

Attachment A9

Acid Sulphate and Contamination Assessment



Douglas Partners

Geotechnics | Environment | Groundwater

Report on
Preliminary Site Investigation (Contamination)

Piccadilly Hotel Redevelopment
169 – 173 Victoria Street & 92 – 98 Brougham Street
Potts Point

Prepared for
Harrphil Pty Ltd

Project 99680.00
June 2020

Integrated Practical Solutions



Document History

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The undersigned, on behalf of Douglas Partners Pty Ltd, confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

	Signature	Date
Author		3 June 2020
Reviewer	pp	3 June 2020



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Report on Preliminary Site Investigation (Contamination)

Piccadilly Hotel Redevelopment

169 – 173 Victoria Street & 92 – 98 Brougham Street, Potts Point

1. Introduction

This report presents the results of a Preliminary Site Investigation (Contamination) undertaken for the proposed development at 169 – 173 Victoria Street and 92 – 98 Brougham Street, Potts Point. The work was commissioned by Harrphil Pty Ltd, developers of the site.

The project includes the redevelopment of the former Piccadilly Hotel and adjacent terrace/unit buildings into a boutique accommodation hotel. Excavations for basement etc. do not form part of the proposed development.

The Preliminary Site Investigation was undertaken to:

- assess the previous land uses to determine the potential for soil and groundwater contamination on the site;
- provide a preliminary assessment of the suitability of the site for the proposed development; and
- provide recommendations for additional investigation, if required.

The Preliminary Site Investigation has been prepared to address the requirements of *State Environmental Planning Policy No 55 – Remediation of Land*. The overall approach for the Preliminary Site Investigation included a review of available historical information and an inspection of the site by an engineer. Details of the investigation are given in this report, as well as comments on the issues outlined above.

2. Site Description

The development site is an irregular-shaped lot with an area of approximately 1300 m². It is bounded by commercial and residential properties to the north and south, Victoria Street to the east and Brougham Street to the west. Access into the rear of the Victoria Street properties is also available via Hourigan Lane off Brougham Street.

Victoria Street and Brougham Street both slope downwards to the north. There is also a difference in surface levels between the two streets with Victoria Street in the order of 7 m higher than Brougham Street (surface levels between about RL 33 m and RL 26 m relative to the Australian Height Datum (AHD)).

At the time of this investigation the properties fronting Victoria Street appeared to be generally vacant and in good condition. The properties fronting Brougham Street were in use as residential housing and also in good condition.

A summary of the individual lots is provided in Table 1. Drawing 1 in Appendix B shows the location of the site.

Table 1: Summary of Site Information

Address	Lot	DP	Zoning*
169 Victoria Street	1	626468	B4 Mixed Use
171-173 Victoria Street	1	82775	B4 Mixed Use
92 Brougham Street	1	724379	R1 General Residential
94 Brougham Street	1	904094	R1 General Residential
96 Brougham Street	1	904214	R1 General Residential
98 Brougham Street	100	613011	R1 General Residential

*Sydney Local Environmental Plan 2012

3. Regional Geology and Hydrogeology

The Sydney 1:100 000 Geological Series Sheet indicates that the site is underlain by Hawkesbury Sandstone (medium to coarse-grained quartz sandstone with minor shale and laminite lenses). An extract from the geological map is shown in Figure 1.



Figure 1: Extract from geological map with 10m surface contours to AHD

The geology and topography of the site suggests that the regional groundwater table is at considerable depth. Seepage would be expected along the top of the bedrock and through joints and partings within the rock itself. The volume of seepage would be expected to vary with climatic events.

Acid sulfate soil mapping indicates no known occurrence of acid sulfate soils on the site which is to be expected for this geology and topography. The *Sydney Local Environmental Plan 2012* indicates that the site is on Class 5 land in relation to acid sulfate soils; this class requires development consent for works within 500 m of Class 1, 2, 3 or 4 land that is below RL 5 m AHD and by which the water table is likely to be lowered below RL 1 m AHD on the adjacent Class 1, 2, 3 or 4 land. This will not be the case and as such development consent in relation to acid sulfate soils will not be required.

4. Scope of Works

The scope of the Preliminary Site Investigation was as follows:

- Review various historical documents including title deeds, aerial photographs, the Section 10.7 certificates, the EPA Contaminated Land register and groundwater bore licences to determine the nature of previous activities that may have occurred on the site;
- Undertake a site inspection to determine any obvious contamination risks; and
- Provide a Preliminary Site Investigation report which comments on the historical uses of the site, the potential for soil and groundwater contamination to be present, and provides recommendations for follow up action (if required).

5. Site History

5.1 Historical Land Uses

Historical land title information was obtained for the lots which make up the development site. A summary of previous owners is provided in Table 2.

Table 2: Summary of Previous Owners

Site	Summary of Owners
169 Victoria Street	Individuals from 1874 to 1982 likely to have used the property for residential purposes, Strata Plan #19010 1982-2019. Harrphil Pty Ltd since 2019.
171-173 Victoria Street	Individuals from 1874 to 1936, Tooth & Co Limited from 1936 to 1991, Manzini Holdings Pty Ltd 1991 to 1996, and Napoleon Hill Pty Ltd 1996 to 2016. Harrphil Pty Ltd since 2016. Long term use as a pub.
92 Brougham Street	Individuals from 1926 to 2019 likely to have used the property for residential purposes. Harrphil Pty Ltd since 2019.
94 Brougham Street	Individuals from 1922 to date likely to have used the property for residential purposes. Current owner is Catherine Rae Reynolds.

Site	Summary of Owners
96 Brougham Street	Individuals from 1922 to 1978 likely to have used the property for residential purposes. Oregon Timber Industries Pty Ltd (potential developer) from 1978 to 1985, then various individuals to 2017. Harrphil Pty Ltd since 2017.
98 Brougham Street	Individuals from 1926 to 2019 (plus Tarcorp Pty Ltd 1989-1990) likely to have used the property for residential purposes. Harrphil Pty Ltd since 2019.

There is nothing in the title deed information to suggest that contaminating activities have been undertaken on the site. The historical title deed information is included in Appendix C.

5.2 Aerial Photographs

Aerial photographs from 1930, 1968, 1972, 1982, 1999 and 2020 were used to assess historical land-use patterns on the site. Comments in relation to the photographs are as follows:

- The 1930 photograph shows what is understood to be the former Austral Club Hotel on 171 – 173 Victoria Street and terrace-type buildings on the other five lots;
- The 1968 photograph shows what is understood to be the current Piccadilly Hotel building on the former Austral Club Hotel site. The new building is understood to have been constructed in 1939;
- The subsequent photographs show that the site has largely remain unchanged, although renovations and modifications are likely to have occurred to the buildings over time.

The aerial photographs are attached in Appendix D.

5.3 Section 10.7 Certificates

The Section 10.7 Planning Certificates issued under the *Environmental Planning & Assessment Act 1979* were obtained from City of Sydney Council. The certificates state that the land is not significantly contaminated, is not the subject of a management order, is not the subject of an approved voluntary management proposal, is not the subject of an ongoing maintenance order and is not the subject of a site audit statement.

The planning certificates are included in Appendix E.

5.4 Contaminated Lands Register

The site is not identified as being significantly contaminated under the *Contaminated Lands Management Act 1997* as at 18 May 2020. Further, the site is not on the 14 May 2020 version of the 'List of NSW Contaminated Sites Notified to EPA'.

5.5 Licenced Groundwater Bores

A search of licenced groundwater bores indicates that there are no known wells on or within at least 100 m of the site. This suggests that the groundwater is at considerable depth and not a beneficial extraction resource.

6. Results of Inspection

A site inspection was undertaken by an engineer on 14 May 2020. Photographs taken during the inspection are provided in Appendix F. The inspection confirmed that the site is largely covered by commercial and residential buildings that are all in relatively good condition. There were no obvious signs of contamination observed at the time of the inspection.

7. Preliminary Conceptual Site Model

The site history information indicates that the site has been used for residential and commercial purposes since at least the early part of the 20th Century. Activities with the potential to cause significant contamination on the site have not been identified.

Contamination could possibly be present on the site due to:

- The placement of filling on the site;
- The use of hazardous building materials in previous/existing structures;
- Contaminants associated with building maintenance (e.g. pesticides); and
- Naturally occurring elements in the soils and rock underlying the site (e.g. heavy metals).

The regional groundwater table is likely to be at significant depth on the site. The use of groundwater within the development is considered unlikely. The quality of the groundwater from a land-use perspective will therefore only be of significance if volatile contaminants are present.

Soil vapour intrusion and/or ground gas will only need to be considered if significant concentrations of volatile organic compounds are encountered on the site which is considered unlikely.

The human receptors to soil contamination are likely to be the visitors and workers at the redeveloped site. Construction personnel, nearby workers/residents and the general public may also be receptors during the construction phase of the redevelopment project.

The ecological receptors are likely to be limited to the flora and fauna that grow/live on the adjacent sites. The area is not known to be ecologically significant. Exposure pathways are expected to be limited to dermal contact with soils on the site by humans, ingestion of soils and vegetation by fauna, and phytotoxic exposure to flora.

8. Conclusions and Recommendations

On the basis of the results of this Preliminary Site Investigation, the risk of significant contamination being present on the site is considered to be low. Activities with the potential to cause contamination were not identified in the historical information and signs of contamination were not observed during a walkover assessment.

It is noted that a Detailed Site Investigation incorporating intrusive sampling should be undertaken to fully characterise the contamination status of the site, if such characterisation is required. However, on the basis of the investigation undertaken to date it is considered that the risk of significant contamination being present, that prevents the redevelopment of the site without significant remediation, is low. It is also noted that the proposed land-use will remain residential/commercial.

A Hazardous Building Materials Assessment is suggested to identify hazardous materials (e.g. Lead based paint, asbestos etc.) so that demolition/renovation works can be planned and executed appropriately. This assessment does not need to be undertaken until demolition/renovation works are proposed (i.e. post Development Application approval but prior to issuing the Construction Certificate).

If any contamination is identified during construction (e.g. waste filling) then an appropriate response will need to be developed by an environmental consultant and actioned on site to determine site suitability. This could be undertaken by enacting an Unexpected Finds Protocol (UFP) as part of the Construction Environmental Management Plan (CEMP).

Any materials required to be removed from the site will need to be classified in accordance with the current *Waste Classification Guidelines* (NSW EPA, 2014) or other related waste guidance.

9. Limitations

Douglas Partners (DP) has prepared this report for the Piccadilly Hotel redevelopment project, Potts Point, in accordance with DP's proposal SYD200401.P.001.Rev0 dated 21 April 2020 and acceptance received from the client. This report is provided for the use of Harrphil Pty Ltd for this project only and for the purposes as described in the report. It should not be relied upon for other projects or by a third party. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

All advice provided in this report is based on a desktop assessment. The advice may need to be updated following intrusive investigations, if such investigations are undertaken in the future.

This report must be read in conjunction with all of the attached and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Douglas Partners Pty Ltd


Appendix A

About this Report

Appendix B

Drawing



	CLIENT: Harrphil Pty Ltd	Site Location Piccadilly Hotel Redevelopment POTTS POINT	PROJECT No: 99680.00
	OFFICE: Sydney		DWG No: 1
	DATE: 12 May 2020		REVISION: 0

Appendix C

Historical Title Deed Information



ABN: 36 092 724 251
 Ph: 02 9099 7400
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
 Sydney 2000
 GPO Box 4103 Sydney NSW 2001
 DX 967 Sydney

Summary of Owners Report

Address: - 92 to 98 Brougham Street & 169 to 173 Victoria Street, Potts Points

As regards 92 Brougham Street – Lot 1 D.P. 724376

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
05.07.1926 (1926 to 1939)	Alice Connor (Spinster)	Vol 3892 Fol 232
17.04.1939 (1939 to 1962)	Alison Rose Patterson (Spinster)	Vol 3892 Fol 232
14.05.1962 (1962 to 1965)	George Anasson (Builders Labourer) Helen Anasson (Married Woman)	Vol 3892 Fol 232
05.07.1965 91965 to 1978)	Helen Anasson (Married Woman)	Vol 3892 Fol 232
09.02.1978 (1978 to 2007)	Michael John Dysart (Architect)	Vol 3892 Fol 232 Now 1/724376
11.08.2007 (2007 to 2015)	Alexander Richmond Mellis	1/724376
16.09.2015 (2015 to 2019)	Tristan John Blakers Rachel Emily McNaught	1/724376
05.02.2019 (2019 to date)	# Harrphil Pty Ltd	1/724376

Denotes current registered proprietor

Leases & Easements: - NIL

As regards 94 Brougham Street – Lot 1 D.P. 904094

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
14.01.1922 (1922 to 1942)	Nellie Mackenzie (Married Woman)	Vol 2086 Fol 230
18.12.1942 (1942 to 1956)	Charles Walter Barker (Waterside Worker)	Vol 2086 Fol 230
15.06.1956 (1956 to 1956)	Mabel Barker (Widow) (Section 94 Application not investigated)	Vol 2086 Fol 230
14.03.1956 (1956 to 1978)	Walter Edward Barker (Engineer)	Vol 2086 Fol 230
09.02.1978 (1978 to 2007)	Michael John Dysart (Architect)	Vol 2086 Fol 230 Now 1/904094
20.02.2007 (2007 to date)	# Catherine Rae Reynolds	1/904094

Denotes current registered proprietor



ABN: 36 092 724 251
 Ph: 02 9099 7400
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
 Sydney 2000
 GPO Box 4103 Sydney NSW 2001
 DX 967 Sydney

Continued as regards 94 Brougham Street – Lot 1 D.P. 904094

Leases: - NIL

Easements: -

- 28.07.1980 (R 618880 & D.P. 452419) Easement for Support

As regards 96 Brougham Street – Lot 1 and Common Property SP 17354

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
27.01.1922 (1922 to 1967)	Mabel Isabel Barker (Married Woman)	Vol 266 Fol 24
17.02.1967 (1967 to 1978)	Walter Edward Barker (Plumber) (Section 94 Application not investigated)	Vol 266 Fol 24
03.03.1978	Oregon Timber Industries Pty Limited	Vol 266 Fol 24 Now Vol 13905 Fol 189
16.09.1981	Strata Plan No. 17354	
	<u>Continued as regards the Common Property Areas</u>	
16.09.1981 (1981 to date)	# The Proprietors – Strata Plan 17354	Vol 13905 Fol 189 Now CP/SP 17354
	<u>Continued as regards Lot 1 SP 17354</u>	
03.03.1978 (1978 to 1985)	Oregon Timber Industries Pty Limited	Vol 266 Fol 24 Now Vol 14536 Fol 226
04.01.1985 (1985 to 1988)	Jennie Elizabeth Everingham	Vol 14536 Fol 226 Now 1/SP17354
25.01.1988 (1988 to 1996)	Permanent Trustee Company Limited Alix Breillat Turner, Junior (Grazier)	1/SP17354
02.07.1996 (1996 to 1997)	Permanent Trustee Company Limited	1/SP17354
04.08.1997 (1997 to 2002)	Russell John Ryan Michael Cornelius Flynn	1/SP17354
03.06.2002 (2002 to 2006)	Triston Antony Rodon King	1/SP17354
03.11.2006 (2006 to 2017)	Joanne Therese Morgan	1/SP17354
25.02.2017 (2017 to date)	# Harrphil Pty Ltd	1/SP17354

Denotes current registered proprietor

Leases: - NIL

Easements: -

- 28.07.1980 (R 618877) Easement for Support (affecting Common Property)
- 28.07.1980 (R 618878) Easement for Support (affecting Common Property)



ABN: 36 092 724 251
 Ph: 02 9099 7400
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
 Sydney 2000
 GPO Box 4103 Sydney NSW 2001
 DX 967 Sydney

As regards 98 Brougham Street – Lot 100 D.P. 613011

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
01.10.1881 (1881 to 1933)	Sarah Ann Williams (Widow)	Vol 266 Fol 48
31.05.1933 (1933 to 1933)	Margaret Sutherland Smith (Widow) (Transmission Application not investigated)	Vol 266 Fol 48
03.07.1933 (1933 to 1942)	Hans Henry Matzen (Independent Means)	Vol 266 Fol 48
30.01.1942 (1942 to 1942)	Peter Matzen (Decorator) (Transmission Application not investigated)	Vol 266 Fol 48
01.04.1942 (1942 to 1963)	Leonora Dorothea Charlotte Margaret Smithman (Shooting Gallery Proprietress, Widow)	Vol 266 Fol 48
06.06.1963 (1963 to 1963)	Julia Pritchard (Married Woman) (Section 94 Application not investigated)	Vol 266 Fol 48
13.09.1963 (1963 to 1968)	Manuel Antonio Gaspar (Cook) Vitorino Leal Jeronimo (Cook)	Vol 266 Fol 48 Now Vol 8479 Fol's 162 & 163
02.10.1968 (1968 to 1980)	Roland John Arnold (Sign writer)	Vol 8479 Fol's 162 & 163 Now Vol 10957 Fol 77
30.09.1980 (1980 to 1985)	Michael Richard Farley (Company Director)	Vol 10957 Fol 77 Now Vol 14372 Fol 233
13.08.1985 (1985 to 1987)	Nuxivu Pty Limited	Vol 14372 Fol 233
08.01.1987 (1987 to 1987)	Graham Douglas Cox	Vol 14372 Fol 233
02.11.1987 (1987 to 1989)	Anthony Reginald Allan (Company Director)	Vol 14372 Fol 233 Now 100/613011
19.06.1989 (1989 to 1990)	Tarcorp Pty Ltd	100/613011
18.12.1990 (1990 to 1994)	Sergio Citarella (Restaurateur)	100/613011
09.09.1994 (1994 to 2000)	Luis Jaime Gomez Gilda Paulina Gomez	100/613011
04.10.2000 (2000 to 2019)	Yaswin Valabjee Bharti Valabjee	100/613011
11.11.2019 (2019 to date)	# Harrphil Pty Ltd	100/613011

