

Attachment B3

**Land Ownership Letter – 90 and 100-104
Brougham Street, Potts Point**



**Back Schwartz Vaughan
Lawyers**

7 February 2022

Our Ref: FJB:HT:31145
Contact: Frank Back
Email: fback@bsv.com.au

Your Ref:

The General Manager / Town Clerk
City of Sydney Council
Town Hall House
456 Kent Street
SYDNEY NSW 2000

Dear Sir/Madam,

**RE: 31145 | HARRPHIL PTY LTD
PROPERTY: 100-104 BROUGHAM STREET, POTTS POINT, NSW, 2011**

I act for Harrphil Pty Ltd as the Trustee for the Harrphil Trust (**Harrphil**).

Harrphil has requested that I write to the Council to confirm the support for the request made by Harrphil to Council in relation to the properties at 100-104 Brougham Street and at 90 Brougham Street and a potential amendment to the Sydney Local Environment Plan 2012 to permit hotel and motel accommodation uses at these properties.

100-104 Brougham Street

100-104 Brougham Street is a 24 apartment strata title block under Owners Corporation Strata Plan 1560 (and includes the lots in Strata Plan 10531).

Harrphil is the registered proprietor (as listed on title) of the following Lots in Strata Plan 1560 and the related Strata Plan 10531.

Strata Plan 1560

Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8
Lot 10	Lot 11	Lot 12	Lot 13	Lot 14	Lot 15	Lot 18	Lot 21
Lot 22							

Strata Plan 10531

Lot 25 (Unit 2)	Lot 26 (Unit 5)	Lot 27 (Unit 13)	Lot 28 (Unit 23)
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The acquisition of the following Lots will be completed (settled) in March 2022

Strata Plan 1560 – Lot 17
Strata Plan 10531 (Lot 28 – Unit 23)

321650

BSV Pty Limited (ACN 613 203 802)
Level 1, 156 Edgecliff Road
WOOLLAHRA NSW 2025
☎ 02 8383 3777
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🌐 www.bsv.com.au

Harrphil currently has accordingly control of 19 out of 24 Lots (or 79% of the Strata Scheme whether determined by lot numbers or be the 7675 out of 9705 unit entitlements).

Harrphil is in negotiation with the owners of the remaining 5 lots, and anticipates completing in the short term the acquisition of those remaining lots either by direct acquisition (and one of those lots has already agreed in principle to proceed) or by implementing a Strata Renewal Scheme to compulsorily acquire any lots it is not able to acquire by direct negotiation.

90 Brougham Street

Harrphil has entered into a Put and Call option over the property at 90 Brougham Street.

Under the terms of that Put and Call Option, the Owner of that Property has granted Harrphil the authority to make any applications to the Council in respect of the Property, and accordingly the Owner has consented, by the Agreement, to the amendment to the Sydney Local Environment Plan 2012 to permit hotel and motel accommodation uses at this property.

I believe that this is adequate confirmation to the Council that the Applicant has the support from the owners of the Strata Scheme and the 90 Brougham Street property to the proposed change as well as the status and timing of the acquisition of the relevant properties not already owned by Harrphil.

Please contact me, however, should anything further be required.

Yours faithfully,



Frank Back
Solicitor Director
BACK SCHWARTZ VAUGHAN