

**INFORMATION PROVIDED UNDER SECTION 10.7 (2)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

Land which Certificate is issued for:

Lot B DP 364339

53 Homer Street, EARLWOOD NSW 2206

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE R2 LOW DENSITY RESIDENTIAL

1. Permitted without consent

Home occupations

2. Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Shops; Tank based aquaculture.

3. Prohibited

Any development not specified in item 1 or 2

1.2 State Environmental Planning Policies**Note:**

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy - Building Sustainability Index: BASIX 2004
- State Environmental Planning Policy - (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy - (Infrastructure) 2007
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Primary Production and Rural Development) 2019

Proposed State Environmental Planning Policies:

Not applicable

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act

The land is affected by a Planning Proposal which has been placed on public exhibition. The Planning Proposal seeks to introduce minimum site area and minimum site frontage requirements for development for the purposes of boarding houses in R2, R3, R4 and B5 zones.

Please contact Council's City Planning Division for further details.

1.4 Development Control Plans.**CANTERBURY DEVELOPMENT CONTROL PLAN 2012**

Contains detailed design guidelines and development standards for development in the former Canterbury City.

1.5 Contribution Plans.**CANTERBURY DEVELOPMENT CONTRIBUTIONS PLAN 2013**

Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2000.

**PART 2:
RESTRICTIONS ON DEVELOPMENT**

2.1 Heritage

Not applicable.

2.2 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.3 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

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

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.4 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

• **Land Slip**

The land is not affected by a policy restriction relating to landslip.

• **Bushfire**

Not applicable

• **Tidal Inundation**

The land is not affected by a policy restriction relating to tidal inundation

• **Subsidence**

The land is not affected by a policy restriction relating to subsidence

• **Acid Sulfate Soils**

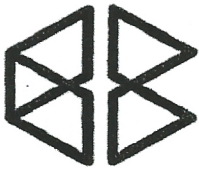
The land is affected by the Acid Sulfate Soils Assessment Guidelines and Acid Sulfate Soils Planning Guidelines adopted by the Department of Planning, Industry & Environment and the NSW Office of Environment & Heritage and notified to the Council that restricts the development of the land because of the likelihood of acid sulfate soils.

• **Unhealthy Building Land**

The land is not affected by a policy restriction relating to Unhealthy Building Land.

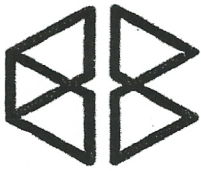
• **Any Other Risk**

Not applicable.



- 2.5 **Flooding**
Development on the 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 not subject to any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- 2.6 **Matters arising under the Contaminated Land Management Act, 1997.**
Not applicable.
- 2.7 **Land Reserved For Acquisition**
There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
- 2.8 **Property Vegetation Plans**
Not applicable
- 2.9 **Orders under Trees (Disputes Between Neighbours) Act 2006**
Not applicable
- 2.10 **Directions under Part 3A**
Not applicable
- 2.11 **Site Compatibility Certificates and Conditions for Seniors Housing**
Not applicable
- 2.12 **Site Compatibility Certificates for Infrastructure**
Not applicable
- 2.13 **Site Compatibility Certificates and Conditions for Affordable Rental Housing**
Not applicable
- 2.14 **Certain Information Relating to Beaches and Coasts**
Not applicable
- 2.15 **Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**
Not applicable
- 2.16 **Biodiversity Certified Land**
Not applicable
- 2.17 **Paper Subdivision Information**
Not applicable
- 2.18 **Site Verification Certificates**
Not applicable
- 2.19 **Loose-Fill Asbestos Ceiling Insulation**
Not applicable
- 2.20 **Affected Building Notices and Building Product Rectification Orders**
Not applicable



2.21

Complying Development

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 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land. Note that in order for complying development to be able to be carried out, it must be permissible in the relevant zone in the first place.

Housing Code (if in a residential zone)	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Rural Housing Code (if in a rural residential zone)	Not applicable
Housing Alterations Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
General Development Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Commercial and Industrial (New Buildings and Additions) Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Commercial and Industrial Alterations Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Container Recycling Facilities Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Demolition Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Subdivision Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone

Fire Safety Code

No.