Denotes current registered proprietor

Leases: - NIL

Easements: -

- 28.07.1980 (R 618879) Easement for Support



ABN: 36 092 724 251
 Ph: 02 9099 7400
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
 Sydney 2000
 GPO Box 4103 Sydney NSW 2001
 DX 967 Sydney

As regards 169 Victoria Street – Lot 1 D.P. 626468

Note: - The step on the northern boundary 0.135 metres wide to 0.06 metres wide has not been investigated prior to D.P. 626468 (10.08.1982)

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
23.03.1874 (1874 to 1951)	Mary Josephine O'Dowd (Married Woman)	Vol 178 Fol 43 Now Vol 4805 Fol 97
07.08.1936 (1936 to 1951)	Perpetual Trustee Company (Limited) (Re: - the Estate of Mary Josephine O'Dowd)	Vol 178 Fol 43 Now Vol 4805 Fol 97
15.05.1951 (1951 to 1955)	Violet Johanna Standish (Spinster)	Vol 4805 Fol 97
10.02.1955 (1955 to 1957)	Michael John O'Keefe (Cook)	Vol 4805 Fol 97
19.03.1957 (1957 to 1958)	Leslie Senes (Company Director)	Vol 4805 Fol 97
13.11.1958 (1958 to 1963)	Leslie Senes Holdings Pty Limited	Vol 4805 Fol 97
21.06.1963 (1963 to 1969)	Ignacio Aberasturi (Labourer) Modesto Aberasturi (Labourer)	Vol 4805 Fol 97 Now Vol 8462 Fol's 76 & 77
31.03.1969 (1969 to 1970)	Timothy Ronald Crammond (Chartered Accountant)	Vol 8462 Fol's 76 & 77
11.11.1970 (1970 to 1978)	Winston Alexander Pangas (Manager)	Vol 8462 Fol's 76 & 77 Now Vol 11516 Fol 131
27.01.1978 (1978 to 1982)	Catherine Anne Mailey (Waitress)	Vol 11516 Fol 131
20.09.1982 (1982 to	Strata Plan 19010	
	<u>Continued as regards the Common Property Areas including the Ground Floor</u>	
20.09.1982 (1982 to 2019)	The Proprietors – Strata Plan 19010	Vol 11516 Fol 131 Now CP/SP 19010
	<u>Continued as regards the whole of Lot 1 D.P. 626468</u>	
04.03.2019	Termination of Strata Scheme	
04.03.2019 (2019 to date)	# Harrphil Pty Ltd	CP/SP 19010 Now 1/626468

Denotes current registered proprietor

Leases & Easements: - NIL



ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards 171 to 173 Victoria Street – Lot 1 D.P. 82775

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
	<u>As regards the part numbered (1) on the attached Cadastral Records Enquiry Report</u>	
23.03.1874 (1874 to 1936)	Mary Josephine O'Dowd (Married Woman)	Vol 178 Fol 43
07.08.1936 (1936 to 1936)	Perpetual Trustee Company (Limited) (Re: - the Estate of Mary Josephine O'Dowd)	Vol 178 Fol 43
	<u>As regards the part numbered (2) on the attached Cadastral Records Enquiry Report</u>	
06.10.1866 (1866 to 1936)	Marry Morris Now Mary O'Dowd (or Mary Josephine O'Dowd, Married Woman) (& her deceased estate)	Book 100 No. 565
	<u>Continued as regards the whole of the Lot 1 D.P. 82775</u>	
07.08.1936 & 05.09.1936 (1936 to 1991)	Tooth & Co Limited	Vol 178 Fol 43 & Book 1756 No. 398 Now 1/82775
17.05.1991 (1991 to 1996)	Manzini Holdings Pty Limited	1/82775
06.02.1996 (1996 to 2016)	Napoleon Hill Pty Limited	1/82775
18.10.2016 (2016 to date)	# Harrphil Pty Ltd	1/82775

Denotes current registered proprietor

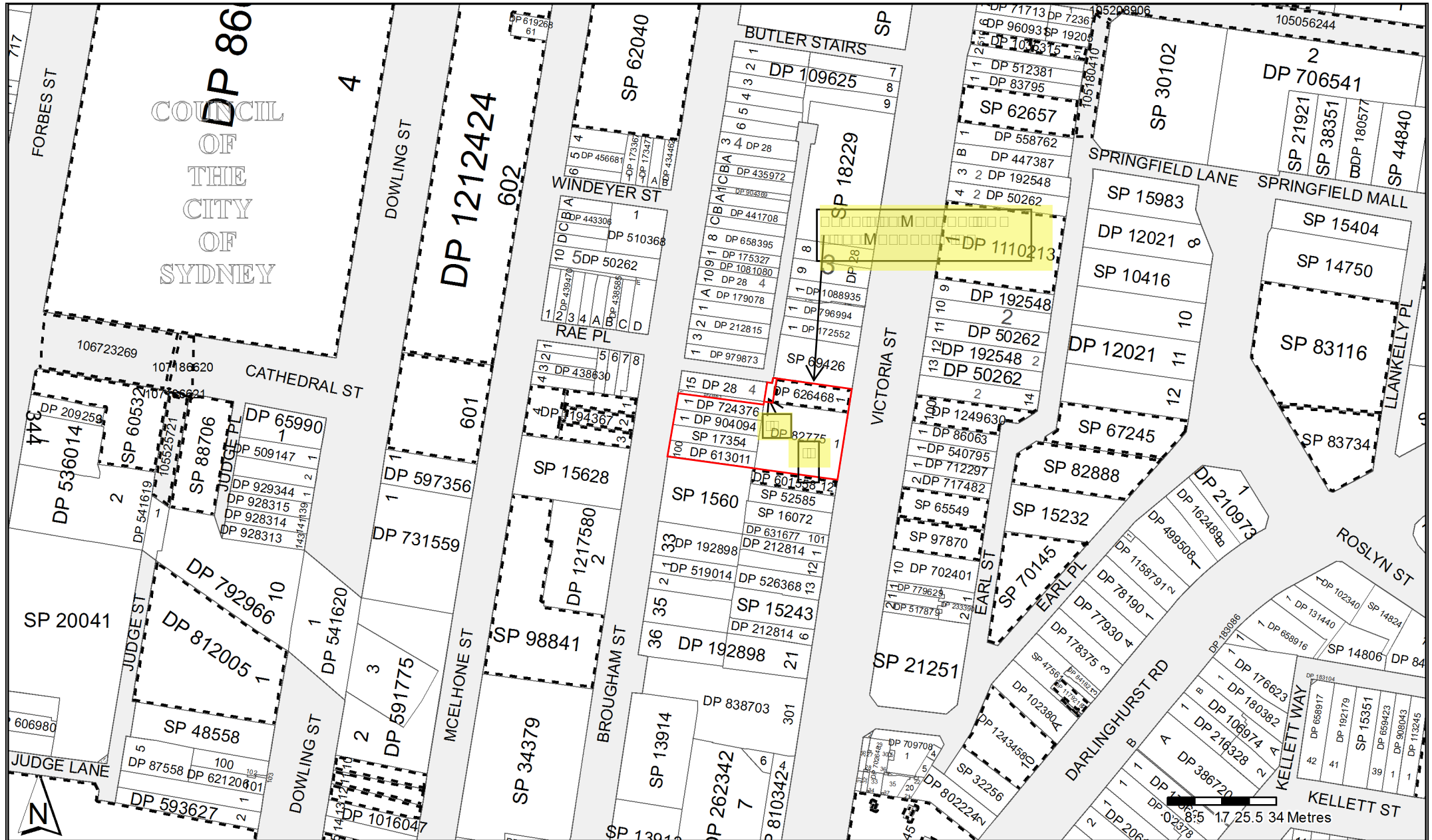
Leases: -

- Numerous leases were found from 27th July 1936 to 18.04.1990, that have since expired or surrendered, many to Licensed Publicans or Hotel Keepers, or of premises – these have not been investigated

Easements: -

- 20.11.1936 (C 475757) Right of Way affecting the part numbered (1) on the attached Cadastral Records Enquiry Report – released 14.12.2017

Yours Sincerely
Mark Groll
29 May 2020





SEARCH DATE

28/5/2020 12:47PM

FOLIO: 1/724376

First Title(s): OLD SYSTEM

Prior Title(s): VOL 3892 FOL 232

Recorded	Number	Type of Instrument	C.T. Issue
8/7/1987	DP724376	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
7/3/1994	DP724376	DEPOSITED PLAN	FOLIO CREATED CT NOT ISSUED
22/4/1994		AMENDMENT: VOL FOL INDEX	
4/9/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577486	DEPARTMENTAL DEALING	
11/8/2007	AD336054	DISCHARGE OF MORTGAGE	
11/8/2007	AD336055	TRANSFER	
11/8/2007	AD336056	MORTGAGE	EDITION 1
15/10/2010	AF819725	DISCHARGE OF MORTGAGE	
15/10/2010	AF819727	MORTGAGE	EDITION 2
12/1/2015	AJ161897	DEPARTMENTAL DEALING	EDITION 3
12/8/2015	AJ713117	CAVEAT	
16/9/2015	AJ815596	DISCHARGE OF MORTGAGE	
16/9/2015	AJ815597	TRANSFER	
16/9/2015	AJ815598	MORTGAGE	EDITION 4
7/11/2018	AN839469	CAVEAT	
5/2/2019	AP42360	DISCHARGE OF MORTGAGE	
5/2/2019	AP42361	TRANSFER	EDITION 5
21/5/2020	AQ114737	MORTGAGE	EDITION 6 CORD ISSUED

*** END OF SEARCH ***



Form: 01T
Release: 2
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①

TRANSFER

New South Wales
Real Property Act 1900

AD336055W

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY	Office of State Revenue use only	NSW Treasury Client No: 3323749 Duty: \$2 Asst details:	1755 Trans No: 4452647

(A) **TORRENS TITLE**

Folio Identifier 1/724376

(B) LODGED BY	Delivery Box 23L	Name, Address or DX and Telephone Reference: 512638809	CODES T TW (Sheriff)
		LLPN:123835G CSB	

(C) **TRANSFEROR**

MICHAEL JOHN DYSART

(D) **CONSIDERATION** The transferor acknowledges receipt of the consideration of \$ 875,000.00 and as regards

(E) **ESTATE** the land specified above transfers to the transferee an estate in fee simple

(F) **SHARE TRANSFERRED**

(G) **ENCUMBRANCES** Encumbrances (if applicable):

(H) **TRANSFEEE**

ALEXANDER RICHMOND MELLIS

5

(I) **TENANCY:**

(J) **DATE** 31/9/07

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

Name of witness: NICHOLAS ESJOY
Address of witness: 194 UNDERWOOD ST
PADDINGTON

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of transferor:

Certified for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name: Catherine Barbaro
Signatory's capacity: transferee's solicitor

Form: OIT
Release: 61



TRANSFER
New South Wales
Real Property Act 1900



AJ815597N

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Reg by this form for the establishment and maintenance of the Real Property Act the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only	Office of State Revenue NSW Treasury Client No: 1399387 Duty: \$10- Trans No: 8288638-001 Best details: 22.8.15
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(A) **TORRENS TITLE**

Folio identifier 1/724376

(B) **LODGED BY**

Document Collection Box 519E	Name, Address or DX, Telephone, and Customer Account Number if any VIKING LEGAL SERVICES LLPN: 125626F Reference: CADERS McNAUGHT	CODES T TW
---------------------------------	--	--------------------------------

(C) **TRANSFEROR**

Alexander Richmond MELLIS

(D) **CONSIDERATION**

The transferor acknowledges receipt of the consideration of \$ 1,550,000.00 and as regards

(E) **ESTATE**

the abovementioned land transfers to the transferee an estate in fee simple

(F) **SHARE TRANSFERRED**

(G)

Encumbrances (if applicable):

(H) **TRANSFeree**

Tristan John BLAKERS & Rachel Emily McNAUGHT

(I)

TENANCY: Tenants in Common in Equal Shares OFF X^{AJ} 713117

DATE

(J) I certify I am an eligible witness and that the transferor signed this dealing in my presence.
[See note* below]

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

Anna Picgrim
ANNA PICGRIM

Signature of transferor:

Name of witness:
Address of witness:

2/4 Underwood Ct,
PADDINGTON
2021

Certified correct for the purposes of the Real Property Act 1900 on behalf of the transferee by the person whose signature appears below.

Signature:

Kathleen Ng
solicitor

Signatory's name:
Signatory's capacity:

(K) The transferee's solicitor certifies that the eNOS data relevant to this dealing has been submitted and stored under cNOS ID No. 897031 Full name: Kathleen Ng Signature:



FOLIO: 1/724376

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	6	21/5/2020

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 1 IN DEPOSITED PLAN 724376
AT WOOLLOOMOOLOO
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP724376

FIRST SCHEDULE

HARRPHIL PTY LTD (T AP42361)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AQ114737 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PLAN FORM 1

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

*OFFICE USE ONLY

<p>Council Clerk's Certificate</p> <p>I hereby certify that -</p> <p>(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and</p> <p>(b) the requirements of section 346 of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, Hunter District Water, Sewerage, and Drainage Act, 1935, as amended,</p> <p>have been complied with by the applicant in relation to the proposed "new road", "subdivision" or "consolidated lot" set out herein</p> <p>Subdivision No.</p> <p>Date</p> <p>(Signature)</p> <p>Council Clerk</p> <p><i>*This part of certificate to be deleted where the application is only for a consolidated lot, or the opening of a new road or where the land to be subdivided is wholly outside the scope of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board. Delete if inapplicable.</i></p>	<p>Surveyor's Certificate</p> <p>I, PETER W. GAREY OF GALLAGHER, COLE & GAREY of 32 YORK STREET, SYDNEY, N.S.W., a surveyor registered under the Surveyors Act, 1926, as amended, hereby certify that the survey represented in this plan</p> <p>is accurate and has been made *1/ by me (2) under my personal supervision in accordance with the Survey Practice Regulations, 1932, and was completed on 7 22.09.FEB. 1979</p> <p>Signature</p> <p>Surveyor registered under the Surveyors Act, 1926, as amended. Delete Line 1 or 2. Insert date of survey.</p>	<p>PLAN OF PROPOSED EASEMENT FOR SUPPORT WITHIN THE LAND IN CERTIFICATE OF TITLE VOLUME 266 FOLIO 24</p> <p>Mun./Shire: SYDNEY City Locality: KINGS CROSS</p> <p>Parish: ALEXANDRIA County: CUMBERLAND</p> <p>Reduction Ratio 1: 200 Lengths are in metres</p>	<p>R 618878 (6) DP 452417</p> <p>Registered:</p> <p>Title System:</p> <p>Purpose:</p> <p>Ref. Map:</p> <p>Last Plan:</p>
<p>Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.</p> <p><i>[Signatures and stamps of Council Clerk, Secretary, and Acting Assistant Chief Security Officer]</i></p> <p>As Mortgagee under Mortgage No. Q555491 Bank of New South Wales hereby consents to the within Grant of Easement. Dated at Sydney this seventeenth day of September, 1979. Signed for and on behalf of Bank of New South Wales by RALPH JOHN HUGHSON who is personally known to me:</p> <p><i>[Signature]</i></p> <p>Acting Assistant Chief Security Officer</p> <p>This is annexure "A" to transfer & Grant 27-9-78 from Oregon Timber Ind. v/l & M.J. Dyport</p> <p>24.12.</p>		<p>BROUGHAM STREET</p> <p>D. P. 54076 VOL. 2086 FOL. 230</p> <p>SEE (9-6) DIAGRAM</p> <p>F. P. 904214 VOL. 266 FOL. 24</p> <p>PROPOSED EASEMENT FOR SUPPORT 0-12 WIDE</p> <p>DIAGRAM (NOT TO SCALE)</p> <p>Plan Drawing only to appear in this space</p>	

AMENDMENTS AND/OR ADDITIONS NOTED ON PLAN IN REGISTRAR GENERAL'S OFFICE.

I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.

