

28 July, 2006

SUBMITTED TO OVER  
OF DOP ON 28/7/06  
AT 1.45 PM

Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Director-General**

Architecture  
Urban Design  
Planning  
Interior Architecture

Dear Director-General,

**St Vincents Hospital, Darlinghurst (Caritas and O'Brien)**

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Following the letter from St. Vincent's Hospital dated 21 June 2006, this letter confirms details required by the Department of Planning and refers to an attached report which provides information for Ministerial opinion under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Our client proposes to carry out a Part 3A development comprising the rezoning of 299 Forbes Street, Darlinghurst from Special Use to Mixed Use, demolition of the existing Caritas Centre building, demolition of the rear of Caritas House, and construction of a new mixed use building and the demolition of the O'Brien building of St. Vincent's Hospital, Darlinghurst and the construction of a new building to house the St. Vincent's Mental Health Service, the Alcohol & Drug Service and the Community Health Service.

I consider that the proposed development is development of a kind described in Schedule 1, Group 7 of the *State Environmental Planning Policy – Major Projects 2005* and therefore requires the Minister's approval under Part 3A of the EP&A Act.

If the Minister is of the opinion that the proposal is a project to which Part 3A of the EP&A Act applies, I request that this letter and the attached application form be regarded as an application for approval to carry out the project under Section 79E of the EP&A Act and that environmental assessment requirements for the project be issued under Section 75F.

If you have any queries about the proposal please contact the undersigned on 9929 0522.

Yours sincerely,

Auckland  
Brisbane  
Christchurch  
Melbourne  
Shanghai  
**Sydney**

**Tony Collier**  
Architectus Sydney

Encs:

## **Re-development of No. 299 Forbes Street, Darlinghurst ('Caritas') and re-development of the 'O'Brien' wing of St. Vincent's Hospital**

July 2006

Prepared for St. Vincent's Hospital



### **Proposed Part 3A Project Information for Ministerial opinion**

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Quality Assurance

Reviewed by

.....  
**Michael Harrison**  
Director  
Urban Design and Planning  
Architectus Sydney Pty Ltd

.....  
Date  
This document is for discussion  
purposes only unless signed.

## 1. Introduction

This report provides information to support a Clause 6 request under SEPP Major Projects for Ministerial opinion to declare the proposal a Part 3A project under the NSW EP&A Act 1979.

This report has been prepared by Architectus Sydney on behalf of the applicant, St. Vincent's Hospital.

This report follows upon an initial letter forwarded to the Minister for Planning on 21 June 2006 by the Chief Executive Officer of St. Vincent's Hospital & Mater Health Sydney. A copy of the letter is attached in **Appendix A**.

The proposal is for the redevelopment of No. 299 Forbes Street, Darlinghurst (referred to in this report as 'Caritas') to accommodate a 'Mixed Use' building and for the redevelopment of the O'Brien building of St. Vincent's Hospital, Darlinghurst (referred to in this report as 'O'Brien') to accommodate a replacement building which will accommodate the St. Vincent's Hospital Mental Health Services. The two sites are one proposal because the development of the O'Brien site is contingent upon the approval and sale of the Caritas site. The current medical use of the Caritas site will be transferred to the O'Brien site on project completion.

This report provides the basis for the Director General of the NSW Department of Planning to issue requirements for the preparation of an Environmental Assessment for the proposal. It should be read with the appended plans and drawings at the Appendices.



## 2. Applicability of the proposal as a Part 3A project

Part 3A of the EP&A Act applies to projects that are identified in a State Environmental Planning Policy (SEPP) or are considered by the Minister to have State or Regional environmental significance. SEPP - Major Projects provides the criteria that identify the types of projects that are to be determined under Part 3A of the Act.

Clause 6(1)(a) of SEPP: Major Projects states “Development that, in the opinion of the Minister, is development of a kind:

- a) that is described in Schedule 1 or 2, or
- b) that is described in Schedule 3 as a project to which Part 3A of the Act applies, or
- c) to the extent that it is not otherwise described in Schedules 1-3, that is described in Schedule 5,

*is declared to be a project to which Part 3A of the Act applies”*

Clause 18 within Group 7 of Schedule 1 in the SEPP lists hospitals within a group of health and public service facilities on the proviso that:

- (1) *Development that has a **capital investment value of more than \$15 million for the purpose of providing professional health care services** to people admitted as in—patients (whether or not out-patients are also cared for or treated there), including ancillary facilities for:*
  - (a) day surgery, day procedures or health consulting rooms, or
  - (b) accommodation for nurses or other health care workers, or
  - (c) accommodation for persons receiving health care or for their visitors, or
  - (d) shops or refreshment rooms, or
  - (e) transport of patients, including helipads and ambulance facilities, or
  - (f) educational purposes, or
  - (g) research purposes, whether or not they are used only hospital staff or health care workers and whether or not any such use is a commercial use, or
  - (h) any other health-related use.

- (2) *For the purposes of this clause, professional health care services include preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, care or counselling services provided by health care professionals.*

The project has a capital investment value of \$41 million for the purposes of providing professional health care services including facilities for accommodation for persons receiving health care. The capital investment value for the development will exceed the required amount.

Therefore, under Clause 6 of the SEPP the proposed development is to be considered as a major project and requires the determination of the Minister for Planning.

### 3. Background

The St. Vincent's Hospital 'O'Brien' Building is being redeveloped to bring three historically discrete services together within an Integrated Model of Care - Mental Health Services, Alcohol & Drug Services and Community Health Services. This project will be the first of its kind in Australia.

It is known that either mental health, alcohol & drug or community health clients/patients often need to access the other related services at some point in time. When any of these services are provided separately, gaps in service delivery and/or resource duplication often occurs. The integrated service model enables a full health assessment to be made at the initial point of contact, appropriate referrals to be established with related services providers, development of an integrated care plan to be set in place and use of a single medical record. This approach has distinct advantages to the client thereby reducing delays in treatment and care and better streamlining of service planning and interventions.

The design concept for the O'Brien Building Redevelopment, creates an integrated service cluster enabling a shared reception, triage area, the provision for 27 inpatient beds, assessment and treatment centre, administration, interview and meetings rooms, service call centre, education and research facilities and staff amenities to be provided in the building. The clustering of core services facilitates staff integrated, coordination, multi-disciplinary team approaches to assessment, treatment and care.

At the departmental level, the unique service and functional requirements of each Service is recognised with the establishment of individual departments at various levels of the building. The co-existence of the service departments within the one building facilitates easy interface with the other health professionals who may become part of the overall integrated care plan.

Bringing together this range of services within any building is a challenging exercise. St. Vincent's Hospital Integrated Service Providers are committed to contributing to the successful design and operation of the Building to the benefit of both clients/patients and staff.

#### 3.1. St. Vincent's Hospital



St. Vincent's Hospital is centrally located in Darlinghurst and closely situated to central Sydney.

The hospital was founded in 1857 and has grown from providing 22 beds to currently providing 326 beds to an average of 28,971 patients per year. The hospital also services an average of 15,658 'day only' patients and 506,144 outpatients per year.

The hospital employs 2000 staff and runs at an annual budget of approximately \$130 million.

The hospital has grown into a leading medical, surgical and research facility and has been at the forefront of innovation in areas including cardiac, lung and bone marrow transplantation. It provides a full range of adult diagnostic and clinical services.

In 1991, St. Vincent's Hospital was incorporated under its own Act of Parliament (*St. Vincent's Hospital Act, 1912*) and is now known as St. Vincent's Hospital Limited. In April 1996 St. Vincent's joined the Sisters of Charity Health Service, which has 17 health care facilities and is Australia's largest not-for-profit health provider.



The O'Brien building

Today, St. Vincent's is a principal teaching hospital of the University of New South Wales and has close affiliations with a number of other universities, such as Australian Catholic University.

The teaching role of St. Vincent's Hospital is acknowledged in the recently released Metropolitan Strategy "*City of Cities – A Plan for Sydney's Future*" by the NSW Government. The Strategy identifies St. Vincent's Hospital as part of Sydney's 'knowledge infrastructure' and points out that assets and organisations such as St. Vincent's provide the basis for the continual growth of the knowledge economy required to sustain Sydney into the future.

### 3.2. Caritas



The Caritas centre

The Caritas site currently accommodates the St. Vincent's Mental Health Service which has the responsibility for the provision of mental health care to the residents of the inner city of Sydney. The inner city area comprises a residential population of approximately 110,000 people within an area of 16km<sup>2</sup>.

The St. Vincent's Mental Health Service comprises a 27 bed In-patient Unit, Community Based Case Management Services, 24 Hour Crisis Assessment and Management, Rehabilitation Services, Early Intervention and a Consultation-Liaison Psychiatry Service.

In a recent media release, the Independent Member for Bligh and the Lord Mayor of Sydney, the Hon. Clover Moore MP, placed the project in context when she stated:

*"St. Vincent's Hospital Mental Health Services have been overloaded and unable to provide proper crisis or case management services. Over a number of months, residents, service providers and staff have contacted me to raise their concerns when people with severe illnesses cannot get help.*

*The current Caritas facility is unsafe, impractical and hinders patient care but is not scheduled for redevelopment until 2007/08. The Minister [Health] informed me that he is investigating bringing this forward and that the Government and St. Vincent's Hospital will share the cost of the redevelopment.*

*Given the urgency of the need for better facilities, the Government will help fund redevelopment of a new Psychiatric Emergency Department linked to the general St. Vincent's Emergency Department, along with \$1.5 million recurrent funds to staff this expanded service. The Minister says that this service will help ensure people with mental illness get appropriate help, and that this new service should be operating by July 2005."*

## 4. Proposal outline

Due to the integrated nature of the proposal this report outlines the project in its entirety.

