Attachment A6

Desktop Contamination Study

Douglas Partners
Geotechnics / Environment / Groundwater

Integrated Practical Solutions

Report on
Desktop Contamination Study

Proposed Commercial Building
232-240 Elizabeth Street, Surry Hills

Prepared for
Stasia Holdings Pty Limited

Project 218701.00
November 2022

Douglas Partners
Geotechnics / Environment / Groundwater

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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		4 November 2022
Reviewer	P. Gorman	4 November 2022

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Report on Desktop Contamination Study
Proposed Commercial Building
232-240 Elizabeth Street, Surry Hills

1. Introduction

Douglas Partners Pty Ltd (DP) has been engaged by Stasia Holdings Pty Limited (client) to complete this desktop contamination study undertaken for a proposed commercial building at 232-240 Elizabeth Street, Surry Hills (the site). The site is shown on Drawing 1, Appendix A.

The study was undertaken in general accordance with DP's proposal 218198.00.P.001.Rev0 dated 19/09/2022.

The objective of the study is to assess the potential for contamination at the site based on past and present land uses and to comment on the need for further investigation and/or management of contamination with regard to the proposed development.

This report must be read in conjunction with all appendices including the notes provided in Appendix B.

The following key guidelines were consulted in the preparation of this report:

- NEPC *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM]* (NEPC, 2013); and
- NSW EPA *Guidelines for Consultants Reporting on Contaminated Land* (NSW EPA, 2020).

The study was carried out concurrently with a geotechnical desktop study, which is reported separately (218198.00.R.001.Rev0 dated 1 November 2022).

Additionally, the site was the subject of a Preliminary Site (Contamination) Investigation (PSI) by DP in 2014 (DP Reference: 84366.00, dated 1 October 2014 [DP (2014)]). The PSI included a desktop assessment and a site walkover. Relevant results from DP (2014) are provided in the subsequent sections of this report.

2. Proposed Development

We understand that the project involves demolition of the five existing buildings and construction of a new nine-storey commercial building with ground floor retail space and a minimum of three basement levels.

3. Scope of Works

The scope of works comprised:

- Review previous reports and other relevant documents provided by the client;
- Review of readily available historical aerial photographs to identify previous land uses that may indicate potential contamination;
- Review of available Council Section 10.7 (2&5) Certificates (sourced from DP (2014));
- Search of the NSW EPA Register for notices issued under the Contaminated Land Management Act 1997 and the Protection of the Environment Operations Act 1997;
- Search of the NSW Department of Primary Industries groundwater database for registered groundwater bores in the vicinity of the site;
- Review of published geological, soil landscape and acid sulphate soil maps;
- A site walkover to observe current and recent land use and assess the potential for contaminating activities; and
- Preparation of this desktop contamination study report summarising the results of the findings, providing comment on the suitability of the site for the proposed use and requirement for any future investigations (as required).

4. Site Information

Site Address	232-240 Elizabeth Street, Surry Hills
Legal Description	Lot 1 in Deposited Plan 664653, Lots 1 and 2 in Deposited Plan 779385 and strata plan 1379
Area	~900 m^2
Zoning	Zone B4 Mixed use
Local Council Area	City of Sydney Council
Current Use	Restaurants, a laundromat, retail and a backpackers accommodation
Surrounding Uses	WEST: Elizabeth Street and Suburban Railway NORTH: Commercial (restaurants, tattoo parlour) on ground floor then high density residential EAST: Commercial (retail) on ground floor then residential and offices on upper floors. SOUTH: Commercial (real estate agency, massage parlour, restaurant, retail) on ground floor then apartments (8 storeys)

5. Environmental Setting

Regional Topography	With reference to NSW LIDAR 2 m contours, the broader surrounding topography generally slopes towards the west from an RL of 30 m AHD approximately 300 m east of the site to an RL of approximately 12 m AHD at Belmore Park 120 m west of the site.
Site Topography	The site gently slopes to the southwest with a surface elevation on Elizabeth Street at about RL 10.9 m and RL 11.6 m at the southern end of Foster Lane.
Soil Landscape	The Sydney 1:100,000 Soils Landscape Sheet indicates that the site is underlain by the Alluvial, Deep Creek soil landscape group. The Deep Creek soil landscape group typically forms in level to gently undulating alluvial floodplains draining the Hawkesbury Sandstone. The group is characterised by flooding, extreme soil erosion hazard, sedimentation hazard, localised very low fertility and permanently high water tables.
Geology	Reference to the Sydney 1:100 000 Series Geology Sheet indicates that the site is underlain by Quaternary alluvial and estuarine sediments which typically consists of silty to peaty quartz sand, silt, and clay with ferruginous and humic cementation in places and common shell layers. The site is located close to the boundary between the Hawkesbury Sandstone and Ashfield Shale units, both of Triassic Age but the overlying sediments mask the boundary. The Mittagong Formation, which typically contains interbedded shale, laminite and medium-grained quartz sandstone, is a transitional unit between the Ashfield Shale and the Hawkesbury Sandstone. The Hawkesbury Sandstone comprises flat or gently dipping medium and coarse grained, quartzose sandstone with minor shale and siltstone interbeds, while the Ashfield Shale comprises shale, laminite and carbonaceous shale.
Acid Sulfate Soils	Based on the 1:25,000 Acid Sulfate Soil Risk Map (using 1994-1998 data), the site is not located in a known acid sulfate soil area.
Surface Water	There are no surface water bodies on site. Noting the regional topography, the ultimate receiving water body for groundwater from the site is expected to be Blackwattle Bay located approximately 1.9 km west of the site.
Groundwater	A search of the NSW Office of Water (NOW) groundwater database found two registered bores within a 1 km radius of the site. However, these bores are not within the same mapped geological unit and are therefore unlikely to be representative of the local conditions (geological or hydrogeological).

6. Site History

6.1 Historical Aerial Photography

Several historical aerial photographs were obtained from public databases. Extracts of the aerial photographs are included in Appendix C. A summary of key features observed for the site and surrounding land is presented in Table 1.

Table 1: Summary of Historical Aerial Photographs

Year	Summary
1930	The site appears to be commercial and/or residential in nature. Shadows from the adjacent high-rise obscure the detail at the site which appears to be low rise. The surrounding area appears commercial / residential in nature and the main suburban railway line is apparent to the west of the site.
1947	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise.
1955	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. There has been an increase in building heights in the region.
1970	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. There has been an increase in building heights in the region.
1978	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. There has been an increase in building heights in the region.
1986	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. There has been an increase in building heights in the region.
1994	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. There has been an increase in building heights in the region.
2000	The site and surrounding area do not appear to have undergone significant change, although again the site is obscured by shadows from the neighbouring high-rise. The site is generally consistent with the 2014 aerial photograph described below.
2014	The site appears in its current configuration with a courtyard in the north-east corner, a 3 storey commercial / residential building on the western side of the site and a one and two storey buildings on the southern side of the site.
2022	The site layout appears relatively unchanged since the 2014 aerial photograph.

6.2 Title Deeds

A historical title deeds information was sourced from DP (2014). It was used to obtain ownership and occupancy information including company names and the occupations of individuals. The title information can assist in the identification of previous land uses by the company names or the site owners and can, therefore, assist in establishing whether there were potentially contaminating activities occurring at the site. The results of the title deed search are provided in Appendix C2. A summary of the title deeds and possible land uses (with reference to the aerial photographs and other historical searches) is presented in Table 2.

Table 2: Historical Title Deeds and Possible Land Use

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations Where Available	Possible Land Use
As regards Lot 1, D.P. 664653		
30.01.1873 (1873 to 1901)	Thomas Page (No occupation noted)	Commercial and Residential
04.03.1901 (1901 to 1933)	Susan Douglass (Married Woman) (Transmission Application not investigated)	Commercial and Residential
10.01.1933 (1933 to 1939)	Harold Page Douglass (Gentleman)	Commercial and Residential
05.10.1939 (1939 to 1940)	Philip Lee Summers (Solicitor) George Camden Coburn (Accountant) Lilith Susie Ellen Chadwick (Married Woman) (Transmission Application not investigated)	Commercial and Residential
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Commercial and Residential
11.10.1946 (1946 to 1958)	Henry Russell Elliott (Second Hand Dealer)	Commercial and Residential
29.01.1958 (1958 to 1958)	Clifton Keith Elliott (Store Keeper) (Section 94 Application not investigated)	Commercial and Residential
29.01.1958 (1958 to 1987)	Jean Elaine Mary Elliott (Widow)	Commercial and Residential
18.11.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Commercial and Residential
28.11.1988	Patglen Pty Limited	Commercial and Residential
Easements: - NIL		
As regards Lot 1, D.P. 779385		

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations Where Available	Possible Land Use
Investigations of various records available for our inspection disclosed that this parcel of land was in use as John Street for the period 1909 to 1944		
29.01.1901 (1901 to 1933)	Susan Douglass (Married Woman) (Transmission Application not investigated)	Commercial and Residential
23.03.1933 (1933 to 1940)	Harold Page Douglass (Gentleman) Lilith Susie Ellen Chadwick (Married Woman)	Commercial and Residential
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Commercial and Residential
11.10.1946 (1946 to 1957)	Henry Russell Elliott (Second Hand Dealer)	Commercial and Residential
28.10.1957 (1957 to 1987)	Jean Elaine Mary Elliott (Widow)	Commercial and Residential
09.10.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Commercial and Residential
28.11.1988	Patglen Pty Limited	Commercial and Residential
Leases: - • Various leases were registered against this title that have since expired or have been surrendered. These leases have not been investigated • 05.11.2009 to Calorie Schmalorie Pty Limited, of Ground Floor – expires 30.09.2012, also 3 year option • 07.04.2014 to Backpack Australia Pty Ltd, of Floors 1 and 2 – Expires 30.12.2016, also 2 year option		
As regards Lot 2, D.P. 779385		
29.01.1901 (1901 to 1933)	Susan Douglass (Married Woman)	Commercial and Residential
23.03.1933 (1933 to 1940)	Harold Page Douglass (Gentleman) Lilith Susie Ellen Chadwick (Married Woman)	Commercial and Residential
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Commercial and Residential
11.10.1946 (1946 to 1957)	Henry Russell Elliott (Second Hand Dealer)	Commercial and Residential
28.10.1957 (1957 to 1987)	Jean Elaine Mary Elliott (Widow)	Commercial and Residential
09.10.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Commercial and Residential
28.11.1988	Patglen Pty Limited	Commercial and Residential

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations Where Available	Possible Land Use
Easements: - NIL Leases: - • Various leases were registered against this title that have since expired or have been surrendered. These leases have not been investigated • 07.04.2014 to Backpack Australia Pty Ltd, of Floors 1 and 2 – Expires 30.12.2016, also 2 year option		
As regards the common Property for Strata Plan 1379		
26.09.1900 (1900 to 1910)	Samuel Hordern (Merchant)	Commercial and Residential
17.08.1910 (1910 to 1918)	Samuel Hordern (Merchant) John Felix Booth (Real Estate Manager) Anthony Hordern (Esquire) (Transmission Application not investigated)	Commercial and Residential
20.05.1918 (1918 to 1921)	Marian Orchard (Married Woman)	Commercial and Residential
01.07.1921 (1921 to 1921)	Frederick Hjorring (Insurance Inspector)	Commercial and Residential
01.07.1921 (1921 to 1922)	Frank Howard Russell (Accountant)	Commercial and Residential
19.12.1922 (1922 to 1927)	Bryan William Palmes (Grazier)	Commercial and Residential
19.10.1927 (1927 to 1937)	Alex Dimdore (Investor) Harold Leventhal (Real Estate Agent) Vera Leventhal (Married Woman)	Commercial and Residential
13.05.1937 (1937 to 1946)	Harold Leventhal (Real Estate Agent) Vera Leventhal (Married Woman)	Commercial and Residential
01.07.1946 (1946 to 1965)	Liova Spivak (Clothing Manufacturer) Gedalia Spivak (Clothing Manufacturer)	Commercial and Residential
21.06.1965 (1965 to date)	# The Owners – Strata Plan 1379	Commercial and Residential
Leases: - During the course of our investigation, numerous leases were found that have since expired or have been surrendered. These leases have not been investigated		

# Denotes Current Registered Proprietor

6.3 Public Registers and Planning Records

EPA Notices available under Section 58 of the Contaminated Lands Management Act (CLM Act) Database searched on 25 October 2022	There were no records of notices for the site or adjacent properties.
Sites notified to EPA under Section 60 of the CLM Act Database searched on 25 October 2022	The site and adjacent properties were not listed as a notified contaminated site.
Licences listed under Section 308 of the Protection of the Environment Operations Act 1997 (POEO Act) Database searched on 25 October 2022	There were no records issued to the site or adjacent properties.
Planning Certificate(s)	DP (2014) noted that the certificates state (under Section 149(2)) that, as prescribed by section 59 (2) of the *Contaminated Land Management Act*, 1997, Council has not identified that a site audit statement has been received in respect of the site and the land to which the certificates relate <u>is not</u>: • Declared to be significantly contaminated land; • Subject to a management order; • Subject of an approved voluntary management proposal; • Subject of an ongoing maintenance order; and • Subject of a site audit statement. As the land use has not changed since DP (2014), it is highly likely that the above are still applicable to the site.