23rd November, 1984

PLAN FORM 1

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

OFFICE USE ONLY

<p>Council Clerk's Certificate</p> <p>I hereby certify that -</p> <p>(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and</p> <p>(b) the requirements of section 34B of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, Hunter District Water, Sewerage, and Drainage Act, 1938, as amended.</p> <p>have been complied with by the applicant in relation to the proposed <u>insert "new road", "subdivision" or "consolidated lot"</u> as set forth.</p> <p>Subdivision No.</p> <p>Date</p> <p>(Signature)</p> <p>Council Clerk</p> <p><i>*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.</i></p> <p><i>*Delete if applicable.</i></p>	<p>Surveyor's Certificate</p> <p>I, PETER W. GAREY OF GALLAGHER, O'NEILL & GAREY of 22 YORK STREET, SYDNEY, DX 795, GAREY a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate and has been made "1" by me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1955, and was completed on - 27-9-79.</p> <p>Signature</p> <p>Surveyor registered under Surveyors Act, 1929, as amended.</p> <p>Datum Line of Meridian</p> <p>Strike out either (1) or (2). Insert date of survey.</p>	<p>PLAN OF PROPOSED EASEMENT FOR SUPPORT WITHIN THE LAND IN CERTIFICATE OF TITLE VOLUME 2086 FOLIO 230</p> <p>Mun./Shire: SYDNEY Locality: KINGS CROSS</p> <p>City: SYDNEY</p> <p>Parish: ALEXANDRIA County: CUMBERLAND</p> <p>Reduction Ratio 1: 200 Lengths are in metres</p>	<p>R618880</p> <p>Registered: DP 452419</p> <p>Title System:</p> <p>Purpose:</p> <p>Ref. Map:</p> <p>Last Plan:</p>
<p>Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.</p> <p><i>[Signature]</i></p> <p><i>[Signature]</i> SECRETARY</p> <p><i>[Signature]</i> DIRECTOR</p> <p><i>[Signature]</i> Acting Assistant Chief Security Officer.</p> <p><i>This is certificate A to transfer and grant dated 27-9-79 from M J Bryant to Oregon Timber Ind. P/L</i></p> <p><i>24.12.</i></p>		<p>BROUGHAM STREET</p> <p>D. P. 54076 VOL. 2086 FOL. 230</p> <p>SEE (11-43) DIAGRAM</p> <p>90° 35' 28.745</p> <p>E. P. 904214 VOL. 266 FOL. 24</p> <p>10-12 (389-30)</p> <p>(11-43)</p> <p>90° 35' (11-43)</p> <p>PROPOSED EASEMENT FOR SUPPORT 0-12 WIDE</p> <p>DIAGRAM (NOT TO SCALE)</p> <p>M. M.</p>	

<p>AMENDMENTS AND/OR ADDITIONS NOTED ON PLAN IN REGISTRAR GENERAL'S OFFICE.</p>	<p>I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.</p> <p><i>[Signature]</i></p> <p>23rd November, 1984</p>
---	---

Plan Drawing only to appear in this space

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE 7746/8087/1



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

28/5/2020 12:47PM

FOLIO: 1/904094

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 2086 FOL 230

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
15/8/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
15/5/1991		AMENDMENT: 2ND SCHED RECITAL	
17/5/1991		AMENDMENT: 2ND SCHED RECITAL	
21/5/2001	7626064	DEPARTMENTAL DEALING	
8/5/2003	9577486	DEPARTMENTAL DEALING	
20/7/2007	AD283826	DISCHARGE OF MORTGAGE	
20/7/2007	AD283827	TRANSFER	EDITION 1
13/9/2007	AD409138	MORTGAGE	EDITION 2
13/12/2016	AK997716	CAVEAT	
1/9/2018	AN678863	DEPARTMENTAL DEALING	EDITION 3 CORD ISSUED
11/5/2020	AQ90442	DISCHARGE OF MORTGAGE	EDITION 4

*** END OF SEARCH ***



FOLIO: 1/904094

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	4	11/5/2020

LAND

LOT 1 IN DEPOSITED PLAN 904094
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP904094

FIRST SCHEDULE

CATHERINE RAE REYNOLDS (T AD283827)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 R618878 EASEMENT FOR SUPPORT APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN DP452417
- 3 R618880 EASEMENT FOR SUPPORT AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN DP452419
- * 4 AK997716 CAVEAT BY HARRPHIL PTY LTD

NOTATIONS

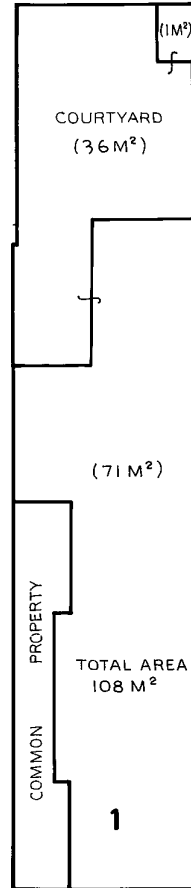
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

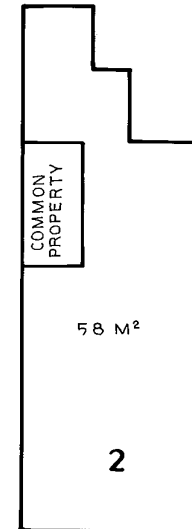
STRATA PLAN 17354

SCHEDULE OF ENTITLEMENT	
LOT NO.	UNIT ENTITLEMENT
1	23
2	14
3	13
AGGREGATE	50

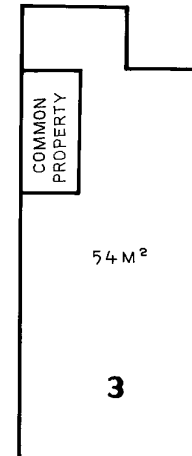
GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



NOTES

- COURTYARD ENCLOSED BY WALLS
- COURTYARD RESTRICTED IN HEIGHT TO 2.5 ABOVE THE EXISTING UPPER SURFACE OF ADJOINING FLOOR LEVEL OF LOT 1
- COURTYARD RESTRICTED IN DEPTH TO 0.5 BELOW THE EXISTING UPPER SURFACE OF ADJOINING FLOOR LEVEL OF LOT 1
- ALL AREAS ARE APPROXIMATE

354

Reg: R120275 /Doc: SP 0017354 P /Rev: 04-Jul-2008 /NSW IRS /Pgs: ALL /Fmt: 29-May-2020 12:45 /Seq: 2 of 2
 © Office of the Registrar-General /Src: INFOTRACK /Ref: Potts Point Victoria & Brougham

OFFICE USE ONLY

26/11/27 S/S

Reduction Ratio 1:125

Lengths are in metres



Deaney
Registered Surveyor

[Signature]
Deputy Town Council Clerk

SURVEYOR'S REFERENCE: 8087

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



13905189

NEW SOUTH WALES

Vol. 13905 Fol. 189

Appln No 4076

Prior Title Vol. 266 Fol. 24



CANCELLED EDITION ISSUED
27 7 1979

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

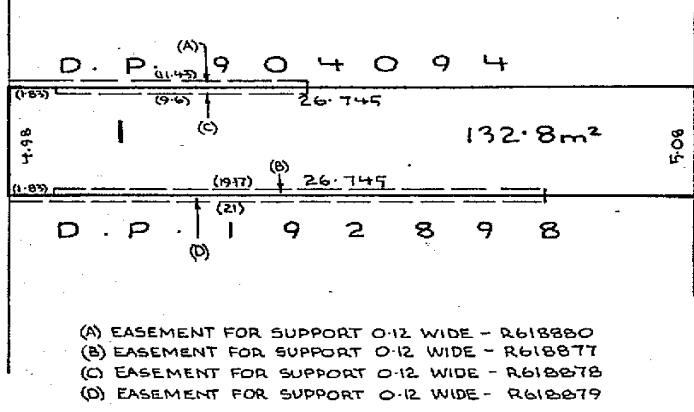
[Signature]
Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

BROUGHAM ST



R139525 A.B. *[Signature]*

REDUCTION RATIO 1:250

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 904214 at Woolloomooloo in the City of Sydney Parish of Alexandria County of Cumberland being part of 3.698 hectares granted to Edward Hallen on 19-10-1831.

FIRST SCHEDULE

OREGON TIMBER INDUSTRIES PTY. LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. R139525 Mortgage to Alexei Kisliakov of Hurstville, Electrical Engineer and Ludmyla Kisliakov his wife, as Tenants in Common in equal shares.

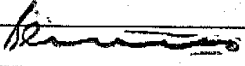

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

13905 Fol. 189
(Page 1) Vol.

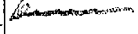

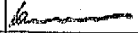
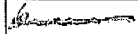
Vol. 13905 Fol. 189

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT		REGISTERED	Signature of Registrar General
	NATURE	NUMBER		
This deed is cancelled as <u>whole</u>				
New certificates of Title have issued on <u>16.9.1981</u>				
for lots in <u>Abata</u> Plan No. <u>17354</u> as follows:-				
Lots <u>1-3</u> of <u>14526</u> of <u>226-228</u> respectively.				
<u>C.P. Vol. 14536 Fol. 225</u>				
 REGISTRAR GENERAL				
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> NEW CERTIFICATES OF TITLE ISSUED ON <u>SP17354</u> NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY DRAFTING BRANCH. </div>				

R2680137
 - 144
 - 15 M
 R618877
 - 8 July
 9 Appl
 - 80 Appl
 SP17354
 S657105

SECOND SCHEDULE (continued)

INSTRUMENT		PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
NATURE	NUMBER					
Mortgage	R268015	to Donald Edward Todd of Randwick, Bookmaker in 7/16th share, Millicent Mary Todd his wife in 7/16th share of John Arthur Garney of Sydney, Solicitor in 2/16th share, tenancy in common				
Transfer	R618877	Easement for support affecting the land shown so burdened in the plan hereon	21-8-1979		DISCHARGED	S657105
Transfer	R618878	Easement for support affecting the land shown so burdened in the plan hereon	28-7-1980			
Transfer	R618879	Easement for support appertenant to the land above described affecting the land shown so burdened in the plan hereon	28-7-1980			
Transfer	R618880	Easement for support appertenant to the land above described affecting the land shown so burdened in the plan hereon	28-7-1980			

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

(Page 2 of 2 pages)

Reg: R124437 / Doc: CT 13905-189 CT / Rev: 10-Jan-2011 / NSW IRS / Pgs: ALL / Prt: 29-May-2020 08:08 / Seq: 2 of 2
 © Office of the Registrar-General / Src: INFOTRACK / Ref: Potts Point Victoria & Brougham

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

TORRENS TITLE
CANCELLED

Vol. **14536** Fol. **225**

SEE AUTO FOLIO

EDITION ISSUED

16 9 1981

AppIn No 4076 OS

Crown Grant Ser. 31 Pg. 43

Prior Title Vol. 13905 Fol. 189



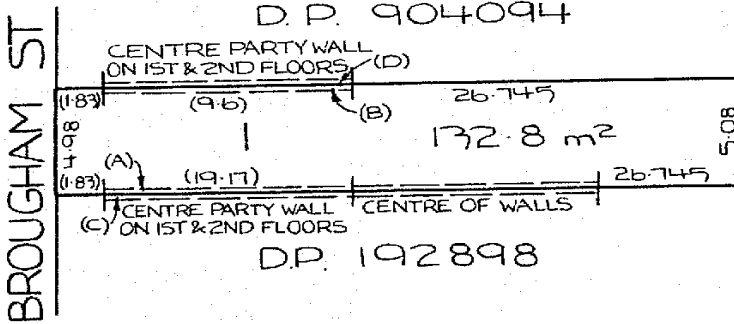
I certify that The Proprietors - Strata Plan No. **17354** is the registered proprietor of an Estate in Fee Simple in the common property in the strata scheme relating to the Strata Plan so numbered, within the land herein described, subject nevertheless to the exceptions encumbrances and interests recorded hereon and to the reservations and conditions, if any, contained in the Crown grant.

[Signature]
Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



- (A) EASEMENT FOR SUPPORT 0.12 WIDE - R 618877
- (B) EASEMENT FOR SUPPORT 0.12 WIDE - R 618878
- (C) EASEMENT FOR SUPPORT 0.12 WIDE - R 618879
- (D) EASEMENT FOR SUPPORT 0.12 WIDE - R 618880

ADDRESS FOR SERVICE OF NOTICES: 96 BROUGHAM STREET, KINGS CROSS 2011

LAND REFERRED TO Lot 1 in Deposited Plan 904214 at Kings Cross in the City of Sydney Parish of Alexandria County of Cumberland.

EXCEPTIONS ENCUMBRANCES AND INTERESTS REFERRED TO

- 1. R P618877) Easements for support affecting the part of the land above described shown so R P618878) burdened in the plan hereon.
- 2. R P618879) Easements for support appurtenant to the land above described affecting the land R P618880) shown so burdened in the plan hereon.

SCHEDULE OF UNIT ENTITLEMENT

Aggregate unit entitlement: 50

Lot No.	Strata Plan No.	Unit Entitlement
1	17354	23
2	"	14
3	"	13



PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

* 1982M7
Reg. Gen.
15.3.1984

RECORDINGS (continued)		
PARTICULARS	Registrar General	CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

AFTER REGN
REFER ALL
DLGS & PLANS
TO ST30



SEARCH DATE

28/5/2020 12:47PM

FOLIO: CP/SP17354

First Title(s): OLD SYSTEM

Prior Title(s): VOL 14536 FOL 225

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
29/4/1986		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
1/7/1986		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
19/4/1988	X489466	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 1
27/5/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577486	DEPARTMENTAL DEALING	
19/10/2006	AC679767	DEPARTMENTAL DEALING	
17/8/2017	AM654528	DEPARTMENTAL DEALING	

*** END OF SEARCH ***



FOLIO: CP/SP17354

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	1	19/4/1988

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 17354
WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT KINGS CROSS
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM SHEET 1 SP17354

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 17354
ADDRESS FOR SERVICE OF DOCUMENTS:
96 BROUGHAM STREET
KINGS CROSS 2011

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- * 2 ATTENTION IS DIRECTED TO BY-LAWS SET OUT IN SCHEDULE 2 STRATA SCHEMES MANAGEMENT REGULATION 2016
- 3 R618877 EASEMENT FOR SUPPORT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 R618878 EASEMENT FOR SUPPORT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 R618879 EASEMENT FOR SUPPORT APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 R618880 EASEMENT FOR SUPPORT APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 7 X489466 THIS EDITION ISSUED PURSUANT TO S.111 REAL PROPERTY ACT, 1900

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 50)

STRATA PLAN 17354					
LOT	ENT	LOT	ENT	LOT	ENT
1	-	23	2	-	14
				3	-
					13

END OF PAGE 1 - CONTINUED OVER

FOLIO: CP/SP17354

PAGE 2

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Potts Point Victoria & Brougham

PRINTED ON 28/5/2020

* 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. InfoTrack an approved NSW Information Broker 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 1900.

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900

CANCELLED
Register

Vol. 14536 Fol. 226
SEE AUTO FOLIO

EDITION ISSUED

16 9 1981



I certify that the person described in the First Schedule is the registered proprietor of an Estate in Fee Simple in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule and to the reservations and conditions, if any, contained in the Crown grant.

[Signature]
Registrar General



LAND REFERRED TO (For particulars of the lot referred to, see Strata Plan).

Lot 1 in Strata Plan 17354 at Kings Cross in the City of Sydney Parish of Alexandria County of Cumberland.

FIRST SCHEDULE (continued overleaf)

~~OREGON TIMBER INDUSTRIES PTY. LIMITED~~

SECOND SCHEDULE (continued overleaf)

- The said lot is subject to any affecting interests recorded on the folio of the Register comprising the common property.
- ~~R139525 Mortgage to Alexei Kisliakov and Ludmyla Kisliakov as Tenants in Common in equal shares.~~ Discharged S969838

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREOF

(Page 1) Vol. 14536 Fol. 226

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.



14536226

FIRST SCHEDULE (continued)	
REGISTERED PROPRIETOR	Registrar General
Jennie Elizabeth Everingham by Transfer V496794. Registered 4-1-1985.	

SECOND SCHEDULE (continued)	
PARTICULARS	Registrar General CANCELLATION
V496795 Mortgage to National Australia Savings Bank Limited. Registered 4-1-1985.	<i>[Signature]</i>

NOTATIONS AND UNREGISTERED DEALINGS	
<p><i>V496795</i> <i>14536-226</i> <i>86965</i></p>	363



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

29/5/2020 8:19AM

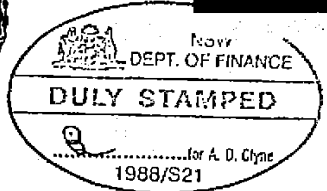
FOLIO: 1/SP17354

Prior Title(s): VOL 14536 FOL 226

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
29/4/1986		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
1/7/1986		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
25/1/1988	X344517	DISCHARGE OF MORTGAGE	
25/1/1988	X344518	TRANSFER	EDITION 1
2/7/1996	2272740	TRANSFER	EDITION 2
4/8/1997	3290851	TRANSFER	
4/8/1997	3290852	MORTGAGE	EDITION 3
13/8/2001	7845284	DISCHARGE OF MORTGAGE	
13/8/2001	7845285	MORTGAGE	EDITION 4
3/6/2002	8654747	DISCHARGE OF MORTGAGE	
3/6/2002	8654748	TRANSFER	
3/6/2002	8654749	MORTGAGE	EDITION 5
3/11/2006	AC717714	DISCHARGE OF MORTGAGE	
3/11/2006	AC717715	TRANSFER	
3/11/2006	AC717716	MORTGAGE	EDITION 6
28/11/2016	AK958579	CAVEAT	
25/2/2017	AM186898	WITHDRAWAL OF CAVEAT	
25/2/2017	AM186899	DISCHARGE OF MORTGAGE	
25/2/2017	AM186900	TRANSFER	
25/2/2017	AM186901	MORTGAGE	EDITION 7
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 8 CORD ISSUED

*** END OF SEARCH ***

RP 13
1985



X344518

STAMP DUTY

TRANSFER

REAL PROPERTY ACT, 1900

3	2 ⁰¹	2	X
\$ 39.6			

R2/2

DESCRIPTION OF LAND
Note (a)

Torrens Title Reference	If Part Only, Delete Whole and Give Details	Location
Folio Identifier 1/SP17354	WHOLE	POTTS POINT

TRANSFEROR
Note (b)

JENNIE ELIZABETH EVERINGHAM of Potts Point

ESTATE
Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 140,000.00 and transfers an estate in fee simple in the land above described to the TRANSFEREE.

