

# **Preliminary Site Investigation**

**3 – 7 Taylor Street**

**Lidcombe, New South Wales**



Taylorland Pty Ltd

4 September 2014



## **Preliminary Site Investigation**

3 – 7 Taylor Street, Lidcombe, NSW

*Prepared for:*

**Taylorland Pty Ltd**

Report Issued:

4 September 2014

A handwritten signature in black ink, appearing to read 'A. Kita', written over a horizontal line.

Author:

Andrew Kita  
Principal Engineer  
B.Eng (Geol, Hons)

**Disclaimer:** THIS DOCUMENT IS SUBJECT TO LIMITATIONS NOTED

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## Executive Summary

Taylorland Pty Ltd (Taylorland) engaged S&N Environmental Engineers & Contractors (S&N) to undertake a Preliminary Site Investigation (PSI) for the property located at 3 - 7 Taylor Street, Lidcombe, NSW ('the site'). The PSI is required in support of a Development Application to Auburn City Council for a proposed residential redevelopment of the site.

A Locality Plan is presented in Figure 1 showing the location of the site, and a Site Plan showing the site and surrounding features is presented in Figure 2.

The results of the PSI showed that the site was developed and used for residential landuse since at least 1930. Currently, the site is partially occupied by a residential dwelling with landscaped areas and a shed (3 Taylor Street). The remainder of the site consists of vacant land with historic building structures having been removed (5 and 7 Taylor Street). Small piles of domestic waste were observed on the vacant portion of the site (5 and 7 Taylor Street), near the northern site boundary.

Based on the results of the PSI, there is considered to be low potential for contamination to be present at the site as a result of the current and historic residential land uses of the property. In view of this, a Detailed Site Investigation (DSI) is not considered necessary prior to the proposed residential redevelopment of site.

The small pile of domestic waste should be appropriately disposed off-site, according to the waste materials observed. If soil is excavated and requires off-site disposal during redevelopment, the soil should be tested and classified in accordance with NSW EPA guidelines.

## 1 Introduction

Taylorland Pty Ltd (Taylorland) engaged S&N Environmental Engineers & Contractors (S&N) to undertake a Preliminary Site Investigation (PSI) for the property located at 3 - 7 Taylor Street, Lidcombe, NSW ('the site'). The PSI is required in support of a Development Application to council for a proposed residential redevelopment of the site.

A Locality Plan is presented in Figure 1 showing the location of the site, and a Site Plan showing the site and surrounding features is presented in Figure 2.

The specific objectives of the PSI were to:

- Review present and historical land uses at the site;
- Identify any current or historical potentially contaminating activities;
- Identify the potential types and nature of contamination, if relevant;
- Discuss the site condition; and
- Provide conclusions and recommendations regarding the suitability of the site for the proposed redevelopment, and identify any further investigation for potential site contamination, if considered warranted.

## 2 Scope of Works

The following scope of works were undertaken in order to meet the objectives described above:

- Conduct database searches and review of historical information from the following sources;
  - Current and historical certificates of title;
  - Council records including previous planning certificates;
  - NSW EPA administered environment management and contaminated land registers;
  - State Government records including a Dangerous Goods License search;
  - Review of available historical aerial photographs;
  - Registered groundwater bore database search for bores in the site vicinity, to determine the local hydrogeology and groundwater utilisation;
- Determine the local environmental sensitivity, including geological, hydrogeological and hydrological information and identification of nearby sensitive receptors;
- Conducted an inspection of the site to;
  - Identify potential sources of contamination, assess surrounding sensitive land uses, and evaluate the general condition of the site in relation to potential contamination;
  - Identify known or suspected areas of potential concern (if any);
  - Interview site personnel, if available, regarding previous site activities and features;

- Develop an initial Conceptual Site Model (CSM) of the site, outlining potential contamination sources, and exposure pathways and receptors which may be impacted, and undertake a preliminary environmental risk assessment; and
- If required, outline any recommendations for further investigation that may be warranted to assess for potential contamination at the site based on the results of the PSI.

## 3 Site Description and Setting

### 3.1 Site Identification

The site is located at 3 - 7 Taylor Street, Lidcombe, NSW, which is approximately 20 km west of the Sydney CBD, and identified as:

- Lot 9 on DP 73359 (3 Taylor Street);
- Lot A on DP 33452 (5 Taylor Street); and
- Lot B on DP 33452 (7 Taylor Street).

The site is owned by Taylorland Pty Ltd (3 Taylor Street) and Taylor St Group Pty Ltd (5 - 7 Taylor Street). It is approximately 1,400m<sup>2</sup> in area and located at coordinates 319110mE and 6251117mS. The location of the site is shown in Figure 1.

### 3.2 Site Description & Adjoining Land Uses

A site inspection was completed by S&N personnel on 1 August 2014. Details of the site, as observed during the inspection, are outlined in Table 1 below.

**Table 1 Site Description**

Category	Observation
Current use	The site is partially used for residential landuse (3 Taylor Street). The remainder of the site is fenced and vacant (5 – 7 Taylor Street).
Site features	The site is partially occupied by a residential building with landscaped areas and a shed (3 Taylor Street). The remainder of the site consists of vacant land without building structures (5 – 7 Taylor Street). The vacant land is covered with grass and some domestic waste.
Chemical storage and use	No chemical use or storage has been identified at the site.
Waste generation and storage	Some domestic waste stockpiles were observed at the site (5 and 7 Taylor Street). An initial inspection of the waste identified bricks, terracotta pipes, plastic, aluminium cans, cardboard and concrete pieces.
Surface covering/ Vegetation	Unsealed areas consisting of grass and some trees are located around the house at 3 Taylor Street. Unsealed areas consisting of grass and weeds are located on the vacant land at 5 – 7 Taylor Street.
Electrical transformers	None observed on-site. The Telstra Lidcombe Exchange is located adjacent to the site across the laneway to the west.
Topography and infilling	The area in the vicinity of the site slopes generally to the north-east towards Haslam Creek (2km NE) and the Parramatta River (5.5km NE).
Surface drainage	Surface drainage appeared to be satisfactory. Pondered water was not observed at the site.

Site photographs are provided in Appendix D.

### 3.3 Surrounding Land Use

The site is located within a predominantly commercial and residential area. At the time of the inspection, the surrounding land uses comprised:

- North: An unnamed laneway, with commercial properties and Railway Street beyond;
- East: High density residential apartments, with Lidcombe Motor Inn and Mark Street beyond;
- South: Taylor Street, with Lidcombe RSL & Community Club, Lidcombe Bowling Club and Parkland beyond;
- West: An unnamed laneway, with Telstra Lidcombe Exchange and commercial properties beyond.

Service stations are located approximately 70m to the west across Mark Street, and 85m to the east across Joseph Street.

### 3.4 Geology & Hydrogeology

The Sydney 1:100,000 Geological Series Sheet 9130 (Ed 1) (Geological Survey of NSW, 1983) indicates that the site is underlain by black to dark grey shale and laminite of the Wianamatta Group.

Based on the topography of the area, and the location of the nearest surface water bodies, Haslam Creek and Parramatta River, it is expected that groundwater below the Site would flow generally towards the north-east.

### 3.5 Registered Groundwater Bore Search

The NSW Government Office of Water online interactive software, Waterinfo, provides a map of groundwater bores that are in proximity to the Site. A search of the Waterinfo database conducted on 13 August 2014, identified 1 bore within a 1 km radius of the site as follows:

**Table 2 Registered Groundwater Bores**

Bore ID	Use	Date Completed	Depth (m)	Distance & Direction from Site	Groundwater Depth (m)
GW111940	Monitoring Bore	28-06-2012	6.1	200m south-west	N/A

Details are summarised in Table 2, above, and a copy of the licensed bore information is included in Appendix A.

### 3.6 Surface Water Bodies

A drainage channel is located approximately 500m to the north north-west. The drainage channel discharges water into Haslams Creek which is approximately 2km to the north-east. Haslams Creek drains into the Parramatta River which is approximately 5.5km to the north-east. In addition, the Cooks River is located approximately 2.5km to the south. Cooks River drains into Botany Bay which is approximately 14.5km to the south-east.



## 4 Site History and Background

Historical information was obtained for the site from a number of sources as presented in Table 3, below.

**Table 3 Historical and Background Information Search**

Source	Location	Comments
Current Title	Tri-Search	Current Title Documents are included in Appendix B
Historical Title	Tri-Search	Historical Title Documents are included in Appendix B
Aerial Photographs	NSW Land & Property Information	Aerial Photographs are included in Appendix C
Contaminated Land Register	NSW EPA	Nil
Acid Sulfate Soils Search	<a href="http://www.nratlas.nsw.gov.au/">http://www.nratlas.nsw.gov.au/</a> <a href="http://www.asris.csiro.au/">http://www.asris.csiro.au/</a>	Nil
WorkCover NSW – Dangerous Goods Search	WorkCover NSW	Dangerous Goods search is included in Appendix E

The results of the site historical information review are presented below.

### 4.1 Certificates of Title

The historical title obtained provided detailed historical information about the site which included the following:

- Lot 9 on DP 73359 (3 Taylor Street) – Prior Title Vol 3423, Fol 140;
- Lot A on DP 33452 (5 Taylor Street) – Prior Title Vol 5397, Fol 37; and
- Lot B on DP 33452 (7 Taylor Street) – Prior Title Vol 5640, Fol 113:
  - 1920 onwards, lots owned by various private individuals and companies.
  - 9/73359, currently owned by Taylorland Pty Ltd.
  - A/33452, currently owned by Taylor Street Group Pty Ltd.
  - B/33452, currently owned by Taylor Street Group Pty Ltd.
  - No historic commercial or industrial landuse of the site was identified.

