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REPORT
on
PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS CHIPPENDALE

Prepared for HUDSON SQUARE PTY LTD C/- DEVELOTEK PROPERTY GROUP

Project 45784 September 2008



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Douglas Partners Pty Ltd ABN 75 053 980 117

96 Hermitage Road West Ryde NSW 2114 Australia PO Box 472 West Ryde NSW 1685







EXECUTIVE SUMMARY

This report details the methodology and results of a Preliminary Contamination Assessment undertaken by Douglas Partners Pty Ltd (DP) at the above site. The investigation was commissioned by Hudson Square Pty Ltd on behalf of Develotek Property Group.

The site is located within an established mixed residential and commercial area. It is understood that the existing structures (two commercial buildings and a cement rendered residential unit block) will be demolished and that the site will form part of a mixed commercial and residential redevelopment. It is further understood that the proposed development will include the excavation of one basement level. The objectives of the current Preliminary Contamination Assessment were to assess the potential for the contamination of site based on past and present site usage, and to evaluate the likely nature of this contamination, if any.

The scope of the current assessment comprised:

- A site history review (based on historical aerial photograph records, historical title deeds, WorkCover records on NSW Dangerous Goods Database, Council records search, Council Section 149(2) certificates and a Groundwater Bore search;
- A site walk-over inspection; and
- Preparation of this Preliminary Contamination Assessment report.

No intrusive sampling was undertaken as part of the current assessment.

At the time of the investigation the site was occupied by three buildings all of which were occupied by Bursill Sportswear with the exception of the upper levels of the apartment building in the western portion, which was occupied by residential units. The site was completely occupied by buildings and concrete paved. No visual evidence of activities likely to have resulted in contamination of the site were noted, however there is a potential for asbestos to be present in the buildings.

In overall terms, given the commercial nature of the site structures, the potential for contamination associated with the site is considered to be low to moderately low, although



the previous commercial uses, particularly the Parker Pan factory may result in moderate contamination potential.

In view of the age of the two large commercial buildings, it is likely that hazardous building materials, such as asbestos cement sheeting and lead based paints, may have been used in their construction and/or renovation/extension over the years. It is therefore prudent that the demolition of the all existing structures should be undertaken properly such that there will be no cross contamination of the subsoils.

Whilst filling materials could have been used in the site formation processes, it is envisaged that these will mainly be used to level the site. It is also possible that debris from the demolition if the former buildings could have been retained in the filling placed over the site. The likely extent of filling is expected to be minimal, and mostly restricted to the surficial horizon.

It should be noted that as no intrusive sampling was undertaken as part of the current assessment, no detailed comments can be made with regard to the actual levels of subsoil contamination.

Based on the available information, the proposed development is considered to be generally compatible with the landuse of the area. Intrusive investigation would be required to verify the actual degree and/or extent of contamination of the site. Having said this, the current information suggests that contamination, if any, would most likely be localised and confined to the near surface, it is therefore considered that the site can be made suitable for the proposed development.

As the proposed development involves the excavation of a basement level, bulk excavation and off-site disposal of soil would be required. Any contaminated filling would, therefore, be removed as part of the proposed basement construction.

Prior to the off-site disposal of any excavated material, an appropriate material classification assessment should be conducted by a qualified environmental consultant in accordance with NSW DECC's (Department of Environment and Climate Change) *Waste Classification Guidelines* (2008).



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JMD:jlb Project 45784 18 September 2008

REPORT ON PRELIMINARY CONTAMINATION ASSESSMENT CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS, CHIPPENDALE

1. INTRODUCTION

This report details the methodology and results of a Preliminary Contamination Assessment undertaken by Douglas Partners Pty Ltd (DP) at the above site. The investigation was commissioned by Hudson Square Pty Ltd on behalf of Develotek Property Group.

The site is located within an established mixed residential and commercial area. It is understood that the existing structures (two commercial buildings and a cement rendered residential unit block) will be demolished and that the site will form part of a mixed commercial and residential redevelopment. It is further understood that the proposed development will include the excavation of one basement level. The objectives of the current Preliminary Contamination Assessment were to assess the potential for the contamination of site based on past and present site usage, and to evaluate the likely nature of this contamination, if any.

The scope of the current assessment comprised:

- A site history review (based on historical aerial photograph records, historical title deeds, WorkCover records on NSW Dangerous Goods Database, Council records search, Council Section 149(2) certificates and a Groundwater Bore search;
- A site walk-over inspection; and
- Preparation of this Preliminary Contamination Assessment report.



No intrusive sampling was undertaken as part of the current assessment.

This report documents each of these tasks and provides comments on the potential for contamination of the subsurface soils and the related suitability of the site for the proposed mixed residential and commercial redevelopment.

2. SITE DESCRIPTION

2.1 Site Location

The subject site is located on the corner of Cleveland, Abercrombie, Hudson and Hart Streets (known as 157-163 Cleveland Street, Redfern) and is currently occupied by two large brick commercial buildings and smaller cement rendered building facing Abercrombie Street. Within the smaller building are residential units fronting Abercrombie, Hudson and Cleveland Streets.

The site occupies an area of approximately 3348 m² (0.335 ha) and comprises Lot 50 DP 826153 (area 660 m²), Lot 11 DP 531788 (area 1227 m²) and Lot 1 DP 449699 (area 1461 m²).

The surrounding site uses include:

- North Cleveland Street and further commercial and residential properties.
- East Hart Street, further commercial and residential properties and the railway line.
- South Hudson Street and further commercial and residential properties.
- West Abercrombie Street and further commercial and residential properties.



2.2 Site Condition

A site inspection was conducted by DP on 9 September 2008. At the time of the inspection, most of the site was occupied by three buildings as mentioned in Section 2.1. Bursill Sportsgear occupied the entire ground level of the three buildings which were being used as a mixture of showrooms, storage/warehousing and offices (refer to Site Drawing and Photographs 1 - 4, Appendix A). The second and third levels of the building in the western portion of the site were occupied by residential units and associated car parking (refer to Photograph 2, Appendix A). The residential units were not accessible for inspection by DP.

During the inspection, the current owner (Graham Bursill) informed DP that he has occupied the site since 1986 and before that; the site was occupied by the Parker Pen Factory. He also informed DP the apartments in the western portion of the site were built in 1996 and comprised eight residential units with an internal car park area.

The site was completely covered by buildings and the surface concrete paved. The pavement appeared to be in reasonable condition and no stains were noted.

No visual evidence of activities likely to have resulted in contamination of the site was noted, however there is a potential for asbestos to be present in the buildings, due to the age of the buildings (refer to Section 5).

3. GEOLOGY, TOPOGRAPHY AND HYDROGEOLOGY

Reference to the Sydney 1:100 000 Series Geological Sheet indicates that the site is underlain by medium to fine "marine" sand with podsols and shelly layers.



4. ACID SULPHATE SOILS

A review of the Botany *Acid Sulphate Soils Risk Map* (Edition 2, DLWC, 1997) indicated that the site is located within an area of no known occurrences of acid sulphate soil materials. The map indicates that ASS are not known or expected to occur in the area.

5. SITE HISTORY

A review of site history was conducted based on historical aerial photos, historical title deeds, a WorkCover NSW Dangerous Goods Database search, a Council records search, a review of Council Section 149(2) certificate and a Groundwater Bore search.

5.1 Aerial Photographic Record

Historical aerial photographs for the years 1930, 1951, 1961 and 1994 were obtained from the NSW Department of Lands Office. The 2008 photograph was obtained from Google Earth. These photographs were studied in order to identify the likely past uses of the site, particularly those of a potentially contaminating nature. The findings are summarised below and provided in Appendix B.