The land is excluded for the following reason(s):
Environmentally Sensitive Area- Coastal Zone

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.



per **MATTHEW STEWART**
GENERAL MANAGER

**INFORMATION PROVIDED UNDER SECTION 10.7 (2)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

Land which Certificate is issued for:

Lot Y DP 386920

53 Homer Street, EARLWOOD NSW 2206

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE R2 LOW DENSITY RESIDENTIAL

1. Permitted without consent

Home occupations

2. Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Shops; Tank based aquaculture.

3. Prohibited

Any development not specified in item 1 or 2

1.2 State Environmental Planning Policies**Note:**

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy - Building Sustainability Index: BASIX 2004
- State Environmental Planning Policy - (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy - (Infrastructure) 2007
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Primary Production and Rural Development) 2019

Proposed State Environmental Planning Policies:

Not applicable

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act

The land is affected by a Planning Proposal which has been placed on public exhibition. The Planning Proposal seeks to introduce minimum site area and minimum site frontage requirements for development for the purposes of boarding houses in R2, R3, R4 and B5 zones.

Please contact Council's City Planning Division for further details.

1.4 Development Control Plans.**CANTERBURY DEVELOPMENT CONTROL PLAN 2012**

Contains detailed design guidelines and development standards for development in the former Canterbury City.

1.5 Contribution Plans.**CANTERBURY DEVELOPMENT CONTRIBUTIONS PLAN 2013**

Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2000.

**PART 2:
RESTRICTIONS ON DEVELOPMENT**

2.1 Heritage

Not applicable.

2.2 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.3 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

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

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.4 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

• **Land Slip**

The land is not affected by a policy restriction relating to landslip

• **Bushfire**

Not applicable

• **Tidal Inundation**

The land is not affected by a policy restriction relating to tidal inundation

• **Subsidence**

The land is not affected by a policy restriction relating to subsidence

• **Acid Sulfate Soils**

The land is affected by the Acid Sulfate Soils Assessment Guidelines and Acid Sulfate Soils Planning Guidelines adopted by the Department of Planning, Industry & Environment and the NSW Office of Environment & Heritage and notified to the Council that restricts the development of the land because of the likelihood of acid sulfate soils.

• **Unhealthy Building Land**

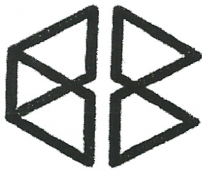
The land is not affected by a policy restriction relating to Unhealthy Building Land.

• **Any Other Risk**

Not applicable.

- 2.5 **Flooding**
Development on the 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 not subject to any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- 2.6 **Matters arising under the Contaminated Land Management Act, 1997.**
Not applicable.
- 2.7 **Land Reserved For Acquisition**
There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
- 2.8 **Property Vegetation Plans**
Not applicable
- 2.9 **Orders under Trees (Disputes Between Neighbours) Act 2006**
Not applicable
- 2.10 **Directions under Part 3A**
Not applicable
- 2.11 **Site Compatibility Certificates and Conditions for Seniors Housing**
Not applicable
- 2.12 **Site Compatibility Certificates for Infrastructure**
Not applicable
- 2.13 **Site Compatibility Certificates and Conditions for Affordable Rental Housing**
Not applicable
- 2.14 **Certain Information Relating to Beaches and Coasts**
Not applicable
- 2.15 **Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**
Not applicable
- 2.16 **Biodiversity Certified Land**
Not applicable
- 2.17 **Paper Subdivision Information**
Not applicable
- 2.18 **Site Verification Certificates**
Not applicable
- 2.19 **Loose-Fill Asbestos Ceiling Insulation**
Not applicable
- 2.20 **Affected Building Notices and Building Product Rectification Orders**
Not applicable



2.21

Complying Development

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 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land. Note that in order for complying development to be able to be carried out, it must be permissible in the relevant zone in the first place.

Housing Code (if in a residential zone)	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Rural Housing Code (if in a rural residential zone)	Not applicable
Housing Alterations Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
General Development Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Commercial and Industrial (New Buildings and Additions) Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Commercial and Industrial Alterations Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Container Recycling Facilities Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Demolition Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone
Subdivision Code	No. The land is excluded for the following reason(s): Environmentally Sensitive Area- Coastal Zone

Fire Safety Code

No.
The land is excluded for the following reason(s):
Environmentally Sensitive Area- Coastal Zone

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.



per **MATTHEW STEWART**
GENERAL MANAGER