Copies of title documents are provided in Appendix B.

### 4.2 Historical Aerial Photograph Review

Aerial photographs of the site for the years 1930, 1951, 1961, 1972, 1986 and 1999, were sourced from the NSW Land and Property Management Authority and a 2009 photograph was sourced from Google Earth™.

A summary of the photographs is provided in Table 4 below. Aerial photograph extract images are presented in Appendix C.

**Table 4 Summary of Historical Aerial Photographs**

Aerial Photograph	Description
1930 Black & White	Residential dwellings are located at 3 and 7 Taylor Street properties. A shed is located at the north-east corner of 3 Taylor Street. 5 Taylor Street appears to be undeveloped and vacant land. The surrounding area appears to be utilised primarily for residential and commercial purposes. Lidcombe Train Station is located approximately 100m to the north. Rookwood Cemetery is located approximately 300m to the east.
1951 Black & White	No significant changes have occurred on-site since 1930, except that there is now a residential dwelling with a shed located at 5 Taylor Street. Lidcombe Bowling Club appears to have been developed approximately 50m to the south across Taylor Street.
1961 Black & White	The site appears relatively unchanged since 1961, except that what appears to be a shed has been built on 7 Taylor Street at the north-west corner. The building currently used as a Telstra Lidcombe Exchange has been built across the laneway to the west.
1972 Black & White	The site appears relatively unchanged since 1961, except the shed at the north-west corner of 7 Taylor Street is no longer present. The building currently used as the Lidcombe RSL and Community Club is now present to the south across Taylor Street. A property across the laneway and to the north of the site has been cleared of buildings that were present during 1961.
1986 Colour	The site appears relatively unchanged since 1972.
1999 Colour	The site appears relatively unchanged since 1972, except a shed appears to have been built on 7 Taylor Street at the north-west corner.
2009 Colour	The site appears in its present configuration. A residential building and shed are located at 3 Taylor Street. Residential buildings are no longer present at 5 and 7 Taylor Street, now consisting of cleared vacant land. High density residential apartments are now adjacent to the site to the east.

### 4.3 Contaminated Land Record Review

The NSW EPA environmental register for contaminated land records was accessed online (<http://www.environment.nsw.gov.au/prclmapp/searchregister.aspx>). No notices or declarations were listed for the Site

### 4.4 Relevant Planning Information

Planning certificates, issued under Section 149(2) of the Environmental Planning and Assessment Act, 1979, were obtained from Auburn City Council for the site. A review of these did not highlight any matters of significance for the purposes of the PSI. Copies of the planning certificates are provided in Appendix F.

## 4.5 Acid Sulphate Soil

A review of maps provided online by the New South Wales Natural Resource Atlas (NRAtlas) shows the site to be located outside of known Acid Sulfate Soil (ASS). In addition, a review of the maps provided online by the Australian Soil Resource Information System (ASRIS) shows the site to have a low probability of occurrence for ASS. Therefore ASS are not expected to be encountered at the site.

## 4.6 Dangerous Goods Search

A search of the Stored Chemical Information Data Base (SCID) and the microfiche records held by WorkCover NSW for the site was requested on 31 July 2014. The search results indicate that there are no licence records in relation to the historic use or storage of dangerous goods at the site.

The results of the dangerous goods search are provided in Appendix E.

## 4.7 Previous Environmental Assessments

S&N was not provided with any previous environmental reports and S&N is not aware of any previous environmental investigations being undertaken at the site.

# 5 Initial Conceptual Site Model

The environmental risk assessment is based on a contaminant (source) - exposure pathway - receptor methodology. This relationship allows an assessment of potential environmental risk to be determined, in accordance with the current national guidelines.

Central to the requirements for the assessment of risk is the development of an initial conceptual site model (CSM), identifying each contaminant source and the associated receptor exposures.

## 5.1 Potential Areas of Environmental Concern

Based on the information sourced in this PSI, a number of potential contaminant sources have been identified at the site, as summarised in Table 5.

**Table 5 Potential Areas of Environmental Concern**

Potential Source	Description	Location
Domestic Waste	There is some potential for potentially contaminated wastes to be present, however none could be identified from the boundary of the site. The domestic waste should be inspected and appropriately disposed of as part of site redevelopment works.	5 & 7 Taylor Street
Potential Fill Material	Potential for small quantities of variable fill material used during historic development at the site to include variable materials of unknown origin. If fill material is identified during site redevelopment works, it should be tested and classified for off-site disposal purposes in accordance with NSW EPA requirements.	Site-wide

## 5.2 Potential Receptors

Identified receptors to potential contamination sourced from the site include:

- Human-Health:
  - Future site workers during redevelopment of the site;
  - Future residents of the proposed development;
  - Workers at surrounding commercial and residential properties;
  - Neighbouring residents; and
  - Sub-surface maintenance workers – i.e. workers, on-site or at surrounding properties who have access to pits, drains, soils or groundwaters.
- Environmental:
  - Groundwater beneath the site, within the shale aquifer; and
  - Down gradient watercourses: Haslam Creek (Approximately 2.0km NE) and Parramatta River (Approximately 5.5km NE).

## 5.3 Initial Environmental Risk Assessment

In summary, there does not appear to be the potential for contamination to be present at the site, associated with the current and historic residential landuse at the site.

## 6 Conclusions and Recommendations

### 6.1 Conclusions

Based on the findings in this PSI, the following is concluded:

- The site was developed and used for residential landuse since at least 1930;
- Historic and current residential landuse of the site is not considered to have resulted in potential sub-surface contamination at the site;
- The site is located in a moderately sensitive environmental setting based on nearby residential properties; and
- The site is not located on an area of known acid sulphate soils.

### 6.2 Recommendations

Based on the results of the PSI, there is considered to be low potential for contamination to be present at the site, as a result of the current and historic residential landuse at the property. In view of this, a Detailed Site Investigation is not considered necessary prior to residential redevelopment of the site.

S&N recommends that the small piles of domestic waste be properly inspected and removed from the site. If soil is excavated and requires off-site disposal during redevelopment, the soil should be tested and classified in accordance with NSW EPA guidelines.

## 7 References

- Australian Standard 4976-2008: *Removal and Disposal of Underground Petroleum Storage Tanks*, Standards Australia.
- Australian Standard 4482.1-2005: *Guide to the Investigation and Sampling of Potentially Contaminated Soil – Part 1: Non-volatile and semi-volatile compounds*, Standards Australia.
- Australian Standard 4482.2-1999: *Guide to the Investigation and Sampling of Potentially Contaminated Soil – Part 2: Volatile Substances*, Standards Australia.
- National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No. 1), National Environment Protection Council, Canberra.
- NSW DEC *Guidelines for the NSW Site Auditor Scheme-2nd Edition* (NSW DEC, 2006).
- NSW DECC (2009) *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act*. NSW Department of Environment and Climate Change.
- NSW OEH (2011) *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*. NSW Environment Protection Authority.

## 8 Limitations

This report has been prepared for Taylorland Pty Ltd and for the specific purpose to which it refers. No responsibility is accepted to any third party and neither the whole of the report or any part or reference thereto may be published in any document, statement or circular nor in any communication with third parties without our prior written approval of the form and context in which it will appear.