<u>1930</u> – The site appears to be occupied by commercial buildings. However, due to the poor quality of the photograph, the detailed site conditions are difficult to ascertain. The surrounding land use appears to be mixed commercial and residential with the railway line located to the south-east of the site.

<u>1951</u> - The site appears to be occupied by two large commercial buildings, with three smaller buildings in the north-western portion. The surrounding land use appears unchanged from the 1930 photograph.

<u>1961</u> - The site and surrounding area appear similar to the 1951 aerial photograph.



1994 – The site appears to be occupied by the same two large commercial buildings compared to the 1951 and 1961 aerial photographs. However, there appears to be a number of small commercial buildings in the north-west portion of the site, although, it is difficult to ascertain the site conditions due to the poor quality of the photograph. The surrounding area appears unchanged from the 1961 aerial photograph, apart from there being an increase in commercial development to the south.

<u>2008 (current layout)</u> – The site appears to be occupied by the same two large commercial buildings compared to the 1994 aerial photograph. However, a smaller building occupies the remainder of the north-west portion of the site. The smaller building appears to comprise residential units (the balconies are visible) fronting Abercrombie and Cleveland Streets. The layout of the residential unit block appears to be similar to the residential building observed on-site during the inspection.

Overall, the aerial photographs indicate the site has been occupied by commercial buildings from 1930 until present. The residential unit block noted in the 2008 photograph was not observed in the 1994 photograph. This is in agreement with the anecdotal information obtained from the site.

5.2 Historical Title Deeds Search

A historical title deeds search was undertaken for the site. The following Table 1 summarises the reported title deed information and a full copy is given in Appendix C.

Owner/Occupier **Possible Site Use Date** Title Deed Records for the whole site 20.01.1915 Mary Ann Hudson (Widow) Residential Herbert Charles Hudson (Master Builder) 16.05.1923 Residential / Commercial James George Alexander (Engineer) Charles George Hudson (Works Manager) 30.12.1926 Chippendale Estate Pty Ltd Residential / Commercial Title Deed Records for Lot 11 DP 531788 and Lot 1 DP 449699 12.01.1987 Commercial Bursill Sportsgear Pty Limited

Table 1 - Title Deed Records for the site

Commercial

Graham John Bursill

08.12.1988



	Title Deed Records for Lot 50 DP	826153
28.11.1968	Dredge and Evans Pty Limited	Commercial
27.11.1970	Moorebank Hotels Pty Limited	Commercial
30.09.1971	Engineering Properties Pty Limited	Commercial
10.02.1972	Glenpams Pty Limited	Commercial
29.07.1975	Aboriginal Hostels Limited	Commercial / Residential
03.03.1982	Aboriginal Development Commission	Commercial / Residential
28.01.1987	Aboriginal Legal Service Ltd	Commercial
31.07.1987	Commissioner for Main Roads	Commercial
22.06.1993	Samuel William Bursill	Commercial
20.01.1995	# Graham John Bursill	Commercial / Residential

^{*} Current Registered Proprietor

The title deeds are generally consistent with the aerial photos, with the site title for the most part (post 1930s) being held by commercial owners. Since 1968, the various parts of the site have been sold by Chippendale Estate Pty Ltd to various proprietors.

Lot 11 DP 531788 and Lot 1 DP 449699 were owned by the current owner from 1987. The remainder of the site (Lot 50 DP 826153) was owned by various commercial organisations before it was purchased by current owners (1995). This is consistent with the information provided by the current owner during the site inspection (refer to Section 2.2). However, it is unclear from the title deeds when the site was occupied by the Parker Pen Factory (refer to Section 2.2).

5.3 WorkCover NSW Dangerous Goods Database

A search of the NSW WorkCover dangerous goods database did not locate any records for the site, indicating that there were no registered dangerous goods storage depots at the subject site. WorkCover search documentation is attached in Appendix C.



5.4 Council Records

The subject site is located within the City of Sydney Council. The council of the City of Sydney informed DP, by telephone on 29th of August 2008, that the council does not hold any records for the site.

5.5 Council 149(2) Certificates

The Section 149(2) Planning Certificate was obtained from the City of Sydney Council and is dated 9 September 2008 (provided in Appendix C). 157-163 Cleveland Street, Redfern is zoned Business Zone – Mixed Use. The subject site is not reported to be affected by matters arising under the Contaminated Land Management Act, 1997.

5.6 Groundwater Bore Search

A groundwater bore search of the Department of Water and Energy website database (previously held by the Department of Natural Resources) was conducted on 5 September 2008. Two groundwater bores were located within in a 2 km radius of the site. There was a work summary available for only one of the bores (GW 105938 located approximately 750 m south of the site) and is provided in Appendix C. The bore is noted to be used for domestic purposes.

The drillers logs for the bore was not provided. No information was given on the depth to groundwater. Given the distance of the bores from the site, the sub surface information may not be relevant to the site.



6. POTENTIAL CONTAMINANTS

Based on the available site information, the potential for contamination associated with the subject site is assessed to be low to moderately low, although some uncertainties / data gaps exist with regard to the commercial uses prior to occupation by Bursill Sportsgear. Identified during the site history review and brief site inspection are:

- Previous commercial activities. Impacts may be related to the historical commercial use of
 the site. The historical aerial photograph record shows that the site has been occupied by
 commercial buildings from at least 1930 until present. The previous occupation of the site
 by Parker Pens is of some concern.
- Use of contaminated filling to form/level the site. Filling materials could have been used in
 the site formation processes. It is envisaged that filling would have mainly been used to
 level the site. The likely extent of filling is expected to be minimal, and mostly restricted to
 the surficial horizon.
- Building materials. In view of the age of the two large commercial buildings, it is likely that hazardous building materials, such as asbestos cement sheeting and lead based paints, may have been used in their construction and/or renovation/extension over the years. Demolition of previous buildings may also result in the burial of asbestos waste beneath the site. It is therefore prudent that the demolition of the all existing structures should be undertaken properly such that there will be no cross contamination of the subsoils.

7. CONCLUSIONS AND RECOMMENDATIONS

At the time of the investigation the site was occupied by three buildings all of which were occupied by Bursill Sportswear with the exception of the upper levels of the apartment building in the western portion, which was occupied by residential units. The site was completely occupied by buildings and concrete paved. No visual evidence of activities likely to have resulted in contamination of the site were noted, however there is a potential for asbestos to be present in the buildings.



In overall terms, given the commercial nature of the site structures, the potential for contamination associated with the site is considered to be low to moderately low, although the previous commercial uses, particularly the Parker Pan factory may result in moderate contamination potential.

In view of the age of the two large commercial buildings, it is likely that hazardous building materials, such as asbestos cement sheeting and lead based paints, may have been used in their construction and/or renovation/extension over the years. It is therefore prudent that the demolition of the all existing structures should be undertaken properly such that there will be no cross contamination of the subsoils.

Whilst filling materials could have been used in the site formation processes, it is envisaged that these will mainly be used to level the site. It is also possible that debris from the demolition if the former buildings could have been retained in the filling placed over the site. The likely extent of filling is expected to be minimal, and mostly restricted to the surficial horizon.

It should be noted that as no intrusive sampling was undertaken as part of the current assessment, no detailed comments can be made with regard to the actual levels of subsoil contamination.

Based on the available information, the proposed development is considered to be generally compatible with the landuse of the area. Intrusive investigation would be required to verify the actual degree and/or extent of contamination of the site. Having said this, the current information suggests that contamination, if any, would most likely be localised and confined to the near surface, it is therefore considered that the site can be made suitable for the proposed development.