TRANSFEREE
Note (d)

PERMANENT TRUSTEE COMPANY LIMITED of 25 O'Connell Street, Sydney and Alix Breillat Turner (Jnr) of "Calamondah", Goulburn, Grazier as joint tenants/~~tenants in common~~

OFFICE USE ONLY
JT2

TENANCY
Note (e)

PRIOR ENCUMBRANCES
Note (f)

subject to the following PRIOR ENCUMBRANCES 1. NIL
2. _____ 3. _____

DATE 20th January 1988

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION
Note (g)

Signed in my presence by the transferor who is personally known to me

Robert C. Minter
Signature of Witness
ROBERT C. MINTER
Name of Witness (BLOCK LETTERS)
SOLICITOR
Address and occupation of Witness
SYDNEY

Jennie Everingham
Signature of Transferor

Note (g)

Signed in my presence by the transferee who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

C. J. Dunston
Signature of Transferee's Solicitor
C. J. DUNSTON, SOLICITOR, SYDNEY

TO BE COMPLETED BY LODGING PARTY
Notes (h) and (i)

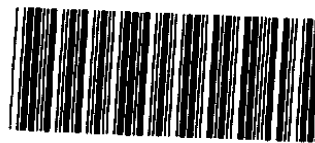
LODGED BY		LOCATION OF DOCUMENTS	
BARKER GOSLING SOLICITORS 232-2177 Box 698B		CT	OTHER
Delivery Box Number		✓	Herewith.
			In L.P.O. with
			Produced by
Checked	Passed	REGISTERED	-19
<i>eat</i>		25 JAN 1988	
Signed	Extra Fee	365	
		Secondary Directions	
		Delivery Directions	CT LP

OFFICE USE ONLY

97-01T



TRANSFER
Real Property Act, 1900



2272740 J

00735 309
ALIX BREILLAT TURNER

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIERS
1/SP17354, 2/SP17354, 3/SP17354

(B) LODGED BY

L.T.O. Box	Name, Address or DX and Telephone
942S	PERMANENT TRUSTEE COMPANY LIMITED DX 383 SYDNEY
REFERENCE (max. 15 characters): Ref: R. Wellens	

(C) TRANSFEROR

PERMANENT TRUSTEE COMPANY LIMITED
ALIX BREILLAT TURNER

(D) acknowledges receipt of the consideration of \$363,000.00
and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. NIL 2. 3.

(F) TRANSFEE

T	PERMANENT TRUSTEE COMPANY LIMITED
TENANCY:	

(G)

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATED** 2/7/96
Refer to Annexure "A" for further signatures.
Signed in my presence by the Transferor who is personally known to me.

Mary Cavirilis
Signature of Witness

Name of Witness (BLOCK LETTERS)

CLARKE MARY CAVIRILIS

Address of Witness

41 Hollywood Av
Bardi Junction 2022

Signed in my presence by the Transferee who is personally known to

Richard Wellens
Signature of Witness

RICHARD WELLENS
Name of Witness (BLOCK LETTERS)

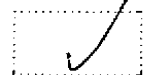
25 O'CONNELL ST, SYDNEY
Address of Witness

[Signature]
Signature of Transferor

PERMANENT TRUSTEE COMPANY LIMITED ACN 000 000 993
by its Attorneys who state that they have no notice of revocation
of the Power of Attorney dated 2nd June 1993, Registered in NSW
Book 4022 No 346 whereby they execute this deed document or instrument.

Group A Attorney	Group B Attorney
Signature <i>[Signature]</i>	Signature <i>[Signature]</i>
Name JAY SHAW	Name [Signature]

5842 Signature of Transferee



ANNEXURE "A"

Signed in my presence by the Transferor
who is personally known to me.



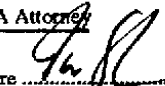
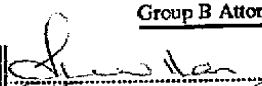
Signature of Witness

RICHARD WELLES

Name of Witness (BLOCK LETTERS)

25 O'CONNELL ST, SYDNEY.

Address of Witness

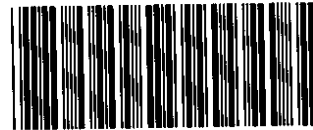
PERMANENT TRUSTEE COMPANY LIMITED ACN 000 000 993 by its Attorneys who state that they have no notice of revocation of the Power of Attorney dated 2nd June 1993, Registered in NSW Book 4022 No 345 whereby they execute this deed document or instrument.	
Group A Attorney	Group B Attorney
Signature 	Signature 
Name <u>GARMAN</u> <u>EAN SHAW</u>	Name <u>WATSON</u>

5842 Signature of Transferor



TRANSFER

Real Property Act, 1900



3290851 W

①

Office c

210797 6409 04 002133265/02
N.S.W. STAMP DUTY \$2,000

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

1/SP17354

(B) LODGED BY

L.T.O. Box 348F	Name, Address or DX and Telephone GRAY & PERKINS SOLICITORS 83 Clarence Street Sydney 2000 Phone: 290-2999 DX 431 SYDNEY REFERENCE (max. 15 characters):
------------------------	---

(C) TRANSFEROR

Permanent Trustee Company Limited ACN 000 000 993

(D) acknowledges receipt of the consideration of ... \$221,000.00

and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. 2. 3.

(F) TRANSFEREE

T TS (s713 LGA) TW (Sheriff)	Russell John Ryan and Michael Cornelius Flynn TENANCY: Joint Tenants
---	---

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATED** 29-7-97

Signed in my presence by the Transferor who is personally known to me.

[Signature]

Signature of Witness

JOEL HERNANDEZ

Name of Witness (BLOCK LETTERS)

23-25 O'CONNELL ST SYDNEY

Address of Witness NSW 2000

PERMANENT TRUSTEE COMPANY LIMITED ACN 000 000 993
by its Attorneys who state that they have no notice of revocation
of the Power of Attorney dated 2nd June 1993, Registered in NSW
Book 4022 No 346 whereby they execute this deed document or instrument.

Group A Attorney

Group B Attorney

Signature

Name

[Signatures]
FAYE DIXON RICHARD WALENS

Signature of Transferor

6130

Signed in my presence by the Transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

[Signature]
Signature of Transferee's solicitor

GARY DAVID NEWTON
G D Newton
CHECKED BY (office use only)

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

Form: 01T
Licence: 01-06-012
Licensee: Colin Biggers & Paisley



TRANSFER
New South Wales
Real Property Act 1900



PRIVACY NOTE: this information is legally required

8654748N

STAMP DUTY

Office of State Revenue use only		OFFICE OF STATE REVENUE (N.S.W. TREASURY)	
CLIENT No. 24233	STAMP No. 215		
STAMP DUTY 2.00	SIGNATURE		
TRANSACTION No. 021809	DATE 26 07		
ASSESSMENT DETAILS:			

(A) TORRENS TITLE If appropriate, specify the part transferred
FOLIO IDENTIFIER 1/SP17354

(B) LODGED BY	Delivery Box 115F	Name, Address or DX and Telephone COLIN BIGGERS & PAISLEY LEVEL 11, 140 PHILLIP ST, SYDNEY DX 280 SYDNEY; TEL: 9221 2022 Reference (optional): DDS:SST:21160	CODE T TW (Sheriff)
---------------	-------------------	--	------------------------------

(C) TRANSFEROR RUSSELL JOHN RYAN AND MICHAEL CONELIUS FLYNN

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$420,000.00 and as regards

(E) ESTATE the land specified above transfers to the transferee an estate in fee simple.

(F) SHARE TRANSFERRED 100%

(G) Encumbrances (if applicable): 1 2 3.

(H) TRANSFEREE TRISTON ANTONY RODON KING

(I) TENANCY:

DATE / /
 dd mm yyyy

(J) I certify that the transferor, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this transfer in my presence. Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness

Name of witness:

Address of witness: OLIVIA STEPHENSON
Level 11
32 Market Place
Sydney 2000 Secretary

Signature of transferor:

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

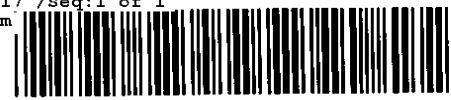
Signature:

Signatory's name: SUE TAN
Signatory's capacity: PURCHASER'S SOLICITOR

Form: 01T
Licence: 98M111
Release: 0308

TRANSFER

New South Wales
Real Property Act 1900



AC717715G

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only	
	NEW SOUTH WALES DUTY 28-09-2006 0003764099-001 SECTION 80(1)-TRANSFER FIRST HOME PLUS NO DUTY PAYABLE

(A) TORRENS TITLE	Identifier 1/SP17354	PRIVATE DWELLING
-------------------	----------------------	------------------

(B) LODGED BY	<table border="1"> <tr> <td>Delivery Box 481D</td> <td>Name, Address or DX and Telephone NATIONAL LENDING SOLUTIONS DX 28404 PARRAMATTA Telephone: 6891 6633 LLPN125125E Reference: 0617939 INC MORGAN</td> <td>CODES T TW (Sheriff)</td> </tr> </table>	Delivery Box 481D	Name, Address or DX and Telephone NATIONAL LENDING SOLUTIONS DX 28404 PARRAMATTA Telephone: 6891 6633 LLPN125125E Reference: 0617939 INC MORGAN	CODES T TW (Sheriff)
Delivery Box 481D	Name, Address or DX and Telephone NATIONAL LENDING SOLUTIONS DX 28404 PARRAMATTA Telephone: 6891 6633 LLPN125125E Reference: 0617939 INC MORGAN	CODES T TW (Sheriff)		

(C) TRANSFEROR	TRISTON ANTONY RODON KING
----------------	---------------------------

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$495,000 and as regards

(E) ESTATE the land specified above transfers to the transferee an estate in fee simple

(F) SHARE
1 TRANSFERRED Whole

(G) Encumbrances (if applicable):

(H) TRANSFEREE	JOANNE THERESE MORGAN
(I)	TENANCY:

DATE 30 OCTOBER 2006

(J) I certify that the transferor, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

Signature of Transferor:

Name of witness: **James Rodon King**
Address of witness: 5 GREEN ST. CREMORNE POINT NSW
Solicitor

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:
Signatory's name: Stanislaus Anthony Carroll
Signatory's capacity: Solicitor for the Transferee

Reg 74
24



FOLIO: 1/SP17354

SEARCH DATE	TIME	EDITION NO	DATE
29/5/2020	8:19 AM	8	9/9/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 1 IN STRATA PLAN 17354
AT KINGS CROSS
LOCAL GOVERNMENT AREA SYDNEY

FIRST SCHEDULE

HARRPHIL PTY LTD (T AM186900)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 INTERESTS RECORDED ON REGISTER FOLIO CP/SP17354
- 2 AM186901 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY

Signatures and seals only.

Richard P. Davies

DIAGRAM
NOT TO SCALE

DP 613011

Registred: 3-3-1981

C.A.: _____

Title System: TORRENS

Purpose: REDEFINITION

Ref. Map: ROLL PLAN 293^{FF}

Last Plan: DP 906362

PLAN OF LAND IN C.O.F.T.
 VOLUME 10957 FOLIO 77
 BEING ALSO DP 906362

Reduction Ratio 1:200
 Lengths are in metres.

State/Sheets: SYDNEY
 Locality: KINGS CROSS
 Parish: ALEXANDRIA
 County: CUMBERLAND

This is sheet _____ of _____ sheets.
 (Delete if inapplicable)

RICHARD STEPHEN LONGCRONE
 R.S. LONGCRONE & ASSOCIATES
 OF PO BOX 370 STONE ISLAND MASSISSEBO
 a Surveyor registered under the Surveyors Act, 1929, as amended.
 I certify that the survey represented in this plan
 was made and has been made in accordance with the Survey Practice Regulations, 1933, and was completed on 7.1.1980

Signature: _____
 Surveyor registered under Surveyors Act, 1929, as amended.
 Datum Line of Assumption: A.S.D.
 Strike out either (T) or (D) - Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or to create public reserves, easements or restrictions as to user

THE CONSENT OF THE LOCAL GOVERNMENT OF THE CITY OF SYDNEY FOR THE LICATION OF BROUGHAM STREET AS HOURIGAN LANE HAS BEEN OBTAINED

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYOR'S REFERENCE 20417

TITLICAL

DP 613011

I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.

Bruce Richard Davies
3rd March, 1981



10957077

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Application No. 4076

Vol. 10957 Fol. 77

Prior Titles Volume 8479 Folios 162 and 163

Edition issued ~~30-13-1968~~
30-12-1968 } REG. GEN.
L234,724 } 17-8-1971



EH

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

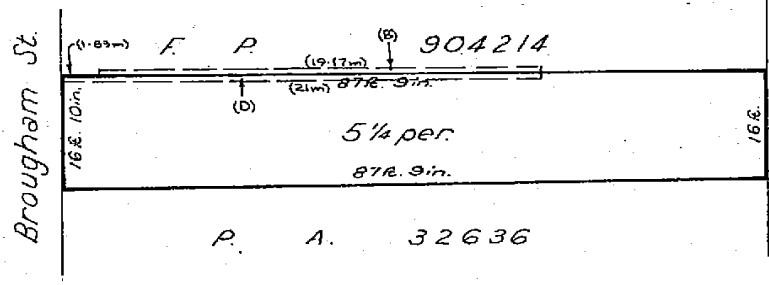
Witness *L. Balliver*

CANCELLED

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND



(B) EASEMENT FOR SUPPORT 0.12 METRES WIDE - R 618877
(D) EASEMENT FOR SUPPORT 0.12 METRES WIDE - R 618879

L234724 *Reg.*

Scale: 20 feet to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in the land shown in plan lodged with Transfer No.19551 (filed as F.P.906362) in the City of Sydney Parish of Alexandria and County of Cumberland shown in the plan hereon being part of 9 acres 22 perches granted to Edward Hallen on 19-10-1831.

FIRST SCHEDULE

~~ROLAND JOHN ARNOLD, of Kings Cross, Surveyor.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

Jawatson
Registrar General.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON


WARNING THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
Michael Richard Farley of Kings Cross, Company Director.	Transfer	S50319		30-9-1980	
	This deed is cancelled as to the whole				
	New certificates of Title have issued on 23-3-1981				
	for lots in Depos No. 613011				
	Lots 100 14372 Fol 223				
					follows respectively.

NSW CERTIFICATE(S) OF TITLE ISSUING ON DP 613011
 NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO
 SURVEY DRAFTING BRANCH.

REGISTRAR GENERAL



L 23-72
 M4905311
 N476072
 P139848
 490m
 500m
 SIM
 W 31/5570
 81
 R672174
 CT. 17.12.76
 R618877A

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION
Mortgage	L234725	1-11-1968	10 Mack St. dimited	7-7-1969	Jackson	Discharged P139849
Mortgage	11490531	25.10.1971	To: Beverly Sanson Burwood, Widow	10.11.1971	Jackson	Discharged P139850
Caveat	N476072	12.9.1973		4.10.1973	Jackson	Withdrawn P139848
Mortgage	P139851	20-12-1974	to Ivy Coralie Crane of Mosman, Married Woman	31-1-1975	Jackson	Discharged Q314557
Mortgage	6314558		to Douglas Neesmith, of Epping, Retired	24-6-1977	Jackson	Discharged S50318
Mortgage	R472174		to Ivy Coralie Crane of Mosman, Married Woman in 2/3 share and Robert Keith Peat of Gladesville, Retired Gentleman in 1/3 share, tenancy in common.	7-11-1979	Jackson	Discharged S50317
Transfer	R618877	-	Easement for support appurtenant to the land above described affecting the land shown so burdened in the plan hereon.	28-7-1980		
Transfer	R618879	-	Easement for support affecting the land shown so burdened in the plan hereon.	28-7-1980		
Mortgage	R472174		affected by R965476 Transmission. Mortgagees now Ivy Coralie Crane of Mosman, Married Woman and James Gordon Peat of Epping, Chartered Accountants tenants in common.	11-8-1980		Cancelled S50317

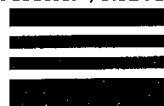
R618877
 R965476
 of map R672174
 S503170M
 80M
 9T
 Refer 1980 M 157
 Surv. report re amend plan
 DP 613011
 S78457M
 S333356M
 4m

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR-GENERAL ARE CANCELLED

Vol. 10957 Fol 77

(Page 2 of 2 pages)

Reg: R126585 / Doc: CT 10957-077 CT / Rev: 13-Jan-2011 / NSW IRS / Pgs: ALL / Prt: 29-May-2020 12:20 / Seg: 2 of 2
 © Office of the Registrar-General / Str: INFOTRACK / Ref: Potts Point Victoria & Brougham



CIFICATE OF TITLE



14372223

NEW SOUTH WALES

REAL PROPERTY ACT, 1900

Appln. No.4076

Prior Title Vol.10957 Fol.77

Vol. 14372 Fol. 223

EDITION ISSUED

23 3 1981



I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

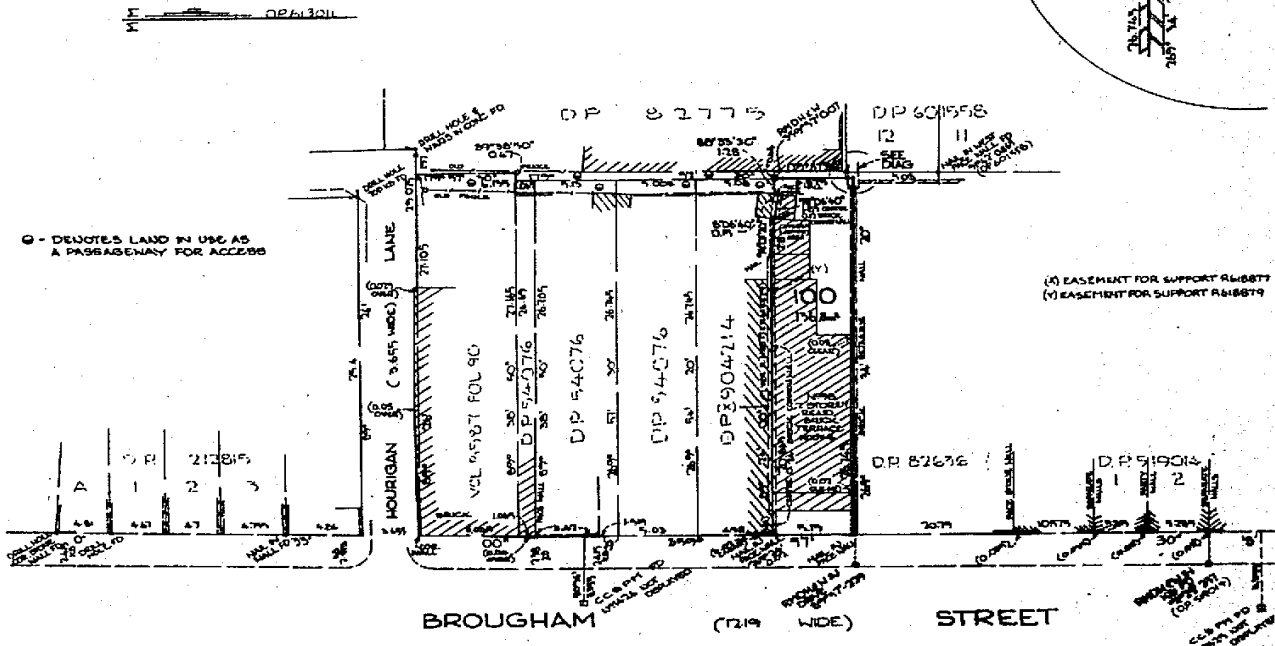
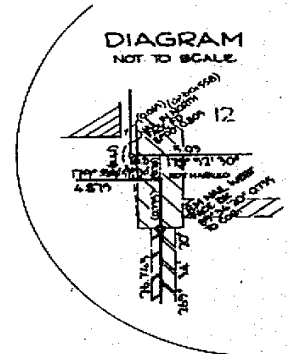
CANCELLED

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

14372 223

(Page 1) Vol.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 100 in Deposited Plan 613011 at Kings Cross in the City of Sydney Parish of Alexandria and County of Cumberland being part of 3.698 hectares granted to Edward Hallen on 19-10-1831.

