

7 June 2021

Vertical First Pty Ltd ACN 636 939 985 as trustee of the
Vertical First Trust ABN 47 915 597 236
Level 6, 341 George Street
SYDNEY NSW 2000

Attention: Josh Finnegan

Dear Josh

Re: 8-10 Lee Street, Haymarket – Subdivision Strategy – Preferred DA Conditions

Further to your instructions, we provide the following advice in relation to the subdivision strategy and preferred DA Conditions.

1. Subdivision of Lot 13

1.1 The subdivision is generally in accordance with submitted plans creating 2 stratum lots 198 and 199.

1.2 88B Instrument

An 88B Instrument under Section 88B of the Conveyancing Act 1919, be submitted to Council prior to release of the Subdivision Certificate. The 88B shall properly reflect the requirements of the conditions of the development consent, plans forming part of the consent, Council's policies and allowing for the release of redundant easements for adjoining parcels adjacent to or vertically above or below Lot 13.

1.3 Linen Plan of Subdivision

A final Plan of Subdivision plus suitable number of copies are submitted to Council prior to release of the Subdivision Certificate.

1.4 Section 73 Certificate

A section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation stating as a minimum that "sewer and water facilities are to be provided as a result of the sub divider/developer's compliance with Sydney Water's requirements" in regard to Lot 199.

1.5 Application for Subdivision Certificate

Submission of a Subdivision Certificate application.

1.6 Release of Subdivision Certificate

In order to be able to demolish the existing structures we request that the subdivision certificate be released upon satisfactory completion of the above mentioned conditions.

2. Subdivision of Lot 118

2.1 The subdivision is generally in accordance with the submitted plans creating an airspace Lot 202 to be amalgamated with the main development limited in depth to RL38.0 AHD and a residue Lot 201 being retained by Central Railway Station precinct.

2.2 88B Instrument

An 88B Instrument under Section 88B of the Conveyancing Act 1919, be submitted to Council prior to release of the Subdivision Certificate. The 88B shall properly reflect the requirements of the conditions of the development consent, plans forming part of the consent, Council's policies and allowing for the release of redundant easements for adjoining parcels adjacent to or vertically above or below Lot 118.

2.3 Linen Plan of Subdivision

A final Plan of Subdivision plus suitable number of copies are submitted to Council prior to release of the Subdivision Certificate.

2.4 Section 73 Certificate

A section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation stating as a minimum that "sewer and water facilities are to be provided as a result of the sub divider/developer's compliance with Sydney Water's requirements" in regard to Lot 202.

2.5 Application for Subdivision Certificate / Proof of Subdivision

An application for Subdivision Certificate is to be made with Council prior to the issue of the Subdivision Certificate or alternatively, provision of a copy of an exempt Development Certificate and copy of the final Subdivision Certificate issued by an approved person/authority authorised to issue a Subdivision Certificate for State owned land.

3. Consolidation of Lot 116 and 117 in DP1078271, Proposed Lot 199, Proposed Lot 202 (limited in depth to RL38) and Stratum Subdivision into 4 Lots

3.1 The subdivision is generally in accordance with the submitted plans creating 4 lots. Lot 1 is for the future pedestrian through site link and Lots 2-4 for the future Atlassian building development.

3.2 88B Instrument

An 88B Instrument under Section 88B of the Conveyancing Act 1919, be submitted to Council prior to release of the Subdivision Certificate. The 88B shall properly reflect the requirements of the conditions of the development consent, plans forming part of the consent, Council's policies and allowing for the creation of new easements and rights of way and the release of redundant easements for adjoining parcels adjacent to or vertically above or below Lots 1-4.

3.3 Final Plan of Subdivision

A final Plan of Subdivision plus suitable number of copies are submitted to Council prior to release of the Subdivision Certificate.

3.4 Compliance with Development Consent

The final Stratum Subdivision shall not be released until such time as:

- 3.4.1 the relevant conditions relating to subdivision have been met;
- 3.4.2 the structure of the building has “topped out” and all structures relating to future horizontal or vertical boundaries have been constructed which adequately define a proposed boundary;
- 3.4.3 External facades of the building have been completed and a certificate provided by a Registered Surveyor stating that all structures remain inside the boundary extents of the development.

3.5 Section 73 Certificate

A section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

3.6 Certificate from Energy Authority

A certificate from relevant energy authority stating that suitable arrangements have been made for the provision of power to the development.

3.7 Application for Subdivision Certificate

Submission of a Subdivision Certificate application.

3.8 Copy of Management Statement

A Building Management Statement is to be submitted to Council prior to the issue of a Subdivision Certificate.

Please do not hesitate to contact me should you require further information.

Yours faithfully
LTS LOCKLEY

Damian Maguire B.Surv. M.I.S. (NSW)
REGISTERED SURVEYOR / DIRECTOR