### 4.1. Caritas site

Approval is sought for the submission of a Concept Plan which describes the future redevelopment of the site, including:

- The rezoning of the site from 'Special Use' to 'Mixed Use'.
- The demolition of the Caritas Rehabilitation Centre fronting Burton Street,
- The construction of new mixed use buildings fronting Bourke and Burton Street.
- The demolition of the rear additions to Caritas House (subject to heritage advice)
- The change of use of the heritage items being Caritas House, Caritas Cottage and a small building at the intersection of Burton Street and Bourke Street from institutional use to a use to be determined.

The pictures opposite are of the mixed use 'Republic' building diagonally opposite the subject site and is indicative of recent development in the area which will be a reference point for the Caritas Site.

A conceptual plan of the proposal is provided at **Appendix B**.



Republic from Bourke & Burton St



Republic from Palmer St

### 4.2. O'Brien site

Approval is sought for the submission of a Concept Plan and subsequent Project Application to carry out:

- The demolition of the redundant O'Brien building of St. Vincent's Hospital,
- The reconstruction of a new building in the same location and generally within the same building envelope to accommodate the St. Vincent's Hospital Mental Health Services which will be relocated from the former Caritas Rehabilitation Centre in Darlinghurst, the Alcohol & Drug service which will be relocated from Gorman House and the Community Health Service which will relocate from the old Darlinghurst Police station and other facilities.

A 3D block conceptual diagram of the is provided at **Appendix C**.



## 5. Location, legal description and ownership

### 5.1. Location



| INDEX                                                                               |                                                                                                                    |                              |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------------------|
| ZONES                                                                               |                                                                                                                    |                              |
|    | ZONE No. 2 (a)                                                                                                     | RESIDENTIAL (LOW DENSITY)    |
|   | ZONE No. 2 (b)                                                                                                     | RESIDENTIAL (MEDIUM DENSITY) |
|  | ZONE No. 3                                                                                                         | BUSINESS                     |
|  | ZONE No. 4                                                                                                         | INDUSTRIAL                   |
|  | ZONE No. 5                                                                                                         | SPECIAL USES                 |
|  | ZONE No. 6 (a)                                                                                                     | LOCAL RECREATION             |
|  | ZONE No. 6 (b)                                                                                                     | REGIONAL RECREATION          |
|  | ZONE No. 9 (a)                                                                                                     | ARTERIAL ROAD RESERVATION    |
|  | ZONE No. 9 (b)                                                                                                     | LOCAL ROAD RESERVATION       |
|  | ZONE No. 9 (c)                                                                                                     | LOCAL RECREATION RESERVATION |
|  | ZONE No. 10                                                                                                        | MIXED USES                   |
|  | ZONE No. 10 (a)                                                                                                    | MIXED USES                   |
|  | ZONE No. 10 (b)                                                                                                    | MIXED USES                   |
|  | ZONE No. 10 (c)                                                                                                    | MIXED USES                   |
|  | ZONE No. 10 (d)                                                                                                    | MIXED USES                   |
|  | ZONE No. 10 (e)                                                                                                    | MIXED USES                   |
| GENERAL                                                                             |                                                                                                                    |                              |
|  | AREAS EXCLUDED FROM THE PLAN                                                                                       |                              |
|  | TRANSPORT TUNNELS:                                                                                                 |                              |
|  | RTA CONCURRENCE                                                                                                    |                              |
|  | DEPT. OF HOUSING CONSULTATION AREA                                                                                 |                              |
|  | FORESHORE BUILDING LINE                                                                                            |                              |
|                                                                                     | SPECIAL PROVISIONS - INDICATIVE ONLY<br>(refer to instrument for full descriptions & specific controls)            |                              |
| C51                                                                                 | CLAUSE 51<br>DEVELOPMENT ON "SUPA CENTRE" SITE                                                                     |                              |
| C52                                                                                 | CLAUSE 52<br>MOORE PARK AND ILS MARKS FIELD                                                                        |                              |
| C53                                                                                 | CLAUSE 53<br>SYDNEY FOOTBALL STADIUM & SYDNEY CRICKET GROUND                                                       |                              |
| C54                                                                                 | CLAUSE 54                                                                                                          |                              |
|  | STATE ENVIRONMENTAL PLANNING POLICY NO 70<br>- AFFORDABLE HOUSING (REVISED SCHEMES) - GREEN<br>SQUARE BOUNDARY MAP |                              |

Zoning of the subject and surrounding sites

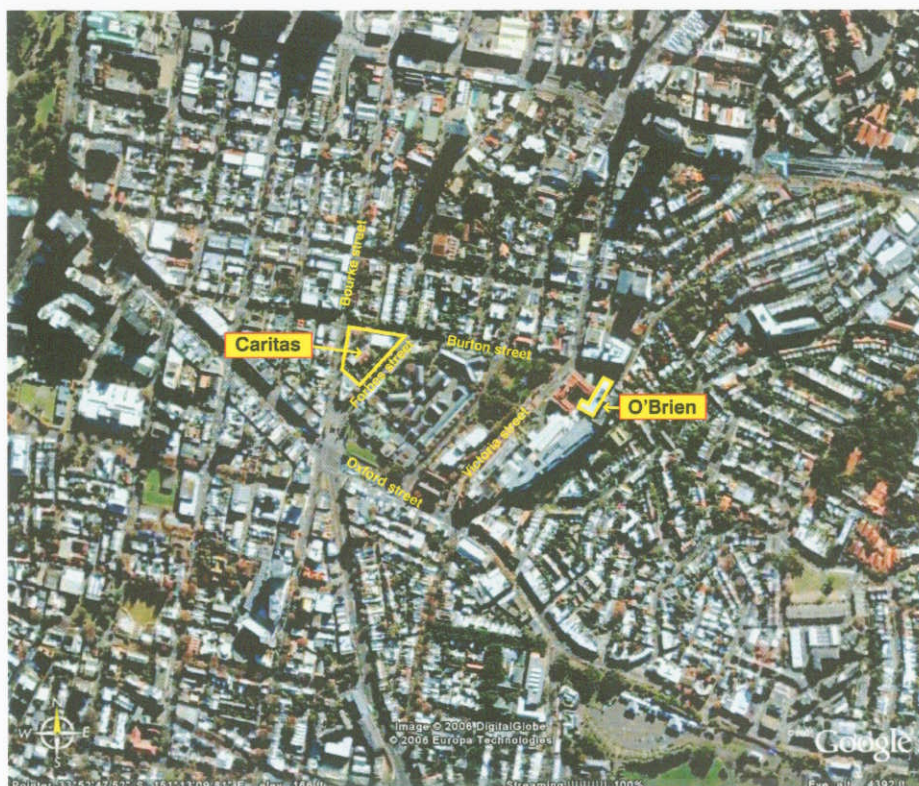


Figure 1 Location of the subject sites.

#### Caritas

The 4426m<sup>2</sup> site is an irregularly shaped 'Special Use (Hospital)' zone No. 5 located at the interface between the neighbouring medium density Residential 2b zones to the North and East and the special use zones to the south and west which accommodate the courthouse, East Sydney Technical College, the police station and St. Vincent's Hospital.

The site is located within close walking distance to the Oxford Street/Flinders Street junction which forms a key transport node.

The site currently accommodates the Caritas Centre Group which includes the Caritas Rehabilitation Centre which is a wing of St. Vincent's Hospital, a two storey Victorian Regency style building, a two storey Federation Arts and Crafts style building and perimeter fencing.

The Eastern Distributor traffic tunnel intersects the south western half of the site.

#### O'Brien redevelopment

St. Vincent's Hospital is located within an irregularly shaped allotment bounded by Victoria Street, Oxford Street, Barcom Street/Avenue, West Street and Burton Street, Darlinghurst.

The O'Brien building is situated amongst a group of institutional uses which form a collection of Special Use zones and is dominated by the neighbouring Cahill and Delacy buildings of St. Vincent's Hospital. Surrounding

development predominantly consists of medical research facilities and commercial uses being located along nearby Oxford Street and Victoria Street.

The hospital is strategically placed to afford easy vehicular access from surrounding areas, including Sydney CBD, via William Street and Oxford Street.

## **5.2. Legal description**

### ***Caritas***

The property is legally known as Lot 1612 in DP 752011 No. 299 Forbes Street, Darlinghurst.

### ***O'Brien building***

The property is legally known as Lot 2 in DP 804753.

## **5.3. Site ownership**

### ***Caritas***

At present the title is a perpetual lease in favour of the St. Vincent's Hospital Trustees being Elizabeth Anne Dodds, Peter James Ferris and Helen Anne Clark. Conversion to freehold title is currently in process and is anticipated to be completed in July.

### ***O'Brien***

At present the title is a perpetual lease in favour of the St. Vincent's Hospital Trustees being Elizabeth Anne Dodds, Peter James Ferris and Helen Anne Clark.

The hospital is subject to the St. Vincent's Hospital Act, 1912. Clause 2 under that Act cites the appointment of the Superior-General of the Congregation of the Religious Sisters of Charity of Australia, the Sister Administrator and the Treasurer of St. Vincent's Hospital trustees of all land belonging to, or used in connection to, the hospital.

A copy of the Certificates of Title are included at **Appendix D**.



## 6. Planning provisions that apply to the project

The following list describes the relevant planning provisions for the orderly and economic development for the site.

### 6.1. Environmental planning instruments

- SEPP – Major Projects
- South Sydney Local Environmental Plan 1998

SSLEP 1998 is the principle statutory instrument applying to the whole of the site and surrounding environs.