FIRST SCHEDULE

MICHAEL RICHARD FARLEY of Kings Cross, Company Director.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. R618877p Easement for support appurtenant to the land above described affecting the land shown so burdened in Deposited Plan 613011.
3. R618879p Easement for support affecting the land shown so burdened in Deposited Plan 613011.

CRY
EHZ
EH(SB)

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

~~Nuxivu Pty Limited by Transfer V880474. Registered 13-8-1985.~~
~~Graham Douglas Cox by Transfer W549305. Registered 8-1-1987.~~
~~Anthony Reginald Allen by Transfer X165234. Registered 2-11-1987.~~



CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

S78457 Mortgage to Mutual Acceptance Limited. Registered 22-5-1981.		_____	V880472
8688542 Caveat by General Credits Limited. Registered 21-9-1981.		_____	S698056
S698057 Mortgage to General Credits Limited. Registered 21-9-1981.		_____	V880473
T621753 Caveat by Kim Farley. Registered 27-6-1983.		_____	V880471
V382158 Caveat by Australia and New Zealand Banking Group Limited. Registered 9-10-1981.		_____	V880470
V880475 Caveat by Tricontinental Corporation Limited. Registered 13-8-1985.		_____	V987511
V987511 Mortgage to Tricontinental Corporation Limited. Registered 21-10-1985.		_____	W549304
W318252 Caveat by Finance Corporation of Australia Limited. Registered 6-5-1986.		_____	W549303
W549306 Mortgage to Beneficial Finance Corporation Limited. Registered 8-1-1987.		_____	X165234
W576551 Caveat by Australia and New Zealand Banking Group Limited. Registered 8-1-1987.		_____	X165233

m X165235 Mortgage to National Australia Bank Limited. Registered 2-11-1987.

NOTATIONS AND UNREGISTERED DEALINGS

S78457 m 3 R
~~S33356~~
 rejected 1/1/87
 cr 2 an
 S 688 512 PEX
 5698056WX
 057M

7621753X
 V321758X
 X851735V
 X880470WX
 14X
 20M
 30M
 47X
 5X
 376
 V987511M R
 W318252 R
 W549303 W/L
 04 2/87
 057c
 06 M
 W576551X
 X165233WX
 47 P/R
 5M



SEARCH DATE

28/5/2020 12:47PM

FOLIO: 100/613011

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 14372 FOL 223

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
8/9/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
19/6/1989	Y432438	DISCHARGE OF MORTGAGE	
19/6/1989	Y432439	TRANSFER	
19/6/1989	Y432440	MORTGAGE	EDITION 1
18/12/1990	Z396485	DISCHARGE OF MORTGAGE	
18/12/1990	Z396486	TRANSFER	
18/12/1990	Z396487	MORTGAGE	EDITION 2
17/7/1991	Z759625	TRANSFER OF MORTGAGE	
17/7/1991	Z759626	VARIATION OF MORTGAGE	EDITION 3
9/9/1994	U603656	DISCHARGE OF MORTGAGE	
9/9/1994	U603657	TRANSFER	
9/9/1994	U603658	MORTGAGE	EDITION 4
22/2/1996	O933026	DISCHARGE OF MORTGAGE	
22/2/1996	O933027	MORTGAGE	EDITION 5
27/5/1997		AMENDMENT: LOCAL GOVT AREA	
4/10/2000	7123013	DISCHARGE OF MORTGAGE	
4/10/2000	7123014	TRANSFER	
4/10/2000	7123015	MORTGAGE	EDITION 6
8/5/2003	9577486	DEPARTMENTAL DEALING	
26/9/2012	AH263663	DISCHARGE OF MORTGAGE	
26/9/2012	AH263664	MORTGAGE	EDITION 7
7/12/2015	AK45397	DISCHARGE OF MORTGAGE	
7/12/2015	AK45398	MORTGAGE	EDITION 8
15/9/2018	AN713159	DEPARTMENTAL DEALING	EDITION 9 CORD ISSUED

END OF PAGE 1 - CONTINUED OVER

SEARCH DATE

28/5/2020 12:47PM

FOLIO: 100/613011

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
12/11/2018	AN849219	CAVEAT	
11/11/2019	AP667955	DISCHARGE OF MORTGAGE	
11/11/2019	AP667956	TRANSFER	EDITION 10
21/5/2020	AQ114737	MORTGAGE	EDITION 11 CORD ISSUED

*** END OF SEARCH ***

RP 13

STAMP DUTY



STAMP DUTY
 \$1.00
 T D U T Y



*Kings X
F/T
TBC case P/L*



Y432439

TRANSFER

REAL PROPERTY ACT, 1900

T

32 of 3 X
\$ 40

R2/B

DESCRIPTION OF LAND Note (a)

Torrens Title Reference	If Part Only, Define Whole and Give Details	Location
Volume 14372 Folio 223 <i>100/613d11</i>	WHOLE	98 Brougham Street, Potts Point.

TRANSFEROR Note (b)

ANTHONY REGINALD ALLEN of 489 New South Head Road, Double Bay, Company Director

ESTATE Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$220,000.00 and transfers an estate in fee simple in the land above described to the TRANSFEREE

TRANSFEREE Note (d)

<u>TARCORP P'TY. LTD.</u> of 171 Victoria Street, Potts Point	OFFICE USE ONLY S
---	--------------------------

TENANCY Note (e)

as joint tenants/tenants in common

PRIOR ENCUMBRANCES Note (f)

subject to the following PRIOR ENCUMBRANCES 1. 2. 3.

DATE 10th February 1989

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION Note (g)

Signed in my presence by the transferor who is personally known to me

Christopher McGee
 Signature of Witness
CHRISTOPHER MCGEE
 Name of Witness (BLOCK LETTERS)
167 DOWLING STREET
 Address and occupation of Witness
EAST SYDNEY
SOLICITOR

Allen
 Signature of Transferor

Note (g)

Signed in my presence by the transferee who is personally known to me

.....
 Signature of Witness

 Name of Witness (BLOCK LETTERS)

 Address and occupation of Witness

J Harris
 Signature of Transferee
J HARRIS
 Solicitor

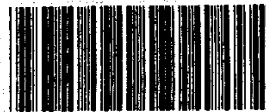
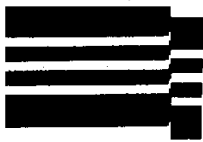
TO BE COMPLETED BY LODGING PARTY Notes (h) and (i)

LODGED BY	LOCATION OF DOCUMENTS	
	CT	OTHER
Delivery Box Number	<i>COM</i>	Herewith.
		In L.T.O. with
Checked	Passed	Produced by
Signed	Extra Fee	Secondary Directions
		Delivery Directions

REGISTERED - -19
 379

RP 13
1985

STAMP DUTY



2
3964860

① \$1

TRANSFER

REAL PROPERTY ACT, 1900

T

3 CB	202	X	R 2/3
\$ 47			

DESCRIPTION OF LAND
Note (a)

Torrens Title Reference	If Part Only, Delete Whole and Give Details	Location
Fol. Ident. 100,613011	WHOLE	Kings Cross

TRANSFEROR
Note (b)

TARCORP PTY. LIMITED

ESTATE
Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 190,000.00 and transfers an estate in fee simple in the land above described to the TRANSFEREE

TRANSFEREE
Note (d)

SERGIO CITARELLA to be of 98 Brougham Street Potts Point Restaurateur	OFFICE USE ONLY 5
---	--------------------------

TENANCY
Note (e)

~~subject to the following PRIOR ENCUMBRANCES~~

PRIOR ENCUMBRANCES
Note (f)

subject to the following PRIOR ENCUMBRANCES 1. Reservations and conditions in the Crown Grant.
2. R618877 Easement for Support 3. R618879 Easement for Support.

192190 3926 04 200182222/06

\$1.00

DATE 30 November 1990

EXECUTION
Note (g)

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

Signed in my presence by the transferor who is personally known to me

THE COMMON SEAL OF TARCORP PTY LIMITED
Signature of Witness

WAS HEREUNTO AFFIXED BY THE AUTHORITY OF
Name of Witness (BLOCK LETTERS)

ITS BOARD OF DIRECTORS IN THE PRESENCE OF:
Address and occupation of Witness

Note (g)

Signed in my presence by the transferor who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

Director
Secretary
TARCORP PTY. LIMITED
Common Seal
Signature of Transferor
ALEX GOLDMAN
Signature of Transferor

TO BE COMPLETED BY LODGING PARTY
Notes (h) and (i)

LODGED BY		LOCATION OF DOCUMENTS	
HOLMES & BEVAN SOLICITORS 84 PITT STREET, SYDNEY DX 1268 233 3366 187D Delivery Box Number		CT	OTHER
			Herewith.
			In L.T.O. with
	Produced by		
Checked EB5	Passed	REGISTERED	- -19
Signed	Extra Fee		15 DEC 1990
			380
		Secondary Directions	
		Delivery Directions	

OFFICE USE ONLY

97-01T



TRANSFER

Real Property Act, 1900



U
603657 E



Office of State Revenue use only
190694 * 4921 04 * 200838754/03
00*2\$

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIER 100/613011

(B) LODGED BY

L.T.O. Box 45A	Name, National Australia Bank Limited NATIONAL AUSTRALIA BANK LIMITED National Australia Bank House 255 George Street, Sydney 237-1111 FAX 237-1284 45A REFERENCE (max. 15 characters): RZ0802	
--------------------------	--	--

(C) TRANSFEROR

SERGIO CITARELLA

(D) acknowledges receipt of the consideration of ~~3300,000.00~~ **\$345,000.00**

and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. 2. 3.

(F) TRANSFEE

T	LUIS JAIME GOMEZ AND GILDA PAULINA GOMEZ
(G)	TENANCY: JOINT TENANTS

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATED** 19-8-94

Signed in my presence by the Transferor who is personally known to me.

[Signature]
Signature of Witness
B ROSIER 267 Carleneag
Name of Witness (BLOCK LETTERS)
St Sydney
Address of Witness

[Signature]
Signature of Transferor

Signed in my presence by the Transferee who is personally known to

.....
Signature of Witness
.....
Name of Witness (BLOCK LETTERS)
.....
Address of Witness

[Signature]
Signature of Transferee
SOLICITOR FOR
P W ROSIER

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

CHECKED BY (office use only)

[Signature]

TRANSFER

New South Wales
 Real Property Act 1900

7123014A



Office of State Revenue / OFFICE OF STATE REV.

CLIENT No. 2852290	STAMP No. 218
STAMP DUTY \$2.00	SIGNATURE <i>[Signature]</i>
TRANSACTION No. 002502	DATE 13/6/00

ASSESSMENT DETAILS:

(A) **LAND TRANSFERRED**

If appropriate, specify the share or part transferred.

FOLIO IDENTIFIER 100\613011

(B) **LODGED BY**

LTO Box	Name, Address or DX and Telephone
	WATKINS TAPSELL, Solicitors DX 4512, SUTHERLAND Tel: (02) 9521 6000 Box 45A Reference (15 character max): ALS.ST;44533 00 RC 8110

(C) **TRANSFEROR**

LUIS JAIME GOMEZ and GILDA PAULINA GOMEZ

(D) acknowledges receipt of the consideration of \$491,000.00 and as regards the land specified above transfers to the transferee an estate in fee simple.

(E) Encumbrances (if applicable): 1. 2. 3.

(F) **TRANSFeree**

T TS (s713 LGA) TW (Sheriff)	YASWIN VALABJEE and BHARTI VALABJEE
	TENANCY: Joint Tenants

(H) We certify this dealing correct for the purposes of the Real Property Act 1900. **DATE**

Signed in my presence by the Transferor who is personally known to me.

[Signature]
 Signature of Witness
HARIS M. GOMEZ
 Name of Witness (BLOCK LETTERS)
 111, 50 MARGARET ST.,
 Address of Witness SYDNEY

[Signature]
 Signature of Transferor

[Signature]
 Signature of ALBERT WATKINS
 Solicitor for the Transferee

[Handwritten initials]



FOLIO: 100/613011

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	11	21/5/2020

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 100 IN DEPOSITED PLAN 613011
AT KINGS CROSS
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP613011

FIRST SCHEDULE

HARRPHIL PTY LTD (T AP667956)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 R618877 EASEMENT FOR SUPPORT APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN DP613011
- 3 R618879 EASEMENT FOR SUPPORT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 AQ114737 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

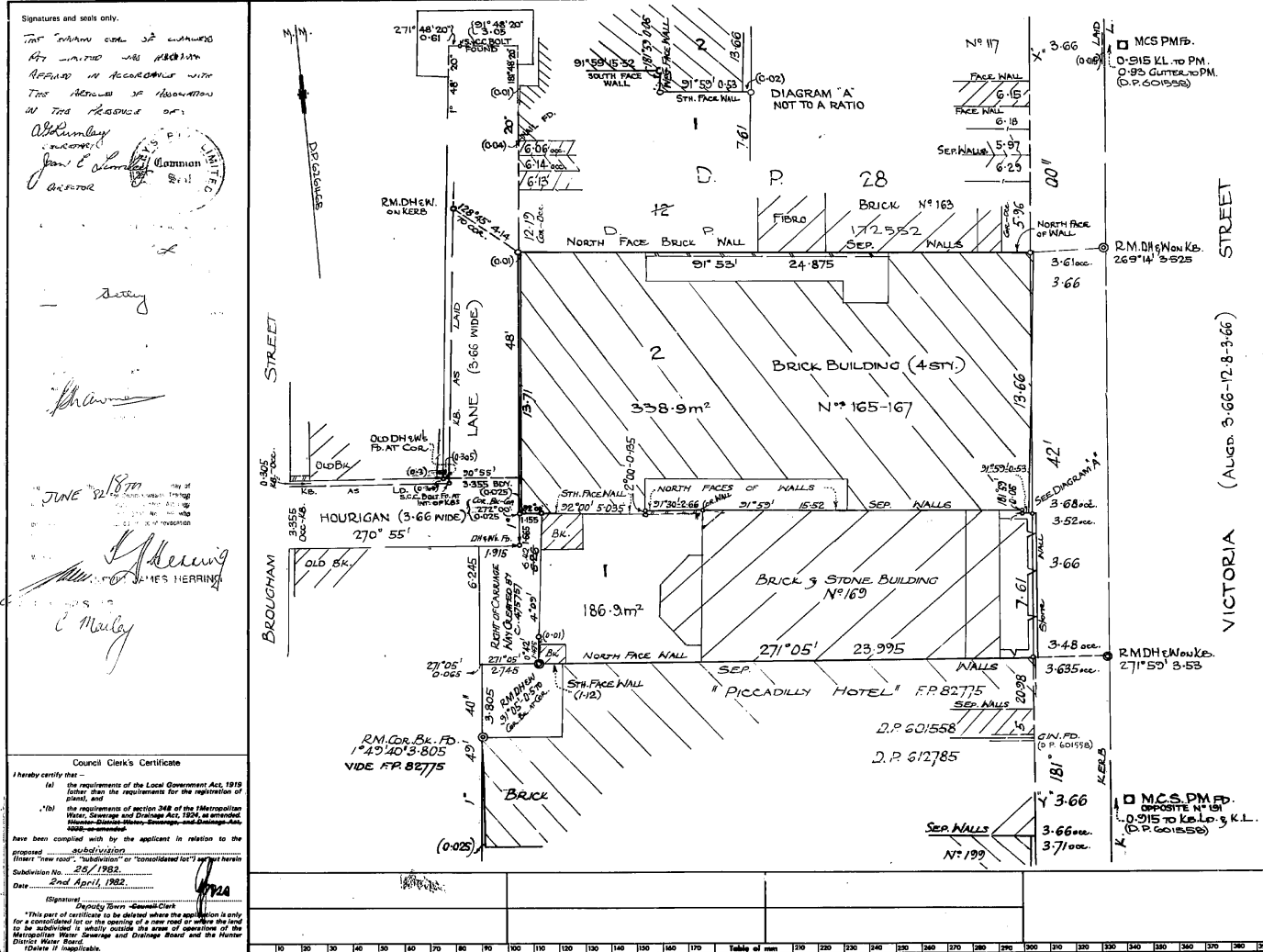
*** END OF SEARCH ***

Req:R126935 /Doc:DP 0626468 P /Rev:04-Jan-1993 /NSW LRS /Egs:ALL /Prt:29-May-2020 12:57 /Seq:1 of 1
© Office of the Registrar-General /Src:INFOTRACK /Ref:Potts Point Victoria & Brougham

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY



Signatures and seals only.