Council Records	DP (2014) noted that the council records provided indicates that there has been a number of development applications for re-fits and minor renovations of the existing buildings and changes in businesses operating at the site. However, the types of businesses operating at the site were similar in character to the existing businesses operating at the site (i.e., restaurants and commercial operations). The records did not indicate the presence of any significant contamination risk. A search of the council records on 28 October 2022 showed that in 2017 consent was granted to demolish the existing buildings and construct a 10-storey building with three basement levels. However, the proposed development did not proceed.

6.4 Site History Integrity Assessment

The information used to establish the history of the site was sourced from reputable and reliable reference documents, many of which were official records held by Government departments/agencies. The databases maintained by various Government agencies potentially can contain high quality information, but some of these do not contain any data at all.

In particular, aerial photographs can provide high quality information that is generally independent of memory or documentation. They are only available at intervals of several years, so some gaps exist in the information from this source. The observed site features are open to different interpretations and can be affected by the time of day and / or year at which they were taken, as well as specific events, such as flooding. Care has been taken to consider different possible interpretations of aerial photographs and to consider them in conjunction with other lines of evidence.

6.5 Summary of Site History

Information from historical aerial photographs and historical leases suggest the site has been used for commercial and residential purposes since around 1950. The Council records indicate that there have been a number of development applications for re-fits and minor renovations of the existing buildings and changes in businesses operating at the site. However, the types of businesses operating at the site were similar in character to the existing businesses operating at the site (i.e., restaurants and commercial operations).

7. Previous DP Investigation in the Vicinity of the Site

DP has undertaken a number of previous investigations in the general vicinity of the site. The previous reports undertaken by DP in the vicinity and the relevant findings are listed in Table 3 below. Note that contamination findings of nearby sites are likely to have no bearing on the contamination status of the site. However, the presence of fill in nearby sites may suggest historical filling of the region prior to significant development in the past.

Table 3: Previous DP Reports

DP Project	Scope of Works	Key Findings
24429 *Report on Geotechnical Investigation, Skitnit House, 22-33 Mary Street Surry Hills,* July 1997	Two test bores, 3 test pits	Up to 1.9 m of fill soil over stiff and hard clays then laminite and sandstone. No groundwater observed.
24429A *Report on Preliminary Contamination Assessment, Skitnit House, 22-33 Mary Street Surry Hills,* July 1997	Environmental sampling from above for heavy metals, TRH, PAH and BTEX	Low levels of contaminants detected below residential screening values but some elevated lead (up 410 mg/kg)
24890 Report on Geotechnical Investigation, Proposed Three Storey Development, December 1997	Five test bores using	Filling up to 1.5 m then stiff clays and interbedded siltstone and sandstone. No groundwater observed.
27439 *Report on Contamination Assessment, 37 Foster Street, Surrey Hills*, July 1998	Four hand augured test bores to 1.5 m. Chemical testing of soil for heavy metals and PAH	Low levels of contaminants detected within the residential screening levels with the exception of lead which was up to 1500 mg/kg.

It is noted that the site is located in an area mapped as Quaternary alluvial and estuarine sediments and the previous DP reports were in areas mapped as Hawkesbury sandstone (or at the boundary of the two). Therefore, it is likely that the conditions at the site will vary from those identified in the previous reports. Based on the mapped geological unit below the site it is possible that the extent of fill soils present exceeds the depth of fill observed in the nearby site (i.e., it may be greater than 2 m). It is also possible that the depth to bedrock is greater and that the groundwater conditions may be different (i.e., it is possible that a higher groundwater table is present).

8. Site Walkover

8.1 Observations

A site walkover was undertaken by an environmental scientist on 2 November 2022. The general site topography was consistent with that described in Section 5. The site layout appears to have remained unchanged from the 2014 aerial photograph. The following key site features pertinent to this desktop study were observed:

- The ground floor on Elizabeth Street was occupied by restaurants, a laundromat, and retail outlets. The first and second floors were occupied by residential apartments and the backpackers accommodation; and

- The buildings appeared to all be primarily of brick construction.

It is noted that the extent of the inspection was limited to a street walkover as the lessees had not been informed by the client of the proposed investigations and therefore access within the properties could not be arranged.

No significant chemical staining was observed during the site walkover. No asbestos was observed at the ground surface during the site walkover, although the entire site was paved. A hazardous building materials (including asbestos) inspection of the existing buildings was beyond the scope of this desktop study.

There was no evidence of the use of underground storage tanks (USTs) at the site (such as vent pipes of fill points) although an inspection of the whole site was not possible.

9. Preliminary Conceptual Site Model

A Conceptual Site Model (CSM) is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors. The CSM provides the framework for identifying how the site became contaminated and how potential receptors may be exposed to contamination either in the present or the future i.e., it enables an assessment of the potential source – pathway – receptor linkages (complete pathways).

Potential Sources

Based on the current investigation, the following potential sources of contamination and associated contaminants of potential concern (COPC) have been identified.

- S1: Grease traps associated with the restaurants may have been used for disposal of wastes other than food wastes, such as cleaning products.
  - COPC include metals, total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene (BTEX), polycyclic aromatic hydrocarbons (PAH) and phenols.
- S2: Laundromat: While it is noted that the laundromat currently only operates a self-service washing and drying service and all dry cleaning is sent off-site it is unclear if this was always the case. It is therefore a possibility that dry cleaning services were at one point carried out on the site and therefore there is a possibility that dry cleaning solvents may have been used at the site.
  - COPC include Volatile organic compounds VOC (perchloroethene and trichloroethene PCE and TCE), Petroleum hydrocarbons.
- S3: Fill from unknown sources may have been imported as part of previous site levelling activities.
  - COPC include metals, total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene (BTEX), polycyclic aromatic hydrocarbons (PAH) and phenols, organochlorine pesticides (OCPs), organophosphorus pesticides (OPPs) and asbestos.

- S4: Despite the apparent age of the buildings, it is possible that previous structures have been present and demolished at the site based on its location within the CBD and the long history of occupation in the area. Therefore, it is possible that demolition waste from previous constructions (including asbestos) may be present below the existing buildings.
  - COPC include asbestos, synthetic mineral fibres (SMF), lead and PCB.
- S5: Although unlikely based on reviewed historical records and the limited site inspection, it is possible that underground storage tanks (UST) or other forms of dangerous goods storage are or were present at the site.
  - COPCs include metals, TRH, BTEX, PAHs, volatile organic compounds (VOCs) and phenols.

Summary of Potentially Complete Exposure Pathways

A 'source–pathway–receptor' approach has been used to assess the potential risks of harm being caused to human or environmental receptors from contamination sources on or in the vicinity of the site, via exposure pathways (potential complete pathways). A summary of the CSM is provided in below Table 4.

Table 4: Summary of Potentially Complete Exposure Pathways

Source	Potential Contaminants	Transport Pathway	Receptor	Risk
(S1) Grease Traps for Restaurants	Heavy metals, polycyclic aromatic hydrocarbons (PAH), total recoverable hydrocarbons (TRH)	(P1) Direct contact with soil (P3) Inhalation of vapours from groundwater and soil	(R1) Residents (R2) Commercial workers (R3) Construction workers (R4) Downgradient land users	Low
(S2) Laundromat	Volatile organic compounds VOC (perchloroethene and trichloroethene PCE and TCE), Petroleum hydrocarbons	(P1) Direct contact with soil (P3) Inhalation of vapours from groundwater and soil (P4) Contamination with groundwater	(R1) Residents (R2) Commercial Workers (R3) Construction workers (R4) Downgradient land users	Moderate
(S3) Fill Soils	Heavy metals, (PAH), hydrocarbons (TRH), BTEX, PAH, OCP, OPPs, phenols, asbestos	(P1) Direct contact with soil (P2) Inhalation of dust	(R1) Residents (R2) Commercial Workers (R3) Construction workers	Moderate

Source	Potential Contaminants	Transport Pathway	Receptor	Risk
(S4) Possible demolished structures	Asbestos and Lead Paint	(P1) Direct contact with soil (P2) Inhalation of dust	(R1) Residents (R2) Commercial Workers (R3) Construction workers	Low to Medium
(S5) Dangerous goods storage, including UST	Heavy metals, PAH, TRH, VOC	(P1) Direct contact with soil (P3) Inhalation of vapours from groundwater and soil	(R1) Residents (R2) Commercial workers (R3) Construction workers (R4) Downgradient land users	Low

10. Conclusions and Recommendations

Based on a review of site history information and a limited site walkover inspection, the potential for widespread site contamination is considered to be low to moderate and it is unlikely that significant contamination is present at the site which would render the site unsuitable for the proposed development.

However, given the absence of quantitative data pertinent to the actual contamination status of the site, it is recommended that once the site becomes fully accessible for intrusive sampling that a detailed contamination assessment be undertaken in accordance with the NSW *Sampling Design Guidelines* 2022 and the National Environment Protection Council (NEPC) *National Environment Protection (Assessment of Site Contamination) Measure 1999 as* amended 2013 (NEPC, 2013). The assessment should target the chemicals of potential concern in soil and groundwater identified in the preliminary CSM.

11. References

NEPC. (2013). *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM].* Australian Government Publishing Services Canberra: National Environment Protection Council.

NSW EPA. (2020). *Guidelines for Consultants Reporting on Contaminated Land.* Contaminated Land Guidelines: NSW Environment Protection Authority.

12. Limitations

Douglas Partners (DP) has prepared this report for this project at 232-240 Elizabeth Street, Surry Hills in accordance with DP's proposal dated 19/09/2022 and acceptance received from Peter Kouvelas. The work was carried out under DP's Conditions of Engagement. This report is provided for the exclusive use of Stasia Holdings Pty. Limited for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be affected by undetected variations in ground conditions across the site between and beyond the sampling and/or testing locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

The assessment of atypical safety hazards arising from this advice is restricted to the environmental components set out in this report and based on known project conditions and stated design advice and assumptions. While some recommendations for safe controls may be provided, detailed 'safety in design' assessment is outside the current scope of this report and requires additional project data and assessment.

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

Drawings

Douglas Partners
Geotechnics / Environment / Groundwater

CLIENT:	Stasia Holdings Pty Limited		
OFFICE:	Sydney	DRAWN BY:	KDP
SCALE:	as shown	DATE:	2 Nov 2022

TITLE: **Site Location Plan**
Desktop Conamination Study
232-240 Elizabeth Street Surry Hills

PROJECT No:	218701.00
DRAWING No:	1
REVISION:	A

Appendix B

About this Report

About this Report

Douglas Partners

Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

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Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;
- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

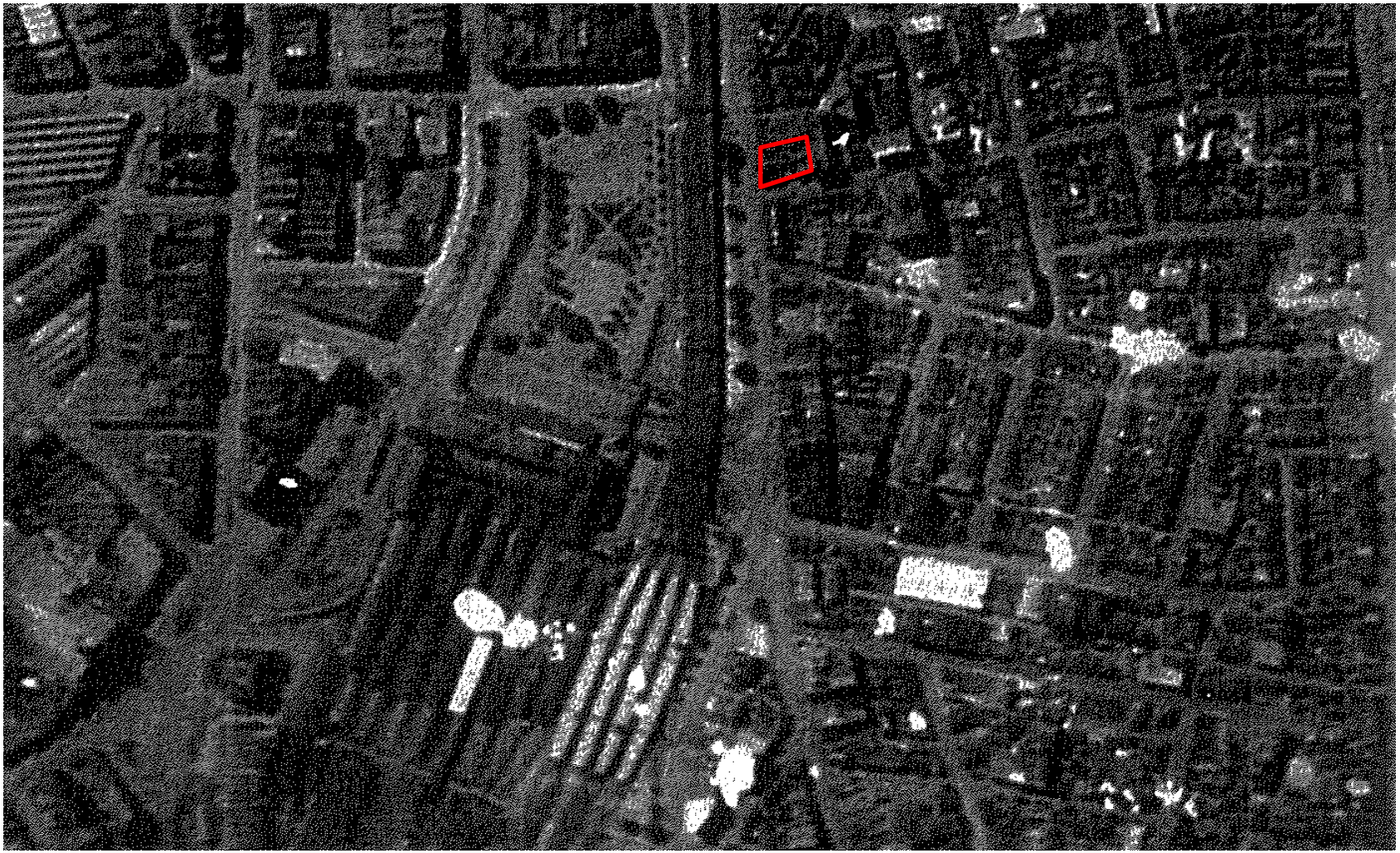
The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