As the proposed development involves the excavation of a basement level, bulk excavation and off-site disposal of soil would be required. Any contaminated filling would, therefore, be removed as part of the proposed basement construction.

Prior to the off-site disposal of any excavated material, an appropriate material classification assessment should be conducted by a qualified environmental consultant in accordance with

Douglas Partners

Geotechnics · Environment · Groundwater

NSW DECC's (Department of Environment and Climate Change) Waste Classification Guidelines (2008).

8. LIMITATIONS OF THIS REPORT

The scope of the desktop assessment and consulting services undertaken by DP were limited to those detailed in the proposal dated 4 February 2008 and accepted by Develotek Property Group on behalf of Hudson Square Pty Ltd in an email dated 28 August 2008.

DP's assessment is necessarily based upon the result of a historical review which was set out in the proposal. DP cannot provide unqualified warranties with regards to contamination nor does DP assume any liability for site conditions not observed or accessible during the time of the investigations.

Despite all reasonable care and diligence, the ground conditions encountered and concentrations of contaminants measured may not be representative of conditions between the locations sampled and investigated. In addition, site characteristics may change over time due to activities such as spillages of contaminating substances. These changes may occur subsequent to DP's investigations and assessment.

This report, its associated documentation and the information herein have been prepared solely for the use of Develotek Property Group on behalf of Hudson Square Pty Ltd. Any reliance assumed by third parties on this report shall be at such parties' own risk.

DOUGLAS PARTNERS PTY LTD

Reviewed by:

Jessica Derrien

Environmental Scientist

Ronnie Tong Principal

APPENDIX A
Site Drawing
Site Photographs

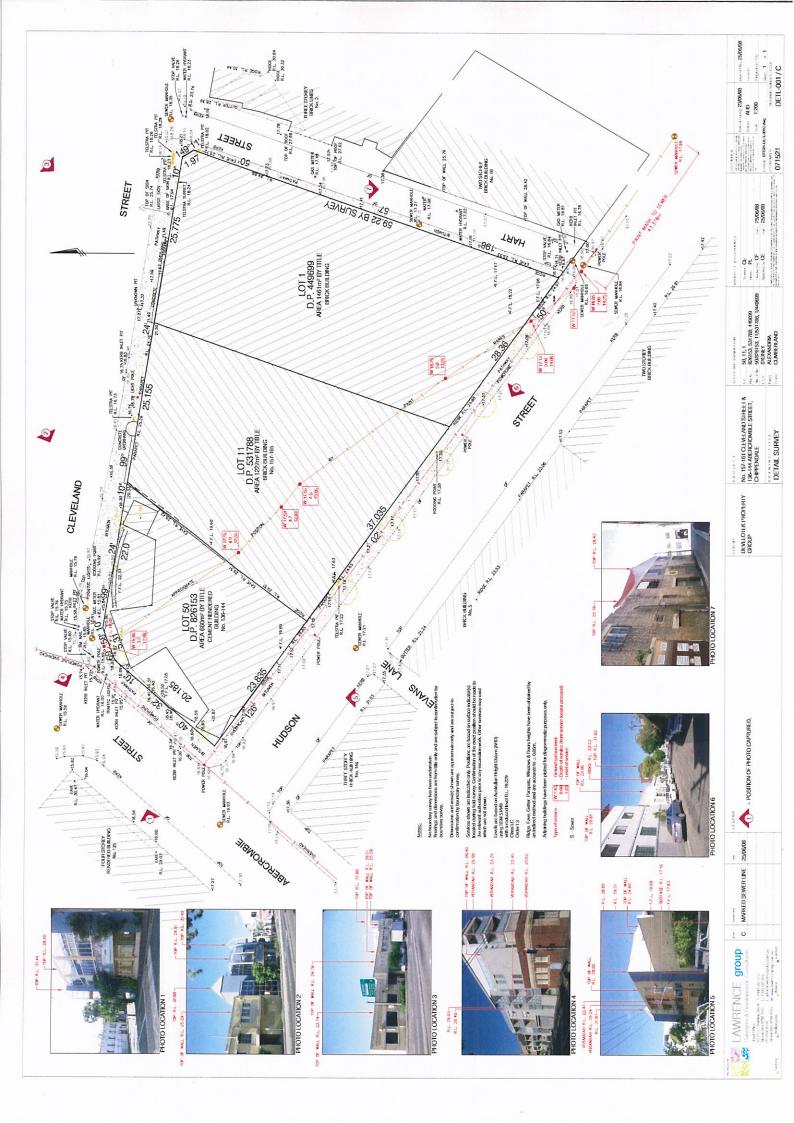




PHOTO 1: Within Bursill Sportsgear warehousing area.



PHOTO 2: Residential Units along Hudson Street. Metal grates on building identify the car park area.

PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS REDFERN





PHOTO 3: Site looking toward the north-east (along Hudson Street)



PHOTO 4: Site looking toward the north (corner of Hudson and Hart Streets)

PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS REDFERN



APPENDIX B Aerial Photographs	



PHOTO 1: 1930 Aerial Photograph



PHOTO 2: 1951 Aerial photograph

PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS REDFERN



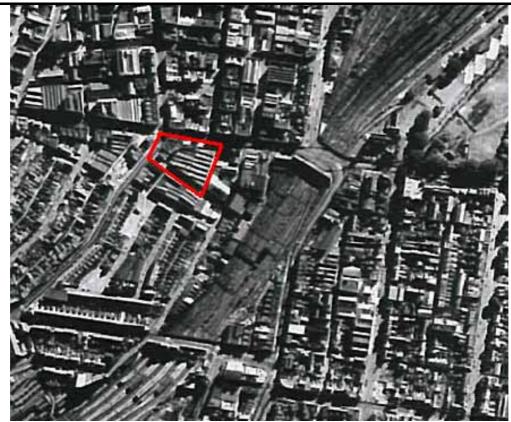


PHOTO 3: 1961 Aerial Photograph



PHOTO 4: 1994 aerial photograph

PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS REDFERN







PHOTOS 5 AND 6: 2008 Aerial Photograph

PRELIMINARY CONTAMINATION ASSESSMENT

CORNER OF CLEVELAND, ABERCROMBIE, HART AND HUDSON STREETS REDFERN



APPENDIX C Historical Information

ACN: 093 398 611 ABN: 61 093 412 474

Peter S. Hopley Pty Limited Legal Searchers

1 Boronia Avenue Mount Annan , NSW , 2567 Mobile: 0412 199 304 Fax 9233 4590 (Attn Box 29)

SUMMARY AS TO OWNERS.