Of relevance to this project, SSLEP 1998 contains:

- Part 3 – General Restrictions on Development
  - Section 15 - Zoning Controls for Zone No.5 (The Special Use Zone)
  - Section 21 - Zoning Controls for Zone No. 10 (The Mixed Use Zone)
- Part 4 – Special Provisions
  - Division 1 - Heritage Conservation
  - Division 4 - Miscellaneous
- Schedule 1 - Definitions
- Schedule 2 – Heritage Items (namely Item No. 461 on the Caritas site)

### 6.2. Development control plans

- Development Control Plan (Urban Design) 1997
  - Part A – General Information
  - Part B – Urban Design Principles
  - Part C – Public Domain
  - Part D – Design Criteria for Social Planning
  - Part E – Environmental Design Criteria
  - Part F – Design Criteria for Specific Developments Types
- Development Control Plan (Heritage Conservation)
- Development Control Plan (Contaminated Land)
- Development Control Plan No. 11 (Transport Guidelines for Development)
- Section 94 Contributions Plan 1998

The statutory planning provisions that apply to the site are provided within the framework of SEPP (Major Projects) 2005. The aims of the SEPP are:

- a) *to identify development to which the development assessment and approval process under Part 3A of the Act applies,*
- b) *to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,*
- c) *to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,*
- d) *to facilitate service delivery outcomes for a range of public services*

*and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,*

- e) to rationalise and clarify the provisions making the Minister the approval authority for development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved*

The project is consistent with the above aims. The proposal is permissible under this SEPP with the consent of the Minister of Planning.

***As the project is for the use of the Caritas site as a predominantly residential mixed use development and for the continued use of the O'Brien site as a hospital the project is consistent with the provisions of SSLEP 1998.***



## **7. Preliminary assessment to identify potential key issues**

The following assesses the requirements contained under Schedule 1 of the *Draft Guideline Criteria for Construction Projects under the Major Projects SEPP*.

### **7.1. Any provisions of the Metro Strategy or regional strategies that may have significant implications for the Project:**

St. Vincent's Hospital has developed into a leading medical, surgical and research facility which is at the forefront of innovation in areas including cardiac, lung and bone marrow transplantation. St. Vincent's is also a principal teaching hospital with close affiliations with a number of universities such as the University of New South Wales and the Australian Catholic University.

The St. Vincent's Clinic Foundation was established in 1992. The Foundation provides support for medical research into matters of clinical significance as well as providing support for public and medical education.

Since its establishment, the Foundation has provided over \$4.5 million in financial support for over 120 research projects. The Foundation has successfully supported vital research into disease and illness including:

- Heart disease
- Cancer (prostate, breast, colon and pancreas)
- Asthma
- Arthritis
- Deep vein thrombosis
- Diabetes
- Obesity
- Liver disease
- Pulmonary disease
- Pain
- Depression and suicide
- Alzheimer's Disease
- Adult stem cell research

This role is acknowledged in the recently released Metropolitan Strategy "City of Cities – A Plan for Sydney's Future" by the NSW Government. The Strategy identifies St. Vincent's Hospital as part of Sydney's 'knowledge infrastructure' and points out that assets and organisations such as St. Vincent's provide the basis for the continual growth of the knowledge economy required to sustain Sydney into the future.

### **7.2. Any opportunities or constraints associated with relevant EPI's or other relevant planning documents applying to the site:**

The proposal is consistent with SEPP (Major Projects) 2005.

The site is currently zoned 'Special Use' under SSLEP 1998 and is surrounded by two zones being 'Residential' and 'Mixed Use'. A further zone, 'Commercial' (Oxford Street) is located to the south. SSLEP 1998 allows a Special Use zone to adopt uses in the surrounding area without the need for a rezoning. However, it is considered important to define the zoning of the

site as 'Mixed Use' by way of a rezoning to prevent any confusion regarding the applicability of the surrounding zones and to maximise the development potential of the site to fund the redevelopment of the O'Brien building

### **7.3. Any opportunities or constraints associated with the past use of the site or from the characteristics of the location:**

From a social and service delivery perspective the Caritas centre is locally identified as a convenient place to receive assistance with respect to mental health. The relocation of the service by approximately 350 metres to the O'Brien site will retain the service in the same locality.

### **7.4. Overview of any potential environmental (biophysical, social or economic) impacts associated with construction, operation or occupation of a project and likely environmental risks:**

The sites have consistently been used for residential, administrative and medical purposes for over 140 years respectively. In this regard, it is unlikely that contamination of either site would have occurred where remediation works would be required.

Notwithstanding this, the age of the buildings on either site could suggest the use of asbestos and lead based materials in some of their construction. With this in mind it is considered appropriate to undertake a Preliminary Investigation of the buildings and the grounds to ascertain if this should be the case.

The Preliminary Investigation and any subsequent decontamination studies and works could be adequately addressed at the Project Application stage.

### **7.5. The views, if known, of any other agencies, local council and the community:**

The proposal has not been publicised. The views of the local council have been sought and it is noted that the concept has been favourably received.

### **7.6. A summary of what, in the proponents view, are likely to be the Key issues, to be addressed to provide appropriate information.**

The following details the main areas which are likely to be the key issues for the Caritas and O'Brien sites:

#### ***Streetscape & public domain character***

The Caritas site is bound by Forbes Street to the east, Burton Street to the north and Bourke Street to the west.

The eastern side of Forbes Street is visually dominated by the sandstone wall which surrounds the neighbouring East Sydney Technical College. The western side of Forbes Street consists of an avenue of mature street trees framing deeply recessed landscaped frontages to St. Vincent's Hospital. Currently, the Caritas Rehabilitation Centre is located at the highly visible corner of Forbes Street and Burton Street and forms a disruptive visual and insensitive massing in an otherwise historically intact streetscape.



The northern side of Burton Street consists of Edwardian style terraced dwellings of single, double and triple storey scale. The terracing follows the steep slope which occurs at the portion of Burton Street. The southern side of Burton Street consists of the main façade of the Caritas Rehabilitation Centre and the Federation style Arts and Crafts building which is situated at the corner of Burton Street and Bourke Street.

The recently constructed mixed use development known as 'Republic' is located diagonally opposite on this intersection.

The western side of Bourke Street predominantly consists of Edwardian style terraced housing, interspersed with contemporary apartment buildings. The eastern side of Bourke Street consists of the rear of the Caritas site which is partly obscured by a tall sandstone wall which extends for the full length of the Bourke Street side of the site. The old Darlinghurst Police station building abuts the site to the south which in turn abuts Taylor Square.

Visually, the area when viewed from the public domain retains a historical landscaped consistency interspersed with contemporary residential and institutional built forms.

The vision for the development is therefore:

- To achieve a built environment which optimises available light and sun to private and public domains within an orchestrated landscaped setting.
- To complement and contribute towards the historical built form of the area.

With regard to the development of the O'Brien site it is envisaged that the new building will provide a contemporary architectural interface between the hospital and the neighbouring medical and commercial area and be of less height than the building it will replace. It is also considered appropriate to incorporate an open landscaped element adjacent to the building to provide visual relief and assist in the transition with the neighbouring heritage building.

### ***Building height and scale***

The objectives of the development will be:

- To maintain an appropriate building scale commensurate to the local area.
- To provide a contemporary design solution to harmonise with the surrounding character of the area.
- To provide visual interest to the streetscape.
- To encourage pedestrian interaction.
- To improve and open landscaping to the street.
- To maintain access to sunlight, ventilation and existing view corridors
- To provide for publicly accessible open space.

Building heights for the Caritas site are to be designed to respect the amenity impact of new development on adjoining areas and to ensure that buildings are appropriately scaled in relation to street widths and open space.

It is noted that the 'Republic' building diagonally opposite the site which has a floor space ratio of 2.5:1 and will be a reference point for the Caritas redevelopment.

With regards to the O'Brien building it is envisaged that the new building will

maintain the current building height.

### ***Traffic generation***

Development Control Plan No. 11 (Transport Guidelines for Development) under SSLEP 1998 requires the following car parking provision for the anticipated range of uses which may utilise the proposed development:

| <b>Residential</b>                        |                                                                                          |
|-------------------------------------------|------------------------------------------------------------------------------------------|
| 1 Bedroom                                 | 0.5/Unit                                                                                 |
| 2 Bedroom                                 | 0.8/Unit                                                                                 |
| 3 or more Bedrooms                        | 1.2/Unit                                                                                 |
| Separate Visitor Parking                  | 1/6/Unit                                                                                 |
| <b>Office &amp; Commercial</b>            |                                                                                          |
| Office & Commercial                       | 1/125m <sup>2</sup> GFA                                                                  |
| Visitor Allocation                        | 20%                                                                                      |
| <b>Retail</b>                             |                                                                                          |
| Small Shops                               | 1/50m <sup>2</sup> GFA                                                                   |
| <b>Food &amp; Beverage</b>                |                                                                                          |
| Cafes, Restaurants & Take-Away Food Shops | 1/50m <sup>2</sup> GFA for 1 <sup>st</sup> 100m <sup>2</sup> then 1/18m <sup>2</sup> GFA |
| <b>Medical</b>                            |                                                                                          |
| Medical Centres & Consulting Rooms        | 2/effective full-time doctor                                                             |

In granting consent to any development the consent authority must be satisfied the traffic impact does not exceed this standard in conjunction with any car parking concessions to which the development will qualify for.

A total of 200-250 car spaces are envisaged for the O'Brien building which will service both staff and hospital related uses.

### ***Heritage conservation***

Heritage items are buildings and structures contained under Schedule 2 of SSLEP 1998 and which are subject to the provisions of the South Sydney (Heritage Conservation) Development Control Plan 1998.

The site is listed under Schedule 2 as item No. 461 and describes its elements as the *Caritas Centre Group which includes a two storey Victorian Regency style building, c. 1867 with a third storey addition, a two storey Federation Arts and Craft style building and perimeter fencing.*

No heritage item is to be demolished, altered, removed or modified without authority consent. Heritage consultants have been engaged (Graham Brooks & Associates) who will provide appropriate heritage planning advice and heritage impact assessment at the time of the lodgement of the Project Application.

The development of the O'Brien site will require investigation work to be carried out by a heritage consultant to ascertain the impact upon the Delacy building. This will be carried out in conjunction with preparations for the Concept Plan.



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## **8. The need for a Concept Plan or Project Application**

The Concept Plan process enables the Minister to appreciate the implications of a proposal within a site that has important State interests involved. The St. Vincent's Hospital is such a site that has been identified as a Part 3A Project under Schedule 1, Group 7 of SEPP Major Projects 2005.