Appendix C

Historical Aerial Photographs

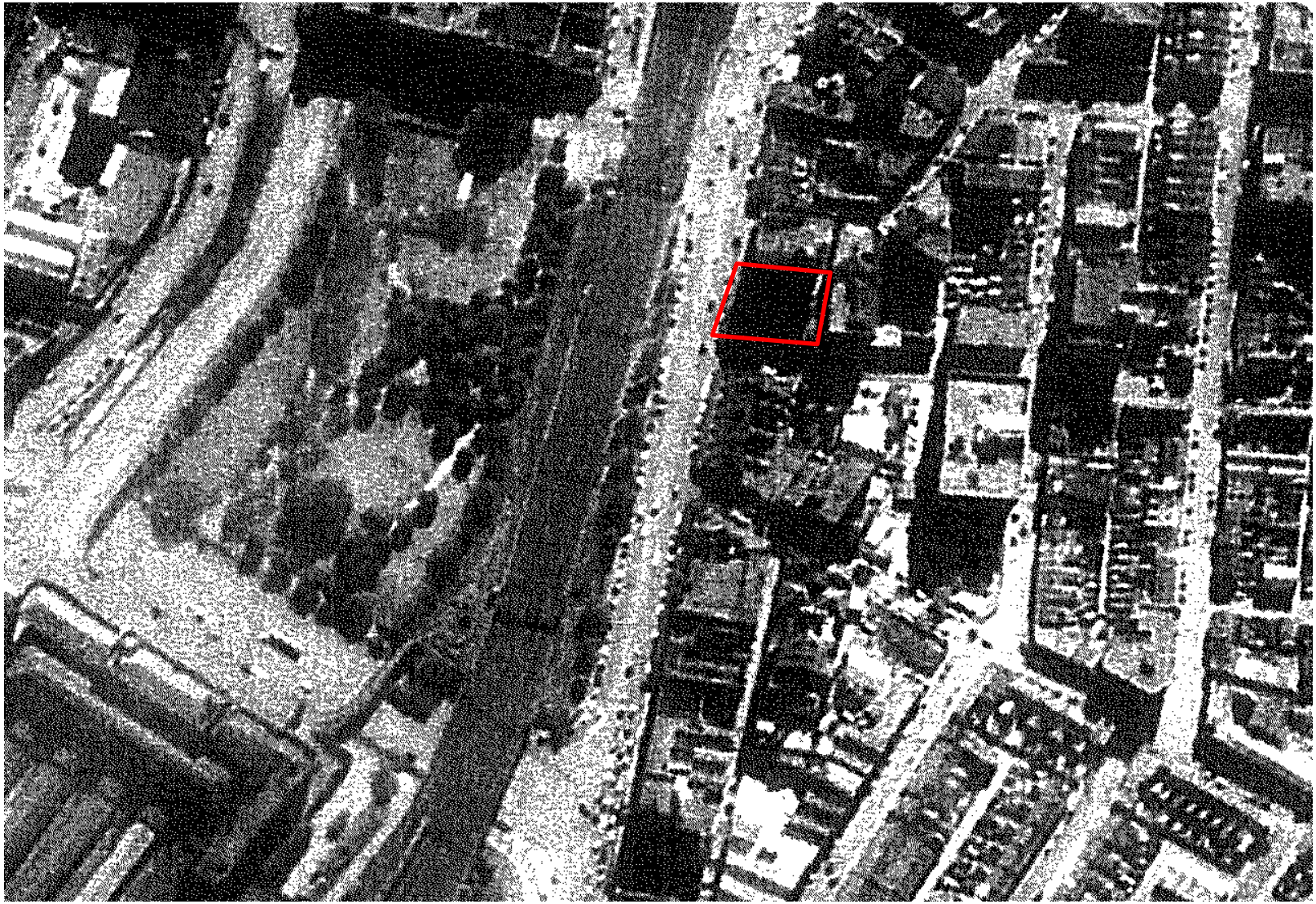
Title Deeds

Planning Certificate from DP (2014)

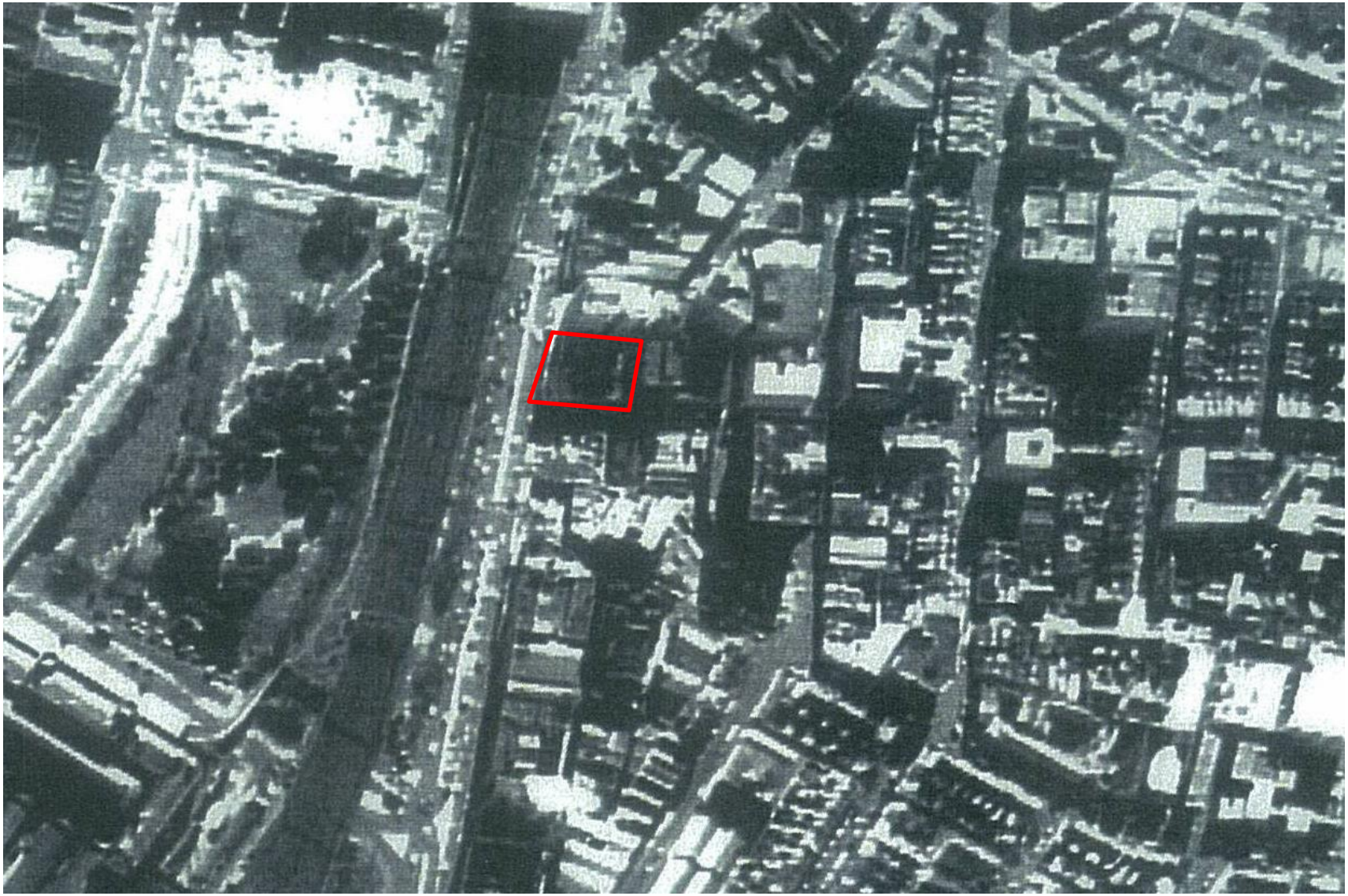


Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1930 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D1
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A

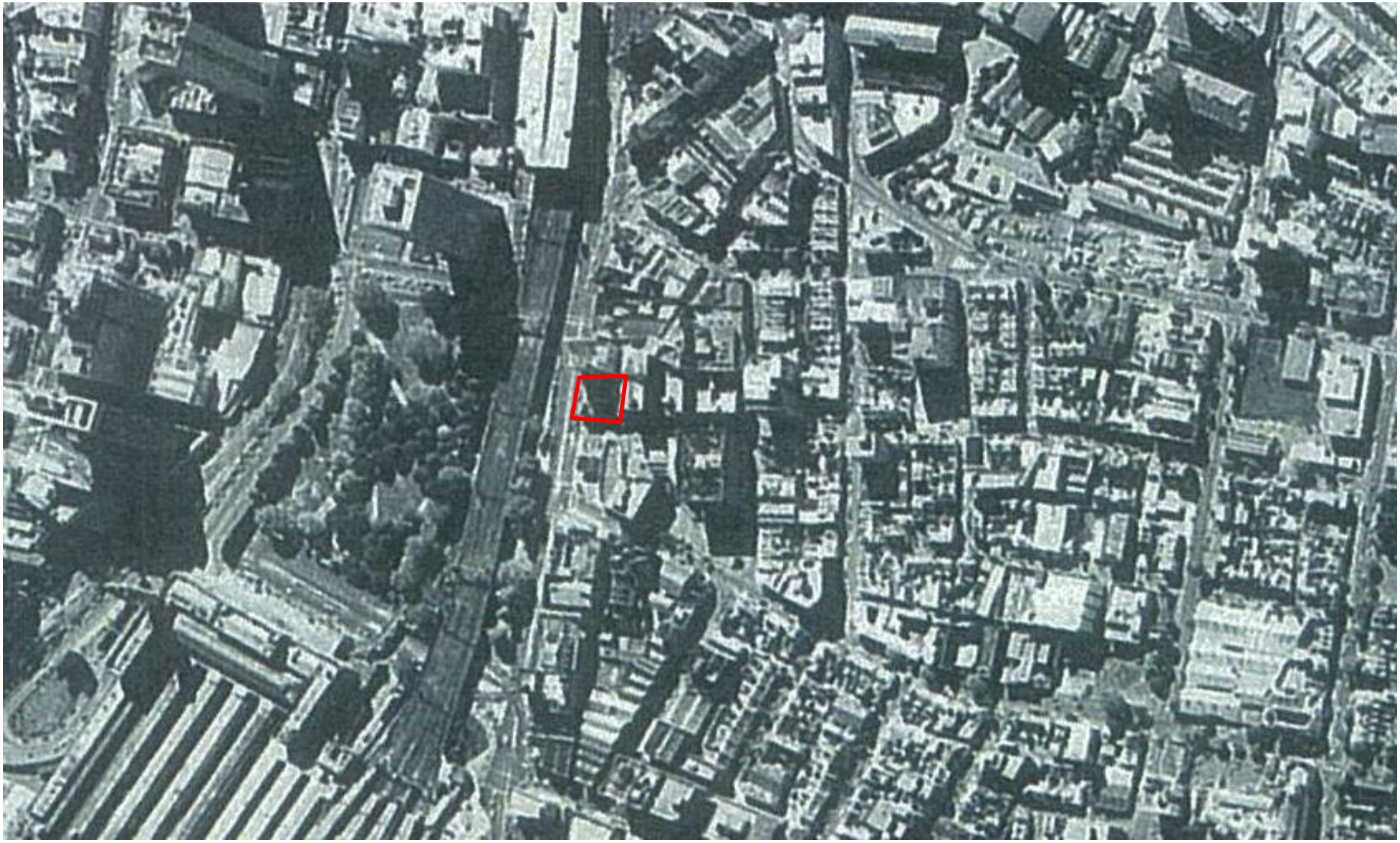
Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1947 Aerial Photograph**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Conamination Study**	PLATE No:	D2
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A