Property: - Abercrombie Street, Chippendale

Description: Lot 50 D.P. 826153, Lot 11 D.P. 531788 & Lot 1 D.P. 449699

As regards the whole of the subject lands

20.01.1915	Mary Ann Hudson (Widow)	Vol 2547 Fol 235
16.05.1923	Herbert Charles Hudson <i>(Master Builder)</i> James George Alexander <i>(Engineer)</i> Charles George Hudson <i>(Works Manager)</i>	Vol 3960 Fol 221
30.12.1926	Chippendale Estate Pty Limited	Vol 7042 Fol 130, Vol 10961 Fol 173 & Vol 10961 Fol 174

Search continued as regards Lot 11 D.P. 531788 & Lot 1 D.P. 449699

12.01.1987	Bursill Sportsgear Pty Limited	Vol 7042 Fol 130 & 11/531788
08.12.1988	# Graham John Bursill	1/449699 & 11/531788

Current Registered Proprietor

Search continued as regards Lot 50 D.P. 826153

28.11.1968 Dredge & Evans Pty Limited Vol 10961 Fol 173

Peter S. Hopley Pty Límíted Legal Searchers

1 Boronia Avenue Mount Annan , NSW , 2567 Mobile: 0412 199 304 Fax 9233 4590 (Attn Box 29)

27.11.1970	Moorebank Hotels Pty Limited	Vol 10961 Fol 173
30.09.1971	Engineering Properties Pty Limited	Vol 10961 Fol 173
10.02.1972	Glepams Pty Limited	Vol 10961 Fol 173
29.07.1975	Aboriginal Hostels Limited	Vol 10961 Fol 173
03.03.1982	Aboriginal Development Commission	Vol 10961 Fol 173
28.01.1987	Aboriginal Legal Service Ltd	Vol 10961 Fol 173
31.07.1987	Commissioner for Main Roads	50/826153
22.06.1993	Samuel William Bursill	50/826153
20.01.1995	# Graham John Bursill	50/826153

Current Registered Proprietor

ACN: 093 398 611

ABN: 61 093 412 474

Cadastral Records Enguiry Report

Requested Parcel: Lot 50 DP 826153

Department of Lands

Reliable from the ground up

Locality: REDFERN

LGA: SYDNEY

Parish: ALEXANDRIA

Identified Parcel: Lot 50 DP 826153

County: CUMBERLAND

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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. This information is provided as a searching aid only. While every endeavour is made to ensure the current

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	iunica of Pres	(Signature)	
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CONVERSION TABLE ADDED IN DEPARTMENT OF LANDS - 1 17 3/4 000482100101001144116013/8 FEET INCHES JP 449699



Form 1

	Form 1	OFFICE USE ONLY.
	PLAN OF	D.P.531788 1/2 (E)
	SUBDIVISION OF LAND IN CT.VOL.7042 FOL.129 AND PART OF C.T. VOL. 6871 FOL.104	Registered: \$\frac{1}{2}\frac{1}{1/1968} \frac{1}{2}.
	Mura./Shires/CitySYDNEY	c.a.: 45/19G8.of 25-1819G8
	Town or Locality CHIPPENDALE	Purposa: Subdivision
	ParishALEXANDRIA	Rot. Map: Radfarn Sheet 5*
	County CUMBERIAND Scale 30 feet to an inch	Last Plan: 1221 (L)
ONVERSION TABLE ADDED IN SISTRAR CENERAL'S DEPARTMENT 51788 TI INCHES METRES - 0.1/4 0.006 0.010 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.016 0.017 0.013	STREET	DREW.fd inkb
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	OLD WB. COTTAGE 121'6" Comparison Comp	STREET Kast Adopted by
	HUDSON SOLUTION SOLUTION	
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	An easement for support THY COMMON SEAL OF CHARLEMENTS 1 FOIL PTY AND LINE DONE OF DIR MORE authority of the hone of Dir more priviously given and the form of the priving	
	John Lan Moore and Lucy of the birectors This part of company and company of the company of the company of a new opening of a new opening of a new	(Signature) Clerk. Il cortificate to be seleted where the application is only for the road or where the land to be subdivided in wholly outside the areas

PLAN OF	D.P.531788 2/2
Subdivision of land in C.T. Vol. 704.2 Fol. 129 and Part of C.T. Vol. 6871 Fol 104	Registered:
w m. m. Cudosu	C.A.;
Mun./Shire/Gity Sydney	
Town or Locality Chippendale.	Purpose:
Parish Alexandria	Last Plans
County Cumberland Scale 30 feet to an Inch.	
Annexure to accompany plan of su	rvey, under my immediate
supervision, dated 24th. July 1968	
Signatures, Seals and Statements of intention to dedicate public roads or public	
Signatures, Seals and Statements of intention to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to usor.	of 129 Pitt St. Sydney.
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THE COMMON SEAL OF PROPERTY ADDRESS OF THE THE PROPERTY OF THE	a surveyor ingistered under the Surveyors Act, 1929, as amandee beechy certify that the survey represented in this plan is accorded and has been med "(1)—by-me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed of 1.24-7.68 Signature Signature Signature Surveyors Act, 1929, as amended Datum Line of Azimuth. Strike out either (1) or (2). Hasert data of survey. I hereby certify that— (a) the requirements of the Lacal Government Act, 1919 (other than the requirements of the registration of plans), and "(b) the requirements of section 348 of the (Metropolitan Water Surverage, and Drahage Act, 1924, or amended, Hauste District Water, Swerage, and Drahage, and Drahage Act, 1938, a amended, that the propose compiled with by the applicant in relation to the propose
THE COMMON SEAL OF PROPERTY ABBUTTAGE IN the presence of the birector.	a surveyor registered under the Surveyors Act, 1929, as amanded a surveyor registered under the surveyor set in this plan. "(1)—by—me (2) ander my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on 1.24-7. Signature Surveyors Act, 1929, as amended on 1.24-7. (a) the requirements of clark's Cartificate. I hereby certify that— (a) the requirements of the Lacal Government Act, 1919 (other than the requirements for the registration of plans), and "(b) the requirements of section 148 of the [Metropolitan Water Sewerage, and Drainage Act, 1938, a amended, that District Water, Sewerage, and Drainage Act, 1938, a amended, have been complied with by the applicant in relation to the propose. [intert "new road" or "subdivision" set out herein.
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LegalStream Australia Pty Ltd

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/9/2008 9:41PM

FOLIO: 1/449699

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 7042 FOL 130

Recorded	Number	Type of Instrument	C.T. Issue
2/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
17/1/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
23/5/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577498	DEPARTMENTAL DEALING	
24/2/2004	AA443670	CAVEAT	
23/7/2007	AD271089	WITHDRAWAL OF CAVEAT	
22/11/2007	AD585093	CAVEAT	

*** END OF SEARCH ***

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PRINTED ON 1/9/2008

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/449699

SEARCH DATE

TIME

EDITION NO

DATE

1/9/2008

9:41 PM

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VOL 7042 FOL 130 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 1 IN DEPOSITED PLAN 449699
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP449699

FIRST SCHEDULE

GRAHAM JOHN BURSILL

(T X971809)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 W629696 MORTGAGE TO BANK OF NEW ZEALAND
- * 3 AD585093 CAVEAT BY HUDSON SQUARE PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

derrien

PRINTED ON 1/9/2008

NEW SOUTH WALES





Application No.13952 Prior Titles Volume 6871 Folio 104 Volume 7042 Folio 129



10961 Fol. 174

Edition issued 9-1-1969.

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

Witness

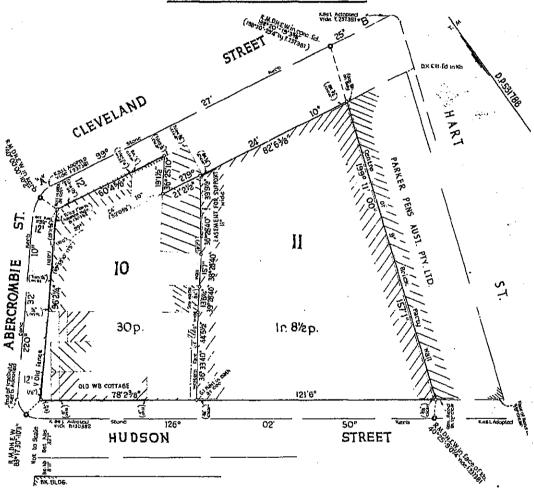
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NO.

Registrar General.

SEE AUTO FOLIO

PLAN SHOWING LOCATION OF LAND



ARE CAUTIONED AGAINST ALTERING OR ADDIN

PERSONS

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 11 in Deposited Plan 531788 at Chippendale in the City of Sydney Parish of Alexandria and County of Cumberland being part of 95 acres granted to William Chippendale on 31-8-1819.