As raised earlier in this report, the rezoning of the Caritas site to a 'Mixed Use' zone will enable clarification and certainty of the future development of the site and is essential in the success of this project and the relocation of the St. Vincent's Hospital Mental Health Service.

## Appendix A





St Vincent's  
& Mater Health  
Sydney

21 June 2006

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The Hon Frank Sartor, M.P.  
Minister for Planning  
Minister for Science and Medical Research  
Minister Assisting the Minister for Health (Cancer)  
Minister Assisting the Premier on the Arts  
Level 31, Governor Macquarie Tower  
Farrer Place  
**SYDNEY NSW 2000**

Dear Minister

**Re: St Vincent's Hospital, Darlinghurst -  
O'Brien Building Redevelopment and Caritas Site**

I am writing to request that your consideration be given to listing the above sites as State Significant Sites in Schedule 3 of State Environmental Planning Policy 2005 (Major Projects) in accordance with Clause 8 of that Policy.

### **Background**

Relocation of St Vincent's Mental Health Services has been identified as St Vincent's & Mater Health Sydney's highest strategic priority. Mental health services are currently accommodated in facilities that are outdated, are physically separated from the main hospital campus, and have raised serious concerns about the quality, safety, efficiency and equity of the service.

This proposal extends the Mission of St Vincent's & Mater Health to respond to the needs of the most disadvantaged and marginalised in our community.

The Carr Government announced in 1999, its commitment to developing a state-of-the-art facility for St Vincent's Hospital to provide the full range of mental health services. This was due to serious concerns raised about the insufficiencies of the Caritas building by staff, Coronial, Work Cover and Departmental authorities. Since 1999 St Vincent's has continued to identify the need for the redevelopment as of urgent priority and core to its Mission of service of the poor.

In 2004, the then Minister for Health, Mr Morris Iemma, referred the project for consideration by the Government as one of a number of possible Public Private Partnership (PPP) Projects in the health portfolio. The results of that process were inconclusive and in 2005, the Minister requested that we resubmit the project for further consideration by the Department of Health.

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St Vincent's & Mater Health Sydney

Comprises St Vincent's Hospital | St Vincent's Private Hospital | Mater Hospital | Sacred Heart Hospice  
In association with Sisters of Charity Outreach | St Vincent's Clinic | Garvan Institute of Medical Research  
Victor Chang Cardiac Research Institute | Mercy Foundation  
St Vincent's & Mater Health Sydney Ltd ABN 36 054 594 375

During 2005, the Department of Health convened a working group to review and confirm the parameters of the project, with a number of possible alternative locations being considered. Relocation of mental health and associated services onto the St Vincent's site (into the area currently occupied by the O'Brien building) was identified as the preferred strategy. This strategy provides for a new building to be developed on the O'Brien site with funding provided partially through the State Capital Works Program and partially from sale of the existing Caritas site in Burton Street, Darlinghurst. Approval to proceed with this proposal was recently provided by the Budget Committee of Cabinet.

### **Project Description**

The business objectives of the Project are to:

- i) address the physical inadequacies of the facilities currently used by the Mental Health, Drug and Alcohol and Community Health Services; and
- ii) develop a more appropriate model of care for the population group requiring these services.

The proposal is to accommodate Mental Health, Alcohol and Drug and Community Health services, reflecting a new, integrated model of care, within a new, state-of-the-art facility on the main hospital campus, in the location currently occupied by the O'Brien building (which is to be demolished).

Key elements of the O'Brien/Caritas strategy are:

- The new integrated mental health/alcohol & drug/community health facility will be constructed on the footprint of the existing O'Brien Building. This land will be made available by St Vincent's at no cost to the State.
- Funds from the re-zoning and sale of the Caritas site and Government (\$23m) will be fully applied for the purpose of constructing the building, with the size of the building to reflect the total funds available, after making appropriate contingency provisions.
- Re-zoning and sale of the Caritas site is critical to achievement of the project objectives – the Caritas site will be vacated following relocation of these services to the new O'Brien building and it is proposed that the site will be sold for residential redevelopment with the funds raised applied to the cost of developing the new facilities on the O'Brien site at St Vincent's.
- It is envisaged that re-zoning of the Caritas site would provide for high quality, medium density residential accommodation (highest and best use) for private sale by on-selling to a financier/developer consortium.
- Development of an underground car park beneath the O'Brien site to accommodate cars relocated from Caritas, plus parking displaced from the existing O'Brien footprint, together with additional parking to address current shortfalls and community concern regarding on-street parking around the hospital.





St Vincents  
& Mater Health  
Sydney

### Strategic Significance – Schedule 3

St Vincent's Hospital (SVH) proposes development of a new, purpose designed facility to serve as a "hub" for delivery of an integrated specialist mental healthcare, addictions and community health services linked to the "spokes" of Non-Government Organisations (NGO) and primary healthcare services located in the community.

The population served by St Vincent's is characterised by complex health and social needs, with higher than average prevalence of homelessness, mental health disorders, drug and alcohol use, dual diagnoses, people living with HIV and AIDS, acute presentations and persisting disability. In such a population the interrelationship between Mental Health, Addictions and General Health is intimate and inseparable.

Located in the inner city of Sydney, St Vincent's provides services to the local government areas of Woollahra, Sydney and South Sydney, which forms one sector within the broader South East Sydney Illawarra Area Health Service. With a local catchment population of 102,000 (an increase of 30,000 since 1997) it is an area of considerable socio-economic diversity, with a significant transient population, attracted for business and recreation. It is also noteworthy for having Australia's highest concentration of homeless people. As a consequence, the population is characterised by complex health and social needs, with higher than average prevalence of mental health disorders, drug and alcohol use, dual diagnoses and people living with HIV and AIDS.

Poverty, disparities between different levels of socio-economic strata, misuse of alcohol and drugs, poor nutrition and lack of access to housing and social services are internationally recognised as challenges to health service planning and the wellness of the population. In the St Vincent's catchment the presence of such social disadvantage is reflected in significant and increasing demands on St Vincent's Emergency Department (ED) and, in turn, Mental Health and Alcohol and Drug Services and NGO Community Services. The close proximity of St Vincent's to King's Cross and Oxford Street requires these services to manage extremely high numbers of people with mental health addictions, violence and other general health problems.

This environment is combined with:

- An epidemic increase in methamphetamine use associated with violence and paranoid psychoses.
- The totally inadequate environment provided by the outdated and risk prone Caritas Unit.
- Cramped and inadequate premises occupied by the Alcohol and Drug Service.
- The need for specifically funded mental health NGOs to provide step-down accommodation and community programs for consumers with high and complex needs.
- Social and demographic change leading to loss of inner city housing and crisis-respite accommodation for consumers with mental disabilities and addictions.



- Physical separation of St Vincent's Emergency Department, Mental Health and Drug and Alcohol Services.
- The need to enhance executive mechanisms and incentives to coordinate and optimize hospital and community services (including mental health, drug and alcohol and general health) across the public and NGO sectors.
- Problems with recruiting sufficient numbers of quality staff have resulted in such extreme pressures that the system while comprised of excellent dedicated staff can barely manage the demand.

These pressures are most clearly illustrated in the fact that between 1997 and 2005:

- Occupancy of Caritas has increased from 85% to >98%.
- Mental Health presentations and complexity of cases to the St Vincent's Emergency Department has increased.
- Constant difficulties in finding acute inpatient beds within the Area Health Service and on occasion in the State.
- Methamphetamine presentations to the Emergency Department have increased from 200 to 1600/annum.
- Increased serious assault presentations to the Emergency Department.

The new facility on the O'Brien site will support delivery of integrated, holistic services for clients, tailored to their individual needs. By collocating these services, it will be possible to provide more efficient and effective client centred services, providing clients with a "seamless" service. It will also avoid unnecessary duplication of services.

The proposal will address significant inner-Sydney community issues by providing facilities that allow for delivery of an integrated mental health/drug and alcohol/community health service for the inner city population, directly addressing the needs of one of the most disadvantaged groups in our community.

A number of Commonwealth and State policies provide the strategic context for the future of St Vincent's Mental Health Service.

- The National Mental Health Plan 2003-2008 emphasises a population health framework, timely access to services when a person's mental health is 'at risk' and continuity of care.
- The Population Health framework recognises the importance of mental health issues across the lifespan, the effect of co-morbid conditions and the fact that effective linkages must be forged across sectors.
- The National Action Plan for Promotion, Prevention and Early Intervention for Mental Health outlines national directions for this area across priority groups. The strategy identifies for each priority group, outcomes, rationale, evidence and National action.



St Vincents  
& Mater Health  
Sydney

- The joint Australian Health Ministers' National Mental Health Plan (2003), emphasised the following key themes:
  - A focus on mental health promotion and prevention of mental illness.
  - Quality and service responsiveness, with an emphasis on partnerships between public and private sectors, government and non-government organisations.
  - Research, innovation and sustainability.
  - Individual rights promotion and opportunities for consumer participation.
  - Mainstreaming mental health services with general medical, child and adolescent, adult and aged care services.
  - Improving coordination with drug and alcohol services.

St Vincent's mental health policies support NSW Health directions, including *Caring for Mental Health: A Framework for Mental Health Care in NSW*, and the *NSW Strategic Plan for Mental Health 2005-2010*,

The partnership between St Vincent's and other service providers will be aligned with the following initiatives developed by NSW Health:

- The NSW Government Housing and Accommodation Support Initiative (HASI) which provides low support outreach to people with a mental illness living in community or public housing. This partnership involves St Vincent's, Housing and the NGO sector.
- NSW Integrated Services Project for Clients with Challenging Behaviour. This is being led by the Department of Ageing, Disability and Home Care. NSW Health and the Department of Housing are the other key agencies involved in the project.