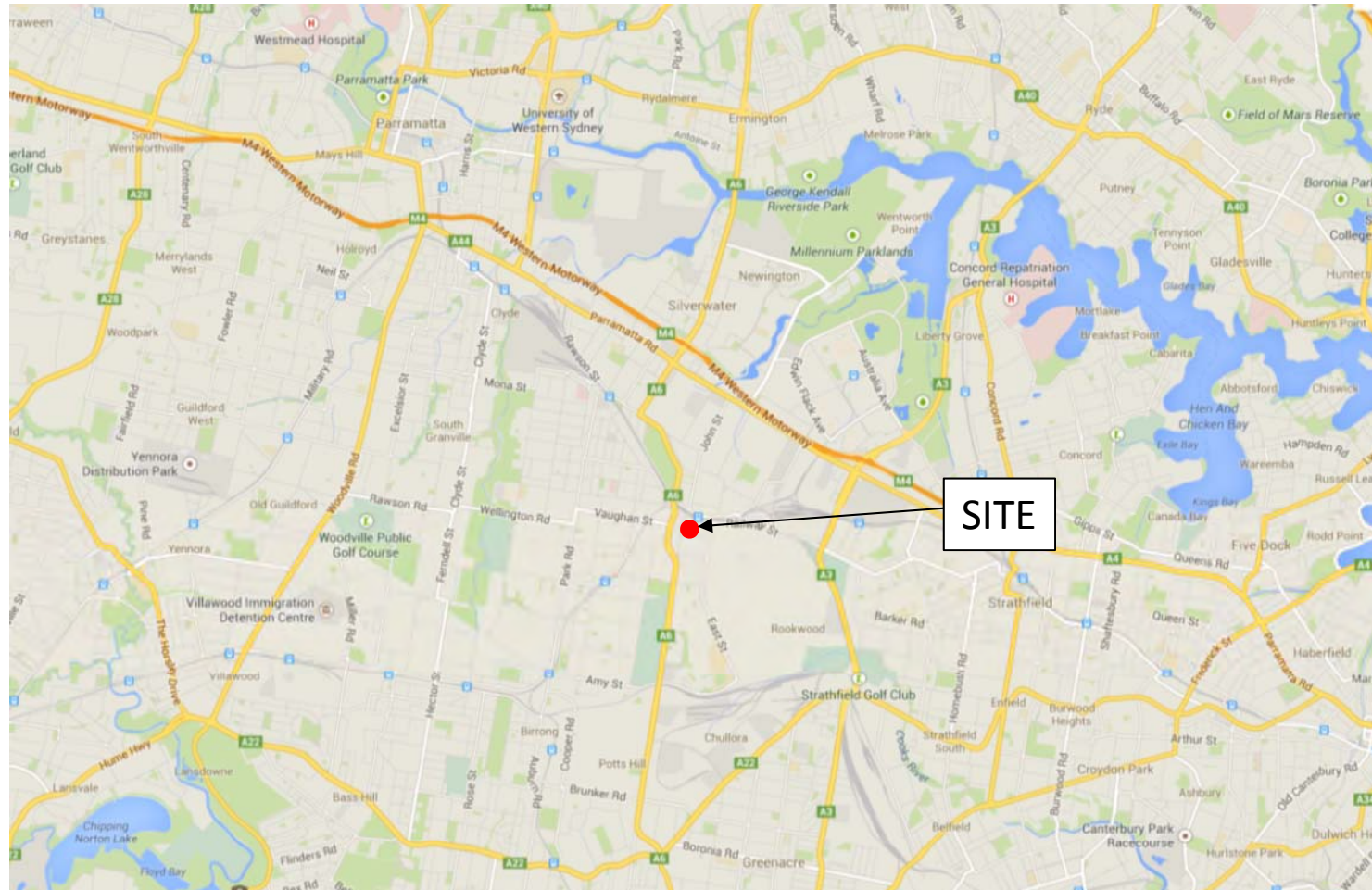
S&N has used a degree of skill and care ordinarily exercised by reputable members of our profession practicing in the same or similar locality. The conclusions presented in this report are relevant to the conditions of the site and the state of legislation currently enacted as at the date of this report. We do not make any representation or warranty that the conclusions in this report were applicable in the future as there may be changes in the condition of the site, applicable legislation or other factors that would affect the conclusions contained in this report.

This report and the information contained in it is the intellectual property of S&N. Taylorland Pty Ltd is granted an exclusive licence for the use of the report for the purpose described in the report.



**Figures**



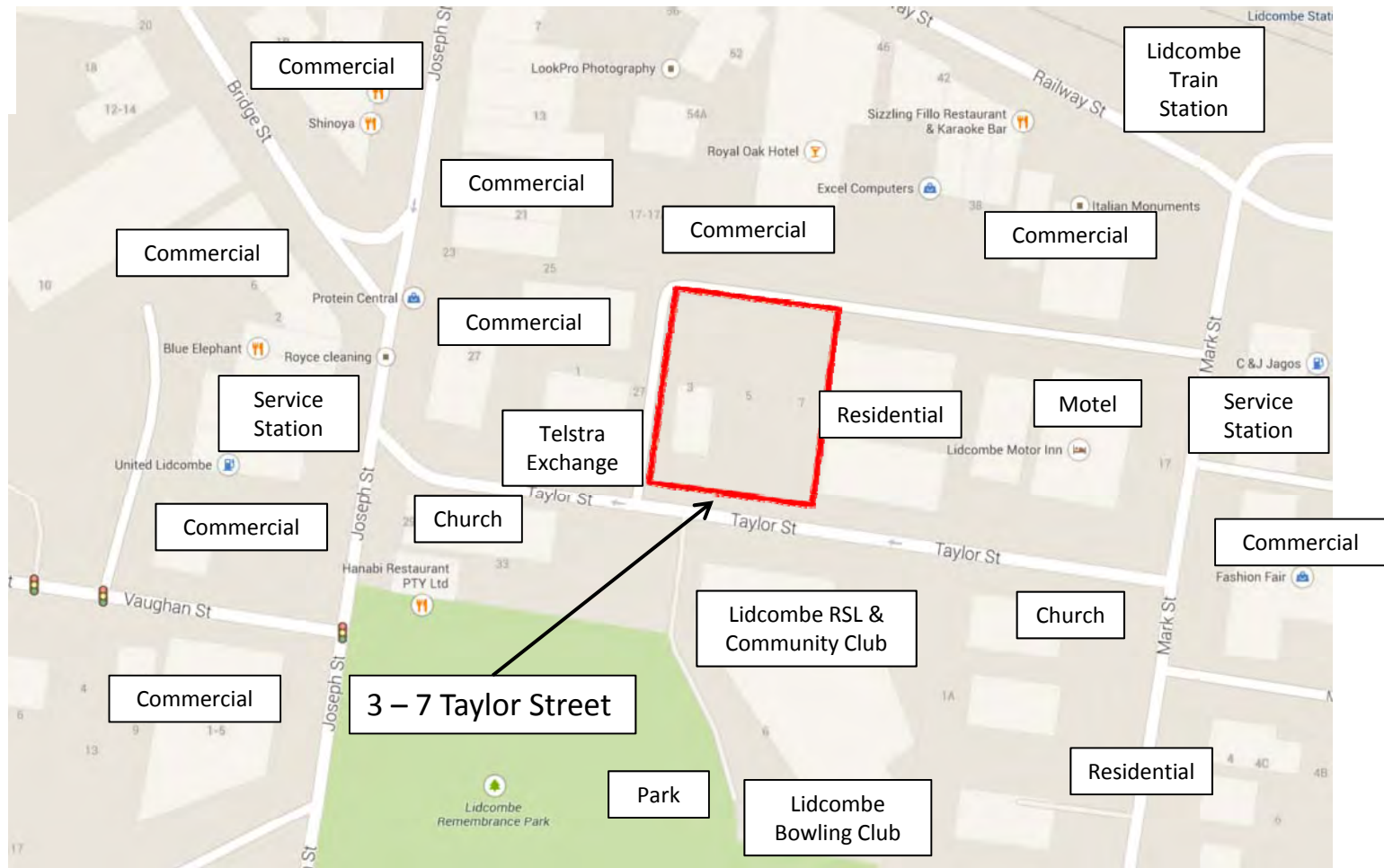


Project: **2.03 - Lidcombe**

Title: **Locality Plan**

Figure: **1**

Address: **3 – 7 Taylor Street, Lidcombe, NSW**



Project: **2.03 - Lidcombe**

Title: **Site Plan**

Figure: **2**

Address: **3 – 7 Taylor Street, Lidcombe, NSW**

# **Appendix A**

## **Registered Groundwater Bores**

# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

Document Generated on Wednesday, August 13, 2014

[Print Report](#)

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW111940

### Works Details [\(top\)](#)

<b>GROUNDWATER NUMBER</b>	GW111940
<b>LIC-NUM</b>	10BL605200
<b>AUTHORISED-PURPOSES</b>	MONITORING BORE
<b>INTENDED-PURPOSES</b>	MONITORING BORE
<b>WORK-TYPE</b>	Bore
<b>WORK-STATUS</b>	Equipped - bore used for obs
<b>CONSTRUCTION-METHOD</b>	(Unknown)
<b>OWNER-TYPE</b>	Private
<b>COMMENCE-DATE</b>	
<b>COMPLETION-DATE</b>	2012-06-28
<b>FINAL-DEPTH (metres)</b>	6.10
<b>DRILLED-DEPTH (metres)</b>	6.10
<b>CONTRACTOR-NAME</b>	
<b>DRILLER-NAME</b>	
<b>PROPERTY</b>	MICKS AUTO PORT
<b>GWMA</b>	-
<b>GW-ZONE</b>	-
<b>STANDING-WATER-LEVEL</b>	2.71
<b>SALINITY</b>	
<b>YIELD</b>	

### Site Details [\(top\)](#)

<b>REGION</b>	10 - SYDNEY SOUTH COAST
<b>RIVER-BASIN</b>	
<b>AREA-DISTRICT</b>	
<b>CMA-MAP</b>	
<b>GRID-ZONE</b>	
<b>SCALE</b>	
<b>ELEVATION</b>	
<b>ELEVATION-SOURCE</b>	
<b>NORTHING</b>	6250984.00
<b>EASTING</b>	318959.00
<b>LATITUDE</b>	33 51' 57"
<b>LONGITUDE</b>	151 2' 34"
<b>GS-MAP</b>	
<b>AMG-ZONE</b>	56
<b>COORD-SOURCE</b>	
<b>REMARK</b>	

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
PARISH LIBERTY PLAINS  
PORTION-LOT-DP C//946908

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
PARISH LIBERTY PLAINS  
PORTION-LOT-DP C 946908

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	0.15	150			
1		Hole	Hole	0.15	6.10	100			
1	1	Casing	PVC Class 18	0.10	1.60	60			Screwed; Seated on Bottom; End cap PVC Class 18; Casing - Machine Slotted; SL: 135mm; A: 5mm; Screwed
1	1	Opening	Slots - Horizontal	1.60	6.10	60			Graded; GS: 2-5mm
1		Annulus	Crushed Aggregate	0.90	6.10				

### Water Bearing Zones [\(top\)](#)

no details

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.15	0.15	CONCRETE		
0.15	0.20	0.05	SAND BROWN, FILLING		
0.20	0.50	0.30	SILTY CLAY GREY SOFT		
0.50	1.30	0.80	CLAY STIFF,MOTTLED RED AND GREY		
1.30	5.50	4.20	CLAY SOFT TO FIRM,MOTTLED		
5.50	6.10	0.60	SHALE, LOW STRENGTH ,GREY,SHALE		