FIRST SCHEDULE

CHIPPENDALE ESTAPE PTY

ary

SECOND SCHEDULE

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

 2. Lease No. K404418 to Parker Eversharp (Australia) Ptvo Limited of the part of the la described shown edged rod on plan annayed to Lease 404418 Entered 15-9-1966.
- Loase No. K538964 to Complete Addressing Services Pty. Limited of the ground floor of premises erected on the land shown on plan automate to Lease No. K538964 Entered 2-3-1967. Easement for Support affecting the part of the land above described 11 inches wide shown in the plan hereon created by the registration of Deposited Plan 531788 See L252769.

Registrar General

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

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

	FIRST SCHEDULE (continued)				
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	SEE AUTO FOLIO				
	SECOND SCHEDULE (continued)				
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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/9/2008 9:41PM

FOLIO: 11/531788

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 10961 FOL 174

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
4/7/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
15/12/1988	X971809	TRANSFER	EDITION 1
20/1/1995	U811097	REQUEST	
26/5/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577498	DEPARTMENTAL DEALING	
24/2/2004	AA443670	CAVEAT	
23/7/2007	AD271089	WITHDRAWAL OF CAVEAT	
22/11/2007	AD585093	CAVEAT	

*** END OF SEARCH ***

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PRINTED ON 1/9/2008

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 11/531788

SEARCH DATE TIME EDITION NO DATE ----_____ ____ 9:41 PM 1 15/12/1988

1/9/2008

LAND

LOT 11 IN DEPOSITED PLAN 531788

TITLE DIAGRAM DP531788

AT CHIPPENDALE LOCAL GOVERNMENT AREA SYDNEY PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND

FIRST SCHEDULE _____

GRAHAM JOHN BURSILL

(T X971809)

SECOND SCHEDULE (3 NOTIFICATIONS)

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- W629696 MORTGAGE TO BANK OF NEW ZEALAND
- AD585093 CAVEAT BY HUDSON SQUARE PTY LIMITED

NOTATIONS

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

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

derrien



10961173

Application No.13952 Prior Title Volume 6871 Folio 104



10961

Fol. 173

Edition issued 9-1-1969.

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

Witness MIllint

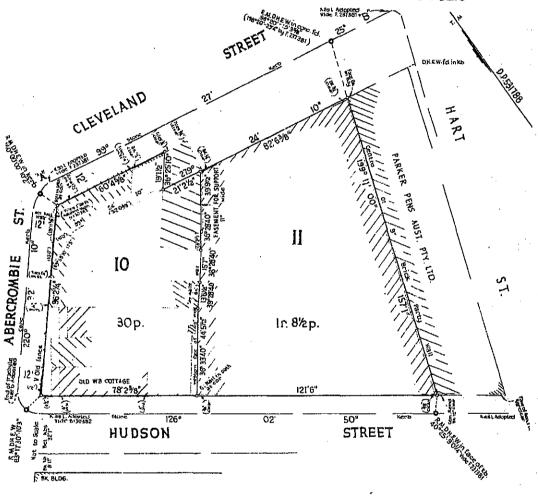
0961





PLAN SHOWING LOCATION OF LANGEE AUTO FOLIO

ID



Estate in Fee Simple in Lot 10 in Deposited Plan 531788 at Chippendale in the City of Sydney Parish of Alexandria and County of Cumberland being part of 95 acres granted to William Chippendale on 31-8-1819.

FIRST SCHEDULE

-CHIPPENDALE ANE PTY. LIMITED.

ary

SECOND SCHEDULE

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

2. Easement for support appurtenant to the land above described created by the registration of Deposited Plan 531788. See L252763.

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

THE LAND TITLES OFFICE

ERSONS ARE CAUTIONED AGAINST ALTERING OR ADD

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/9/2008 9:54PM

FOLIO: 10/531788

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 10961 FOL 173

туре	Number	Type of Instrument	C.T. Issue
TITLE		TITLE AUTOMATION PROJECT	LOT RECORDED
			FOLIO NOT CREATED
CONVE		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED
			CT NOT ISSUED
3 DEPOS	DP826153	DEPOSITED PLAN	FOLIO CANCELLED
CONVE	DP826153	CONVERTED TO COMPUTER FOLIO	FOLIO NOT CREATE FOLIO CREATED CT NOT ISSUED

*** END OF SEARCH ***

derrien

ABN: 80 002 801 498 Level 15, 115 Pitt Street, SYDNEY NSW 2000, AUSTRALIA * DX654, SYDNEY Tel: (02) 9231 0122 Fax: (02) 9233 6411 www.legalstream.com.au

An Approved LPÍ NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/9/2008 9:41PM

FOLIO: 50/826153

First Title(s): OLD SYSTEM Prior Title(s): 10/531788

Recorded	Number	Type of Instrument	C.T. Issue
4/11/1992	DP826153	DEPOSITED PLAN SAN ANDS + TRAFFEC ANTHURST!	FOLIO CREATED EDITION 1
22/6/1993	I427172	TRANSFER	EDITION 2
20/1/1995 20/1/1995	U811097 U811098	REQUEST TRANSFER	EDITION 3
4/9/1997		AMENDMENT: LOCAL GOVT AREA	
8/5/2003	9577498	DEPARTMENTAL DEALING	
24/2/2004	AA443670	CAVEAT	
23/7/2007	AD271089	WITHDRAWAL OF CAVEAT	
22/11/2007	AD585093	CAVEAT	

END OF SEARCH ***

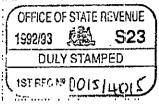
derrien











Office of State Revenue use only

010309



(A)	IAND	TRANSFERRED	١

Show no more than 20 References to Title. specify the share transferred. Folio Identifier 50/826153

Name, A@pskor DX and Telephone & CO. L.T.O. Box BY Fax. 235-555 Phor 9: 233 - 1011 L.T.O. Derivery and DK 340. RIFERENCE (max. 15 characters): DW MER - BURSILL ROADS AND YEAFFIC AUTHORITY OF NEW SOUTH WALES X)R iges receipt of the consideration of $\frac{$270,000.00}{}$ ards the land specified above transfers to the transferee an estate in fee simple the following ENCUMBRANCES TRANSFEREE SAMUEL WILLIAM BURSILL cis joint tenants/renants in common (G) We certify this dealing correct for the purposes of the Real Property Act, 1900. Signed in my presence by the transferor who is personally known to me. Address of Witness Signature of Transferor EXECUTED PURSUANT TO DELEGATION BOOK 4008 No. 809 Signed in my presence by the transferee who is personally known to me.

