contaminated Land of the *Strathfield Consolidated Development Control Plan 2005* for more information.

Item 7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

REPLY: The site is within the '1 - in - 100 flood event'. Any queries should be referred to Council's Development Control Engineer - Stormwater Hydraulics on 97489999.

Item 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

REPLY: No.

Item 9. Contributions plans

The name of each contributions plan applying to the land.

REPLY: Strathfield Indirect Development Contributions Plan 2010
(Amended 3 September 2010).

Strathfield Direct Development Contributions Plan 2010 - 2030
(Amended 21 May 2019).

Item 9A. Biodiversity certified land

Whether or not the subject land is biodiversity certified land?

REPLY: Council has not been notified by the Chief Executive of the Office of Environment and Heritage, that the subject land is biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

Item 10. Bio-banking stewardship sites

Whether or not the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

Reply: Council has not been notified by the Chief Executive of the Office of Environment and Heritage, that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

Item 10A. Native vegetation clearing set asides

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

REPLY: Council has not been notified by the Local Land Services that the land contains a set aside area nor is the land registered in the public register under section 60ZC of the *Local Land Services Act 2013*.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 11. Bush fire prone land

Whether or not the land is bush fire prone land.

REPLY: No - No land in Strathfield LGA is identified as bush fire prone land as defined in the Act.

Item 12. Property vegetation plans

If the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* 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).

REPLY: No.

Item 13. Orders under Trees (Disputes between neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order).

REPLY: No.

Item 14. Directions under Part 3A

Whether or not 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.

REPLY: No, the site has not been identified as a project on the land under Part 4 of the Act.

Item 15. Site compatibility certificates and conditions for seniors housing

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

(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:

- (i) the period for which the certificate is current, and
- (ii) that a copy may be obtained from the head office of the Department, and

(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.

REPLY: No - Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 16. Site compatibility certificates for infrastructure

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

- (a) The period for which the certificate is current, and
- (b) That a copy may be obtained from the head office of the Department

REPLY: No - Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure) or (Schools or TAFE Establishments), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 17. Site compatibility certificates and conditions for affordable rental housing

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land, and:

- (a) The period for which the certificate is valid, and;
- (b) That a copy may be obtained from the head office of the Department of Planning

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

REPLY: No – Council is not aware of a current site compatibility certificate (affordable rental housing) being issued in respect of the proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Item 18. Paper subdivision information

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

REPLY: No – Council does not hold any paper subdivision within the meaning of this clause.

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

REPLY: Not applicable.

Item 19. Site verification certificates

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and

- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

REPLY: No – Council is not aware of a current site verification certificate (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) being issued in respect of the proposed development on the land.

Item 20. Loose-fill asbestos insulation

Does the land include any residential premises listed on the Loose-Fill Asbestos Insulation Register maintained under Division 1A of Part 8 of the *Home Building Act 1989*?

REPLY: No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Strathfield Municipal Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

Item 21. Affected building notices and building product rectification orders

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

In this clause:

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

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

REPLY: No – Council is not aware of a building rectification order being issued in respect of the proposed development on the land.

No – Council is not aware of any notice of intention to make a building product rectification order in respect of the proposed development on the land.

Additional Matters: Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* prescribes the following additional matters to be specified in planning certificates:

- (a) At the date of this certificate, is the land to which this certificate relates significantly contaminated land?

REPLY: No - Council records as at the date of this certificate do not indicate that the subject land is declared by the Environment Protection Authority to be significantly contaminated land as defined under the Contaminated Land Management Act 1997.

- (b) At the date of this certificate, is the land to which this certificate relates subject to a management order?

REPLY: No – Council records as at the date of this certificate do not indicate that the subject land is subject to a management order.

- (c) At the date of this certificate, is the land to which this certificate relates the subject of an approved voluntary management proposal?

REPLY: No – Council records do not indicate at the date of this certificate that the land to which this certificate relates is the subject of an approved voluntary management proposal.

- (d) At the date of this certificate, is the land to which this certificate relates subject to an ongoing maintenance order?

REPLY: No – Council records do not indicate at the date of this certificate that the land to which this certificate relates is subject to an ongoing maintenance order.

- (e) At the date of this certificate, is the land to which this certificate relates the subject of a site audit statement and a copy of such a statement has been provided to the Council?