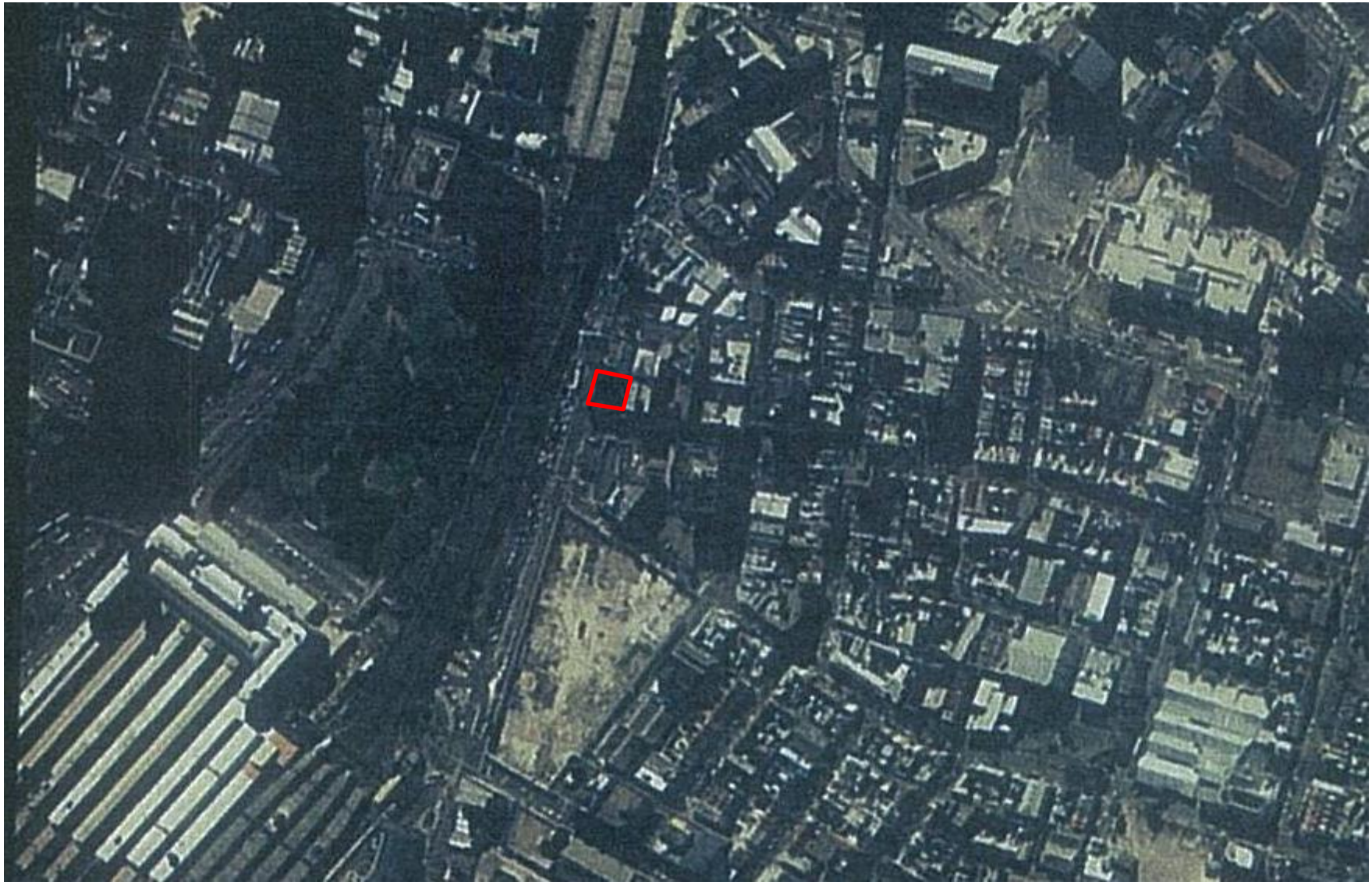
Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1955 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Conamination Study**	PLATE No:	D3
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A



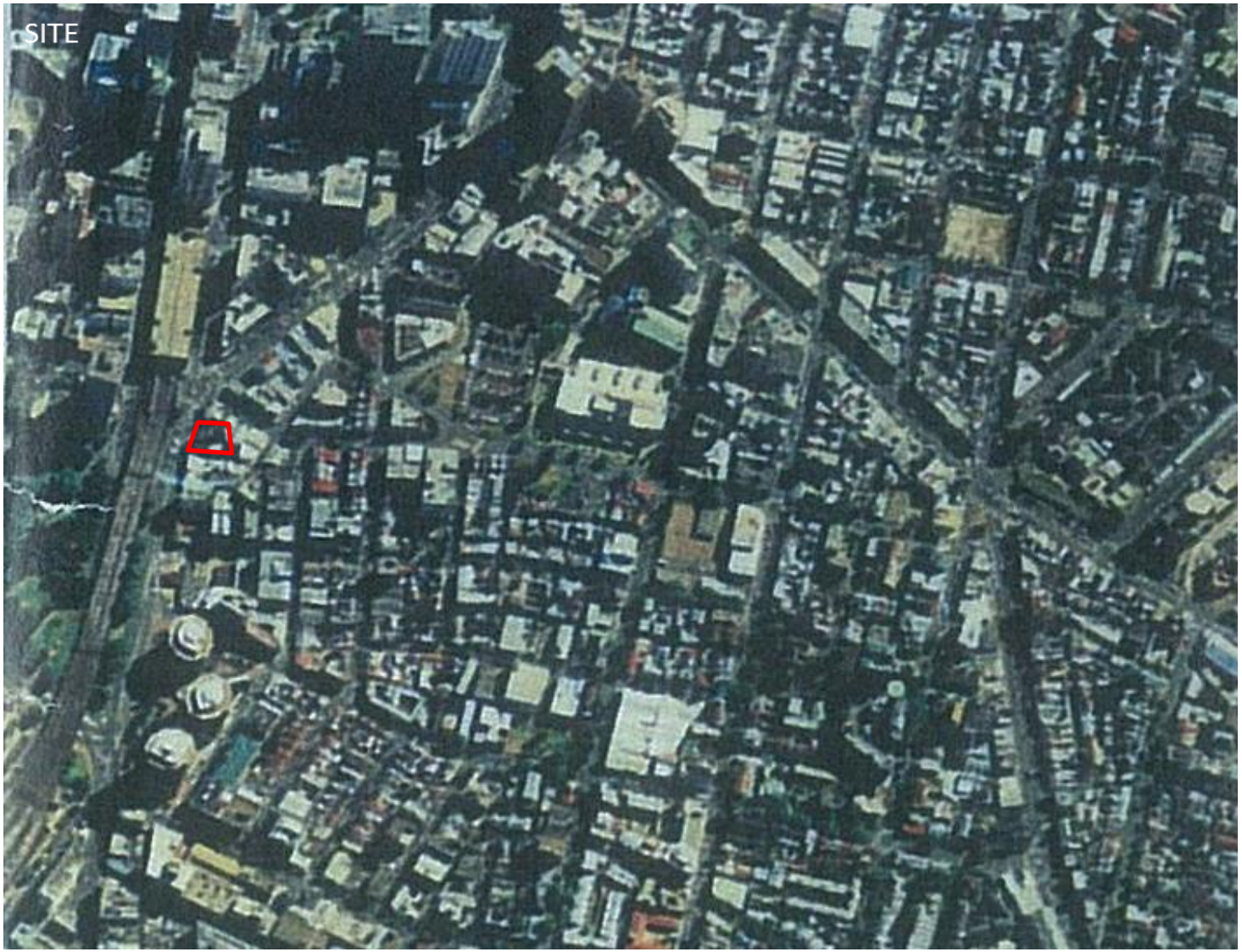
Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1970 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D4
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1978 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D5
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1986 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D6
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**1994 Aerial Photo**	PROJECT No: 218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No: D7
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION: A

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**2004 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D8
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**2014 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D9
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Stasia Holdings Pty Limited	**2022 Aerial Photo**	PROJECT No:	218701.00
	OFFICE: Sydney	**Desktop Contamination Study**	PLATE No:	D10
	DATE: 1 Nov 2022	**232-240 Elizabeth Street, Surry Hills**	REVISION:	A

Service First Registration Pty Ltd

ACN: 108 037 029
Ph: 02 9299 9969
Fax: 9279 2185

Suite 804, Level 8, 46 Market Street, Sydney
Sydney 2000
PO Box 784 QVB Post Shop, NSW 1230
DX 189 Sydney

Summary of Owners Report

LPI **Sydney**

Address: - 232 to 240 Elizabeth Street, Sydney

Description: - Lot 1 D.P 664653, Lot 1 D.P. 779385 and Common Property for Strata Plan 1379

As regards Lot 1 D.P. 664653

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
30.01.1873 (1873 to 1901)	Thomas Page (No occupation noted)	Vol 154 Fol 222
04.03.1901 (1901 to 1933)	Susan Douglass (Married Woman) (Transmission Application not investigated)	Vol 154 Fol 222
10.01.1933 (1933 to 1939)	Harold Page Douglass (Gentleman)	Vol 154 Fol 222
05.10.1939 (1939 to 1940)	Philip Lee Summers (Solicitor) George Camden Coburn (Accountant) Lilith Susie Ellen Chadwick (Married Woman) (Transmission Application not investigated)	Vol 154 Fol 222
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Vol 154 Fol 222
11.10.1946 (1946 to 1958)	Henry Russell Elliott (Second Hand Dealer)	Vol 154 Fol 222 Now Vol 5650 Fol 14
29.01.1958 (1958 to 1958)	Clifton Keith Elliott (Store Keeper) (Section 94 Application not investigated)	Vol 5650 Fol 14
29.01.1958 (1958 to 1987)	Jean Elaine Mary Elliott (Widow)	Vol 5650 Fol 14
18.11.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Vol 5650 Fol 14 Now
28.11.1988 (1988 to date)	# Patglen Pty Limited	Vol 5650 Fol 14 Now 1/664653

# Denotes Current Registered Proprietor

Easements: - NIL

Leases: -

- 18.12.2008 to Sabai Sabai (NSW) Pty Ltd, expires 31.05.2013, also 5 year option

Email: grolly1@bigpond.net.au

ACN: 108 037 029
Ph: 02 9299 9969
Fax: 9279 2185

Suite 804, Level 8, 46 Market Street, Sydney
Sydney 2000
PO Box 784 QVB Post Shop, NSW 1230
DX 189 Sydney

As regards Lot 1 D.P. 779385

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
10.10.1868 (1868 to 1933)	Elizabeth Page (Married Woman)	Book 110 No. 599
23.03.1933 (1933 to 1940)	Harold Page Douglass (Gentleman) Lilith Susie Ellen Chadwick (Married Woman)	Book 1658 No. 610
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Book 1863 No. 872
11.10.1946 (1946 to 1957)	Henry Russell Elliott (Second Hand Dealer)	Book 2000 No. 459
28.10.1957 (1957 to 1987)	Jean Elaine Mary Elliott (Widow)	Book 2429 No. 148
09.10.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Book 3716 No. 177 Now 1/779385
28.11.1988 (1988 to date)	# Patglen Pty Limited	1/779385

# Denotes Current Registered Proprietor

Easements: - NIL

Leases: -

- Various leases were registered against this title that have since expired or have been surrendered. These leases have not been investigated
- 05.11.2009 to Calorie Schmalorie Pty Limited, of Ground Floor – expires 30.09.2012, also 3 year option
- 07.04.2014 to Backpack Australia Pty Ltd, of Floors 1 and 2 – Expires 30.12.2016, also 2 year option

---

As regards the common Property for Strata Plan 1379

Searches have not been extended against Lots 1 and 2 Strata Plan 1379 since the Strata Plan was registered on 21.06.1965

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
26.09.1900 (1900 to 1910)	Samuel Hordern (Merchant)	Vol 1330 Fol 109
17.08.1910 (1910 to 1918)	Samuel Hordern (Merchant) John Felix Booth (Real Estate Manager) Anthony Hordern (Esquire) (Transmission Application not investigated)	Vol 1330 Fol 109
20.05.1918 (1918 to 1921)	Marian Orchard (Married Woman)	Vol 1330 Fol 109
01.07.1921 (1921 to 1921)	Frederick Hjorring (Insurance Inspector)	Vol 1330 Fol 109
01.07.1921 (1921 to 1922)	Frank Howard Russell (Accountant)	Vol 1330 Fol 109 Now Vol 3333 Fol 83

Service First Registration Pty Ltd

ACN: 108 037 029
Ph: 02 9299 9969
Fax: 9279 2185

Suite 804, Level 8, 46 Market Street, Sydney
Sydney 2000
PO Box 784 QVB Post Shop, NSW 1230
DX 189 Sydney

Search continued as regards the common Property for Strata Plan 1379

Date of Acquisition and term held	**Registered Proprietor(s) & Occupations where available**	**Reference to Title at Acquisition and sale**
19.12.1922 (1922 to 1927)	Bryan William Palmes (Grazier)	Vol 3333 Fol 83
19.10.1927 (1927 to 1937)	Alex Dimdore (Investor) Harold Leventhal (Real Estate Agent) Vera Leventhal (Married Woman)	Vol 3333 Fol 83 Now Vol 4075 Fol's 210, 211 & 212
13.05.1937 (1937 to 1946)	Harold Leventhal (Real Estate Agent) Vera Leventhal (Married Woman)	Vol 4075 Fol's 210, 211 & 212 Now Vol 4876 Fol's 100 & 101
01.07.1946 (1946 to 1965)	Liova Spivak (Clothing Manufacturer) Gedalia Spivak (Clothing Manufacturer)	Vol 4876 Fol's 100 & 101 Now Vol 5655 Fol's 36 & 37
21.06.1965 (1965 to date)	# The Owners – Strata Plan 1379	Vol 8503 Fol 129 Now CP/SP 1379

# Denotes Current Registered Proprietor

Easements: - NIL

Leases: -

- During the course of our investigation, numerous leases were found that have since expired or have been surrendered. These leases have not been investigated

---

Yours Sincerely
Mark Groll
23 June 2014
(Ph: 0412 199 304)