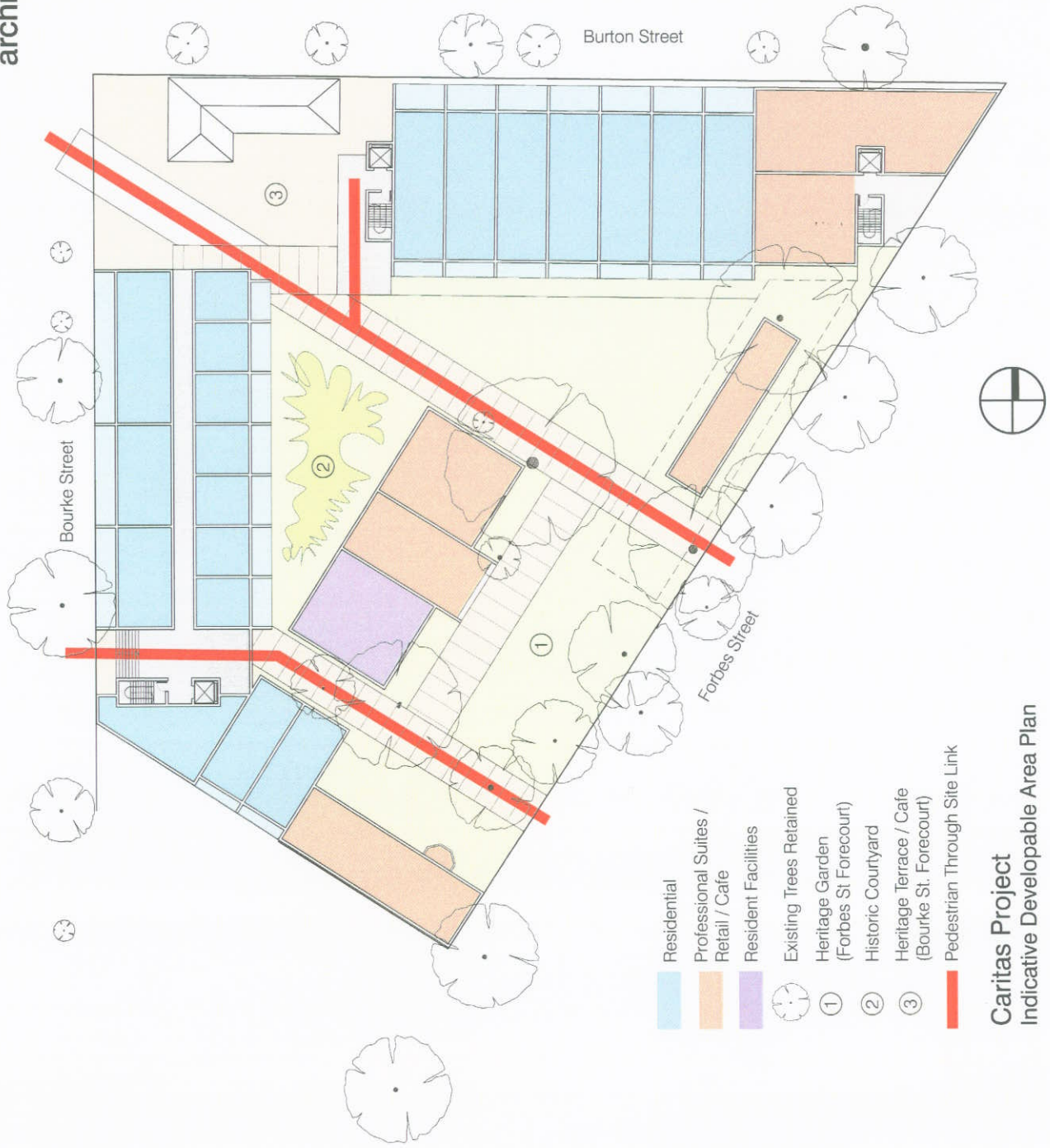
The O'Brien/Caritas Redevelopment project is of Regional and State significance in providing integrated holistic services for improved mental health and drug and alcohol outcomes. This is clearly required and is of critical importance to achieving the objectives of both NSW Health and St Vincents & Mater Health. The benefits of the project will be felt well beyond the local and even regional areas. For that reason, St Vincents & Mater Health requests your consideration be given to listing the O'Brien building redevelopment and Caritas site re-zoning as a "State Significant Site" in accordance with Clause 8 of the Major Projects SEPP.

Yours sincerely

Mary Foley  
Chief Executive Officer  
St Vincents & Mater Health Sydney



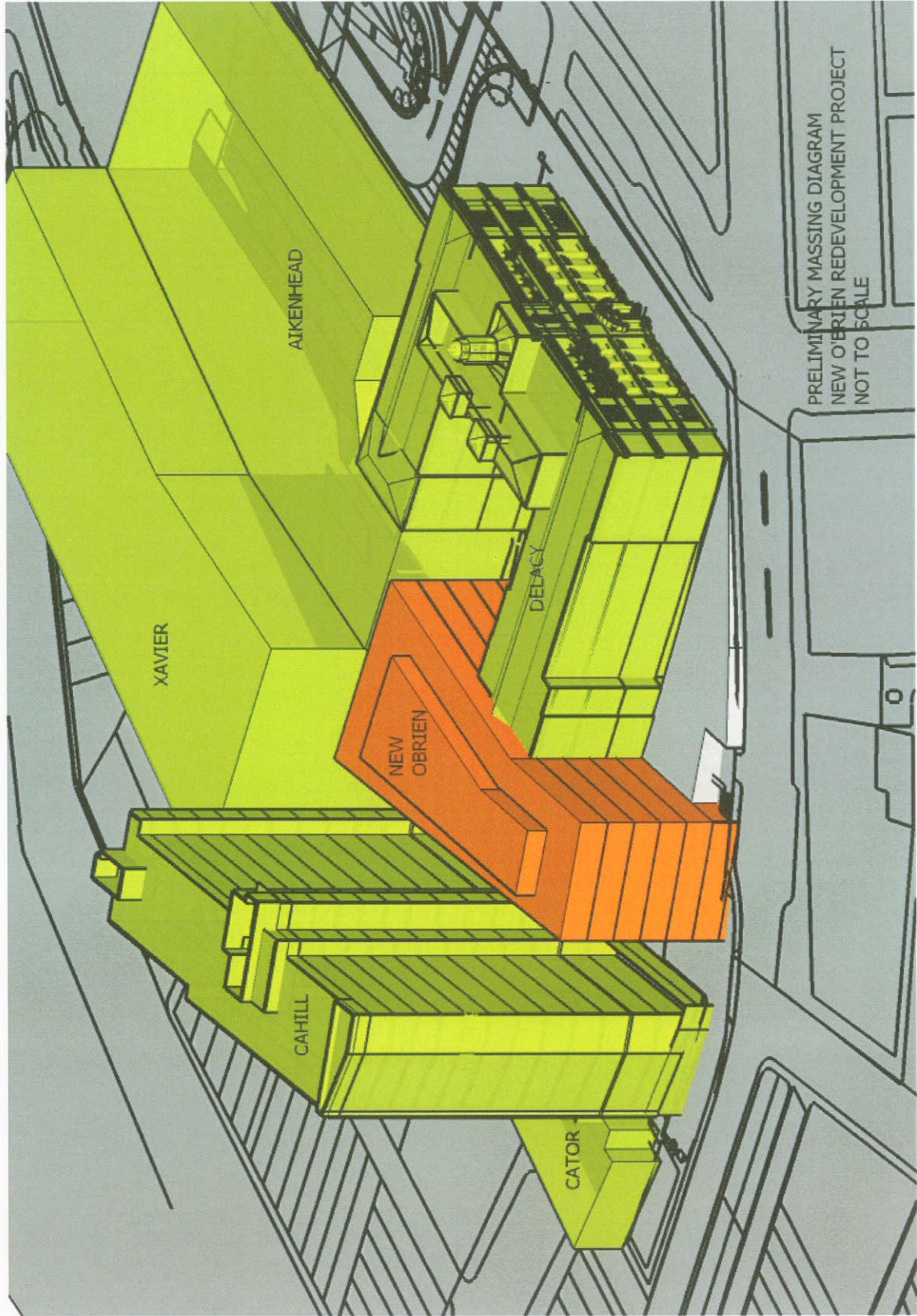
## Appendix B





## Appendix C

o'brien redevelopment project massing diagram.jpg (1106x761x24b jpeg)



## **Appendix D**



BOX 229P  
(AC360510)

NEW SOUTH WALES

# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



## TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER

IDENTIFIER **2/804753**

EDITION

**16**

DATE OF ISSUE

**6/6/2006**

CERTIFICATE AUTHENTICATION CODE

**EMNG-TE-LF21**

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.



REGISTRAR GENERAL

### LAND

LOT 2 IN DEPOSITED PLAN 804753  
AT DARLINGHURST  
LOCAL GOVERNMENT AREA: SYDNEY  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM: DP804753

### FIRST SCHEDULE

ELIZABETH ANNE DODDS  
PETER JAMES FERRIS  
HELEN ANNE CLARKE  
AS JOINT TENANTS

(R 9410729)

### SECOND SCHEDULE

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. 2674880 LEASE TO BAXTER HEALTHCARE PTY LIMITED OF THE PART SHOWN IN PLAN 2674880. EXPIRES 19.6.2003. OPTION OF RENEWAL 3 YEARS
3. AA465730 LEASE TO EUREST AUSTRALIA PTY LTD BEING ROOMS 3.201, 3.202, 3.203, 3.207, LEVEL 3, XAVIER BUILDING, ST VINCENT'S HOPITAL, VICTORIA ST, DARLINGHURST. EXPIRES: 28/7/2005. OPTION OF RENEWAL: TWO YEARS.
4. AA477210 LEASE TO HEARING AND BALANCE CENTRE PTY LIMITED OF SUITES 288, 289, 290, 291, 292, 294 & 296, LEVEL 13, AIKENHEAD BUILDING, ST VINCENT'S HOSPITAL. EXPIRES: 31/12/2007. OPTION OF RENEWAL: 2 YEARS.
5. AA486203 LEASE TO ENERGYAUSTRALIA OF SUBSTATION PREMISES NOS 8017 & 6144 TOGETHER WITH EASEMENTS FOR ELECTRICITY PURPOSES & RIGHTS OF WAY SHOWN IN PLAN WITH AA486203 & DP1057071. EXPIRES: 30/6/2024.
6. AC360510 LEASE TO SIOBHAN ELIZABETH O'DONOVAN & LAURA KELLY THINIUS OF FLORIST SHOP LEVEL 3 XAVIER BUILDING ST. VINCENTS HOSPITAL DARLINGHURST. EXPIRES: 14/3/2009. OPTION OF RENEWAL: 2 YEARS.