Warning To Clients: This raw data has been supplied to the Department of Infrastructure, Planning and Natural Resources (DIPNR) by drillers, licensees and other sources. The DIPNR does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

## **Appendix B**

### **Current & Historical Titles**



Tri-Search hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 9/73359

SEARCH DATE	TIME	EDITION NO	DATE
4/9/2014	8:32 AM	3	1/9/2014

LAND

LOT 9 IN DEPOSITED PLAN 73359  
LOCAL GOVERNMENT AREA AUBURN  
PARISH OF LIBERTY PLAINS COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP73359

FIRST SCHEDULE

TAYLORLAND PTY LIMITED

(T AI857343)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

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

# TITLE SEARCH

Title Reference: A/33452

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/33452

SEARCH DATE	TIME	EDITION NO	DATE
14/8/2014	12:37 PM	7	8/7/2013

LAND

LOT A IN DEPOSITED PLAN 33452  
LOCAL GOVERNMENT AREA AUBURN  
PARISH OF LIBERTY PLAINS COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP33452

FIRST SCHEDULE

TAYLOR ST GROUP PTY LTD (T AH544301)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 92119 RIGHT OF WAY APPURTENANT TO THE LAND ABOVE  
DESCRIBED AFFECTING THE PART SHOWN SO BURDENED IN VOL  
5397 FOL 37
- 3 AH544302 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

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

PRINTED ON 14/8/2014



# TITLE SEARCH

Title Reference: B/33452

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: B/33452

SEARCH DATE	TIME	EDITION NO	DATE
14/8/2014	12:37 PM	6	8/7/2013

LAND

LOT B IN DEPOSITED PLAN 33452  
LOCAL GOVERNMENT AREA AUBURN  
PARISH OF LIBERTY PLAINS COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP33452

FIRST SCHEDULE

TAYLOR ST GROUP PTY LTD (T AH544301)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 92119 RIGHT OF WAY APPURTENANT TO THE LAND ABOVE  
DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN VOL  
5640 FOL 113
- 3 AH544302 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

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

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

10/8/2014 6:43PM

FOLIO: A/33452

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 5397 FOL 37

Recorded	Number	Type of Instrument	C.T. Issue
2/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
27/10/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
2/12/1991	E97064	TRANSMISSION APPLICATION	EDITION 1
22/10/1992	E841927	TRANSFER	
22/10/1992	E841928	MORTGAGE	EDITION 2
1/11/2001	8078260	DISCHARGE OF MORTGAGE	
1/11/2001	8078261	TRANSFER	
1/11/2001	8078262	MORTGAGE	EDITION 3
4/4/2007	AD34515	DISCHARGE OF MORTGAGE	EDITION 4
3/6/2009	AE727941	MORTGAGE	EDITION 5
31/10/2012	AH335033	DISCHARGE OF MORTGAGE	
31/10/2012	AH335034	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 6
8/7/2013	AH544301	TRANSFER	
8/7/2013	AH544302	MORTGAGE	EDITION 7

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

2.03 Lidcombe

PRINTED ON 10/8/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

10/8/2014 6:46PM

FOLIO: B/33452

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 5640 FOL 113

Recorded	Number	Type of Instrument	C.T. Issue
2/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
5/12/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
21/8/1991	Z863545	DISCHARGE OF MORTGAGE	EDITION 1
22/8/2003	9904169	TRANSFER	
22/8/2003	9904170	MORTGAGE	EDITION 2
4/4/2007	AD34516	DISCHARGE OF MORTGAGE	EDITION 3
3/6/2009	AE727941	MORTGAGE	EDITION 4
31/10/2012	AH335033	DISCHARGE OF MORTGAGE	
31/10/2012	AH335034	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 5
8/7/2013	AH544301	TRANSFER	
8/7/2013	AH544302	MORTGAGE	EDITION 6

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

2.03 Lidcombe

PRINTED ON 10/8/2014

\*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Appn. No. 23359

New South Wales.

56571



[CERTIFICATE OF TITLE.]

REGISTER BOOK.

VOL. 3423 FOL. 140

CANCELLED



ON ISSUE OF NEW FOLIO 9/13359

*Mrs Emily Gizzard of Lidcombe, Spinster, Applicant in primary Application N° 23359 is now the proprietor of an estate in fee simple subject nevertheless to the reservations and conditions of any contained in the Grant hereinafter referred to and also subject to such encumbrances liens and interests as are notified herein in that piece of land situated in the Municipality of Lidcombe Parish of Liberty Plains and County of Cumberland as shown in the plan heron and thereon edged red and also shown in the plan lodged with said Application N° 23359 being Pt 9 of the Throdden estate and part of sixty acres (Portion 38 of Parish) delineated in the future map of the said Parish in the Department of Lands originally granted to George Sunderland by Crown Grant dated the twentieth day of June one thousand eight hundred and twenty three.*

In witness whereof, I have hereunto signed my name and affixed my Seal, this

22<sup>nd</sup> day of February 1923

Signed in the presence of

*J. J. J. J.*

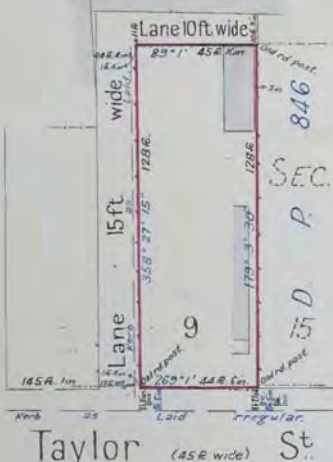
*W. H. H. H.*

Registrar General.



THE LAND WITHIN DESCRIBED IS  
LOT 9 DP 73359

Joseph St.



Taylor St.

SCALE - 40 ft to one inch

NOTICE TO BE COMPLIED TO

*Oliver Mabel Davies of Lidcombe*  
*Married woman,*  
now the registered proprietor of the land within described.  
See Section 94 Application No. *41773757*  
Entered *26th April* 19*21*  
*J. J. J. J.*  
REGISTRAR GENERAL

*Oliver Mabel Davies of Lidcombe*  
now the registered proprietor of the land within described  
See TRANSFER No. *24355* dated *26th May* 19*22*  
Entered *26th May* 19*22*  
*J. J. J. J.*  
REGISTRAR GENERAL

No. *6659306* APPLICATION BY TRANSMISSION  
*Gertrude Caroline Andrews of Lidcombe, Widow*  
At and the registered  
Proprietors of the land within described in pursuance of the above  
Application Produced *5th May* 19*21* and  
entered *20th May* 19*21* at *12 o'clock* in the *noon*.  
*J. J. J. J.*  
REGISTRAR GENERAL

No. *100355* MORTGAGE dated *26th May* 19*22*  
to *Oliver Mabel Davies of Lidcombe, Married woman*  
Entered *26th May* 19*22*  
*J. J. J. J.*  
REGISTRAR GENERAL

*6659306 TA*


*4342086 TA*  
*1773757 TA*  
*1443197 TA*

*6433599 TA*



*TE*

*K*

*\** Milton Roberto Mangini of Lidcombe Carpenter and  
Argentina Mangini his wife as joint tenants are  
now the registered proprietors of the land within described  
See TRANSFER No. P433600 dated 17th September 1975  
Entered and October 1975  
*Jawatsion*   
REGISTRAR GENERAL

*M*

*1*

No. P433601 MORTGAGE dated 27th August 1975  
to Commonwealth Savings Bank of Australia  
Entered and October 1975  
*Jawatsion*   
REGISTRAR GENERAL  
*Discharged*  
*27-10-1975*

COMPUTER FOLIO NO FURTHER  
DEALINGS TO BE REGISTERED.

COMPUTER FOLIO NO FURTHER  
DEALINGS TO BE REGISTERED.

78046690412

201

Appn. No. 4455

Reference to last certificates

Vol 3083 Fols 50 and 58

Deposited Plan No. 846

# New South Wales.



[CERTIFICATE OF TITLE.]

ORDER NO.D526354

REGISTER BOOK.

Vol. 5640 Fol. 113

**CANCELLED** W

ON ISSUE OF NEW FOLIO B/33452

ALICE EMILY GAZZARD, of Lidcombe, Spinster, by virtue of Certificates of Title Volume 3083 Ffolios 50 and 58 now surrendered is now the proprietor of an Estate in Fee Simple

subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in that piece of land situated in the Municipality of Lidcombe Parish of Liberty Plains, and County of Cumberland containing Seventeen and one half perches or thereabouts as shown in the plan hereon and therein edged red being Lot B in Miscellaneous Plan of Subdivision (R.P) Registered No. 44178 and being part of 60 acres (Portion 38 of Parish) originally granted to George Sunderland by Crown Grant dated the 30th day of June 1823.

In witness whereof I have hereunto signed my and affixed my Seal, this Seventh day of February, 1947.