Email: grolly1@bigpond.net.au

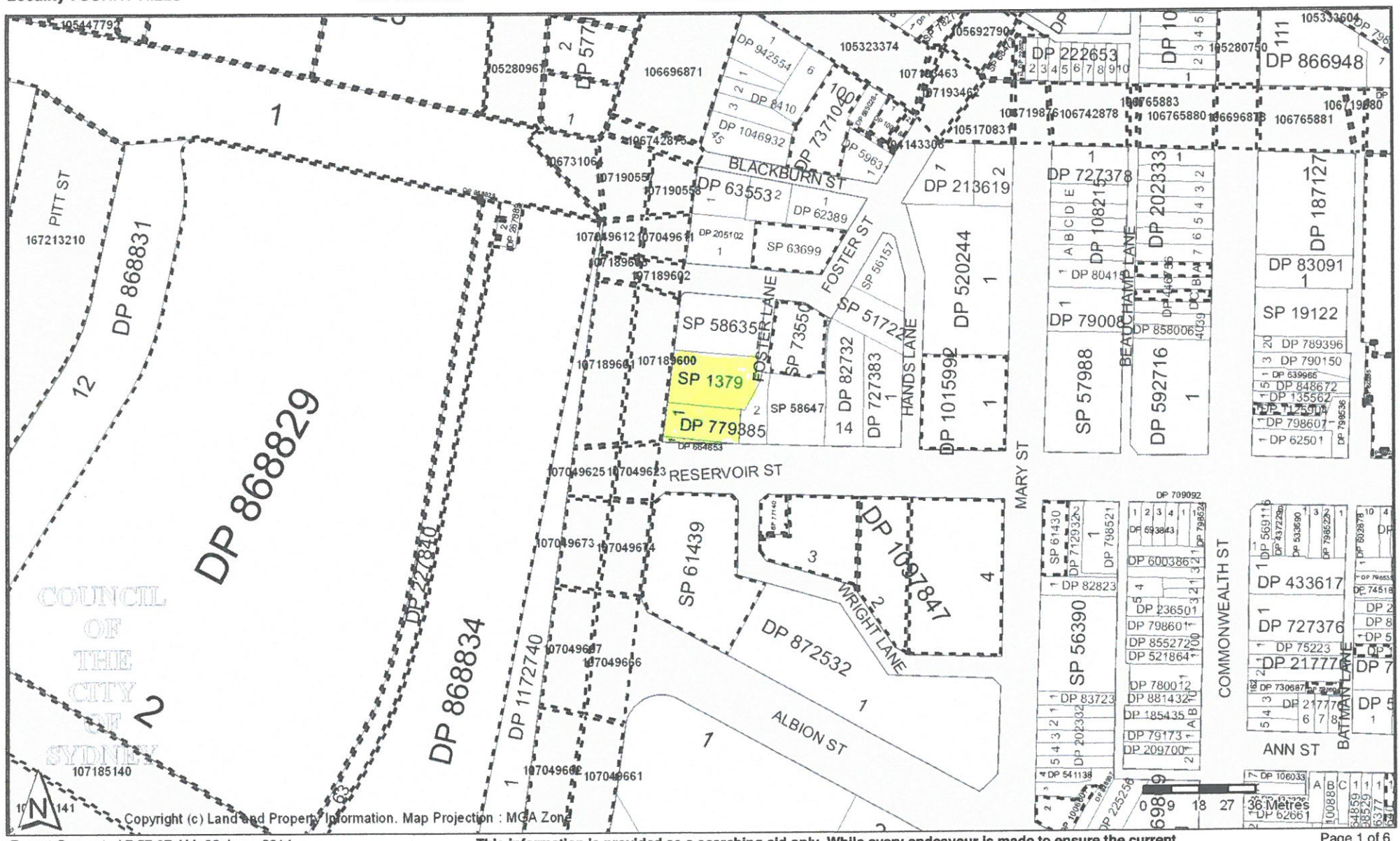
Land & Property Information

Cadastral Records Enquiry Report

Ref : surv:scim-grollm

Requested Parcel : Lot 1 DP 779385 **Identified Parcel :** Lot 1 DP 779385

Locality : SURRY HILLS **LGA :** SYDNEY **Parish :** ALEXANDRIA **County :** CUMBERLAND

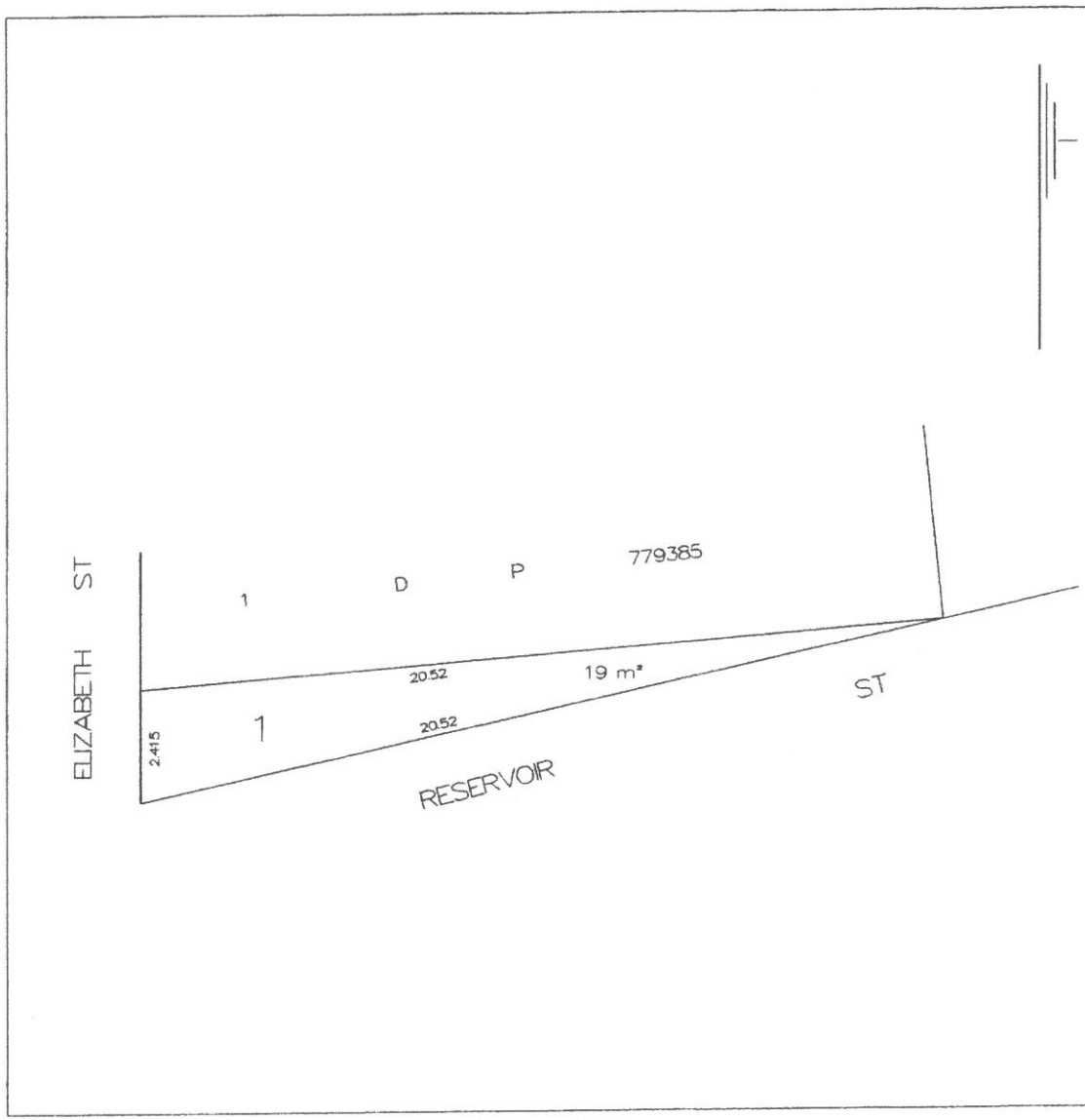


Report Generated 7:57:37 AM, 22 June, 2014

Copyright © Land and Property Information ABN: 84 104 377 806

This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

Req:R720337 /Doc:DP 0664653 P /Rev:12-Feb-1997 /Sts:OK.OK /Prt:22-Jun-2014 08:01 /Pgs:ALL /Seq:1 of 1
Ref:mg /Src:M



DP 664653

Registered: 7.2.1997

Title System: TORRENS

Purpose: DEPARTMENTAL

Ref. Map: U1845-4124#

Last Plan: ----------

THIS PLAN HAS BEEN CREATED TO PROVIDE A UNIQUE IDENTIFIER TO ENABLE THE ISSUE OF AN AUTOMATED TORRENS TITLE FOR THE LAND COMPRISED IN FOLIO OF THE REGISTER VOLUME 5650 FOLIO 14 FORMERLY KNOWN AS 19 m² GRANT

Lengths are in metres.
Reduction Ratio : NOT TO SCALE

L.G.A.: SYDNEY

LOCALITY: .

PARISH: ST LAWRENCE

COUNTY: CUMBERLAND

N O 1 D 1 B

G.D.B. ——

LT 2/55

PLAN OF THE LAND COMPRISED IN DEED

BK. 3716 **NO.** 177

~~Mun / Shire:~~ City: SYDNEY

Locality: SURRY HILLS

Parish: ALEXANDRIA AND ST LAWRENCE

County: CUMBERLAND

Reduction Ratio 1: 200

Lengths are in metres.

D.P. 779385

Registered: 26·4·1988

Title System: OLD SYSTEM

Purpose: LIMITED FOLIO CREATION

Ref Map: PH. ALEXANDRIA SH 4 / PH. ST LAWRENCE

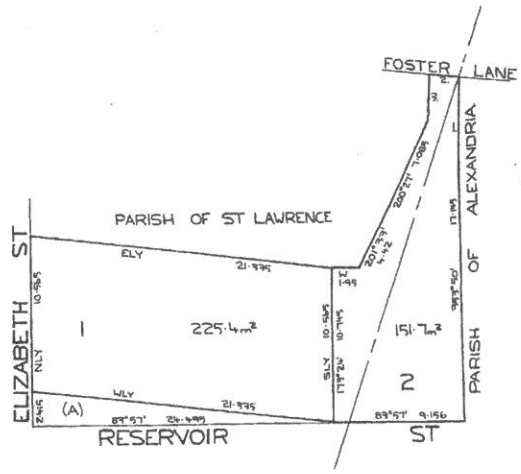
Last Plan: CITY SEC. 5 (D.P. 982294) / ROLL PLAN 309 (D.P. 111185)

N O O 2 D I I D

THIS PLAN WAS PREPARED SOLELY TO IDENTIFY THE LAND IN THE ABOVE DEED. THE BOUNDARIES HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL AND

IT IS NOT A CURRENT PLAN IN TERMS OF SEC. 327AA LOCAL GOVERNMENT ACT, 1919.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



No	Bearings	Distance
1.	358°05'	6·755
2.	270°19'	8·14
3.	178°47'	8·945

(A)-LAND NOT INCLUDED IN PLAN

Plan Drawing only to appear in this space

10 | 50 | 100 Table of mm 140 | 180 | 220

Plan Drawing only to appear in this space

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day.

28th April, 1988

10 20 30 40 50 60 70 Table of mm 110 120 130 140

Req:R120338 /Doc:DP 0779385 P /Rev:08-Aug-1992 /Sta:OK.OK /Prt:22-Jun-2014 08:01 /Pge:ALL /Seq:1 of 1
Ref:mg /Src:M

(a) State if whole or part.

(b) Refer to number of Lot, Allotment, or Portion and to the Deposited Plan, Town, or as the case may be.

Parcel comprises(a) whole of(b) R.P.A. 11245

Reference to Title Vol. 5655 Fol.s 36 & 37

~~Mun./Shire~~/City Sydney

Locality Sydney

Parish St. Lawrence County Cumberland

Scale : 20 feet to an inch.

STRATA PLAN 1379 (E)

Registered: 21·6·1965

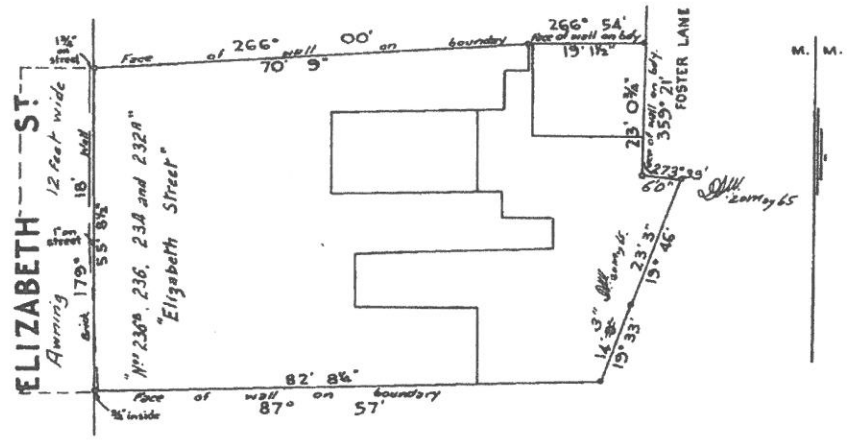
C.A.: 22/1965 of 15·3·65

Ref Map: City Section 5

Last Plan: P. A. 11245

Appn 11245 Pt. Allot. 2 Sec. 5 gtd. to John Tawell on 19th Oct. 1831 &
do. Pt. Allot. 3 do. William Charles Greville on 13th Oct. 1831 &
Vol. 5655 Fols. 36 & 37

External surface boundaries of the parcel and location of the building in relation thereto to be delineated in space opposite.