John E. ...
James Herring

Common Seal
 28/11/1982

JUNE 22 1877

James Herring
C. Marley

Council Clerk's Certificate

I hereby certify that

(a) the requirements of the Local Government Act, 1915
 (other than the requirements for the registration of
 plans), and

(b) the requirements of section 348 of the Metropolitan
 Water, Sewerage and Drainage Act, 1924, as amended,
 have been complied with by the applicant in relation to the
 proposed subdivision.

Subdivision No. 25/1982
 Date 2nd April 1982

Signature: *[Signature]*
 Deputy Town Clerk

*This part of certificate to be deleted where the application is only
 for a consolidated lot or the opening of a new road or where the land to
 be subdivided is wholly outside the areas of operation of the
 Metropolitan Water, Sewerage and Drainage Board and the Hunter
 District Water Board.
 †Delete if inapplicable.

D.P.626468

Registered: 10-8-1982
 G.A. N°25/1982 or 2.L.1982
 Title System: TORRENS
 Purpose: SUBDIVISION
 Ref. Map: PARISH
 Last Plan: D.P. 28

PLAN OF SUBDIVISION
 OF LOT 2 IN FR 323897
 AND LOTS 13 & 14, SEC.
 3, D.P. 28.

Reduction Ratio 1: 125
 Lengths are in metres.

Met./Shire: SYDNEY
 City:
 Locality: POTTS POINT
 Parish: ALEXANDRIA
 County: CUMBERLAND

This is sheet 1 of my plan in () sheets.
 (Delete if inapplicable).

PETER JOHN FRENCH
 of P.O. BOX 184, KINGS CROSS, NSW,
 a surveyor registered under the Surveyors Act, 1925, as
 amended, hereby certifies that the survey represented in this
 plan is accurate and has been made "in accordance with the Survey
 Practice Regulations, 1932, and was completed on 19-5-1982.

Signature: *[Signature]*
 Surveyor registered under the Surveyors Act, 1925, as amended,
 District of Alexandria.

Panel for use only for statements of intention
 to dedicate public roads or to create public res-
 serves, drainage reserves, easements or restrictions
 as to user.

INDIA 9 DISTRICT

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

I, Bruce Richard Davies, Under Secretary for Lands and
 Registrar General for New South Wales, certify that this
 negative is a photograph made as a permanent record of a
 document in my custody this day.

[Signature]
 11th August, 1982



11516/131

NEW SOUTH WALES

STATE OF TITLE
PROPERTY ACT, 1900.

Vol. **11516** Fol. **131**
Edition issued 8-2-1971
M69650

Appln. No. 262

Prior Titles Vol.8462 Fols.76
& 77

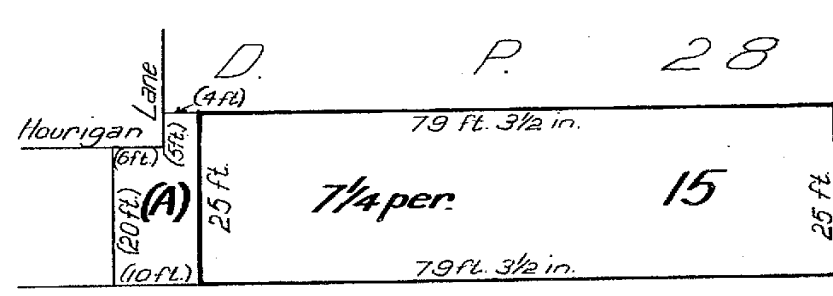


I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND



M69650

ALOR.

Scale : 20 feet to one inch

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 15 in plan lodged with Transfer No.C475757 (Filed as F.P.333897) at Woolloomooloo in the City of Sydney Parish of Alexandria and County of Cumberland being part of 9 acres 3 roods 3 perches granted to Alexander Macduff Baxter on 19-10-1831.

FIRST SCHEDULE

~~WINSTON ALEXANDER PANGAS of [unclear] Manager.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Right of Carriageway created by Transfer No.C475757 appurtenant to the land above described affecting the piece of land designated (A) shown in the plan hereon.

Jawatson
Registrar General

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

(Page 1) Vol. 11516 Fol. 131

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



11256219

11256 Fol. 219

Application No. 262

Prior Title Volume 86 Folio 91

Vol. 11256 Fol. 219



EII Edition Issued 13-3-1970
L709207

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

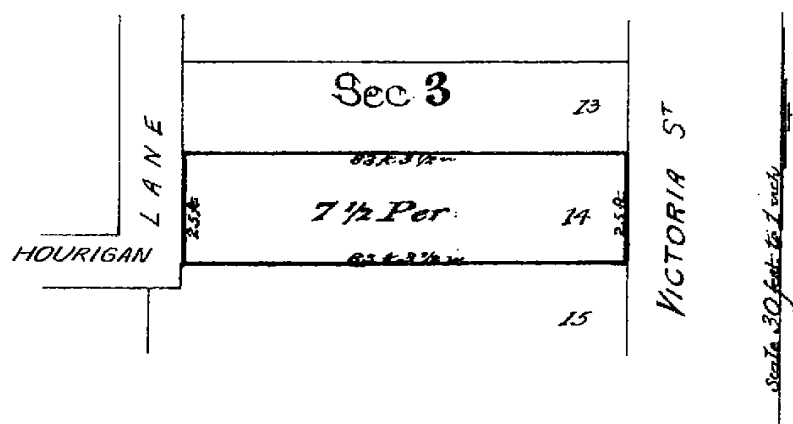
Witness *A. Duckstopp.*

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND

CANCELLED



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 14 of Section 3 in Deposited Plan 28 at Woolloomooloo in the City of Sydney Parish of Alexandria and County of Cumberland being part of 9 acres 3 roods 3 perches granted to Alexander Macduff Baxter on 19-10-1831.

FIRST SCHEDULE

LUMLEY'S PTY. ~~LIMITED~~.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. L709207 to Commonwealth Trading Bank of Australia.
Entered 22-1-1970.

Jawatson
Registrar General.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON


WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

(Page 1) Vol. ...




DP 6-16-12
 154990
 11-1-1952
 11-1-1952
 11-1-1952
 11-1-1952
 11-1-1952

Vol. 11256 Fol 219

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
Catherine Anne Mailey as to part being the part of lot in UP626468 comprised herein and Lumlays Pty. Limited as to the residue by transfer 1154990... Registered 16-9-1952					

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
			<p>This deed is cancelled as to <u>both Part</u></p> <p>New Certificates of Title have issued on <u>6/10/72</u></p> <p>for lots in <u>Street</u> Plan No. <u>19010</u> as follows:-</p> <p>Lots <u>1-6</u> Vol. <u>14903</u> Fol. <u>73-78</u> respectively.</p> <p>CP Vol. <u>14903</u> P. <u>72</u></p> 			<p><u>Residue</u></p> <p>New Certificates of Title have issued on <u>6/10/72</u></p> <p>for lots in <u>Deposited</u> Plan No. <u>626468</u> as follows:-</p> <p>Lots <u>2</u> Vol. <u>14903</u> Fol. <u>38</u> respectively.</p> 
			<p>SP19010 TERMINATED. SEE AN911639.</p> <p>NEW FOLIO IS 1/626468</p> 			

(Page 2 of 2 pages)

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Reg: R126888 / Doc: CT 11256-219 CT / Rev: 04-Mar-2019 / NSW IRS / Pgs: All / Prt: 29-May-2020 12:54 / Seq: 2 of 2
 © Office of the Registrar General / Sys: INFORTRAC / Ref: Potts Point Victoria & Brougham

PLAN DRAWING ONLY TO APPEAR IN THIS SPACE

COUNCIL'S CERTIFICATE
SYDNEY
 The Council of the City of Sydney, having satisfied itself that the requirements of the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with, approves of the proposed strata plan.
 Illustrated herein strata plan of subdivision.
 *Council does not object to the encroachment of the building beyond the alignment of.
 *This approval is given on the condition that lot(s)
 5 & 6
 is/are subject to the restriction on user referred to in section 53 of the Strata Titles Act, 1973.
 Date 12 TH JULY 1982
 Subdivision No. 49/1982
DEPUTY TOWN Council Clerk.
 *Complete, or delete if inapplicable.

SURVEYOR'S CERTIFICATE
Peter John French
 P.O. Box 184 Kings Cross 2011.
 a surveyor registered under the Surveyors Act, 1928, hereby certify that—
 (1) any wall, the inner surface or any part of which corresponds substantially with any line shown on the accompanying floor plan as a boundary of a proposed lot, exists;
 (2) any floor or ceiling, the upper or under surface or any part of which forms a boundary of a proposed lot, shown in the accompanying floor plan, exists;
 (3) any wall, floor, ceiling or structural cubic space, by reference to which any boundary of a proposed lot shown in the accompanying floor plan is defined, exists;
 (4) any building containing proposed lots erected on the land shown on the accompanying location plan and each proposed lot shown on the accompanying floor plan are wholly within the perimeter of the parcel * subject to subparagraph (a) and (b).
 *lot except to the extent that the building encroaches on a public place;
 *lot save and unless of the building encroaches on land other than a public place, in respect of which save and unless an appropriate assessment has been created by registered.
 (5) the survey information provided in the accompanying location plan is accurate.
 Signature: P. French
 Date: 4.5.1982
 *Delete if inapplicable
 † State whether dealing or plan, and quote registered number.
 This is sheet 1 of my Plan in 3 sheets.

PLAN OF STRATA SUBDIVISION OF
LOT 1 IN D. P. 626468
 City: SYDNEY Locality: POTTS POINT
 Parish: ALEXANDRIA County: CUMBERLAND
 Reduction Ratio 1: 200 Lengths are in metres

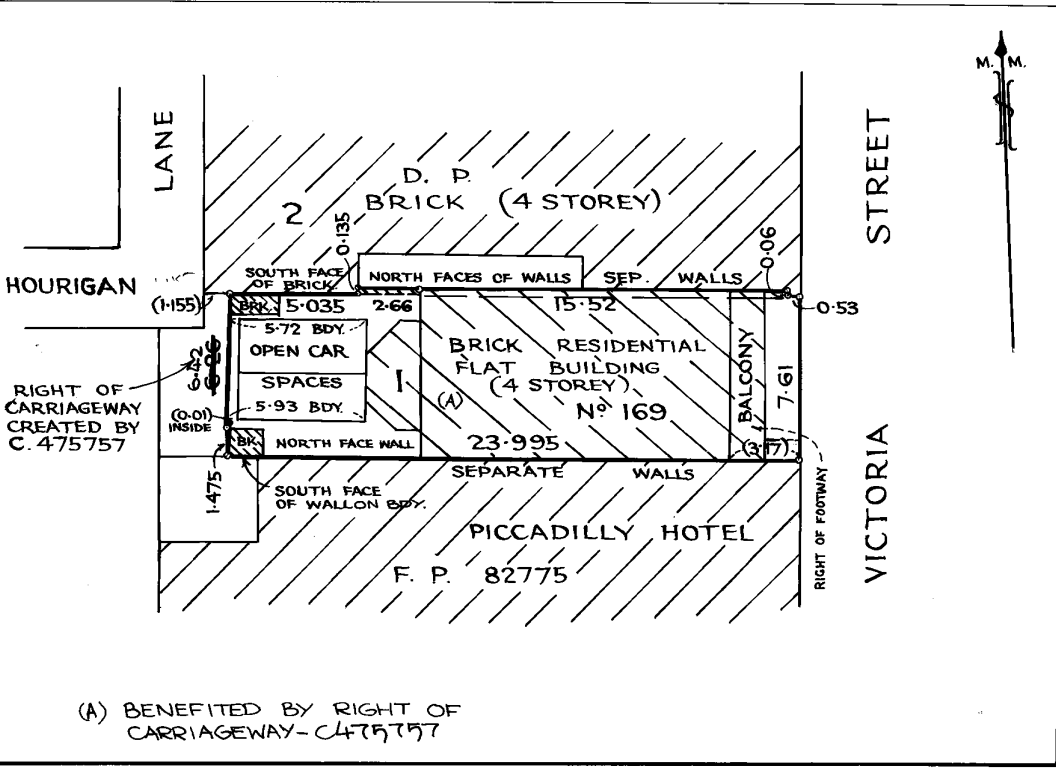
STRATA PLAN 19010
 Registered: 20.9.1982
 C.A.: NO. 49/1982 OF 12-7-1982
 Purpose: STRATA PLAN
 Ref. Map: PARISH
 Last Plan: DP.626468(DP.28#)

Name of, and *address for service of notices on, the body corporate
THE PROPRIETORS, STRATA PLAN No 19010
169 VICTORIA STREET, POTTS POINT, N.S.W. 2011
 *Address required on original strata plan only.

Signatures, seals and statements of intention to create easements or restrictions as to user.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919 AND SECTION 7.3 OF THE STRATA TITLES ACT, IT IS INTENDED TO CREATE :-
1. RIGHT OF FOOT WAY.

Signed and Sealed by the said Bank of Sydney by its Attorney
MARTIN PLACE SYDNEY
 and I, the said Attorney state that I have not received any notice of the revocation of the Power of Attorney registered in the Office of the Registrar General Sydney as No. 263 Book 3403 under which this document is executed.
MARTIN PLACE SYDNEY
 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
 INCORPORATING ANZ BANK AND ZEBA BANK
 by its Attorney
DELAWARE MARINE BANKING GROUP LIMITED
 FOR THE TIME BEING OF AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED



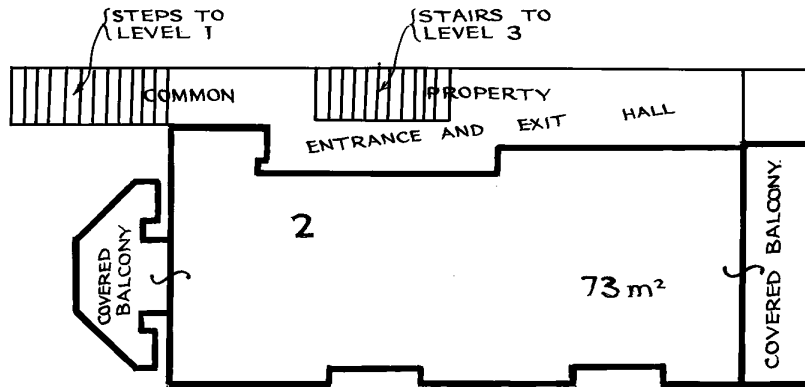
(A) BENEFITED BY RIGHT OF CARRIAGEWAY - C475757

10	20	30	40	50	60	Table of mm	100	110	120	130	140	150	160
----	----	----	----	----	----	-------------	-----	-----	-----	-----	-----	-----	-----

SURVEYOR'S REFERENCE: 81-1358

Plan Drawing only to appear in this space

STRATA PLAN 19010

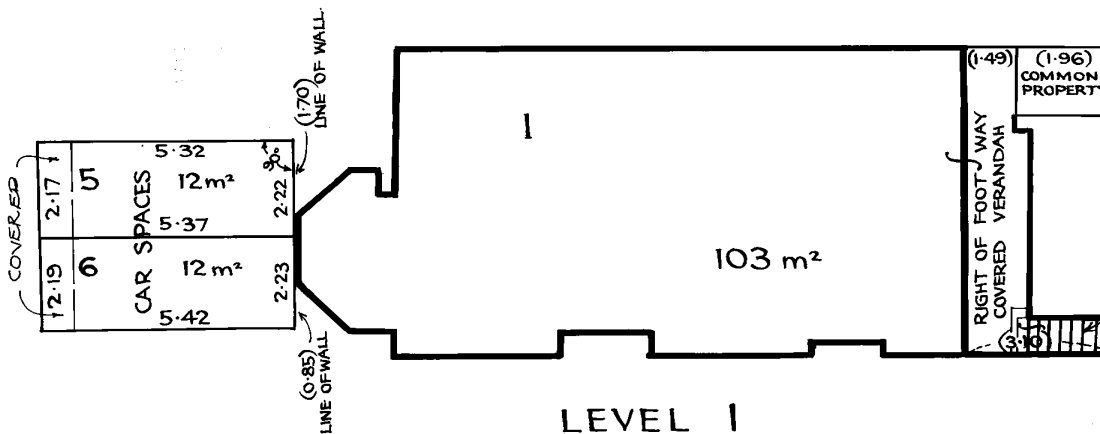


SCHEDULE OF UNIT ENTITLEMENT.

LOT N ^o	UNIT ENTITLEMENT
1	80
2	90
3	100
4	80
5	10
6	10
AGGREGATE	370

NOTE: THE UNCOVERED PARTS OF LOTS 5 AND 6 ARE NOT COVERED AND ARE RESTRICTED IN HEIGHT TO 3 METRES ABOVE THE UPPER SURFACE OF THE HARD STAND.

LEVEL 2



THE UNCOVERED STEPS ARE NOT COVERED AND ARE RESTRICTED IN HEIGHT TO 3 METRES ABOVE THE UPPER SURFACE OF THE HARD STAND.