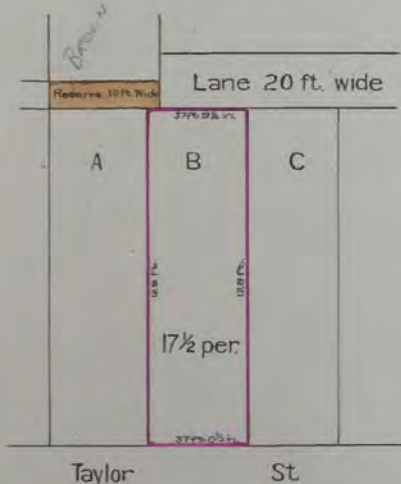
Signed in the presence of

W.P. Friend

J. Wells



Registrar General



Taylor

St

0526354

Scale:- 40 feet to one inch

NOTIFICATION REFERRED TO

No. 92119 Grant of Right of Way as appurtenant to the land above described over the reserve 10 feet wide colored brown in the plan hereon.

J. Wells

Registrar General.

No. 5659506 APPLICATION BY TRANSMISSION  
Gertrude Louisa Sanders of Lidcombe, Widow  
Proprietor of the land within described in pursuance of the above  
Application Produced 5th May 1947 and  
entered 26th April 1947 at 12 o'clock in the noon.  
J. Wells  
REGISTRAR GENERAL

Adeline Mabel Davies of Lidcombe  
M married woman is  
now the registered proprietor of the land within described.  
See Section 94 Application No. H773757  
Entered 26th April 1947  
J. Wells  
REGISTRAR GENERAL

PROPRIETOR Gertrude Louisa Sanders and  
Leonida Lewis Sanders as joint tenants by  
Transfer W119308 Registered 9-1-1948

5659506 TA

H773757 TA

W119308 TA



MG

W119304 Mortgage to St George Building Society Ltd.  
Registered 9-1-1986



COMPUTER FOLIO NO FURTHER  
DEALING TO BE REGISTERED.

201.

Appn. No. 4455

Reference to last certificate

Vol. 3083 Fol. 50

Deposited Plan No. 846

New South Wales.

[CERTIFICATE OF TITLE]



REGISTER BOOK.

Vol. 5397 Fol. 37

**CANCELLED** ☒ W  
ON ISSUE OF NEW FOLIO A/33452.

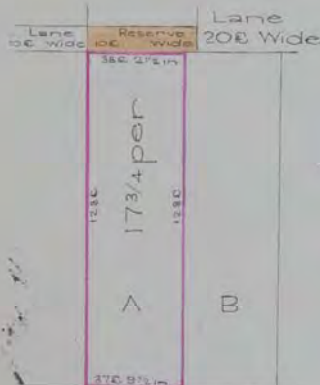
*S*  
*CRY*

\*OLIVE MARBL DAVIES, wife of Richard John Davies, of Lidcombe, Omnibus Driver, Transferee under Instrument of Transfer No. D234818, is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That piece of land situated in the Municipality of Lidcombe Parish of Liberty Plains, and County of Cumberland containing Seventeen and three quarters perches or thereabouts as shown in the plan hereon and therein edged red being Lot A in Miscellaneous Plan of Subdivision (R.P.) Registered No. 48178 and being part of 60 acres (Portion 38 of Parish) originally granted to George Sunderland by Crown Grant dated the 30th day of June 1823.

In witness whereof I have hereunto signed my name and affixed my Seal, this Fifteenth day of October, 1913.

Signed in the presence of W.P. Friend

Reg. to title  
Registrar General



Taylor St

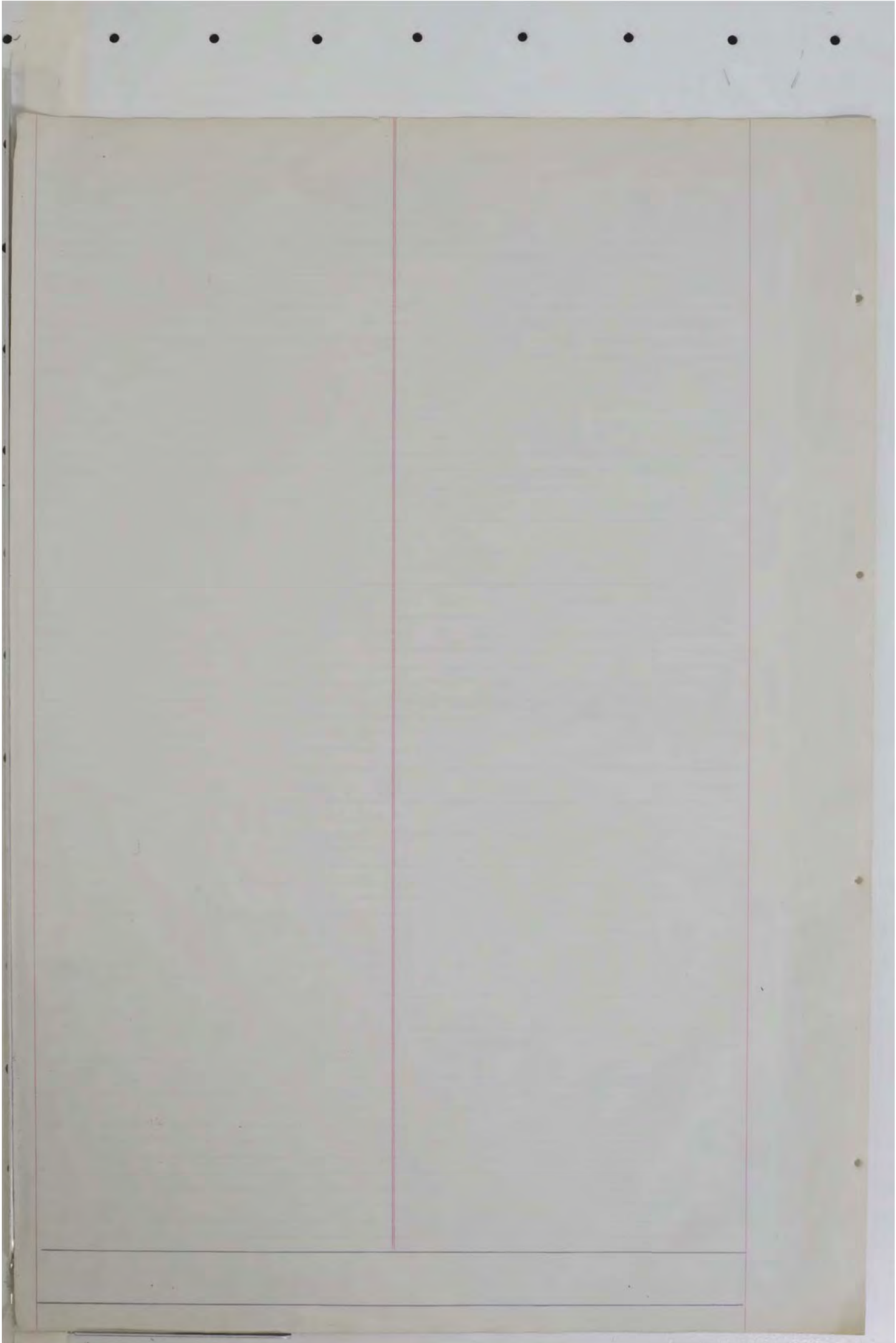
Scale: 400 feet to an inch.

NOTIFICATION REFERRED TO

No. 92119 Grant of Right of Way as appurtenant to the land above described over the reserve 10 feet wide coloured brown in the plan hereon.

Reg. to title  
Registrar General





New South Wales.

[CERTIFICATE OF TITLE.]

Appl. No. 4455  
Reference to Last Certificate  
Vol. 750 Fol. 205

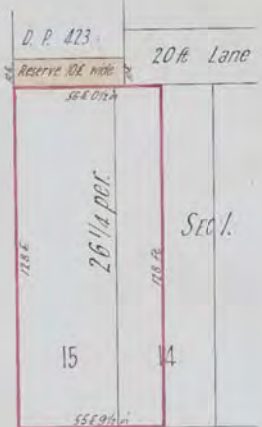


REGISTER BOOK,  
Vol. 3083 Fol. 50

CANCELLED

ALBERT ERNEST GAZZARD of Lidcombe, Hotelkeeper, Transferee under Instrument of Transfer from James Henry Graham and John Gazzard No.A.551315 is now the proprietor of an Estate in Fee Simple.  
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens and interests, as are notified hereon, in that piece of land situated  
in the Municipality of Lidcombe Parish of Liberty Plains, and County of Cumberland  
containing twenty six and one quarter perches, or thereabouts,  
as shown in the Plan hereon and therein edged red, being lot 15 and part of lot 14 of section 1  
in a Plan deposited in the Land Titles Office, Sydney, No. 946 and being also part of 50 acres (portion 38 of Parish)  
denoted in the Public Map of the said Parish in the Department of Lands originally granted to George Sunderland by Crown  
Grant dated the thirtieth day of June One thousand eight hundred and twenty three.

In witness whereof, I have hereunto signed my name and affixed my Seal, this 20<sup>th</sup> day of July 1925  
Signed in the presence of [Signature] }  
[Signature]  
Registrar General.



30/

No. D234818. TRANSFER dated 12 September 1923  
from the said Alfred George Gazzard to Alice  
Robert James & part  
of the land within described  
Produced 12 October 1925 and entered 12 October 1925  
at 10 o'clock in the fore noon.  
As to land in this transfer  
the certificate cancelled  
and new Certificate issued  
Vol. 3083 Fol. 50  
REGISTRAR GENERAL

The Dated 12th October 1925 and certificate of this transfer  
Vol. 3083 Fol. 113  
for the Reserve  
[Signature]  
D. D. 234818 REGISTRAR GENERAL

NOTIFICATION REFERRED TO.

No. 62119 Grant of Right of Way as appurtenant to the  
land above described over the reserve 10 feet wide  
colored brown in the said plan hereon.