(c) Additional lots should be shown in an annexure.

(d) Delete if inappropriate.

Schedule of Unit Entitlement(c)		OFFICE USE ONLY Current C's of T.	
Lot No.	Unit Entitlement	Vol.	Fol.
1	1	10043	153
2	1	10043	154
AGGREGATE	2		

I, David Ashley Williams of 198 Mona Vale Rd, St. Ives.

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that:

(1) the building erected on the parcel described above is within the external boundaries of the parcel(d) ~~subject to clause (3) of this certificate;~~

~~(d)(3) eaves or guttering of the building project beyond such external boundaries and an appropriate easement has been granted as an appurtenance of the parcel by registered Transfer No.~~

Dated 10th. June, 1964.

Signature

Approved by the Council for the purposes of the Conveyancing (Strata Titles) Act, 1961.

Date 15th March, 1965

Subdivision No. 22/1965

Town Council Clerk

The address for service of notices on the body corporate is:— The Proprietors. Strata Plan No. 1379 236B Elizabeth Street, Sydney.

46737 12.63 K 1212 V. C. N. Blight, Government Printer

Surveyor's Reference: 1001

Sheet 2 of 3 sheets

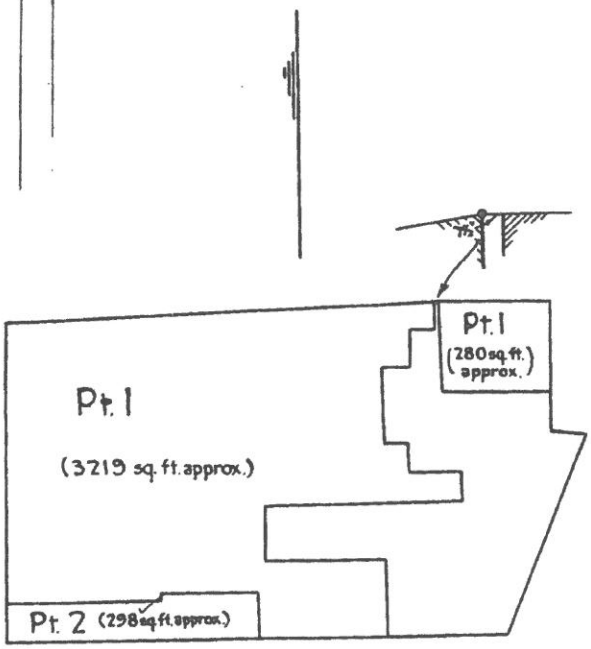
STRATA PLAN Nº 1379
GROUND FLOOR

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

STRATA PLAN 1379

FEET	INCHES	METRES
-	0 3/4	0.02
-	1	0.025
-	1 3/4	0.045
6	-	1.83
12	-	3.66
14	3	4.345
19	1 1/2	5.83
23	0 3/4	7.03
23	3	7.085
55	8 1/2	16.98
70	9	21.565
82	8 1/4	25.205
119	1 1/2	36.31

SQ FT	SQ M
230	21.4
247	22.9
280	26
283	26.3
298	27.7
2203	204.7
3219	299.1

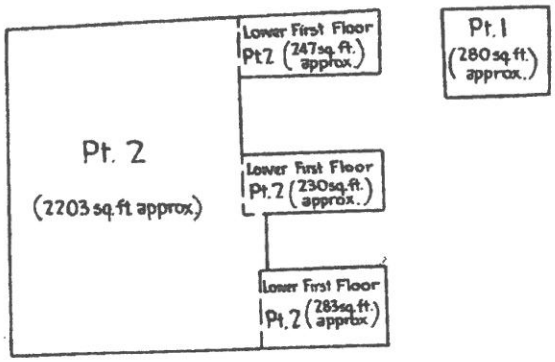


Total area of lot 1 . 3779 sq. ft. approx.

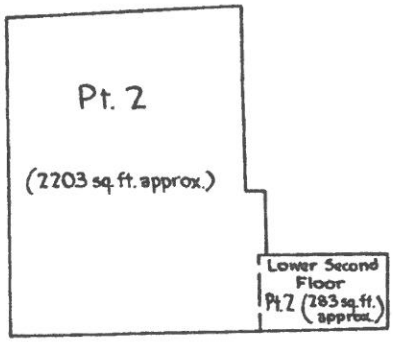
Town Clerk.

Sheet 3 of 3 sheets.

STRATA PLAN Nº 1379



FIRST FLOOR



SECOND FLOOR

Total area of lot 2 , 5747 sq. ft. approx.

Town Clerk.

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
22/6/2014 8:03AM

FOLIO: 1/664653

First Title(s): VOL 154 FOL 222
Prior Title(s): VOL 5650 FOL 14

Recorded	Number	Type of Instrument	C.T. Issue
7/2/1997		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
31/10/2002	9087304	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 1
22/11/2002	9150764	DISCHARGE OF MORTGAGE	
22/11/2002	9150765	MORTGAGE	EDITION 2
7/1/2004	AA303083	VARIATION OF MORTGAGE	EDITION 3
21/3/2004	AA501351	DEPARTMENTAL DEALING	
18/12/2008	AE393354	LEASE	EDITION 4
8/9/2009	AE961975	DISCHARGE OF MORTGAGE	
8/9/2009	AE961976	MORTGAGE	EDITION 5

*** END OF SEARCH ***

mg PRINTED ON 22/6/2014

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.

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/664653

SEARCH DATE	TIME	EDITION NO	DATE
22/6/2014	8:02 AM	5	8/9/2009

LAND

LOT 1 IN DEPOSITED PLAN 664653
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST LAWRENCE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP664653

FIRST SCHEDULE

PATGLEN PTY LIMITED

SECOND SCHEDULE (4 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 X148315 COVENANT
3 AE393354 LEASE TO SABAI SABAI (NSW) PTY LTD OF 40A RESERVOIR STREET, SURRY HILLS. EXPIRES: 31/5/2013. OPTION OF RENEWAL: 5 YEARS.
4 AE961976 MORTGAGE TO ST. GEORGE BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 22/6/2014

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. 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.

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
22/6/2014 8:04AM

FOLIO: 1/779385

First Title(s): OLD SYSTEM
Prior Title(s): CA24980

Recorded	Number	Type of Instrument	C.T. Issue
2/5/1988	CA24980	CONVERSION ACTION	FOLIO CREATED EDITION 1
6/12/1988	Y14174	TRANSFER	
6/12/1988	Y14175	MORTGAGE	EDITION 2
27/4/1989	Y313084	LEASE	EDITION 3
11/8/1989	Y523448	LEASE	EDITION 4
25/1/1991	Z456685	LEASE	EDITION 5
12/2/1992	E253612	REQUEST	
12/2/1992	E253613	LEASE	EDITION 6
3/11/1993	I766793	LEASE	EDITION 7
27/9/1994	U654891	LEASE	EDITION 8
15/11/1996	2349179	LEASE	EDITION 9
20/1/1997	2773637	LEASE	EDITION 10
22/4/2002	8531775	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 11
22/11/2002	9150764	DISCHARGE OF MORTGAGE	
22/11/2002	9150765	MORTGAGE	EDITION 12
7/1/2004	AA303083	VARIATION OF MORTGAGE	EDITION 13
21/3/2004	AA501351	DEPARTMENTAL DEALING	
8/9/2009	AE961975	DISCHARGE OF MORTGAGE	
8/9/2009	AE961976	MORTGAGE	EDITION 14
5/11/2009	AF94760	LEASE	EDITION 15
7/4/2014	AI356016	LEASE	EDITION 16

*** END OF SEARCH ***

mg

PRINTED ON 22/6/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/779385

SEARCH DATE	TIME	EDITION NO	DATE
22/6/2014	8:02 AM	16	7/4/2014

LAND

LOT 1 IN DEPOSITED PLAN 779385
AT SURRY HILLS
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST LAWRENCE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP779385

FIRST SCHEDULE

PATGLEN PTY. LIMITED (T Y14174)

SECOND SCHEDULE (6 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
3 BK 3716 NO 177 COVENANT
4 AE961976 MORTGAGE TO ST. GEORGE BANK LIMITED
5 AF94760 LEASE TO CALORIE SCHMALORIE PTY LIMITED OF GROUND FLOOR 240 ELIZABETH STREET SURRY HILLS. EXPIRES: 30/9/2012. OPTION OF RENEWAL: 3 YEARS.
6 AI356016 LEASE TO BACKPACK AUSTRALIA PTY LTD OF FLOORS 1 AND 2, 240 ELIZABETH STREET, SURRY HILLS. EXPIRES: 31/12/2016. OPTION OF RENEWAL: 2 YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 22/6/2014

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NEW SOUTH WALES

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

TORRENS TITLE
Register

Vol. 8503 Fol. 129

Issued 1-7-1974

CANCELLED
See new edition

Fol. 129

(Page 1) Vol. 8503

I certify that The Proprietors—Strata Plan No. 1379 is the registered proprietor of an Estate in Fee Simple in the common property in the Strata Plan so numbered subject nevertheless to the exceptions, encumbrances and interests recorded hereon.

Registrar General.

ADDRESS FOR SERVICE OF NOTICES: See Strata Plan above referred to.

EXCEPTIONS ENCUMBRANCES AND INTERESTS REFERRED TO

1. Reservations and conditions, if any, contained in the Crown grant of the land comprised in the Strata Plan above referred to.
2. Easements, if any, benefiting or burdening the parcel and restrictions as to user, if any, burdening the parcel and other interests notified on the Strata Plan above referred to by virtue of the provisions of the Conveyancing (Strata Titles) Act, 1961.

SCHEDULE OF UNIT ENTITLEMENT: See Strata Plan above referred to.

Registrar General.

CANCELLED
See new edition issued 18-3-1975
Vol 8503 Fol 129.

REGISTRAR GENERAL

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

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

Req:R720342 /Doc:CT 08503-129 CT /Rev:04-Mar-2011 /Ofs:OK.SC /Prt:22-Jun-2014 08:08 /Pgs:ALL /Seq:1 of 4
Ref:mg /Src:M

CERTIFICATE OF TITLE

NEW SOUTH WALES

REAL PROPERTY ACT, 1900

TORRENS TITLE

Registered CANCELLED

Vol. 8503 Fol. 129

Appln. No.11245 OS

Prior Titles Vol.5655 Fols.36 and 37

Edition Issued 18-3-1975 SEE AUTO FOLIO

(Page 1) Vol. 8503 Fol. 129

I certify that The Proprietors - Strata Plan No. 1379 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.

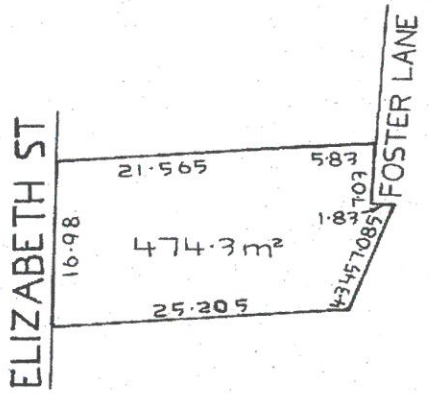
S

Registrar General.

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

REDUCTION RATIO 1:500



ADDRESS FOR SERVICE OF NOTICES 236B ELIZABETH STREET, SYDNEY. 2000

LAND REFERRED TO the land in Deposited Plan 61245 at Sydney in the City of Sydney Parish of St. Lawrence and County of Cumberland being part of Allotment 2 of Section 5 granted to John Towell on 19-10-1831 and part of Allotment 3 of Section 5 granted to William Charles Greville on 19-10-1831.

GRY EXCEPTIONS ENCUMBRANCES AND INTERESTS REFERRED TO NIL

SCHEDULE OF UNIT ENTITLEMENT

Aggregate unit entitlement: 2

Lot No.	Strata Plan No.	Unit Entitlement
1	1379	1
2	"	1

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.

Reg:R720342 /Doc:CT 08503-129 CT /Rev:04-Mar-2011 /Sts:OK.SC /Prt:22-Jun-2014 08:08 /Pgs:ALL /Seq:3 of 4
Ref:mg /Src:M

Vol. 0000 Fol. 127

RECORDINGS (continued)

INSTRUMENT						CANCELLATION		
NATURE	NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar General			

AFTER REGN
REFER ALL
DLGS & PLANS
TO ST30

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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: CP/SP1379

SEARCH DATE	TIME	EDITION NO	DATE
22/6/2014	8:02 AM	1	15/2/2002

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 1379 WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST LAWRENCE COUNTY OF CUMBERLAND
TITLE DIAGRAM SHEET 1 SP1379

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 1379
ADDRESS FOR SERVICE OF NOTICES:
236B ELIZABETH STREET
SYDNEY 2000

SECOND SCHEDULE (4 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
* 2 ATTENTION IS DIRECTED TO BY-LAWS SET OUT IN SCHEDULE 1 STRATA SCHEMES MANAGEMENT ACT 1996
3 8361859 THIS EDITION ISSUED PURSUANT TO S.111 REAL PROPERTY ACT, 1900
* 4 ATTENTION IS DIRECTED TO CLAUSE 3 SCHEDULE 4 STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973 REGARDING BOUNDARIES BETWEEN LOTS AND COMMON PROPERTY IN STRATA SCHEMES REGISTERED BEFORE 1-7-1974

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 2)

STRATA PLAN 1379

LOT	ENT	LOT	ENT
1	1	2	1

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.