END OF PAGE 1 CONTINUED OVER

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

1382306

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

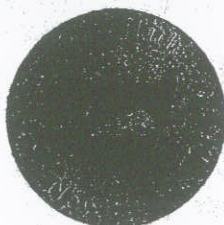


BOX 229P  
(AC360510)

NEW SOUTH WALES

# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



| TORRENS TITLE                      |                 |
|------------------------------------|-----------------|
| REFERENCE TO FOLIO OF THE REGISTER |                 |
| IDENTIFIER <b>2/804753</b>         |                 |
| EDITION                            | DATE OF ISSUE   |
| <b>16</b>                          | <b>6/6/2006</b> |
| CERTIFICATE AUTHENTICATION CODE    |                 |
| <b>EMNG-TE-LF21</b>                |                 |

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

*[Signature]*



REGISTRAR GENERAL

\*\*\*\* END OF CERTIFICATE \*\*\*\*

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

1382307

58179



6th June, 1991

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



PLAN FORM 2

SIGNATURE AND SEAL ONLY.

*Imagine*

*Stanton*

*1/1/1997*

X H.A.G.C. Inc

VICEN CAREE

*Imagine*

*G. Nolan*

*G. Lindley*

Crown Lands Office Approval

PLAN APPROVED .....  
 Local Officer .....  
 Authorised Officer .....  
 Field Officer .....  
 Date 27th Sept 1997

Council Clerk's Certificate

I hereby certify that the above is a true and correct copy of the plan as submitted to the Council Clerk's Office for the purpose of the registration of the plan and the payment of the rates thereon. The plan has been examined and found to be in accordance with the provisions of the Local Government Act, 1995, and the Council has resolved to grant the plan. This certificate is valid for the purpose of the registration of the plan and the payment of the rates thereon. Signed: Council Clerk, 27th Sept 1997. Council File No. 598-00074.

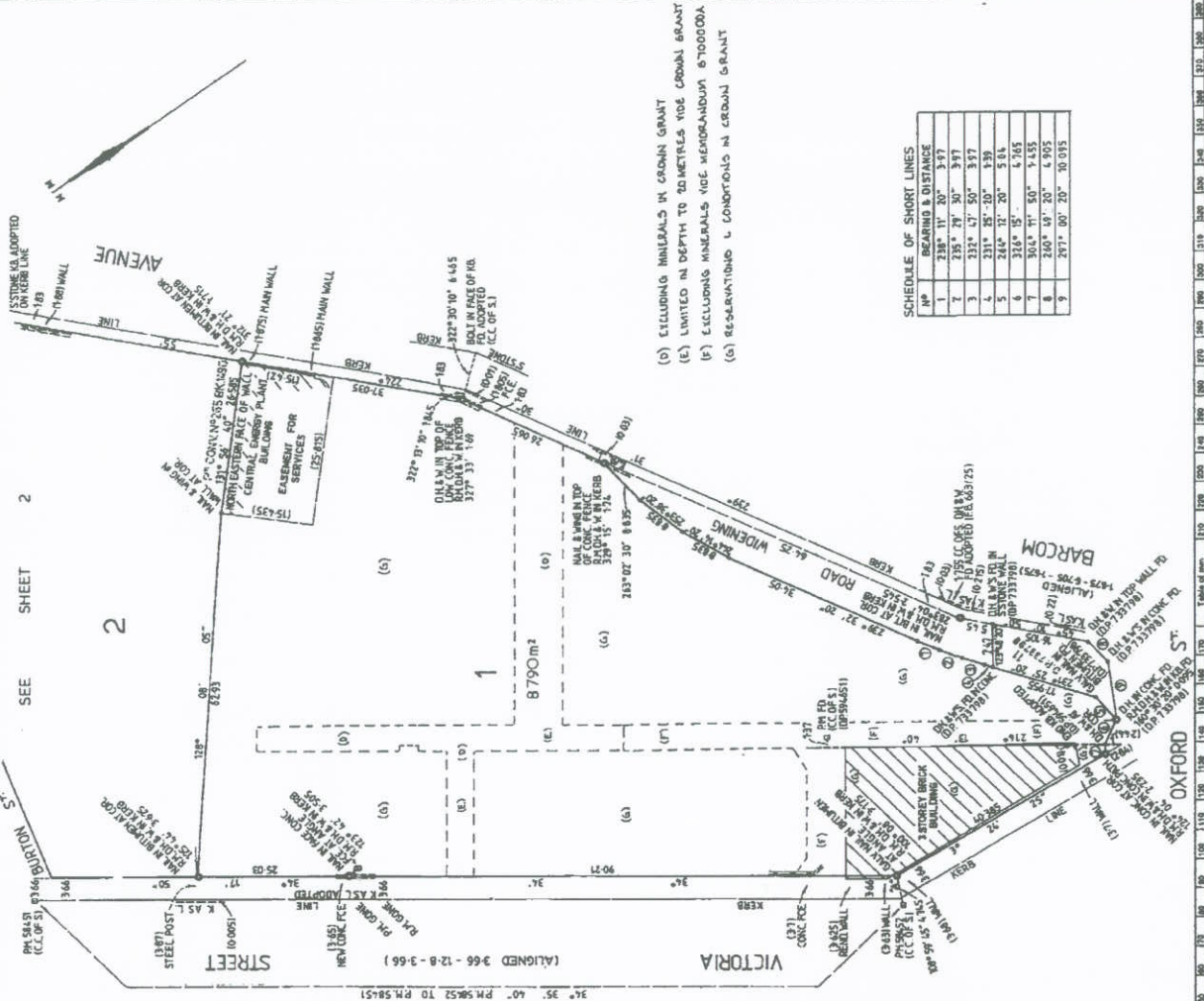
SURVEYOR'S REFERENCE 58779



Plan Drawing only to appear in this space

SEE SHEET 2

2



SCHEDULE OF SHORT LINES

| LINE | BEARING & DISTANCE |
|------|--------------------|
| 1    | 238° 11' 20" 377   |
| 2    | 235° 17' 20" 377   |
| 3    | 232° 35' 20" 377   |
| 4    | 232° 35' 20" 377   |
| 5    | 232° 35' 20" 377   |
| 6    | 324° 31' 20" 514   |
| 7    | 324° 31' 20" 514   |
| 8    | 304° 11' 50" 1455  |
| 9    | 260° 48' 20" 4055  |
| 10   | 277° 00' 20" 10395 |

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 6th June, 1991

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

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

OFFICE USE ONLY

DP 804753

Register: H3 74-5-1991

CA: N° 16/10 OF 21.9.1989

This System: TORRENS & OLD SYSTEM

Purpose: P.A. 60572 & SUBDIVISION

Ref Map: RUSH SH4, DP 999799, 99617, 10045-472, 2076(L)

Last Plan: SEE BELOW

PLAN OF SUBDIVISION OF LOT 2 OF 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898

(Sheet 1 of 7 Sheets)

Full name and Address  
of Proprietor of the Land:

PART 1  
Subdivision covered by Council  
Clerk's Certificate No 26/90 of  
27 September 1989

| 1. <u>Identity of Easement or restriction firstly referred to in the abovementioned plan</u> | Easement for Services |
|----------------------------------------------------------------------------------------------|-----------------------|
|                                                                                              |                       |
|                                                                                              |                       |
|                                                                                              |                       |
|                                                                                              |                       |
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|                                                                                              |                       |
|                                                                                              |                       |
|                                                                                              |                       |
|                                                                                              |                       |

Schedule of Lots etc. Affected

| <u>Lot Burdened</u> | <u>Lots Benefited</u> |
|---------------------|-----------------------|
| Lot 1               | Lot 2                 |

|      |               |                  |                            |
|------|---------------|------------------|----------------------------|
| Land | In Conveyance | No 681 Book 3359 | (Lot Y in Litho Plan 467d) |
| Land | In Conveyance | No 554 Book 2367 |                            |
| Land | In Conveyance | No 109 Book 2391 |                            |
| Land | In Conveyance | No 42 Book 2408  |                            |
| Land | In Conveyance | No 48 Book 2410  |                            |
| Land | In Conveyance | No 446 Book 3263 |                            |
| Land | In Conveyance | No 156 Book 3311 |                            |
| Land | In Conveyance | No 49 Book 3012  |                            |
| Land | In Conveyance | No 119 Book 2471 |                            |
| Land | In Conveyance | No 133 Book 2628 |                            |
| Land | In Conveyance | No 406 Book 2047 |                            |
| Land | In Conveyance | No 394 Book 2374 |                            |
| Land | In Conveyance | No 588 Book 3274 |                            |
| Land | In Conveyance | No 453 Book 3042 |                            |
| Land | In Conveyance | No 717 Book 3090 |                            |
| Land | In Conveyance | No 158 Book 3325 |                            |
| Land | In Conveyance | No 430 Book 3063 |                            |
| Land | In Conveyance | No 7 Book 3035   |                            |
| Land | In Conveyance | No 424 Book 3177 |                            |
| Land | In Conveyance | No 6 Book 3173   |                            |
| Land | In Conveyance | No 623 Book 3281 |                            |
| Land | In Conveyance | No 993 Book 3367 |                            |
| Land | In Conveyance | No 681 Book 3359 | (Lot W in Litho Plan 467d) |

(Lot Y in Litho  
Plan 4674)  
(Lot W in Litho  
Plan 4674)