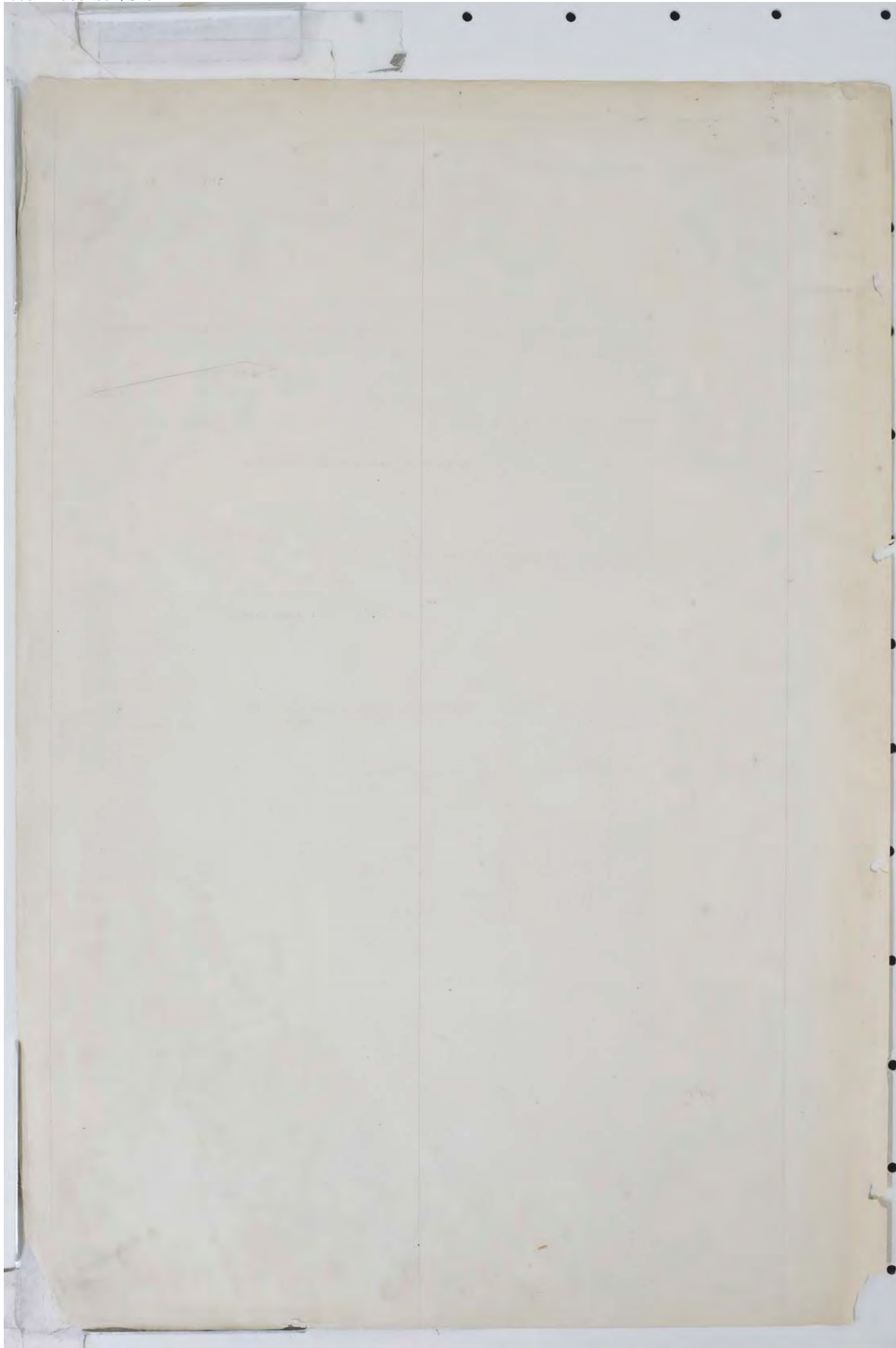
[Signature]  
Registrar General.



No. 6271293 TRANSFER, dated 28 July  
from the said Albert Ernest Gazzard to Alice  
Emily Gazzard of Lidcombe Spinster  
of the land within described  
Produced and entered 12 October 1925  
at 27 mts to 11 o'clock in the fore noon.  
[Signature]  
REGISTRAR GENERAL



D234818 New plan 12. 10. 1925  
D234818  
D234818





3

# New South Wales.

[CERTIFICATE OF TITLE.]

Appn. No. 4455

Reference to last Certificates

Vol. 750 Fol. 205  
" 1610 " 142



CANCELLED

REGISTER BOOK,

Vol. 3083 Fol. 58

ARTHUR EDGAR GAZZARD PEDROTTA of Lidcombe, Agricultural Student, Transferee under Instrument of Transfer from James Henry Graham and John Gazzard No.A.551316 is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, otherwise than as appurtenances liens and interests, as are notified hereon, in that piece of land situated in the Municipality of Lidcombe Parish of Liberty Plains, and County of Cumberland containing twenty six and one quarter perches, as shown in the Plan hereon and therein edged red, being lot 13 and part of lot 14 of Section 1 in a Plan deposited in the Land Titles Office, Sydney, No. 846, and being also part of 60 acres (Portion 38 of Parish) delineated in the Public Map of the said Parish in the Department of Lands originally granted to George Sunderland by Crown Grant dated the thirtieth day of June One thousand eight hundred and twenty three.

In witness whereof, I have hereunto signed my name and affixed my Seal, this

Signed in the presence of

30th day of July 1920

*W. Williams*

Registrar General.



No. 2526353 TRANSFER dated 24th May 1946 from the said Alice Emily Gazzard to Percy Arthur Gazzard of part of the land within described. Produced 30th July 1946 and entered 4th December 1946 at 12 o'clock in the noon. He to send in this transfer the Certificate cancelled and new Certificate issued Vol. 56110, Fol. 113. *L. Wells* REGISTER GENERAL

No. 56110 Fol. 113 for the Registrar. *L. Wells* REGISTER GENERAL

## NOTIFICATION REFERRED TO

No. 92119 Grant of Right of Way as appurtenant to the part of Lot 14 above described over the Reserve 10 feet wide colored brown in the said plan hereon.

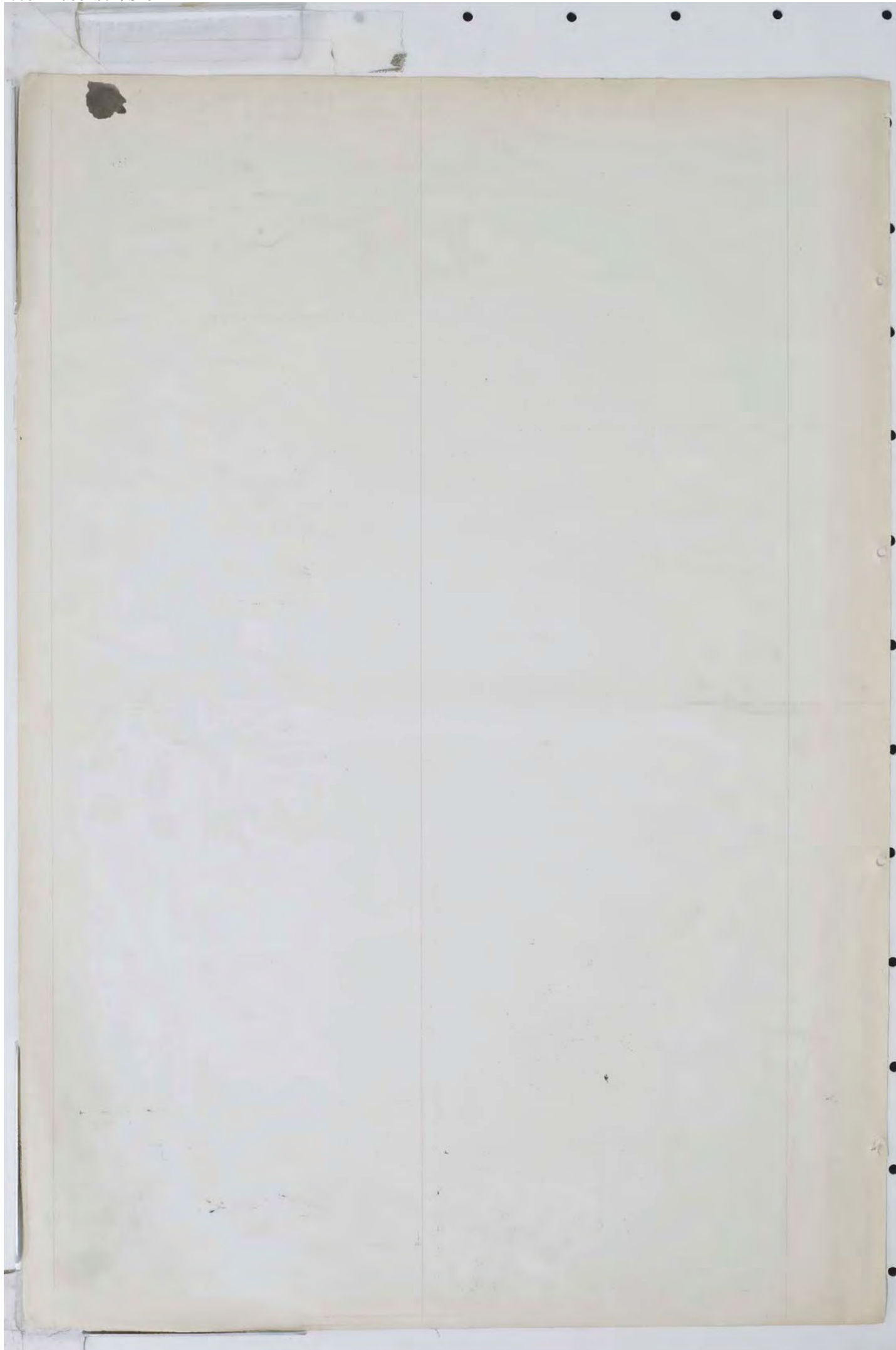
*W. Williams*  
Registrar General.