END OF PAGE 1 - CONTINUED OVER

mg PRINTED ON 22/6/2014

FOLIO: CP/SP1379 PAGE 2

NOTATIONS (CONTINUED)

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 22/6/2014

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Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI **Sydney**

Address: - 238 to 240 Elizabeth Street, Sydney

Description: - Lot 2 D.P. 779385

As regards Lot 2 D.P. 779385

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
29.01.1901 (1901 to 1933)	Susan Douglass (Married Woman)	Book 681 No. 92
23.03.1933 (1933 to 1940)	Harold Page Douglass (Gentleman) Lilith Susie Ellen Chadwick (Married Woman)	Book 1658 No. 609
23.01.1940 (1940 to 1946)	Lilith Susie Ellen Chadwick (Married Woman)	Book 1863 No. 871
11.10.1946 (1946 to 1957)	Henry Russell Elliott (Second Hand Dealer)	Book 2000 No. 459
28.10.1957 (1957 to 1987)	Jean Elaine Mary Elliott (Widow)	Book 2429 No. 148
09.10.1987 (1987 to 1988)	Hang Tat Enterprises (Australia) Pty Limited	Book 3716 No. 177 Now 2/779385
28.11.1988 (1988 to date)	# Patglen Pty Limited	2/779385

# Denotes Current Registered Proprietor

Easements: - NIL

Leases: -

- Various leases were registered against this title that have since expired or have been surrendered. These leases have not been investigated
- 07.04.2014 to Backpack Australia Pty Ltd, of Floors 1 and 2 – Expires 30.12.2016, also 2 year option

---

Yours Sincerely
Mark Groll
7 July 2014
(Ph: 0412 199 304)

Email: grolly1@bigpond.net.au

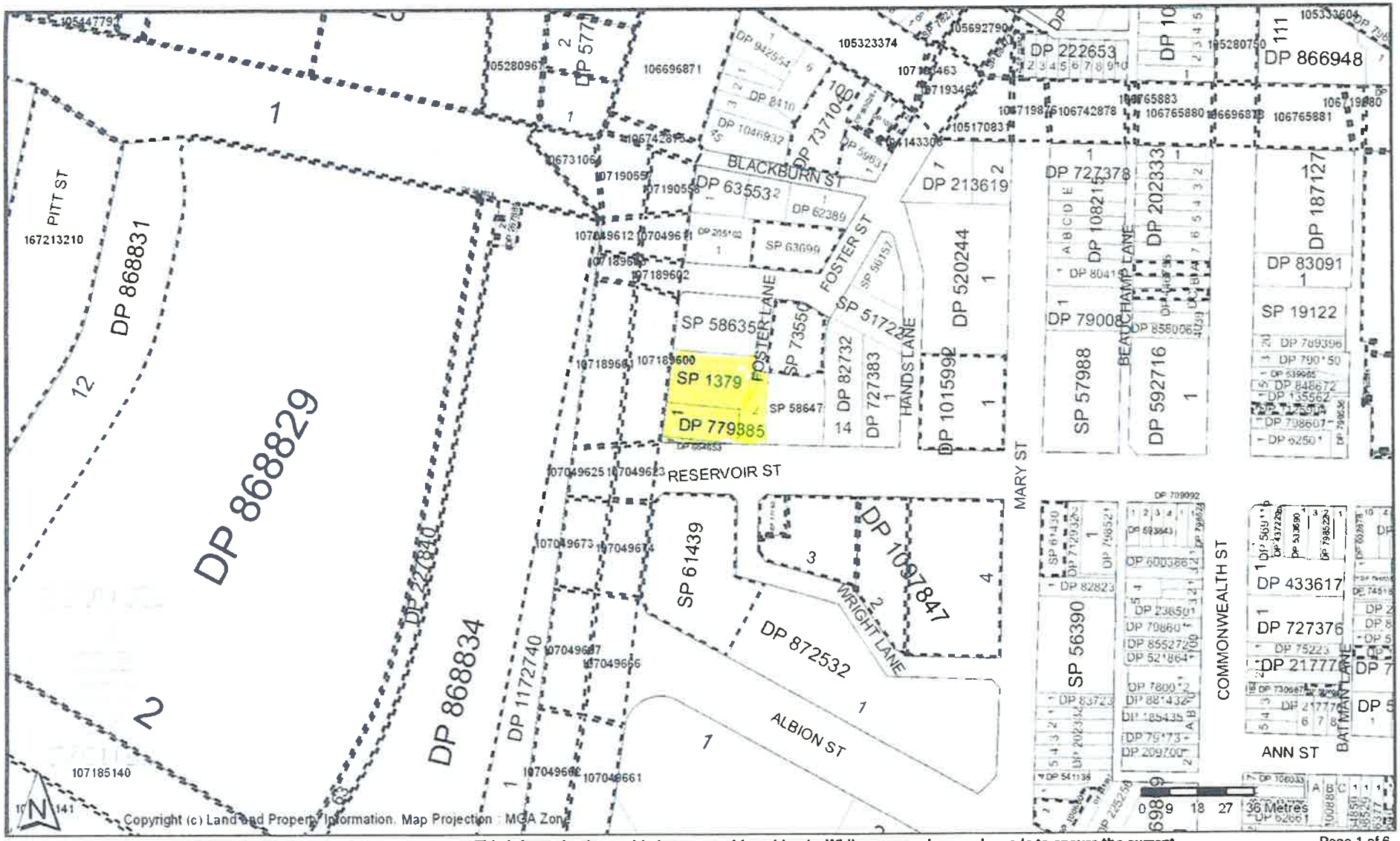
Land & Property Information

Cadastral Records Enquiry Report

Ref : surv:scim-grolim

Requested Parcel : Lot 1 DP 779385 **Identified Parcel** : Lot 1 DP 779385

Locality : SURRY HILLS **LGA** : SYDNEY **Parish** : ALEXANDRIA **County** : CUMBERLAND



Report Generated 7:57:37 AM, 22 June, 2014

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This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

LT 2/55

PLAN OF THE LAND COMPRISED IN DEED

BK. 3716 NO. 177

~~Mun./Shire~~ City: SYDNEY — Locality: SURRY HILLS

Parish: ALEXANDRIA AND ST LAWRENCE — County: CUMBERLAND

Reduction Ratio 1: 200 — Lengths are in metres.

D.P. 779385

Registered: 26-4-1988

~~Title System~~: OLD SYSTEM

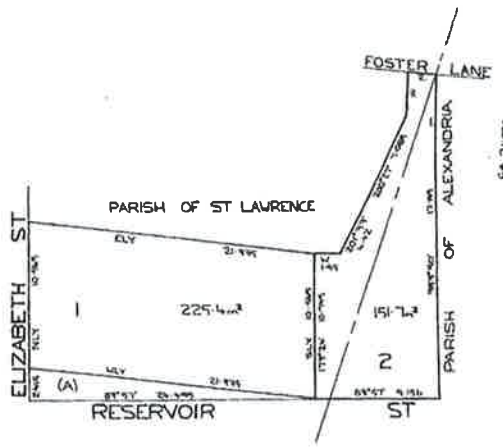
Purpose: LIMITED FOLIO CREATION

Ref Map: PH. ALEXANDRIA SH4 / PH. ST LAWRENCE

Last Plan: CITY SEC 5 (D.P. 982294) / ROLL PLAN 30 (MDP 11185)

N O O 2 D I I D

THIS PLAN WAS PREPARED SOLELY TO IDENTIFY THE LAND IN THE ABOVE DEED.
THE BOUNDARIES HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL AND
IT IS NOT A CURRENT PLAN IN TERMS OF SEC. 327AA LOCAL GOVERNMENT ACT, 1919.



No.	Bearing	Distance
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]

(A) LAND NOT INCLUDED IN PLAN

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Plan Drawing only to appear in this space

10 | 50 | 100 Table of mm 140 | 180 | 220

Plan Drawing only to appear in this space

10 20 30 40 50 60 70 Table of mm 110 120 130 140

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day.

28th April, 1988

Req:R720338 /Doc:DP 0779385 P /Rev:08-Aug-1992 /Sta:OK.OK /Prt:22-Jun-2014 08:01 /Pge:ALL /Seq:1 of 1
Ref:mg /Src:M

Legal Liaison Services

LPI On-Line

Legal Liaison Services hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
3/7/2014 3:17PM

FOLIO: 2/779385

First Title(s): OLD SYSTEM
Prior Title(s): CA24980

Recorded	Number	Type of Instrument	C.T. Issue
2/5/1988	CA24980	CONVERSION ACTION	FOLIO CREATED EDITION 1
6/12/1988	Y14174	TRANSFER	
6/12/1988	Y14175	MORTGAGE	EDITION 2
22/4/2002	8531775	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 3
22/11/2002	9150764	DISCHARGE OF MORTGAGE	
22/11/2002	9150765	MORTGAGE	EDITION 4
7/1/2004	AA303083	VARIATION OF MORTGAGE	EDITION 5
21/3/2004	AA501351	DEPARTMENTAL DEALING	
8/9/2009	AE961975	DISCHARGE OF MORTGAGE	
8/9/2009	AE961976	MORTGAGE	EDITION 6
7/4/2014	AI356016	LEASE	EDITION 7

*** END OF SEARCH ***

mg PRINTED ON 3/7/2014

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Legal Liaison Services

LPI On-Line

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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/779385

SEARCH DATE	TIME	EDITION NO	DATE
3/7/2014	3:16 PM	7	7/4/2014

LAND

LOT 2 IN DEPOSITED PLAN 779385
AT SURRY HILLS
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP779385

FIRST SCHEDULE

PATGLEN PTY. LIMITED (T Y14174)

SECOND SCHEDULE (5 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
3 BK 3716 NO 177 COVENANT
4 AE961976 MORTGAGE TO ST. GEORGE BANK LIMITED
5 AI356016 LEASE TO BACKPACK AUSTRALIA PTY LTD OF FLOOR 1, TOGETHER WITH ONE CARPARK SPACE NUMBERED 1, 42-44 RESERVOIR STREET, SURRY HILLS. EXPIRES: 31/12/2016. OPTION OF RENEWAL: 2 YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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SFR **Historical Title** InfoTrack An Approved LPI NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
22/6/2014 8:04AM

FOLIO: 1/779385

First Title(s): OLD SYSTEM
Prior Title(s): CA24980

Recorded	Number	Type of Instrument	C.T. Issue
2/5/1988	CA24980	CONVERSION ACTION	FOLIO CREATED EDITION 1
6/12/1988	Y14174	TRANSFER	
6/12/1988	Y14175	MORTGAGE	EDITION 2
27/4/1989	Y313084	LEASE	EDITION 3
11/8/1989	Y523448	LEASE	EDITION 4
25/1/1991	Z456685	LEASE	EDITION 5
12/2/1992	E253612	REQUEST	
12/2/1992	E253613	LEASE	EDITION 6
3/11/1993	I766793	LEASE	EDITION 7
27/9/1994	U654891	LEASE	EDITION 8
15/11/1996	2349179	LEASE	EDITION 9
20/1/1997	2773637	LEASE	EDITION 10
22/4/2002	8531775	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 11
22/11/2002	9150764	DISCHARGE OF MORTGAGE	
22/11/2002	9150765	MORTGAGE	EDITION 12
7/1/2004	AA303083	VARIATION OF MORTGAGE	EDITION 13
21/3/2004	AA501351	DEPARTMENTAL DEALING	
8/9/2009	AE961975	DISCHARGE OF MORTGAGE	
8/9/2009	AE961976	MORTGAGE	EDITION 14
5/11/2009	AF94760	LEASE	EDITION 15
7/4/2014	AI356016	LEASE	EDITION 16

*** END OF SEARCH ***

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LAND

LOT 1 IN DEPOSITED PLAN 779385
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NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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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

KURT PLAMBECK
DOUGLAS PARTNERS PTY LTD
PO BOX 472
WEST RYDE NSW 1685

PLANNING CERTIFICATE

Under Section 149 of the Environmental Planning and Assessment Act, 1979

Applicant:	DOUGLAS PARTNERS PTY LTD
Applicant's reference:	DOUGLAS PARTNERS
Address of property:	240C Elizabeth Street , SURRY HILLS NSW 2010
Owner:	PATGLEN PTY LTD
Description of land:	Lot 1 DP 664653
Certificate No.:	2014304170
Certificate Date:	23/06/14
Receipt No:	5174562
Fee:	$80.00
Paid:	23/06/14

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

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

CERTIFICATE ENQUIRIES:
Ph: 9265 9333
Fax: 9265 9415

Sydney2030/Green/Global/Connected

Sustainable. Made from 100% Australian recycled paper, printed with vegetable based inks.

PLANNING CERTIFICATE UNDER SECTION 149 (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

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. 4 – Development without Consent and Miscellaneous Complying Development
This policy allows relatively simple or minor changes of land or building use and certain types of development by public authorities without the need for formal development applications. The types of development covered are outlined in the policy.

State Environmental Planning Policy No. 6 – Number of Storeys in a Building
This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

State Environmental Planning Policy No. 10 – Retention of Low-Cost Accommodation
This policy aims to provide a mechanism for the retention of low-cost rental accommodation. The policy establishes criteria for determining a low-cost rental residential building (including boarding houses, hostels and low rental residential flat buildings), matters for Council consideration and requirements for development proposed under the policy.