LEVEL 1

Reduction Ratio 1: 100

Lengths are in metres

P. J. O'Connell
Registered Surveyor

DEPUTY TOWN CLERK

SURVEYOR'S REFERENCE: 81-1358

Ref: RL20357 / Doc: SP 0019010_P / Rev: 12-Aug-2008 / NSW IRS / Pgs: ALL / Pnt: 29-May-2020 12:50 / Seq: 2 of 3
© Office of the Registrar-General / Str: INFOTRACK / Ref: Potts Point Victoria & Brougham

390

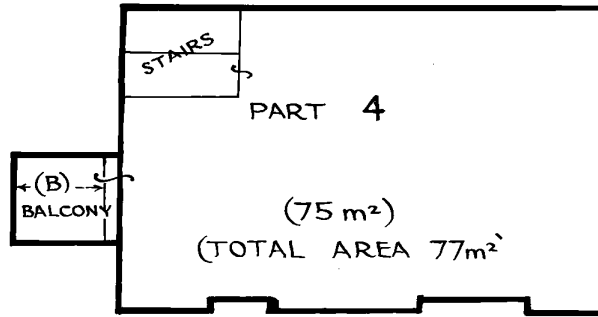
OFFICE USE ONLY

M/S O'CONNOR



NOTE:

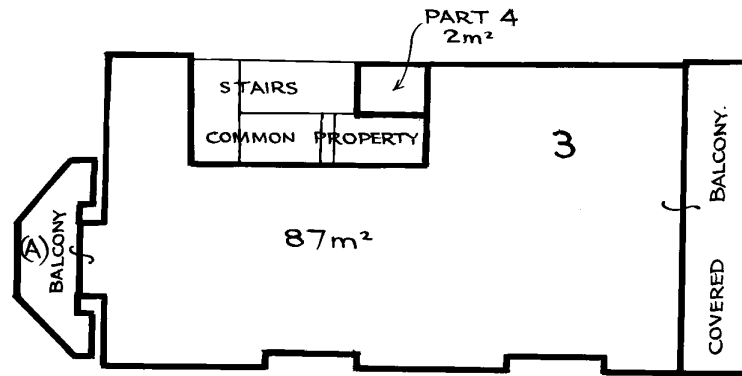
THE PART OF BALCONY SHOWN AS (B) IS NOT COVERED AND IS RESTRICTED IN HEIGHT TO 2.82 METRES ABOVE THE UPPER SURFACE OF THE HARD STAND.



LEVEL 4

NOTE:

THE BALCONY OF LOT 3 SHOWN AS (A) IS NOT COVERED AND IS RESTRICTED IN HEIGHT TO 2.64 METRES ABOVE THE UPPER SURFACE OF THE HARD STAND.



LEVEL 3

391

Reg: R120357 / Doc: SP 0019010 P / Rev: 12-Aug-2008 / NSW LRS / Pgs: ALL / Pts: 28-May-2020 12:50 / Seq: 3 of 3
© Office of the Registrar-General / Src: INFOTRACK / Ref: Potts Point Victoria & Brougham

OFFICE USE ONLY

19010
M

Reduction Ratio 1: 100

Lengths are in metres

P. J. French
Registered Surveyor

DEPUTY TOWN Council Clerk

[Signature]

SURVEYOR'S REFERENCE: 81-1358

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

CANCELLED
TO RANSITONE
Register

Appln No 262 **OS**

Vol. **14903** Fol. **72**

Prior Titles Vol. 11256 Fol. 219
Vol. 11516 Fol. 131



SEE AUTO FOLIO
EDITION ISSUED

6 10 1982

I certify that The Proprietors - **Strata Plan No. 19010** is the registered proprietor of an Estate in Fee Simple in the common property in the strata scheme relating to the Strata Plan so numbered, within the land herein described, subject nevertheless to the exceptions encumbrances and interests recorded hereon and to the reservations and conditions, if any, contained in the Crown grant.

[Signature]

Registrar General.



72
14903 Fol.

(Page 1) Vol.

ADDRESS FOR SERVICE OF NOTICES

169 VICTORIA STREET, POTTS POINT 2011.

LAND REFERRED TO Lot 1 in Deposited Plan 626468 at Potts Point in the City of Sydney Parish of Alexandria County of Cumberland being part of 3.955 hectares granted to Alexander Macduff Baxter on 19-10-1831.

EXCEPTIONS ENCUMBRANCES AND INTERESTS REFERRED TO.

1. C475757 Right of carriageway appurtenant to the part of the land above described shown so benefited affecting the land shown so burdened in Strata Plan 19010.

SCHEDULE OF UNIT ENTITLEMENT

Aggregate unit entitlement: 370

Lot No.	Strata Plan No.	Unit Entitlement
1	19010	80
2	"	90
3	"	100
4	"	80
5	"	10
6	"	10

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

14903072



RECORDINGS (continued)		
PARTICULARS	Registrar General	CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

*Not authentic
Filed at Sydney*
14903-072
ALL
PLANS & PLANS
TO 5130 *AM*

393



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

28/5/2020 12:49PM

FOLIO: CP/SP19010

First Title(s): OLD SYSTEM

Prior Title(s): VOL 14903 FOL 72

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
29/4/1986		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
16/6/1986		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
27/5/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577486	DEPARTMENTAL DEALING	
19/10/2006	AC679767	DEPARTMENTAL DEALING	
17/8/2017	AM654528	DEPARTMENTAL DEALING	
18/10/2017	AM815740	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 1
14/12/2017	AM909526	TRANSFER RELEASING EASEMENT	EDITION 2
4/3/2019	AN911639	TERMINATION OF A STRATA SCHEME	FOLIO CANCELLED

*** END OF SEARCH ***



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

28/5/2020 12:47PM

FOLIO: 1/626468

First Title(s): OLD SYSTEM

Prior Title(s): CP/SP19010

1-6/SP19010

Recorded	Number	Type of Instrument	C.T. Issue
4/3/2019	AN911639	TERMINATION OF A STRATA SCHEME	FOLIO CREATED CT NOT ISSUED EDITION 1
4/3/2019	AP97030	DEPARTMENTAL DEALING	EDITION 2 CORD ISSUED
21/5/2020	AQ114737	MORTGAGE	

*** END OF SEARCH ***



FOLIO: 1/626468

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	2	21/5/2020

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 1 IN DEPOSITED PLAN 626468
AT POTTS POINT
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP626468

FIRST SCHEDULE

HARRPHIL PTY LTD

(ST AN911639)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AQ114737 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



10663031

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Appln. Nos 262 and 32775

Prior Title Vol. 5027 Fol. 101



Vol. **10663** Fol. **31**
Edition issued 18-10-1967
K791233 **CANCELLED**

(Page 1) Vol. 10663 Fol. 31

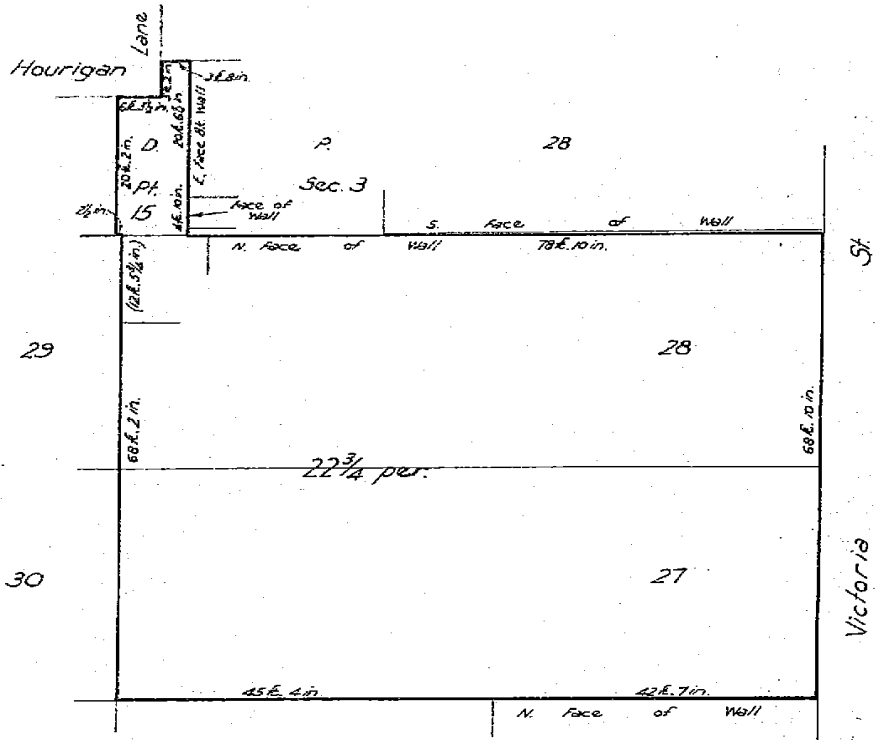
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness *M. Walter*

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND



K791233 *L.*

Scale: 20 feet to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **FIRSTLY** the land shown in plan lodged with Primary Application No. 32775 (filed as F.P.82775) in the City of Sydney, Parish of Alexandria and County of Cumberland, being Lots 27 and 28 of a subdivision of 9 acres 22 perches granted to Edward Hallen on 19-10-1831 and **SECONDLY** the land shown in plan lodged with Transfer No. C718985 (filed as F.P.110087) situated as aforesaid being the part of Lot 15 of Section 3 in Deposited Plan 28 shown in the plan hereon being also part 9 acres 3 roods 3 perches granted to Alexander Macduff Baxter on 19-10-1831 EXCEPTING THEREOUT all mines of coal reserved by the Crown Grant of 9 acres 22 perches.

FIRST SCHEDULE (continued overleaf)

TOOTH & CO. LIMITED.

SECOND SCHEDULE (continued overleaf)


- 1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
- 2. Right of Carriage Way created by Transfer No. C475757 affecting the part of Lot 15 within described.

Jawatson
Registrar General

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
<p>CANCELLED</p> <p>See new edition issued. 15-9-1983</p> <p>Vol. 15101 Fol. 40 note TWS343</p> <p><i>[Signature]</i> REGISTRAR GENERAL</p> 					

11/8/77
507
Conf. H. in MS 11
N534826
27 m/l
1906 248
353766
67h
Q 842028
Q - 2917
(see 4803018)

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
	NUMBER	DATE					
Lease	K096542	28-1-1967	To: of premises being the Piccadilly Hotel, Kings Cross, to Michael Mastro of Kings Cross, licensed Publican.	26-10-1967	Jackson	Expired	3-12-1970
Lease	N151754	12-11-1970	to Michael Mastro of Kings Cross, licensed Publican.	31-1-1970	Jackson	Expired	7-11-1973
Lease	N534826	26-7-1973	to Michael Mastro of Kings Cross, licensed Publican.	7-11-1973	Jackson	Expired	30-9-1976
Lease	P906748		to Michael Mastro of Kings Cross, licensed Publican.	30-9-1976	Jackson	Expired	5-9-1977
Lease	Q353766		of premises being the Piccadilly Hotel, Kings Cross, to Michael Mastro, of Kings Cross, licensed Publican. Date of Expiry 12-7-1978.	5-9-1977	Jackson	Expired	31-8-1978
Lease	P906748		of premises being the Piccadilly Hotel, Kings Cross to Michael Mastro of Kings Cross, licensed Publican.	5-5-1978	Jackson	Expired	10-3-1980
Lease	P906748		affected by 9857329 Mortgage to Tooth & Co. limited of premises known as the "Piccadilly" Hotel, to Michael Mastro of Kings Cross, licensed Publican. Expires 9-7-1980	31-5-1978	Jackson	Cancelled	10-3-1980
Lease	R698942		affected by R698943 Mortgage to Tooth & Co. limited	10-3-1980	Jackson		
S652734	Caveat by Rural Bank of New South Wales. Registered 30-9-1981.				Jackson		
R698942	Lease. S652734 Caveat by Rural Bank of New South Wales. Registered 30-9-1981.				Jackson		

Lease 643022
R 198942 L
3 m/l
Con. Jones R 64394
S652734
CR 698942
T683436
-4 m
ANC

[Signature]
Reg Gen
30.9.81

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR-GENERAL ARE CANCELLED

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



15101040

NEW SOUTH WALES

Vol. 15101 Fol. 40
EDITION ISSUED 16 9 1983

First Title Old System
Prior Title Vol. 10663 Fol. 31



I certify that the person named in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set out below) in the land described subject to the recordings appearing in the Second Schedule and to the provisions of the Real Property Act, 1900.

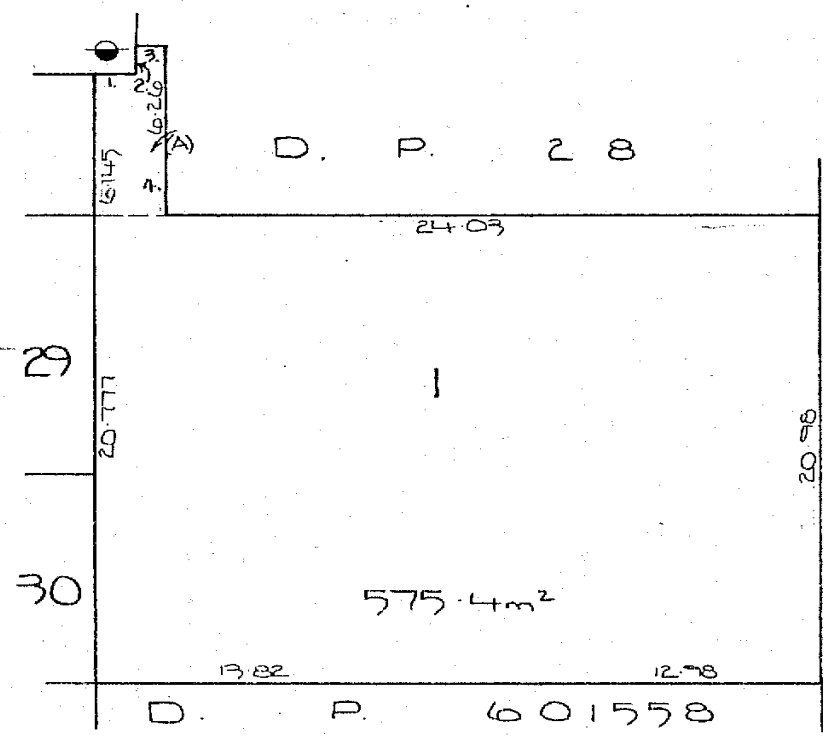
~~CANCELLED~~
Registrar General.



PLAN SHOWING LOCATION OF LAND

SEE AUTO FOUR

LENGTHS ARE IN METRES



REFERENCE	
1	1-92
2	1-575
3	1-118
4	1-475

○ HOURIGAN LANE (A) RIGHT OF CARRIAGEWAY VAR. WIDTH - 6.475757.

T 687-143 PPS *[Signature]* LAND REFERRED TO
Lot 1 in Deposited Plan 82775 at Kings Cross in the City of Sydney Parish of Alexandria County of Cumberland.

FIRST SCHEDULE

TOOTH & CO. LIMITED.

SECOND SCHEDULE

- 1. Reservations and conditions in the Crown grant.
- 2. C475757 Right of carriageway affecting the land shown so burdened in the plan hereon.
- 3. R698942 Lease to Michael Mastro. Expires 9-7-1980. Expired 30-9-1983
- 4. R698942 Lease affected by R698940 Mortgage to Tooth & Co. Limited. Cancelled 30-9-1983
- 5. S652734 Caveat by State Bank of New South Wales. Cancelled 30-9-1983

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON (Page 1) Vol. 15101 Fol. 40

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

FIRST SCHEDULE (continued)
REGISTERED PROPRIETOR

Registrar General

CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

~~T683443 Lease to Han Kook Chib Pty. Limited of premises known as the "Piccadilly" Hotel Kings Cross Expires 11-5-1986 Registered 30-9-1983~~

~~T683443 Lease T683444 Mortgage to Tooth & Co. Limited Registered 30-9-1983~~

~~T683443 Lease T933811 Mortgage to Westpac Banking Corporation Registered 27-1-1984~~

~~W465081 Lease to Han Kook Chib Pty Limited of premises known as the "Piccadilly" Hotel Kings Cross Expires 7-5-1989 Registered 10-9-1986~~

~~W465081 Lease W465082 Mortgage of Lease to Tooth & Co. Limited Registered 10-9-1986~~

W465081 Lease to Han Kook Chib Pty Limited and Tarcorp Pty. Limited as tenants in common in equal shares of premises known as the "Piccadilly" Hotel Kings Cross Expires 7-5-1989 Registered 10-9-1986

~~W465081 Lease W465082 Mortgage of Lease to Tooth & Co. Limited Registered 10-9-1986~~

u/c W465081 Lease X589137 Transfer of Lease to Tarcorp Pty. Limited Registered 30-6-1988

u/c W465081 Lease X589138 Mortgage to Tooth and Co. Limited Registered 30-6-1988

W465081
W465081
W465081

X634606

NOTATIONS AND UNREGISTERED DEALINGS

T683443
— 96/ML
6/11/31/10/83
1 033811/ML
W465081 L
2 ML (R)
X589137 TL
— 8 ML
1 (150574)
(W 465081)
X634606 DMLA



SEARCH DATE

28/5/2020 12:47PM

FOLIO: 1/82775

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 15101 FOL 40

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
1/3/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
20/7/1989	Y498125	MORTGAGE OF LEASE	EDITION 1
10/8/1989		AMENDMENT: CT DELIVEREE	
18/4/1990	Y934766	LEASE	
18/4/1990	Y934767	MORTGAGE OF LEASE	EDITION 2
17/5/1991	Z652160	DISCHARGE OF MORTGAGE	
17/5/1991	Z652161	TRANSFER OF LEASE	
17/5/1991	Z652162	TRANSFER	
17/5/1991	Z652163	REQUEST	
17/5/1991	Z652164	MORTGAGE	EDITION 3
2/11/1995	O658022	CAVEAT	
6/2/1996	O885155	DISCHARGE OF MORTGAGE	
6/2/1996	O885156	TRANSFER	
6/2/1996	O885157	MORTGAGE	EDITION 4
4/9/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577486	DEPARTMENTAL DEALING	
29/6/2004	AA760555	DISCHARGE OF MORTGAGE	
29/6/2004	AA760556	MORTGAGE	EDITION 5
9/8/2007	AD326715	DISCHARGE OF MORTGAGE	
9/8/2007	AD326716	MORTGAGE	EDITION 6
19/9/2015	AJ825212	DISCHARGE OF MORTGAGE	
19/9/2015	AJ825213	MORTGAGE	EDITION 7
18/10/2016	AK717334	DISCHARGE OF MORTGAGE	
18/10/2016	AK717335	TRANSFER	

END OF PAGE 1 - CONTINUED OVER

SEARCH DATE

28/5/2020 12:47PM

FOLIO: 1/82775

PAGE 2

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
18/10/2016	AK717336	MORTGAGE	EDITION 8
14/12/2017	AM909526	TRANSFER RELEASING EASEMENT	
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 9 CORD ISSUED

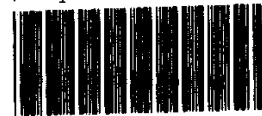
*** END OF SEARCH ***

RP 13

STAMP DUTY



B



Z
652162G



TRANSFER
REAL PROPERTY ACT, 1900

T

13 ⁰ 5 X	R ³ / ₅
\$ 47	

Torrens Title Reference	If Part Only, Delete Whole and Give Details	Location
Folio Identifier 1/82775	WHOLE	At Kings Cross

DESCRIPTION OF LAND Note (a)

TRANSFEROR Note (b)

TOOTH & CO LIMITED A.C.N. 000.001.141

ESTATE Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 2,030,000.00 and transfers an estate in fee simple in the land above described to the TRANSFEREE

TRANSFEREE Note (d)

MANZINI HOLDINGS PTY LIMITED A.C.N. 050.107.198

OFFICE USE ONLY

S

TENANCY Note (e)

as joint tenants/tenants in common

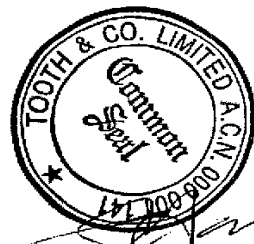
PRIOR ENCUMBRANCES Note (f)

subject to the following PRIOR ENCUMBRANCES 1. Y934766.....
 2..... 3.....