*Immagini*

11. ADMINISTRATIVE BY-LAW APPROVAL

PM:DF:TB:MS:SL21e (CM6)  
180590

Wm. Ogden

to Nolan

E. Mandel

REGISTERED  ME 24-5-1991

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

(Sheet 2 of 7 sheets)

PART 1  
Subdivision covered by Council  
Clerk's Certificate No 26/90 of  
27 September 1989

Lots Benefitted (Continued)

|                    |        |            |
|--------------------|--------|------------|
| Land in Conveyance | No 422 | Book 343   |
| Land in Conveyance | No 812 | Book 361   |
| Land in Conveyance | No 378 | Book 38244 |
| Land in Conveyance | No 814 | Book 3616  |
| Land in Conveyance | No 352 | Book 33451 |
| Land in Conveyance | No 272 | Book 30348 |
| Land in Conveyance | No 85  | Book 30284 |
| Land in Conveyance | No 705 | Book 30266 |

Certificates of Title:

|            |           |       |     |                                 |      |            |
|------------|-----------|-------|-----|---------------------------------|------|------------|
| Volume     | 8151      | Folio | 239 | (Loc Y DP 107210)               | B646 | 1/107210   |
| Volume     | 6481      | Folio | 143 | (Loc B DP 443216)               |      | 4/107210   |
| Volume     | 6481      | Folio | 142 | (Loc B DP 443216)               |      | 5/107210   |
| Volume     | 6481      | Folio | 141 | (Loc A DP 443216)               |      | 6/107210   |
| Volume     | 11396     | Folio | 135 | (Loc 2 DP 936766)               |      | 1/104736   |
| Volume     | 10824     | Folio | 137 | (Loc 1 DP 109138)               |      | 2/104736   |
| Volume     | 10824     | Folio | 136 | (Loc 1 DP 109138)               |      | 1/104736   |
| Volume     | 7115      | Folio | 226 | (Loc 1 DP 510207)               |      | 1/104736   |
| Volume     | 8059      | Folio | 214 | (Loc C DP 107712)               |      | 4/107712   |
| Volume     | 8059      | Folio | 213 | (Loc D DP 107712)               |      | 4/107712   |
| Volume     | 8036      | Folio | 96  | (Loc F DP 107712)               |      | 4/107712   |
| Identifier | 12/101598 |       |     |                                 |      | 1/107712   |
| Volume     | 13012     | Folio | 43  | (Loc 1 DP 534549)               |      | 1/545494   |
| Volume     | 10832     | Folio | 193 | (Loc 1-16 DP 755011)            |      | 10/755011  |
| Volume     | 18923     | Folio | 133 | (Loc 1-16 DP Transfert 6928615) |      | 10/4429972 |
| Volume     | 12590     | Folio | 124 | (Plan M 21836 Decp.)            |      |            |
| Volume     | 7241      | Folio | 121 | (Loc 4 DP 110706)               |      | 9/10706    |
| Volume     | 7241      | Folio | 121 | (Loc 4 DP 110706)               |      | 9/10706    |
| Volume     | 6580      | Folio | 23  | (Loc 5 DP 30306)                |      | 9/10706    |
| Volume     | 4309      | Folio | 16  | (Loc 1 DP 503547)               |      | 9/10706    |
| Volume     | 4011      | Folio | 71  | (Loc 1 Order B501701)           |      | 9/10706    |
| Volume     | 2995      | Folio | 63  | (Loc 7 P-A. 17703)              |      | 9/10706    |
| Volume     | 2420      | Folio | 246 | (Loc 8 DP 68166)                |      | 8/68166    |
| Volume     | 339       | Folio | 63  | (Loc 9 DP 54562)                |      | 8/54562    |
| Volume     | 10741     | Folio | 104 | (Loc 9 DP 526533)               |      | 1/545629   |
| Volume     | 10741     | Folio | 105 | (Loc 2 DP 526533)               |      | 2/545629   |

*M. magnus*

P. J. Davis

H. CUNNINGHAM 45 Y 1104 117024N 107°

*E. baddleyi*

PM:DF:TB:MS:81.21e (CN6)  
180590

REGISTERED  MD 24-5-199

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

6th June, 1991





INSTRUMENT SETTING OUT TERMS OF EASEMENT  
INTENDED TO BE CREATED PURSUANT TO SECTION 89B  
OF THE CONVEYANCING ACT, 1919

(Sheet 4 of 7 Sheets)

PART 2

Plan: DP04753  
Subdivision covered by Council  
Clerk's Certificate No 16/90 of  
27 September 1989

1. Terms of Easement directly referred to in the abovementioned  
Plan:-

In this easement:

"General Hospital Land" means the lots benefited by this  
easement.

"General Hospital Proprietor" means the persons who are from  
time to time entitled to an estate or interest in possession  
in the lots benefited.

"Private Hospital Land" means Lot 1 in the said plan.

"Private Hospital Proprietor" means the registered proprietor  
of Lot 1 in the said plan.

Full and free right for the General Hospital Proprietor to use  
the Central Energy plant building shown on the said plan to  
have use, maintain, repair and replace without cost to the  
Private Hospital Proprietor, the Boiler Equipment and any  
ancillary or replaced equipment therein for the supply to the  
General Hospital Land of steam and/or other energy produced by  
the said equipment through existing or other ducts and  
pipelines to the presently existing buildings on the General  
Hospital Land (hereinafter in this easement together called  
"the works") together with the right for the General Hospital  
Proprietor and any person authorised by it with any tools,  
instruments and machinery necessary for the purpose to enter  
upon and within the said Central Energy Plant Building as may  
be reasonably necessary and to remain there for any reasonable  
time for the purpose of inspecting, cleaning, repairing, any  
maintaining, replacing or renewing the said equipment, any  
part thereof but upon and subject to the following conditions:-

(a) The General Hospital Proprietor and any person  
authorised by it shall take all reasonable precautions  
to ensure as little disturbance or damage to the  
Private Hospital Land and to the rights of the Private  
Hospital Proprietor and will as soon as reasonably  
possible restore the Private Hospital Land as nearly as  
practicable to its original condition;

(b) The General Hospital Proprietor and all authorised  
users and all other persons entering upon the Private  
Hospital Land in pursuance of the rights hereby granted  
shall assume all risk of loss, damage or injury by fire

WM:DP:TS:MS:81216 (CM6)  
180590

*W. D. Brown*  
*M. Cunningham & Co*  
*Proprietors*  
*W. D. Brown*  
*W. D. Brown*

REGISTERED

MB 24/5/1991

INSTRUMENT SETTING OUT TERMS OF EASEMENT  
INTENDED TO BE CREATED PURSUANT TO SECTION 89B  
OF THE CONVEYANCING ACT, 1919

(Sheet 3 of 7 Sheets)

PART 1

Plan: DP04753  
Subdivision covered by Council  
Clerk's Certificate No 16/90 of  
27 September 1989

Lots Benefitted (Continued)

|                                                                   |       |         |
|-------------------------------------------------------------------|-------|---------|
| Volume 3987 Folio 179 (Lot 1 DP 76153)                            | Being | 1/10/53 |
| Volume 4011 Folio 28 (Lot 1 DP 77239)                             |       | 1/11/53 |
| Volume 2453 Folio 38 (Lot 2 DP 94533)                             |       | 2/04/53 |
| Volume 2453 Folio 39 (Lot 1 DP 94534)                             |       | 1/04/53 |
| Volume 8177 Folio 79 (Lots A, D & E<br>Order G514165) (DP 440686) |       | 1/04/53 |
| Volume 7169 Folio 48 (Lot B DP 440688)                            |       | 1/04/53 |
| Volume 4827 Folio 130 (Lot 1 Transfer C511582) (DP 87/444)        |       | 1/04/53 |
| Volume 439 Folio 150 (Lot 1 DP 905356)                            |       | 1/04/53 |
| Volume 439 Folio 151 (Lot 1 DP 905357)                            |       | 1/04/53 |
| Volume 7483 Folio 220 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 221 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 222 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 223 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 224 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 225 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 226 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 227 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 228 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 229 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 230 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 231 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 232 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 233 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 234 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 235 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 236 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 237 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 238 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 239 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 240 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 241 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 242 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 243 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 244 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 245 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 246 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 247 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 248 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 249 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 250 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 251 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 252 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 253 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 254 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 255 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 256 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 257 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 258 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 259 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 260 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 261 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 262 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 263 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 264 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 265 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 266 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 267 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 268 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 269 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 270 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 271 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 272 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 273 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 274 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 275 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 276 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 277 (Lot E DP 438264)                           |       | 1/04/53 |
| Volume 7483 Folio 278 (Lot E DP 438264)                           |       | 1/04/53 |
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INSTRUMENT SETTING OUT TERMS OF EASEMENT  
INTENDED TO BE CREATED PURSUANT TO SECTION 80B  
OF THE CONVEYANCING ACT, 1919

(Sheet 5 of 7 Sheets)

Plan:

DP0804753

PART 2

Subdivision covered by Council  
Clerk's Certificate No 26/90 of  
27 September 1989

- (c) the General Hospital Proprietor agrees to indemnify and release the Private Hospital Proprietor against all claims for such loss sustained by the General Hospital Proprietor or by any agent or employee of the Private Hospital Proprietor or by any person whatsoever, unless caused by the negligence of the Private Hospital Proprietor or its employees or agents.
- (d) No cleansing, repairing, maintenance, replacements or renewals shall be carried out by the General Hospital Proprietor without first obtaining the consent of the Private Hospital Proprietor and in the case of cleansing, repairs and maintenance such consent shall not be unreasonably withheld.
- (e) The works shall at no time occupy or involve the use of any more areas of the Central Energy Plant Building than are used for the generation of steam at the date of granting of this easement.
- (f) The General Hospital Proprietor all persons authorised by it shall ensure that the works and the exercise of any other rights granted by this easement do not interfere with the continued use and enjoyment of those areas of the Central Energy Plant Building used for residential purposes at the date of granting of this easement.
- (g) Nothing contained in this easement shall require the Private Hospital Proprietor to conduct the restoration of or alterations to the Central Energy Plant Building provided that it shall at its discretion be entitled to do so at its own expense subject to taking all reasonable precautions to ensure that the works are not interfered with.