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. 22 – Shops and Commercial Premises
This policy allows, with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 32 – Urban Consolidation
This policy implements the principles of urban consolidation, including the orderly, economic use and development of land. The policy enables urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

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 2005 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
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 (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 (Major Development) 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 (Temporary Structures and Places of Public Entertainment) 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.
NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008
This Policy is an 'amending instrument' that removes or modifies referral and concurrence clauses within local environmental plans (LEPs), regional environmental plans (REPs) and State environmental planning policies (SEPPs).

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

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.

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 (3) - (10)

(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**

▪ 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
▪ 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 *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.	**NO**
▪ 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**
▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the *Wilderness Act 1987*.	**NO**
▪ 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**
▪ 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.	**NO**
▪ 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**
▪ 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**
▪ 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**
▪ 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**
▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area.	**NO**
▪ 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**
▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment.	**NO**
▪ 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 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.

(4) Coastal Protection Act, 1979

The council has not been notified by the department of public works that the land is affected by the operation of section 38 or 39 of the coastal protection act, 1979.

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** been made under Part 4D of the coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land).

(2) In relation to a coastal council : Council has **not** been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

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

In relation to a coastal council : 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 27 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 Contributions (Amendment) Plan 2002 – in operation 16th June 2003	**YES**
▪ Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15th December 1994 and Council 19th December 1994)	**NO**
▪ City of Sydney Development Contributions Plan 2006 – in operation 7th April 2007	**NO**
▪ 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) Biobanking Agreement

Council has not been notified of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

(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

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.

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 149(2) INFORMATION:
Information provided in accordance with planning certificate section 149 (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.

PLANNING CERTIFICATE UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PLANNING CERTIFICATE SECTION 149 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:
Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 149 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:
The City of Sydney Local Environmental Plan 2012 incorporates Acid Sulfate soil maps. Development on the land identified in those maps should have regard to Division 4 clause 7.16 of the LEP.

Construction Noise and View Loss Advice:
Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

City of Sydney Tree Preservation Order 2004 (TPO)
This order applies to all land where South Sydney Local Environmental Plan 1998 applies and the City of Sydney Council or the Central Sydney Planning Committee is the relevant consent authority under the *Environmental Planning & Assessment* Act 1979. Contact Council's Contract and Asset Management section for more information.

Outstanding Notice & Order information
In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order of type 6, 10, 11 under Section 121B of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

In relation to this property, there **is** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Residential & Visitor Parking Permit Schemes
The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme.

Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice
Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 149 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 149 (6) of the Environmental Planning and Assessment Act, 1979).

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER UNDER SECTION 735A OF THE LOCAL GOVERNMENT ACT, 1993 AND SECTION 121ZP OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 may be applied for at Sydney City Council.

Planning certificate section 149 (2), local planning controls are available for inspection at the following locations:

General Enquiries :
Telephone: 02 9265 9333
Facsimile: 02 9265 9415

Town Hall House
Level 2,
Town Hall House,
456 Kent Street,
Sydney.
8am – 6pm, Monday - Friday

Glebe Customer Service Centre
Glebe Library,
186 Glebe Point Road,
Glebe
9am – 5pm, Monday – Friday

Neighbourhood Service Centre Kings Cross
50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern
158 Redfern Street
Redfern
9am-5pm Monday – Friday
9am – 12 Noon Saturday

Green Square Customer Service Centre
The Tote,
100 Joynton Avenue,
Zetland
10am-6pm Monday – Friday

State planning controls are available for inspection at the following locations:

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre
23-33 Bridge Street,
Sydney NSW 2000

Where planning certificate section 149 (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

24 JUN 2014

KURT PLAMBECK
DOUGLAS PARTNERS PTY LTD
PO BOX 472
WEST RYDE NSW 1685

PLANNING CERTIFICATE

Under Section 149 of the Environmental Planning and Assessment Act, 1979

Applicant:	DOUGLAS PARTNERS PTY LTD
Applicant's reference:	DOUGLAS PARTNERS
Address of property:	232-236A Elizabeth Street , SURRY HILLS NSW 2010
Owner:	THE OWNERS - STRATA PLAN NO 01379
Description of land:	Lot 1 DP 61245, Lots 1-2 SP 1379
Certificate No.:	2014304168
Certificate Date:	23/06/14
Receipt No:	5174562
Fee:	$80.00
Paid:	23/06/14

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

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

CERTIFICATE ENQUIRIES:
Ph: 9265 9333
Fax: 9265 9415

Sydney2030/Green/Global/Connected

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PLANNING CERTIFICATE UNDER SECTION 149 (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

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. 4 – Development without Consent and Miscellaneous Complying Development
This policy allows relatively simple or minor changes of land or building use and certain types of development by public authorities without the need for formal development applications. The types of development covered are outlined in the policy.

State Environmental Planning Policy No. 6 – Number of Storeys in a Building
This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

State Environmental Planning Policy No. 10 – Retention of Low-Cost Accommodation
This policy aims to provide a mechanism for the retention of low-cost rental accommodation. The policy establishes criteria for determining a low-cost rental residential building (including boarding houses, hostels and low rental residential flat buildings), matters for Council consideration and requirements for development proposed under the policy.

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. 22 – Shops and Commercial Premises
This policy allows, with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 32 – Urban Consolidation
This policy implements the principles of urban consolidation, including the orderly, economic use and development of land. The policy enables urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

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 2005 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
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 (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
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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 (3) - (10)

(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**

▪ 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
▪ 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 *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.	**NO**
▪ 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**
▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the *Wilderness Act 1987*.	**NO**
▪ 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**
▪ 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.	**NO**
▪ 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**
▪ 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**
▪ 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**
▪ 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**
▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area.	**NO**
▪ 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**
▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment.	**NO**
▪ 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 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.

(4) Coastal Protection Act, 1979

The council has not been notified by the department of public works that the land is affected by the operation of section 38 or 39 of the coastal protection act, 1979.

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** been made under Part 4D of the coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land).

(2) In relation to a coastal council : Council has **not** been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

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

In relation to a coastal council : 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 27 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 Contributions (Amendment) Plan 2002 – in operation 16th June 2003	**YES**
▪ Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15th December 1994 and Council 19th December 1994)	**NO**
▪ City of Sydney Development Contributions Plan 2006 – in operation 7th April 2007	**NO**
▪ 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) Biobanking Agreement

Council has not been notified of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

(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

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.

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 149(2) INFORMATION:
Information provided in accordance with planning certificate section 149 (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.

PLANNING CERTIFICATE UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PLANNING CERTIFICATE SECTION 149 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:
Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 149 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:
The City of Sydney Local Environmental Plan 2012 incorporates Acid Sulfate soil maps. Development on the land identified in those maps should have regard to Division 4 clause 7.16 of the LEP.

Construction Noise and View Loss Advice:
Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

City of Sydney Tree Preservation Order 2004 (TPO)
This order applies to all land where South Sydney Local Environmental Plan 1998 applies and the City of Sydney Council or the Central Sydney Planning Committee is the relevant consent authority under the *Environmental Planning & Assessment* Act 1979. Contact Council's Contract and Asset Management section for more information.

Outstanding Notice & Order information
In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order of type 6, 10, 11 under Section 121B of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Residential & Visitor Parking Permit Schemes
The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme.

Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice
Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 149 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 149 (6) of the Environmental Planning and Assessment Act, 1979).

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER UNDER SECTION 735A OF THE LOCAL GOVERNMENT ACT, 1993 AND SECTION 121ZP OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 may be applied for at Sydney City Council.

Planning certificate section 149 (2), local planning controls are available for inspection at the following locations:

General Enquiries :
Telephone: 02 9265 9333
Facsimile: 02 9265 9415

Town Hall House
Level 2,
Town Hall House,
456 Kent Street,
Sydney.
8am – 6pm, Monday - Friday

Glebe Customer Service Centre
Glebe Library,
186 Glebe Point Road,
Glebe
9am – 5pm, Monday – Friday

Neighbourhood Service Centre Kings Cross
50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern
158 Redfern Street
Redfern
9am-5pm Monday – Friday
9am – 12 Noon Saturday

Green Square Customer Service Centre
The Tote,
100 Joynton Avenue,
Zetland
10am-6pm Monday – Friday

State planning controls are available for inspection at the following locations:

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre
23-33 Bridge Street,
Sydney NSW 2000

Where planning certificate section 149 (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

KURT PLAMBECK
DOUGLAS PARTNERS PTY LTD
PO BOX 472
WEST RYDE NSW 1685

PLANNING CERTIFICATE

Under Section 149 of the Environmental Planning and Assessment Act, 1979

Applicant:	DOUGLAS PARTNERS PTY LTD
Applicant's reference:	DOUGLAS PARTNERS
Address of property:	238-240 Elizabeth Street , SURRY HILLS NSW 2010
Owner:	PATGLEN PTY LTD
Description of land:	Lot 1 DP 779385, Lot 2 DP 779385
Certificate No.:	2014304169
Certificate Date:	23/06/14
Receipt No:	5174562
Fee:	$80.00
Paid:	23/06/14

Title information, description, dimensions and area 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

Sydney2030/Green/Global/Connected

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PLANNING CERTIFICATE UNDER SECTION 149 (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

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. 4 – Development without Consent and Miscellaneous Complying Development
This policy allows relatively simple or minor changes of land or building use and certain types of development by public authorities without the need for formal development applications. The types of development covered are outlined in the policy.

State Environmental Planning Policy No. 6 – Number of Storeys in a Building
This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

State Environmental Planning Policy No. 10 – Retention of Low-Cost Accommodation
This policy aims to provide a mechanism for the retention of low-cost rental accommodation. The policy establishes criteria for determining a low-cost rental residential building (including boarding houses, hostels and low rental residential flat buildings), matters for Council consideration and requirements for development proposed under the policy.

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. 22 – Shops and Commercial Premises
This policy allows, with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 32 – Urban Consolidation
This policy implements the principles of urban consolidation, including the orderly, economic use and development of land. The policy enables urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

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 2005 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
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 (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 (Major Development) 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 (Temporary Structures and Places of Public Entertainment) 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 (Repeal of Concurrence and Referral Provisions) 2008
This Policy is an 'amending instrument' that removes or modifies referral and concurrence clauses within local environmental plans (LEPs), regional environmental plans (REPs) and State environmental planning policies (SEPPs).

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

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.

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 (3) - (10)

(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**

▪ 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
▪ 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 *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.	**NO**
▪ 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**
▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the *Wilderness Act 1987*.	**NO**
▪ 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**
▪ 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.	**NO**
▪ 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**
▪ 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**
▪ 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**
▪ 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**
▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area.	**NO**
▪ 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**
▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment.	**NO**
▪ 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 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.

(4) Coastal Protection Act, 1979

The council has not been notified by the department of public works that the land is affected by the operation of section 38 or 39 of the coastal protection act, 1979.

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** been made under Part 4D of the coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land).

(2) In relation to a coastal council : Council has **not** been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

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

In relation to a coastal council : 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 27 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 Contributions (Amendment) Plan 2002 – in operation 16th June 2003	**YES**
▪ Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15th December 1994 and Council 19th December 1994)	**NO**
▪ City of Sydney Development Contributions Plan 2006 – in operation 7th April 2007	**NO**
▪ 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) Biobanking Agreement

Council has not been notified of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

(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

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.

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 149(2) INFORMATION:
Information provided in accordance with planning certificate section 149 (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.

PLANNING CERTIFICATE UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PLANNING CERTIFICATE SECTION 149 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:
Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 149 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:
The City of Sydney Local Environmental Plan 2012 incorporates Acid Sulfate soil maps. Development on the land identified in those maps should have regard to Division 4 clause 7.16 of the LEP.

Construction Noise and View Loss Advice:
Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

City of Sydney Tree Preservation Order 2004 (TPO)
This order applies to all land where South Sydney Local Environmental Plan 1998 applies and the City of Sydney Council or the Central Sydney Planning Committee is the relevant consent authority under the *Environmental Planning & Assessment* Act 1979. Contact Council's Contract and Asset Management section for more information.

Outstanding Notice & Order information
In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order of type 6, 10, 11 under Section 121B of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Residential & Visitor Parking Permit Schemes
The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme.

Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice
Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 149 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 149 (6) of the Environmental Planning and Assessment Act, 1979).

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER UNDER SECTION 735A OF THE LOCAL GOVERNMENT ACT, 1993 AND SECTION 121ZP OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 may be applied for at Sydney City Council.

Planning certificate section 149 (2), local planning controls are available for inspection at the following locations:

General Enquiries :
Telephone: 02 9265 9333
Facsimile: 02 9265 9415

Town Hall House
Level 2,
Town Hall House,
456 Kent Street,
Sydney.
8am – 6pm, Monday - Friday

Glebe Customer Service Centre
Glebe Library,
186 Glebe Point Road,
Glebe
9am – 5pm, Monday – Friday

Neighbourhood Service Centre Kings Cross
50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern
158 Redfern Street
Redfern
9am-5pm Monday – Friday
9am – 12 Noon Saturday

Green Square Customer Service Centre
The Tote,
100 Joynton Avenue,
Zetland
10am-6pm Monday – Friday

State planning controls are available for inspection at the following locations:

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre
23-33 Bridge Street,
Sydney NSW 2000

Where planning certificate section 149 (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

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