Signature of Transferre RICHARD E. YEO, SOLICIFOR, SYDNEY



Signature of Wimess

Name of Witness (BLOCK LETTERS)

Address of Witness

ABN: 80 002 801 498

Level 15, 115 Pitt Street, SYDNEY NSW 2000, AUSTRALIA * DX654, SYDNEY Tel: (02) 9231 0122 Fax: (02) 9233 6411 www.legalstream.com.au

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 50/826153

LAND

LOT 50 IN DEPOSITED PLAN 826153
AT CHIPPENDALE
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP826153

FIRST SCHEDULE

GRAHAM JOHN BURSILL

(T U811098)

SECOND SCHEDULE (1 NOTIFICATION)

* 1 AD585093 CAVEAT BY HUDSON SQUARE PTY LIMITED

NOTATIONS

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

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 1/9/2008

derrien

ABN: 80 002 801 498
Level 15, 115 Pitt Street, SYDNEY NSW 2000, AUSTRALIA * DX654, SYDNEY Tel: (02) 9231 0122 Fax: (02) 9233 6411 www.legalstream.com.au

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/9/2008 9:41PM

FOLIO: 51/826153

First Title(s): OLD SYSTEM Prior Title(s): 10/531788

Recorded Number Type of Instrument C.T. Issue

4/11/1992 DP826153 DEPOSITED PLAN FOLIO CREATED
CT NOT ISSUED

4/9/1997 AMENDMENT: LOCAL GOVT AREA

8/5/2003 9577498 DEPARTMENTAL DEALING

*** END OF SEARCH ***

derrien

ABN: 80 002 801 498

Level 15, 115 Pitt Street, SYDNEY NSW 2000, AUSTRALIA * DX654, SYDNEY Tel: (02) 9231 0122 Fax: (02) 9233 6411 www.legalstream.com.au

An Approved LPI NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 51/826153

SEARCH DATE

TIME

EDITION NO

DATE

1/9/2008

9:41 PM

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 51 IN DEPOSITED PLAN 826153
AT CHIPPENDALE
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP826153

FIRST SCHEDULE

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

SECOND SCHEDULE (1 NOTIFICATION)

* 1 DP531788 EASEMENT FOR SUPPORT APPURTENANT TO THE LAND ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

derrien



Our Ref:

D08/086742

Your Ref: Jessica Derrien

DOUGLAS PARTNERS

8 SEP 2008

5 September 2008

Attention: Ms Derrien Douglas Partners Pty Ltd PO Box 472 West Ryde NSW 1685

Dear Ms Derrien

RE SITE: Cnr of Cleveland, Abercrombie, Hart & Hudson St Chippendale NSW 2008.

I refer to your search request of 2nd September 2008 requesting information on licences to Keep Dangerous Goods for the above site.

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

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

Brent Jones

Senior Licenceing Officer

Dangerous Goods

WorkCover. Watching out for you.

City of Sydney

ABN 22 636 550 790 GPO Box 1591 Sydney NSW 2001 Australia Town Hall House 456 Kent Street Sydney NSW 2000 Australia

Phone +61 2 9265 9333 Fax +61 2 9265 9222 TTY +61 2 9265 9276 council@cityofsydney.nsw.gov.au www.cityofsydney.nsw.gov.au

DOUGLAS PARTNERS PTY LTD 96 HERMITAGE RD WEST RYDE NSW 2114

DOUGLAS PARTNERS 16 SEP 200A



PLANNING CERTIFICATE

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

Applicant:

DOUGLAS PARTNERS PTY LTD

Applicant's reference:

45784

Address of property:

157-163 Cleveland Street, REDFERN NSW 2016

Owner (as per last

valuation):

Mr Graham John Bursill

Description of land:

Lot 1 DP 449699, Lot 50 DP 826153, Lot 11 DP 531788

Area:

3348.0m2

Certificate No.:

2008306001

Certificate Date:

9/09/08

Receipt No:

3006958

Fee:

\$40.00

Paid:

9/09/08

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

Issuing Officer H-C per Monica Barone Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph:

9265 9333 9265 9415

Fax:

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. In addition to the controls listed below clause 29 of the Environmental Planning And Assessment (Savings And Transitional) Regulation 1998 sets out further circumstances where development consent will be required for particular development. These circumstances may include development that does not require development consent under the controls listed below. A copy of clause 29 is attached.

ZONING

Zoned Business Zone – Mixed Use - State Environmental Planning Policy (Major Projects) 2005 (Amendment 7)

Clause 10

(2) Development for ay of the following purposes is prohibited on land within the Business Zone- Mixed Use:

Bulky goods premises; depots; dual occupancies; dwelling house; hazardous industries; hazardous storage establishments; heavy industries; home occupations (sex services); industries; light industries; offensive industries; offensive storage establishments; restricted premises; sex services premises; transport depots; truck depots; vehicle body repair workshops; warehouses or distribution centres

(3) Except as otherwise provided by this Policy, development is permitted with consent on land within the Business Zone – Mixed Use unless it is prohibited by Subclause (2).

Clause 17 Exempt development

The following development is exempt development if it is carried out on land Within the Redfern – Waterloo Authority Sites, is of minimal environmental impact and complies with the criteria set out in the guidelines prepared by the Redfern – Waterloo Authority (and Approved by the Minister and made publicly available) for the purposes of this clause:

- (a) The temporary use of the land for community events that are open to the general public, including public gatherings, ceremonies, sporting events or outdoor exhibitions.
- (b) The erection and use of temporary structures, having minimal visual impact, for the purposes of, or in connection with, any such community event,
- (c) The erection and use of outdoor seating, tables and similar furniture located in the public domain and associated with cafes, restaurants, bars and other similar development,
- (d) The erection and use of public furniture, planter boxes, lighting, bus shelters, public telephone boots or post boxes, or the carrying out of street planing, footpath widening and related road works, undertaken by a public authority,
- (e) The erection and use of public furniture and the carrying out of landscaping associated with existing public recreation areas, such as the erection of shade structures, tables seats, children's play equipment, barbeques and toilets,

- (f) Development for the purposes of real estate signs,
- (g) The erection of a flagpole, if the maximum height of the flagpole is not more than 6 metres above existing ground level.
- (h) Erection of a side or rear boundary fence located behind the front wall of a building, if the fence does not exceed 1.8 metres in height and is not of masonry construction,
- (i) The use of premises for home business.

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

City of Sydney Signage and Advertising Structures Development Control Plan 2005 (commenced 28.03.2005) – This DCP applies to all land within the City of Sydney Local Government Area, the boundaries of which may change from time to time. An indicative map of the City of Sydney is shown in Figure 1 within the DCP.

City of Sydney Visitor and Tourist Accommodation Development Control Plan 2006 (commenced 24.03.2006) – This DCP applies to all land within the City of Sydney Local Government Area, the boundaries of which may change from time to time. An indicative map of the City of Sydney is shown in Figure 1 within the DCP.

City of Sydney Telecommunications and Radiocommunications Development Control Plan 2006 (commenced 14.08.2006) – This DCP applies to all land within the City of Sydney Local Government Area, the boundaries of which may change from time to time. An indicative map of the City of Sydney is shown below in Figure 1 with in the DCP.

City of Sydney Late Night Trading Premises Development Control Plan 2007 (commenced 01.01.2008) — This DCP applies to all land within the City of Sydney Local Government Area, the boundaries of which may change from time to time. An indicative map of the City of Sydney is shown in Figure 1 within the DCP.

HERITAGE

South Sydney Heritage Conservation Area

This property is located within a heritage conservation area under South Sydney Local Environmental Plan 1998.

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 CONTROLS

Clause 29 of the Environmental Planning and Assessment (Savings And Transitional) Regulation 1998 affects the provisions of certain state environmental planning policies and how they apply to the land. A copy of clause 29 is attached and should be read in conjunction with the State Environmental Planning Policies listed. Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 1 – Development Standards

This policy makes development standards more flexible. It allows Council to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.

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. 34 – Major Employment Generating Industrial Development

This policy aims to promote and coordinate orderly and economic use of development land and facilitate certain types of major employment generating industrial development of state significance.

State Environmental Planning Policy No. 37 – Continued Mines and Extractive Industries

This policy aims to provide for certain existing mines and extractive industries to continue to operate subject to conditions during the three month registration period and the two year moratorium period.

State Environmental Planning Policy No. 55 - Managing Land Contamination

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

State Environmental Planning Policy No. 64 – Advertising and Signage

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

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

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

State Environmental Planning Policy No. 65 – Design Quality of Residential 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 designed in the design and approval process.