REPLY: No - Council records do not indicate at the date of this certificate that the land to which this certificate relates is subject of a site audit statement and a copy of such a statement has been provided to the Council.


GEOFF BAKER
PUBLIC OFFICER

Strathfield Development Control Plan(DCP) 2005
Part O -Tree Management

TREE PRESERVATION ORDER

In accordance with the Tree Preservation Order applying to the Strathfield Council area, no tree having a height greater than 4.0 metres or a girth greater than 0.5 metres measured at a point 1.0 metres above ground level, shall be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed without prior written consent of Council.

NOTE:

- 1) Any person who contravenes or causes or permits to be contravened the provisions of the Tree Preservation Order shall be guilty of an offence.

- 2) **PENALTY:** Section 9.56 of the Environmental Planning and Assessment Act. 1979

A person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and, if no penalty is so imposed, to a penalty not exceeding \$1,100,000. The Court may also direct that new trees and vegetation be planted and that a security be paid to ensure their establishment.

Strathfield Municipal Council
Residential Zoned Sites

Attachments referred to in Section 10.7 Certificate

Attachment referred to in Item 1 (1)

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estate Development
- No. 55 - Remediation of Land
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Apartment Development
- No. 70 - Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Primary Production and Rural Development) 2019
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017

Attachment referred to in Item 1 (2)

Refer to **attachment**

Attachment referred to in Item 1 (3)

Strathfield Consolidated Development Control Plan 2005 Part A- Dwelling Houses and Ancillary Structures.

Strathfield Consolidated Development Control Plan 2005 Part B - Dual Occupancy Developments.

Strathfield Consolidated Development Control Plan 2005 Part C - Multiple Unit Housing (applies to Residential B zone only)

Strathfield Consolidated Development Control Plan 2005 Part E Child Care Centres

Strathfield Consolidated Development Control Plan 2005 Part F - Bed and Breakfast Establishments

Strathfield Consolidated Development Control Plan 2005 Part H - Waste Management

Strathfield Consolidated Development Control Plan 2005 Part I - Provision of Off-Street Parking Facilities.

Strathfield Consolidated Development Control Plan 2005 Part J - Erection and Display of and Advertising Signs and Structures.

Strathfield Consolidated Development Control Plan 2005 Part K - Development on Contaminated Land

Strathfield Consolidated Development Control Plan 2005 Part L - Public Notification Requirements for Development and Complying Development Applications

Strathfield Consolidated Development Control Plan 2005 Part M - Educational Establishments

Strathfield Consolidated Development Control Plan 2005 Part N – Water Sensitive Urban Design

Strathfield Consolidated Development Control Plan 2005 Part O – Tree Management

Strathfield Consolidated Development Control Plan 2005 Part P – Heritage

Strathfield Consolidated Development Control Plan 2005 Part R – Subdivision Minimum Frontage

Development Control Plan No. 20 - Parramatta Road Corridor Area (Site Specific DCP) (3.5.06)

Development Control Plan No. 25 - 79 Courallie Avenue, Homebush West (Site Specific DCP) (3.5.06)

***Codes** - Council has adopted codes relating to hospitals and landscaping.

Attachment referred to in Items 2 (d)

Refer to **attached** "LAND USE TABLE - RESIDENTIAL ZONES"

LAND USE TABLE - RESIDENTIAL ZONES

Zone R2 Low Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.

2. Permitted without consent

Home occupations

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home businesses; Home industries; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Water recycling facilities

4. Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home businesses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential care facilities; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Water recycling facilities

4. Prohibited

Any development not specified in item 2 or 3

Zone R4 High Density Residential

1. Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations

3. Permitted with consent

Boarding houses; Child care centres; Community facilities; Hotel or motel accommodation; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4. Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water treatment facilities; Wholesale supplies

STRATHFIELD LEP 2012 - EXEMPT AND COMPLYING DEVELOPMENT

The LEP identifies the types of development which are exempt and complying development within the Strathfield Municipality.

Exempt development consists of development that has minimal impact and complies with the set criteria listed in Part 3 of the Strathfield LEP 2012. No development consent is required for exempt development.

Complying development consists of development that is more complex than exempt and does require development consent by either Council or an Accredited Certifier. Development is only complying development if it meets all the specified criteria in Part 3 of the Strathfield LEP 2012.

Details of exempt and complying development can be obtained by contacting the Customer Service Staff on 9748-9999 during business hours.

* * * * *