No. A.551317 TRANSFER dated 17th March 1920 from the said Arthur Edgar Gazzard Pedrotta to Alice Emily Gazzard of Lidcombe Spinster. of the land within described. Produced and entered 14th August 1920 at 11 o'clock in the afternoon. *W. Williams* REGISTRAR GENERAL



*222192 Plan 2 Lidcombe  
Pedrotta's Estate  
L. Wells*



## **Appendix C**

### **Aerial Photographs**





1930 Aerial Photograph



1951 Aerial Photograph





1961 Aerial Photograph



1972 Aerial Photograph



1986 Aerial Photograph





1999 Aerial Photograph



2009 Aerial Photograph

## **Appendix D**

### **Site Photographs**





**Photo 1 – Residential property located at 3 Taylor Street. Looking North.**



**Photo 2 – Vacant land at 5 & 7 Taylor Street. Looking South.**



**Photo 3 – Waste material at 5 & 7 Taylor Street. Southern boundary of site.**



**Photo 4 – Rear of site. Looking South.**





**Photo 5 – Taylor Street. Looking East.**



**Photo 6 – Unnamed laneway at rear of site. Looking East.**



**Photo 7 – Rear of residential apartments to the east of the site. Looking South-West.**



**Photo 8 – Unnamed laneway at rear of site. Looking South-West.**



**Photo 9 – Front of site on Taylor Street. Looking North-East**

## **Appendix E**

### **Dangerous Goods Search**



Our Ref: D14/098328  
Your Ref: Andrew Kita

5 August 2014

Attention: Andrew Kita  
S & N Environmental Engineers & Contractors  
PO BOX 685  
Merrylands NSW 2160

Dear Mr Kita,

**RE SITE: 3-7 Taylor St Lidcombe NSW**

I refer to your site search request received by WorkCover NSW on 31 July 2014 requesting information on licences to keep dangerous goods for the above site.

A search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover NSW has not located any records pertaining to the above mentioned premises.

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely



Brent Jones  
Senior Licensing Officer  
Dangerous Goods Team



## **Appendix F**

### **Planning Certificates**



1 Susan Street, P.O. Box 118, Auburn NSW Australia 1835

Telephone: 9735 1222 Facsimile: 9643 1120  
ABN 63 914 691 587

Mr A Kita  
PO Box 1927  
NORTH SYDNEY NSW 2059

## PLANNING CERTIFICATE

Issued under Section 149(2) of the  
*Environmental Planning and Assessment Act, 1979*

Certificate No: 21636  
Receipt No: 864616  
Date: 14 August 2014  
Your Reference: 2.03  
LIDCOMBE:12583

### Property Details

**Address:** 3 Taylor Street, LIDCOMBE NSW 2141

**Legal Description:** Lot 9 DP 73359

**Owner(s) Name (as recorded by Council):**

Apartments On Park Pty Limited  
PO Box 4421  
HOMEBUSH SOUTH NSW 2140

In accordance with the requirements of Section 149(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

### 1. Names of Relevant Planning Instruments and DCPs

*The name of:*

- (a) *each environmental planning instrument that applies to the carrying out of development on the land.*
- (b) *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).*
- (c) *each development control plan that applies to the carrying out of development on the land.*

*In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.*

- 1(a) Auburn Local Environmental Plan 2010.  
Sydney Regional Environmental Plan  
State Environmental Planning Policy  
(Sydney Harbour Catchment) 2005.  
(Temporary Structures) 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 No. 62	Sustainable Aquaculture.
State Environmental Planning Policy	(Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy No. 4	Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6	Number of Storeys in a Building.
State Environmental Planning Policy No. 19	Bushland in Urban Areas.
State Environmental Planning Policy No. 21	Caravan Parks.
State Environmental Planning Policy No. 22	Shops and Commercial Premises.
State Environmental Planning Policy No. 30	Intensive Agriculture.
State Environmental Planning Policy No. 32	Urban Consolidation (Redevelopment of Urban Land).
State Environmental Planning Policy No. 33	Hazardous and Offensive Development.
State Environmental Planning Policy No. 50	Canal Estate Development.
State Environmental Planning Policy No. 55	Remediation of Land.
State Environmental Planning Policy No. 64	Advertising and Signage.
State Environmental Planning Policy No. 65	Design Quality of Residential Flat Development.
State Environmental Planning Policy No. 70	Affordable Housing (Revised Schemes).
State Environmental Planning Policy	Building Sustainability Index: BASIX 2004
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007

1(b) Draft State Environmental Planning Policy (Competition) 2010

1(c) Auburn Development Control Plan 2010.

## 2. Zoning and Land Use under relevant LEPs

*For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*

- (a) *the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No. 2(a))",*
- (b) *the purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*
- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (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,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

(a) Zone B4 - Mixed Use (Auburn Local Environmental Plan 2010)



(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

---

### 3. Complying Development

- (1) *The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*
- (2) *The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

### **Housing Alterations Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **General Development Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Commercial and Industrial (New Buildings and Additions) Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Subdivisions Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Demolition Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.
- (3) *If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.*
- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

---

## **4. Coastal Protection**

*Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration.*

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**4a Certain information relating to beaches and coasts**

- (1) *In relation to a coastal council—whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.*
- (2) *In relation to a Coastal Council:*
- (a) *whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and*
  - (b) *if works have been so placed—whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.*
- (3) *(Repealed)*

4a The land is currently not affected by provisions included under this part.

**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 services that relate to existing 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 sea walls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.*

4b The land is currently not affected by provisions included under this part.

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**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.*

The land is not located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

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**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.*
- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
  - (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
  - (c) The land is not affected by any road widening or road realignment under a Council resolution.

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**7. Council and other public authority policies on Hazard Risk Restriction**

*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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).*

- (a) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).  
The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.
- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:-
  - 1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006).
  - 2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003.

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

**7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (2) *Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.*



If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (3) *Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.*

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.

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## **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.*

The land is not affected by the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

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## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

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## **9A Biodiversity Certified Land**

*If the land is biodiversity certified land (within the meaning of Part 7A A of the Threatened Species Conservation Act 1995), a statement to that effect.*

The land is not biodiversity certified land within the meaning of the above Act.

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## **10. Biobanking Agreements**

*If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director – General of the Department of Environment, Climate Change and Water).*

The land is not affected by a Bio-banking agreement under the Act.

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## **11. Bush Fire Prone Land**

*If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.*

The land is not located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

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## **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).*

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

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**13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

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**14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)**

*If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.*

There are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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**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 of Planning, 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.*

(a) & (b) The land is not subject to a site compatibility certificate.

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**16. Site Compatibility Certificates for Infrastructure**

*A statement of whether there is a valid site compatibility certificate (infrastructure), 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:*

- (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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

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**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, if there is a certificate, the statement is to include:*

- (a) *the period of which the certificate is current, 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 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.*
- (1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or a statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that has been imposed as a condition of consent to a development application for the land.

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## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*
- (1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

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## 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.*
- (a) *the date on which the certificate ceases to be current (if any), and*
- (b) *that a copy may be obtained from the head office of the Department of Planning and Infrastructure.*
- (a), (b) & (c) There is no site verification certificate on the land.

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### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

- a) *That the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- b) *That the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
- c) *That the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,*
- d) *That the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
- e) *That the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided any time to the local authority issuing the certificate.*
- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.

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**Note:**

Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Coordinator General under that Act.

Not applicable.



**MARK BRISBY**  
**GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Statutory Planning & Development Control

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.



1 Susan Street, P.O. Box 118, Auburn NSW Australia 1835

Telephone: 9735 1222 Facsimile: 9643 1120  
ABN 63 914 691 587

r A Kita  
PO Box 1927  
NORTH SYDNEY NSW 2059

## PLANNING CERTIFICATE

Issued under Section 149(2) of the  
*Environmental Planning and Assessment Act, 1979*

Certificate No: 21637  
Receipt No: 864616  
Date: 14 August 2014  
Your Reference: 2.03  
LIDCOMBE:12583

### Property Details

**Address:** 5 Taylor Street, LIDCOMBE NSW 2141

**Legal Description:** Lot A DP 33452

**Owner(s) Name (as recorded by Council):**

Taylor St Group Pty Limited  
PO Box 205  
BEVERLY HILLS NSW 2209

In accordance with the requirements of Section 149(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

### 1. Names of Relevant Planning Instruments and DCPs

*The name of:*

- (a) *each environmental planning instrument that applies to the carrying out of development on the land.*
- (b) *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).*
- (c) *each development control plan that applies to the carrying out of development on the land.*

*In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.*

- 1(a) Auburn Local Environmental Plan 2010.  
Sydney Regional Environmental Plan  
State Environmental Planning Policy  
State Environmental Planning Policy  
(Sydney Harbour Catchment) 2005.  
(Temporary Structures) 2007  
(Infrastructure) 2007



State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy No. 62	Sustainable Aquaculture.
State Environmental Planning Policy	(Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy No. 4	Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6	Number of Storeys in a Building.
State Environmental Planning Policy No. 19	Bushland in Urban Areas.
State Environmental Planning Policy No. 21	Caravan Parks.
State Environmental Planning Policy No. 22	Shops and Commercial Premises.
State Environmental Planning Policy No. 30	Intensive Agriculture.
State Environmental Planning Policy No. 32	Urban Consolidation (Redevelopment of Urban Land).
State Environmental Planning Policy No. 33	Hazardous and Offensive Development.
State Environmental Planning Policy No. 50	Canal Estate Development.
State Environmental Planning Policy No. 55	Remediation of Land.
State Environmental Planning Policy No. 64	Advertising and Signage.
State Environmental Planning Policy No. 65	Design Quality of Residential Flat Development.
State Environmental Planning Policy No. 70	Affordable Housing (Revised Schemes).
State Environmental Planning Policy	Building Sustainability Index: BASIX 2004
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
1(b)	Draft State Environmental Planning Policy (Competition) 2010
1(c)	Auburn Development Control Plan 2010.