State Environmental Planning Policy (Seniors Living) 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 Projects) 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 (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

DRAFT State Environmental Planning Policy No. 66 - Integrating Land Use and Transport

Aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve planning objectives such as improved accessibility to housing, employment and services by walking, cycling and public transport.

DRAFT State Environmental Planning Policy (Application of Development Standards) 2004 (proposed to replace SEPP No.1)

Aims to provide an appropriate degree of flexibility in the application to particular development of a development standard specified in or under an environmental planning instrument, and to achieve better outcomes for and from development in the circumstances addressed in this Policy, and to promote good strategic planning practice by incorporating provisions allowing flexibility in local environmental plans.

REGIONAL PLANNING CONTROLS

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) Any development, or class of development, that is State Significant Development by virtue of a declaration that has been made by the Minister under section 76A(7)(b) of the Act and that applies to the land.

This item has been omitted from planning certificates vide Government Gazette No. 96 of 29/7/05.

(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.

(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 not subject to flood related development controls.

(8) Land reserved for acquisition

No environmental planning instrument, deemed environmental planning instrument or draft 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 16 th June 2003	NO
Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15 th December 1994 and Council 19 th December 1994)	NO
City of Sydney Development Contributions Plan 2006 – in operation 7 th April 2007	NO
Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007 Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation	YES
	Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15 th December 1994 and Council 19 th December 1994) City of Sydney Development Contributions Plan 2006 – in operation 7 th April 2007 Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007

(10) Matters arising under the Contaminated Land Management Act 1997

- (a) The land to which the certificate relates **is not** within land declared to be an **investigation area** or **remediation site** under Part 3 of the Contaminated Land Management Act 1997.
- (b) The land to which the certificate relates **is not** subject to an **investigation order** or a **remediation order** within the meaning of the Contamination Land Management Act 1997.
- (c) The land to which the certificate relates **is not** the subject of a voluntary investigation proposal (or voluntary remediation proposal) the subject of the Environmental Protection Authority's agreement under section 19 or 26 of the Contaminated Land Management Act 1997.
- (d) At the date of issue of this section 149 certificate, Council **has not** identified that a site audit statement has been received in respect of the land the subject of the certificate. Council is in the process of reviewing systems for the purpose of identifying whether a site audit statement has been received in respect of this land. Parties should make specific requisitions in relation to contamination to the owner of the land.
- (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.

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.

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 Council 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

Neighbourhood Service Centre Glebe Town Hall

Glebe Town Hall, 160 St. Johns Road, Glebe 8.30am – 5.30pm, 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 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 Information Centre

20 Lee Street, Henry Dean Plaza, 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

ENVIRONMENTAL PLANNING AND ASSESSMENT (SAVINGS AND TRANSITIONAL) REGULATION 1998 - SECT 29

Certain activities require development consent under amended EP&A Act 1979

29 Certain activities require development consent under amended EP&A Act 1979

- (1) This clause applies to development consisting of:
- (a) a prescribed activity proposed to be carried out within the area of a council, or
- (b) the subdivision of land within the area of a council,
- including development proposed to be carried out in connection with an existing use, but not including development referred to in subclause (2).
- (2) This <u>clause</u> does not apply to development of the kind referred to in subclause (1) that consists of:
- (a) any activity that, immediately before the appointed day, was specified in item 6 of Part A of the Table to section 68 of the unamended LG Act 1993 (relating to the use and occupation of uncompleted buildings), or
- (b) any prescribed activity (other than an activity referred to in paragraph (a)) that, immediately before the appointed day, was exempted, excluded or suspended from the requirement for approval under the unamended LG Act 1993:
- (i) by the Local Government (Approvals) Regulation 1993, as in force immediately before the appointed day, or
- (ii) by a local <u>approvals</u> policy in force under the unamended LG Act 1993 (being a local <u>approvals</u> policy that is still in force at the time the development application for development consent is made), or
- (iii) by or under the provisions of any Act, including the provisions of an environmental planning instrument of a kind referred to in section 28 of the unamended EP&A Act 1979, or
- (c) any subdivision of land that, immediately before the appointed day, was exempted from the requirements for <u>approval</u> under the repealed LG Act 1919 by or under the provisions of that or any other Act, including the provisions of an environmental planning instrument of a kind referred to in <u>section 28</u> of the unamended EP&A Act 1979, or
- (d) any development:
- (i) carried out by the Crown, or
- (ii) carried out by any person prescribed by the amended EP&A Regulation 1994 for the purposes of section 115M of that Act (as referred to in section 115H (a) of that Act) in relation to Crown building work,
- being development that, immediately before the appointed day, constituted an activity within the meaning of Part 5 of the unamended EP&A Act 1979,
- (d1) any development consisting of the demolition of a building or work:
- (i) carried out by the Crown, or
- (ii) carried out by any person prescribed by the amended EP&A Regulation 1994 for the purposes of section 115M of that Act (as referred to in section 115H (a) of that Act) in relation to Crown building work,
- (d2) any development consisting of subdivision:
- (i) carried out by the Crown, or

- (ii) carried out by any person prescribed by the amended EP&A Regulation 1994 for the purposes of section 115M of that Act (as referred to in section 115H (a) of that Act) in relation to Crown building work,
- (d3) any non-structural alterations to a building:
- (i) carried out by the Crown, or .
- (ii) carried out by any person prescribed by the amended EP&A Regulation 1994 for the purposes of section 115M of that Act (as referred to in section 115H (a) of that Act) in relation to Crown building work,
- (e) any prohibited development, or
- (f) (repealed)
- (g) any activity within the meaning of Part 5 of the Act:
- (i) in respect of which an application for <u>approval</u> to a determining authority within the meaning of that Part has been made, but not finally determined, immediately before the appointed day, or
- (ii) which was approved by a determining authority within the meaning of that Part before the appointed day and that commences pursuant to that <u>approval</u> not later than 3 years after the appointed day.
- (3) Development to which this <u>clause</u> applies may not be carried out except with development consent.
- (4) Development consent may not be <u>granted</u> in relation to development for a prescribed activity that involves the erection of a building unless the requirements of Division 4 of Part 1 of Chapter 7 of the unamended LG Act 1993 have been complied with.
- (5) The requirements relating to the notification of proposed development under the amended EP&A Act 1979 (including any requirements applied by <u>clause</u> 32 (1)) do not apply to a development application for development for which the requirements referred to in subclause (4) are required to be complied with.
- (6) Subclauses (4) and (5) apply only if a local <u>approvals</u> policy (being a local <u>approvals</u> policy with respect to the notification of applications for <u>approvals</u>) is in force under the unamended LG Act 1993 at the time the development application for development consent is made.
- (7) This clause has effect:
- (a) despite the existing provisions of an existing EPI, and
- (b) despite any rezoning of land (whether effected by existing or new provisions of an existing EPI or otherwise),
- but is otherwise subject to the provisions of any new EPI and to any new provisions of an existing EPI.
- (7A) Nothing in this <u>clause</u> requires development consent to be obtained for any development for which development consent is required to be obtained otherwise than by operation of this clause.
- (8) The consent authority for the purposes of development to which this <u>clause</u> applies is the council unless, by or under <u>the Act</u>, some other person is the consent authority for the purposes of that development.
- (9) Despite Part 9 of the amended EP&A Regulation 1994, the fee for an application to carry out development of the kind to which this <u>clause</u> applies, being the erection of a building within the meaning of the unamended LG Act 1993, is the fee determined in accordance with an order under clause 33.
- (11) This clause ceases to have effect on 1 July 2001.

SYDNEY

EXPLANATORY NOTES FOR A SECTION 149 CERTIFICATE

These notes provide further explanation of the information provided within each sub-section of the certificate and whom to contact should you require further assistance. They do not legally form part of the certificate.