DATE 7 January 1991

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

THE COMMON SEAL of TOOTH & CO. LIMITED
 Signed in my presence by the transferor who is personally known to me was hereunto affixed in the presence of:



Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

Director

[Handwritten Signature]

Secretary

DIRECTOR

Signature of Transferor

EXECUTION Note (g)

Signed in my presence by the transferee who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

[Handwritten Signature]

Signature of Transferee

A H Humphrey, Solicitor for the Transferee

TO BE COMPLETED BY LODGING PARTY Notes (h) and (i)

LODGED BY		LOCATION OF DOCUMENTS	
24J COMMONWEALTH BANK OF AUSTRALIA BRANCH LEADING REPORT 303 GEORGE STREET SYDNEY PHON: 217-7558 DX 1029 SYDNEY 24J		CT	OTHER
Ref: <u>2005 MANZ</u> Delivery Box Number		<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Herewith.
			In L.T.O. with
			Produced by
Checked <i>[Signature]</i>	Passed	REGISTERED - -19	
Signed <i>[Signature]</i>	Extra Fee	Secondary Directions	
		Delivery Directions	



17 MAY 1991
403

181290 5426 04 200541/03

\$1.00

97-01T

GL

TRANSFER

Real Property Act, 1900



0
885156 A



Office of

00.24 221295 9832 04 201055704/03
N.S.W. STAMP DUTY

D

1

(A) **LAND TRANSFERRED**

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIER 1/82775

(B) **LODGED BY**

L.T.O. Box	Name, Address or DX and Telephone
<i>430a</i>	<i>Angus Begg</i>
	REFERENCE (max. 15 characters): <i>Z</i>

MANZINI HOLDINGS PTY LIMITED (ACN 050 107 198)

(C) **TRANSFEROR**

(D) acknowledges receipt of the consideration of \$2,550,000.00

and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. 2. 3.

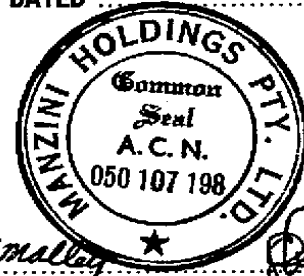
(F) **TRANSFEEE**

T TS (s713 LGA) TW (Sheriff)	NAPOLEON HILL PTY LIMITED (ACN 071 584 944)
	TENANCY:

(G) We certify this dealing correct for the purposes of the Real Property Act, 1900.

DATED 31 January 1996 *off X 0658022*

Signed in my presence by the Transferor who is personally known to me.
The COMMON SEAL of MANZINI HOLDINGS PTY. LIMITED
ACN 050 107 198 was affixed hereto by authority
of the Directors in the presence of:.....



Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

C. Paton O'Malley
SECRETARY
[Signature]
Signature of Transferor
DIRECTOR

Signed in my presence by the Transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

[Signature]
Signature of Transferee

F. J. BACK
SOLICITOR
SYDNEY

9



FOLIO: 1/82775

SEARCH DATE	TIME	EDITION NO	DATE
28/5/2020	12:44 PM	9	9/9/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 1 IN DEPOSITED PLAN 82775
AT KINGS CROSS
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP82775

FIRST SCHEDULE

HARRPHIL PTY LTD (T AK717335)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AK717336 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Appendix D

Historical Aerial Photographs



1930 Aerial Photograph



1968 Aerial Photograph



Historical Aerial Photographs

Piccadilly Hotel

POTTS POINT

CLIENT: Harrphil Pty Ltd

PROJECT: 99680.00

PLATE No: A1

REV: 0

DATE: 12-May-20



1972 Aerial Photograph



1982 Aerial Photograph

	Historical Aerial Photographs		PROJECT: 99680.00
	Piccadilly Hotel		PLATE No: A2
	POTTS POINT		REV: 0
	CLIENT: Harrphil Pty Ltd		DATE: 12-May-20



1999 Aerial Photograph



2020 Aerial Photograph



Historical Aerial Photographs

Piccadilly Hotel

POTTS POINT

CLIENT: Harrphil Pty Ltd

PROJECT: 99680.00

PLATE No: A3

REV: 0

DATE: 12-May-20

Appendix E

Section 10.7 Planning Certificates

Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	171-173 Victoria Street , POTTS POINT NSW 2011
Owner:	HARRPHIL PTY LIMITED
Description of land:	Lot 1 DP 82775
Certificate No.:	2020302908
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.



Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone B4 Mixed Use (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To ensure uses support the viability of centres.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Extractive industries; Heavy industrial storage establishments; Heavy industries

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

**Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.**

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

Item of Environmental Heritage

(Sydney Local Environmental Plan 2012)

This property has been listed as an Item of Environmental Heritage

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if

contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (State Significant Precincts) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

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

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

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This Policy aims to facilitate the effective delivery of infrastructure across the state.

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This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

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Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pyrmont, or on southern employment land.

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The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

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The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and

- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the [Coastal Management Act 2016](#).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 - E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Subdivisions Code

Complying development under the Subdivisions Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Demolition Code

Complying development under the Demolition Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

<ul style="list-style-type: none"> ▪ Central Sydney Development Contributions Plan 2013 – in operation 9th July 2013 	NO
<ul style="list-style-type: none"> ▪ City of Sydney Development Contributions Plan 2015 – in operation 1st July 2016 	YES
<ul style="list-style-type: none"> ▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16th May 2007 ▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16th May 2007 	NO

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(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.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Planning certificate section 10.7 (2), local planning controls are available online at www.cityofsydney.nsw.gov.au

General Enquiries:

Telephone: 02 9265 9333

Town Hall House

Level 2

Town Hall House

456 Kent Street

Sydney

8am – 6pm Monday - Friday

State planning controls are available online at www.legislation.nsw.gov.au

Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	169 Victoria Street , POTTS POINT NSW 2011
Owner:	HARRPHIL PTY LIMITED
Description of land:	Lot 1 DP 626468
Certificate No.:	2020302909
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone B4 Mixed Use (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To ensure uses support the viability of centres.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Extractive industries; Heavy industrial storage establishments; Heavy industries

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

**Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.**

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application from or by downloading the application form from

www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 - E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>). 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	NO
▪ City of Sydney Development Contributions Plan 2015 – in operation 1 st July 2016	YES
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(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.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Planning certificate section 10.7 (2), local planning controls are available online at www.cityofsydney.nsw.gov.au

General Enquiries:

Telephone: 02 9265 9333

Town Hall House

Level 2

Town Hall House

456 Kent Street

Sydney

8am – 6pm Monday - Friday

State planning controls are available online at www.legislation.nsw.gov.au

Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	92 Brougham Street , POTTS POINT NSW 2011
Owner:	HARRPHIL PTY LIMITED
Description of land:	Lot 1 DP 724376
Certificate No.:	2020302910
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone R1 General Residential (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing land use pattern of predominantly residential uses..

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Horticulture; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Roadside stalls; Semi-detached dwellings; Seniors housing; Shop top housing; shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industries; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities(outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (State Significant Precincts) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

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

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Infrastructure) 2007

This Policy aims to facilitate the effective delivery of infrastructure across the state.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying

development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pyrmont, or on southern employment land.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the [Coastal Management Act 2016](#).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

**OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)**

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	NO
▪ City of Sydney Development Contributions Plan 2015 – in operation 1 st July 2016	YES
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(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.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Planning certificate section 10.7 (2), local planning controls are available are available online at www.cityofsydney.nsw.gov.au

General Enquiries:

Telephone: 02 9265 9333

Town Hall House

Level 2

Town Hall House

456 Kent Street

Sydney

8am – 6pm Monday - Friday

State planning controls are available online at www.legislation.nsw.gov.au

Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	94 Brougham Street , POTTS POINT NSW 2011
Owner:	Mrs Catherine Rae Reynolds
Description of land:	Lot 1 DP 904094
Certificate No.:	2020302911
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.



Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone R1 General Residential (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing land use pattern of predominantly residential uses..

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Horticulture; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Roadside stalls; Semi-detached dwellings; Seniors housing; Shop top housing; shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industries; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities(outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (State Significant Precincts) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

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

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Infrastructure) 2007

This Policy aims to facilitate the effective delivery of infrastructure across the state.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying

development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pyrmont, or on southern employment land.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the [Coastal Management Act 2016](#).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

**OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)**

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	NO
▪ City of Sydney Development Contributions Plan 2015 – in operation 1 st July 2016	YES
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(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.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Planning certificate section 10.7 (2), local planning controls are available online at www.cityofsydney.nsw.gov.au

General Enquiries:

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Town Hall House

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456 Kent Street

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8am – 6pm Monday - Friday

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*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	96 Brougham Street , POTTS POINT NSW 2011
Owner:	THE OWNERS - STRATA PLAN NO 17354
Description of land:	Lot 1 DP 904214, Lots 1-3 SP 17354
Certificate No.:	2020302912
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone R1 General Residential (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing land use pattern of predominantly residential uses..

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Horticulture; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Roadside stalls; Semi-detached dwellings; Seniors housing; Shop top housing; shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industries; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities(outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (State Significant Precincts) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

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

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Infrastructure) 2007

This Policy aims to facilitate the effective delivery of infrastructure across the state.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying

development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pyrmont, or on southern employment land.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the [Coastal Management Act 2016](#).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

**OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)**

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	NO
▪ City of Sydney Development Contributions Plan 2015 – in operation 1 st July 2016	YES
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

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(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

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(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

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General Enquiries:

Telephone: 02 9265 9333

Town Hall House

Level 2

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456 Kent Street

Sydney

8am – 6pm Monday - Friday

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Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

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456 Kent Street
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GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



Mr P Oitmaa
12 Day St
DRUMMOYNE NSW 2047

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	Mr P Oitmaa
Your reference:	
Address of property:	98 Brougham Street , POTTS POINT NSW 2011
Owner:	HARRPHIL PTY LIMITED
Description of land:	Lot 100 DP 613011
Certificate No.:	2020302913
Certificate Date:	13/05/20
Receipt No:	0154141
Fee:	\$53.00
Paid:	13/05/20

Title information and the description of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone R1 General Residential (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing land use pattern of predominantly residential uses..

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Horticulture; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Roadside stalls; Semi-detached dwellings; Seniors housing; Shop top housing; shops; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industries; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities(outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

HERITAGE

Conservation Area

(Sydney Local Environmental Plan 2012)

This property has been identified as land within a Heritage Conservation Area.

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

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

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (State Significant Precincts) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

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

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Infrastructure) 2007

This Policy aims to facilitate the effective delivery of infrastructure across the state.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying

development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pyrmont, or on southern employment land.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the [Coastal Management Act 2016](#).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment: to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

**OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
E. P. & A. REGULATION, 2000. CLAUSES (2A) - (10)**

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

This SEPP does not apply to the land.

(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.

(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.

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

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

<ul style="list-style-type: none"> ▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i>. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>). 	NO
<ul style="list-style-type: none"> ▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area. 	YES
<ul style="list-style-type: none"> ▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code) 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment. 	NO
<ul style="list-style-type: none"> ▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998. 	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

Low Rise Medium Density Housing Code

This Code does not apply to this Local Government Area.

(4B) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has not 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 seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	NO
▪ City of Sydney Development Contributions Plan 2015 – in operation 1 st July 2016	YES
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biodiversity Conservation Act 2016

Not Applicable.

(10A) Native vegetation clearing set asides

Not Applicable.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

(13) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure, schools or TAFE establishments

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(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.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

(20) Loose-fill asbestos insulation

Not Applicable

(21) Affected building notices and building product rectification orders

(1)The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(2) (a) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(b) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Note. The following matters are prescribed by section 59 (2) of the [Contaminated Land Management Act 1997](#) as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Planning certificate section 10.7 (2), local planning controls are available online at www.cityofsydney.nsw.gov.au

General Enquiries:

Telephone: 02 9265 9333

Town Hall House

Level 2

Town Hall House

456 Kent Street

Sydney

8am – 6pm Monday - Friday

State planning controls are available online at www.legislation.nsw.gov.au

Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000*

End of Document

Appendix F

Site Photographs



#171-173 Victoria Street



#169 Victoria Street



Site Photographs

Piccadilly Hotel

POTTS POINT

CLIENT: Harrphil Pty Ltd

PROJECT: 99680.00

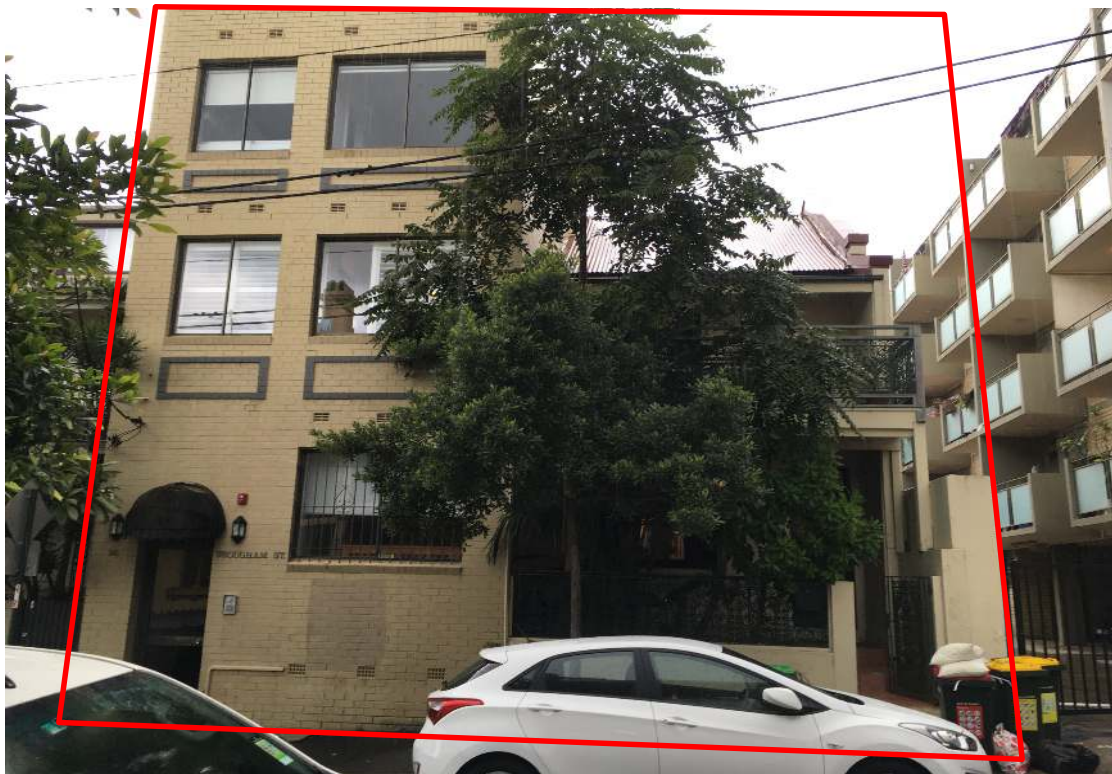
PLATE No: S1

REV: 0

DATE: 14-May-20



#92 (left) and #94 (right) Brougham Street



#96 (left) and #98 (right) Brougham Street



Site Photographs

Piccadilly Hotel

POTTS POINT

CLIENT: Harrphil Pty Ltd

PROJECT: 99680.00

PLATE No: S2

REV: 0

DATE: 14-May-20