## 2. Zoning and Land Use under relevant LEPs

*For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*

- (a) *the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No. 2(a")),*
- (b) *the purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*
- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (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,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

- (a) Zone B4 - Mixed Use (Auburn Local Environmental Plan 2010)

(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

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### 3. Complying Development

- (1) *The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*
- (2) *The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

### **Housing Alterations Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **General Development Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Commercial and Industrial (New Buildings and Additions) Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Subdivisions Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Demolition Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.
- (3) *If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.*
- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

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## **4. Coastal Protection**

*Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration.*

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**4a Certain information relating to beaches and coasts**

- (1) *In relation to a coastal council—whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.*
- (2) *In relation to a Coastal Council:*
- (a) *whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and*
  - (b) *if works have been so placed—whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.*
- (3) *(Repealed)*

4a The land is currently not affected by provisions included under this part.

**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 services that relate to existing 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 sea walls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.*

4b The land is currently not affected by provisions included under this part.

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**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.*

The land is not located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

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**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.*
- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
  - (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
  - (c) The land is not affected by any road widening or road realignment under a Council resolution.



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**7. Council and other public authority policies on Hazard Risk Restriction**

*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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).*

- (a) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).  
The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.
- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:-
  - 1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006).
  - 2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003.

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

**7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (2) *Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.*

If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (3) *Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.*

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.

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## **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.*

The land is not affected by the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

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## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

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## **9A Biodiversity Certified Land**

*If the land is biodiversity certified land (within the meaning of Part 7A A of the Threatened Species Conservation Act 1995), a statement to that effect.*

The land is not biodiversity certified land within the meaning of the above Act.

---

## **10. Biobanking Agreements**

*If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director – General of the Department of Environment, Climate Change and Water).*

The land is not affected by a Bio-banking agreement under the Act.

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## **11. Bush Fire Prone Land**

*If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.*

The land is not located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

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## **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).*

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

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**13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

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**14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)**

*If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.*

There are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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**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 of Planning, 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.*

(a) & (b) The land is not subject to a site compatibility certificate.

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**16. Site Compatibility Certificates for Infrastructure**

*A statement of whether there is a valid site compatibility certificate (infrastructure), 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:*

- (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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

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**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, if there is a certificate, the statement is to include:*

- (a) *the period of which the certificate is current, 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 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.*
- (1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or a statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that has been imposed as a condition of consent to a development application for the land.

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## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*
- (1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

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## 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.*
- (a) *the date on which the certificate ceases to be current (if any), and*
- (b) *that a copy may be obtained from the head office of the Department of Planning and Infrastructure.*
- (a), (b) & (c) There is no site verification certificate on the land.

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### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

- a) *That the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- b) *That the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
- c) *That the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,*
- d) *That the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
- e) *That the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided any time to the local authority issuing the certificate.*
- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.

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**Note:**

Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Not applicable.



**MARK BRISBY**  
**GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Statutory Planning & Development Control

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.





1 Susan Street, P.O. Box 118, Auburn NSW Australia 1835

Telephone: 9735 1222 Facsimile: 9643 1120  
ABN 63 914 691 587

Mr A Kita  
PO Box 1927  
NORTH SYDNEY NSW 2059

## PLANNING CERTIFICATE

Issued under Section 149(2) of the  
*Environmental Planning and Assessment Act, 1979*

Certificate No: 21638  
Receipt No: 864616  
Date: 14 August 2014  
Your Reference: 2.03  
LIDCOMBE:12583

### Property Details

**Address:** 7 Taylor Street, LIDCOMBE NSW 2141

**Legal Description:** Lot B DP 33452

**Owner(s) Name (as recorded by Council):**

Taylor St Group Pty Limited  
PO Box 205  
BEVERLY HILLS NSW 2209

In accordance with the requirements of Section 149(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

### 1. Names of Relevant Planning Instruments and DCPs

*The name of:*

- (a) *each environmental planning instrument that applies to the carrying out of development on the land.*
- (b) *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).*
- (c) *each development control plan that applies to the carrying out of development on the land.*

*In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.*

- 1(a) Auburn Local Environmental Plan 2010.  
Sydney Regional Environmental Plan  
State Environmental Planning Policy  
(Sydney Harbour Catchment) 2005.  
(Temporary Structures) 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 No. 62	Sustainable Aquaculture.
State Environmental Planning Policy	(Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy No. 4	Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6	Number of Storeys in a Building.
State Environmental Planning Policy No. 19	Bushland in Urban Areas.
State Environmental Planning Policy No. 21	Caravan Parks.
State Environmental Planning Policy No. 22	Shops and Commercial Premises.
State Environmental Planning Policy No. 30	Intensive Agriculture.
State Environmental Planning Policy No. 32	Urban Consolidation (Redevelopment of Urban Land).
State Environmental Planning Policy No. 33	Hazardous and Offensive Development.
State Environmental Planning Policy No. 50	Canal Estate Development.
State Environmental Planning Policy No. 55	Remediation of Land.
State Environmental Planning Policy No. 64	Advertising and Signage.
State Environmental Planning Policy No. 65	Design Quality of Residential Flat Development.
State Environmental Planning Policy No. 70	Affordable Housing (Revised Schemes).
State Environmental Planning Policy	Building Sustainability Index: BASIX 2004
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007

1(b) Draft State Environmental Planning Policy (Competition) 2010

1(c) Auburn Development Control Plan 2010.

## 2. Zoning and Land Use under relevant LEPs

*For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*

- (a) *the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No. 2(a))",*
- (b) *the purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*
- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (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,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

(a) Zone B4 - Mixed Use (Auburn Local Environmental Plan 2010)

(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on Council's website at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

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### 3. Complying Development

- (1) *The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*
- (2) *The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

### **Housing Alterations Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **General Development Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Commercial and Industrial (New Buildings and Additions) Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Subdivisions Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Demolition Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.
- (3) *If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.*
- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

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## **4. Coastal Protection**

*Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration.*

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or 39 of the Coastal Protection Act, 1979.



**4a Certain information relating to beaches and coasts**

- (1) *In relation to a coastal council—whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.*
- (2) *In relation to a Coastal Council:*
- (a) *whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and*
  - (b) *if works have been so placed—whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.*
- (3) *(Repealed)*

4a The land is currently not affected by provisions included under this part.

**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 services that relate to existing 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 sea walls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.*

4b The land is currently not affected by provisions included under this part.

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**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.*

The land is not located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

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**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.*
- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
  - (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
  - (c) The land is not affected by any road widening or road realignment under a Council resolution.

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**7. Council and other public authority policies on Hazard Risk Restriction**

*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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).*

- (a) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).  
The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.
- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:-
  - 1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006).
  - 2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003.

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

**7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (2) *Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.*

If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on Council's website [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

- (3) *Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.*

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.

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## **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.*

The land is not affected by the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

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## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

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## **9A Biodiversity Certified Land**

*If the land is biodiversity certified land (within the meaning of Part 7A A of the Threatened Species Conservation Act 1995), a statement to that effect.*

The land is not biodiversity certified land within the meaning of the above Act.

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## **10. Biobanking Agreements**

*If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director – General of the Department of Environment, Climate Change and Water).*

The land is not affected by a Bio-banking agreement under the Act.

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## **11. Bush Fire Prone Land**

*If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.*

The land is not located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

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## **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).*

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

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**13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

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**14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)**

*If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.*

There are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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**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 of Planning, 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.*

(a) & (b) The land is not subject to a site compatibility certificate.

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**16. Site Compatibility Certificates for Infrastructure**

*A statement of whether there is a valid site compatibility certificate (infrastructure), 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:*

- (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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

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**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, if there is a certificate, the statement is to include:*

- (a) *the period of which the certificate is current, 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 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.*
- (1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or a statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that has been imposed as a condition of consent to a development application for the land.

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## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*
- (1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

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## 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.
- (a) *the date on which the certificate ceases to be current (if any), and*
- (b) *that a copy may be obtained from the head office of the Department of Planning and Infrastructure.*
- (a), (b) & (c) There is no site verification certificate on the land.

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### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

- a) *That the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
  - b) *That the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
  - c) *That the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,*
  - d) *That the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,*
  - e) *That the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided any time to the local authority issuing the certificate.*
- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.

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**Note:**

Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Not applicable.



**MARK BRISBY**  
**GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Statutory Planning & Development Control

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.