Planning certificate under Section 149(2) of the EP&A Act, 1979 Zoning

Zoning controls are used to regulate permissible and prohibited land uses within different localities of a local council area. The title of the zone applicable to the subject property is provided within this section of the certificate and the details of permissible land uses are either listed below the title or attached as Annexure A.

Local Planning Controls

Under the NSW planning system are three tiers of planning controls – State, Regional and Local. Local Planning Controls are those controls administered by a local council and are generally known as Local Environmental Plans and Development Control plans. These planning controls regulate issues such as property zoning, building height, development density, heritage, privacy, energy efficiency and urban design issues.

Copies of the local planning controls can either be downloaded from the City's website at www.cityofsydney.nsw.gov.au or purchased from the One Stop Shop at level 2, Town Hall House, 456 Kent Street, Sydney.

State Planning Controls

State Planning Controls are known as State Environmental Planning Policies. These can apply to either specific sites, specific regions or to the state as a whole. For some development, the consent of the Minister for Infrastructure and Planning may be required. A brief summary of all the State Environmental Planning Policies applying to the City of Sydney is provided within the certificate; however, not all of these will be relevant to every property within the council area. A full copy of any of the State Environmental Planning Policies listed can be downloaded from the Department of Infrastructure, Planning and Natural Resources at www.planning.nsw.gov.au or purchased in hard copy from the Planning Bookshop at 20 Lee Street, Sydney.

Regional Planning Controls

Regional Environmental Planning Controls are controls which apply to specific regions within Sydney. There are three Regional Environmental Planning Controls which affect the City of Sydney; these are Sydney Regional Environmental Plan No. 16 – Walsh Bay, Sydney Regional Environmental Plan No. 23 – Sydney and Middle Harbours and Sydney Regional Environmental Plan No. 26 – City West. In some cases, development consent of the Minister may be required. If a property is affected by one of these plans it will be listed within this subsection of the certificate. Full copies of the Regional Plans can be downloaded from www.planning.nsw.gov.au or purchased in hard copy from the Planning Bookshop at 20 Lee Street, Sydney.

State Significant Development

The Minister for Planning has declared certain developments as state significant. As these developments are important to the broader community, the Minister's consent is required before they can be built. Further details of what constitutes state significant development may be obtained from the Department of Infrastructure, Planning and Natural Resources at www.planning.nsw.gov.au

Coastal Protection Act

This legislation does not apply to any properties within the City of Sydney local area.

Mine Subsidence District

No properties within the City of Sydney are affected by mine subsidence.



Road Widening - Road Act 1993

If a property is affected by a road widening, details of the nature of the widening will be included in the certificate, eg for the purposes of a freeway. In most cases the property will not be affected by a road widening, however where the property is affected, further details can be obtained form Council by calling the Land Information Officer on 9265 9015.

Road Widening - Environmental Planning Instrument

Some properties transferred over from South Sydney City Council and Leichhardt Municipal Council are affected by a proposed road widening in a Local Environmental Plan. Where this is the case, details of the proposed widening can be obtained from the zoning map or alternatively please call Council's One Stop Shop on 1300 651 301.

Hazard Risk Restriction

Properties transferred over from South Sydney City Council and Leichhardt Municipal Council are subject to a Contaminated Land Development Control Plan which may restrict permissible development on the subject site. Where the subject property IS subject to a policy adopted by Council a site assessment may be required before any works will be approved. Copies of either Contaminated Land Development Control Plan are available in hard copy from the One Stop Shop at level 2, Town Hall House, 456 Kent Street, Sydney.

Land reserved for Acquisition

Some properties transferred over from Leichhardt Municipal Council are reserved for land acquisition. These properties are noted on the Leichhardt Open Space and Recreation Contributions Plan. Where the subject property is affected by a Land Acquisition, please contact the Strategic Planning Department on 9265 9774.

Contributions Plans

Where new development is going to require the provision of, or increase the demand for, public amenities and public services a Section 94 contribution levy may be imposed on a developer. This is a levy charged by the consent authority to fund capital costs such as open space, child care facilities, landscaping traffic management measures and the like. Currently there are nine different contributions plans operating within the city of Sydney — One being a ministerial consent for Walsh Bay properties, one known as the Central Sydney Contributions (Amendment) Plan operating under the City of Sydney Act 1998 for CBD properties, one for the Pyrmont/Ultimo area and several different plans for the former South Sydney and Leichhardt Plans. The Plan/s applying to a property is nominated within this section of the certificate. Each different plan outlines how the contribution rate is calculated and what public works the contribution will be adding to. The Central Sydney Contributions (Amendment) Plan 2002 is available online at www.cityofsydney.nsw.gov.au all other contributions plans are available in hard copy at Council's One Stop Shop.

Contaminated Land Management Act, 1997

In most cases matters of contaminated land will be dealt with by a local council under State Environmental Planning Policy No. 55 – Contaminated Land. However in some cases where the Environmental Protection Authority (EPA) has reasonable grounds to believe that a site is contaminated and there is the potential for human harm it may become involved under the Contaminated Land Management Act, 1997.

Under the Contaminated Land Management Act, 1997 the Environmental Protection Authority (EPA) has the power to declare a piece of land an investigation area requiring an appropriate person or a public authority to investigate land and report on the nature and extent of the contamination. Where the land is found to be contaminated the EPA may declare the site to be a remediation site and thus order the appropriate person or authority to remediate the site. Further information on contaminated land issues can be obtained from the Environmental Protection Authority either online at www.epa.nsw.gov.au or by phone 9995 5000.

OTHER ADVICE FOR INTENDING PURCHASERS

This section of the 149 Certificate provides additional information which Council volunteers in good faith. Should you have any questions regarding the information provided please call the one Stop Shop on 1300 651 301.



Groundwater Works Summary

For information on the meaning of fields please see Glossary Document Generated on Friday, September 5, 2008

Print Report

Works Details Site Details Form A Licensed Construction Water Bearing Zones Drillers Log

Work Requested -- GW105938

Works Details (top)

GROUNDWATER NUMBER GW105938

LIC-NUM

10BL162977

AUTHORISED-PURPOSES DOMESTIC

INTENDED-PURPOSES

WORK-TYPE

Bore

WORK-STATUS

CONSTRUCTION-METHOD

OWNER-TYPE

COMMENCE-DATE

COMPLETION-DATE

2005-05-20

FINAL-DEPTH (metres)

DRILLED-DEPTH (metres)

CONTRACTOR-NAME

DRILLER-NAME

PROPERTY

BRISCOE

GWMA

- SYDNEY BASIN

GW-ZONE

- MAIN FAN AREA PRIMARY RECHARGE

STANDING-WATER-LEVEL

SALINITY

YIELD

Site Details (top)

REGION

10 - SYDNEY SOUTH COAST

RIVER-BASIN

213 - SYDNEY COAST - GEORGES RIVER

AREA-DISTRICT

CMA-MAP

9130-3S

GRID-ZONE

56/1

SCALE

1:25,000

ELEVATION

ELEVATION-SOURCE (Unknown)

NORTHING

6247637.00

EASTING

332733.00

LATITUDE

33 53' 54"

LONGITUDE

151 11' 28"

GS-MAP

AMG-ZONE

56

COORD-SOURCE

REMARK

Form-A (top)

COUNTY

CUMBERLAND

PARISH

PETERSHAM

PORTION-LOT-DP 3 787010

Licensed (top)

COUNTY

CUMBERLAND

PARISH

PETERSHAM

PORTION-LOT-DP 3 787010

Water Bearing Zones (top)

no details

Drillers Log (top)

no details

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