PM:DF:TB:MS:BL216 (CM6)  
180590

*M. Maguire* *M. Maguire*  
*H. Cunningham* *H. Cunningham*  
*P. Cunningham* *P. Cunningham*  
*C. Hadden*

REGISTERED MB 24.5.1991

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INSTRUMENT SETTING OUT TERMS OF EASEMENT  
INTENDED TO BE CREATED PURSUANT TO SECTION 80B  
OF THE CONVEYANCING ACT, 1919

(Sheet 6 of 7 Sheets)

Plan:

DP0804753

PART 2

Subdivision covered by Council  
Clerk's Certificate No 26/90 of  
27 September 1989

- (h) The General Hospital Proprietor shall release this easement upon request by the Private Hospital Proprietor if (i) the General Hospital Proprietor witnesses substantial use of alternative energy sources which is capable of supplying the energy needs of the General Hospital Proprietor if it no longer had the use of the Central Energy Plant Building;
- (i) the General Hospital Proprietor land or a substantial part of that part thereof which is bounded by Victoria Street, Burton Street and Barton Avenue ceases to be used as a hospital.
- (j) The rights hereby granted shall lapse in respect of any parts of the General Hospital Proprietor land which cease to be used as a hospital or purposes ancillary thereto as from the date of such cessation.

SIGNED in my presence by the  
said MARY MAGUIRE who is  
personally known to me:

*M. Maguire*

SIGNED in my presence by the  
said MARY MAGUIRE who is  
personally known to me:

*M. Maguire*

SIGNED in my presence by the  
said MARY MAGUIRE who is  
personally known to me:

*M. Maguire*

SIGNED in my presence by the  
said HELEN ANNE CLARKE who is  
personally known to me:

*H. A. Clarke*

PM:DF:TB:MS:BL216 (CM6)  
180590

REGISTERED MB 24.5.1991

This negative is a photograph made as a permanent  
record of a document in the custody of the  
Registrar General this day: 6th June, 1991





INFRINGING SETTING OUT TERMS OF AGREEMENT  
INTENDED TO BE GRANTED PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT, 1913

(Sheet 7 of 7 Sheets)

PART 2

Plan: DP804753

Subdivision covered by Council  
Clerk's Certificate No 26/90 of  
27 September 1989

THE COMMON SEAL OF THE TRUSTEES  
OF THE SISTERS OF CHARITY OF  
AUSTRALIA was hereunto affixed  
in presence of the  
Superior-General and two  
members of the Body Corporate:

.....  
Superior-General  
.....  
Member  
.....  
Member

FW:DPFTR:HS:R121E (CN6)  
180590

REGISTERED 11/8 24.5.1991

This negative is a photograph made as a permanent  
record of a document in the custody of the  
Registrar General this day, 6th June, 1991



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28 August, 2006

Department of Planning  
23 - 33 Bridge Street  
SYDNEY NSW 2000

**Attention: Mr Oliver Klein**

Dear Oliver,

**St. Vincent's Hospital, Darlinghurst (Caritas Site)**

Please find attached copies of the three options for the Caritas Concept Plan which you have requested. Please note that Option 2 is the preferred option of St. Vincent's Hospital.

I have also included a copy of the two design sketches by David Wardman and detailed aerial photographs together with a cover sheet which explains the three options.

I trust that this information will be satisfactory in providing the Minister with a more detailed brief on what is proposed.

From our previous discussions and correspondence I'm given to understand that the Clause 6 application should have already been forwarded to the Minister for consideration. Also, as per my earlier email to you dated 16 August 2006, it would be appreciated if you could provide a copy of the Director-General's requirements as a matter of urgency.

Should you have any questions please do not hesitate to contact me on 9929 0522.

Yours sincerely,

**Tony Collier**  
Architectus Sydney

Cc: Mr Greg O'Neill  
Aurora Projects Pty Ltd  
Suite 4, Level 16  
122 Arthur Street  
North Sydney NSW 2060

Encs:

Architectus  
Urban Design  
Planning  
Interior Architecture

Architectus Sydney Pty Ltd  
Aurora Projects Pty Ltd  
2141 McLaren Street  
North Sydney  
NSW 2060 Australia  
Tel: 9 9929 0522  
Fax: 9 9929 0788  
sydney@architectus.com.au  
www.architectus.com.au

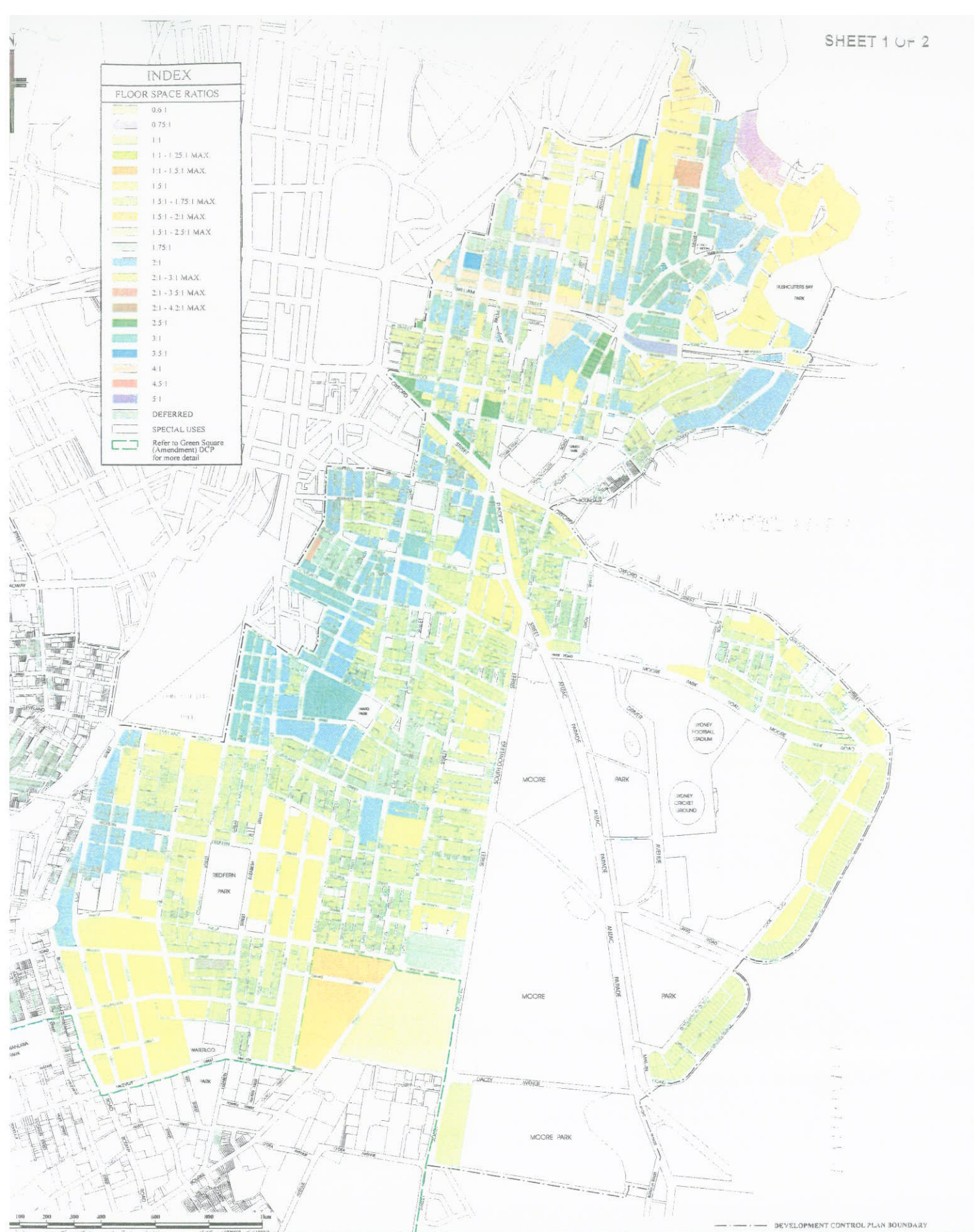
Architectus  
Sydney  
Melbourne  
Brisbane  
Sydney







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|--------------------|-------------------------------------------------------|
| FLOOR SPACE RATIOS |                                                       |
|                    | 0.5:1                                                 |
|                    | 0.75:1                                                |
|                    | 1:1                                                   |
|                    | 1:1 - 1.25:1 MAX.                                     |
|                    | 1:1 - 1.5:1 MAX.                                      |
|                    | 1.5:1                                                 |
|                    | 1.5:1 - 1.75:1 MAX.                                   |
|                    | 1.5:1 - 2:1 MAX.                                      |
|                    | 1.5:1 - 2.5:1 MAX.                                    |
|                    | 1.75:1                                                |
|                    | 2:1                                                   |
|                    | 2:1 - 3:1 MAX.                                        |
|                    | 2:1 - 3.5:1 MAX.                                      |
|                    | 2:1 - 4:2:1 MAX.                                      |
|                    | 2.5:1                                                 |
|                    | 3:1                                                   |
|                    | 3.5:1                                                 |
|                    | 4:1                                                   |
|                    | 4.5:1                                                 |
|                    | 5:1                                                   |
|                    | DEFERRED                                              |
|                    | SPECIAL USES                                          |
|                    | Refer to Green Square (Amendment) DCP for more detail |



DN BY G.P. DATE May 97

REVISIONS BY G.P. POLITIS

DESIGNED BY N. HORIATOPOULOS

DCP No 2001512

IN FORCE FROM 27/97

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979



# **SOUTH SYDNEY** **DEVELOPMENT CONTROL PLAN** **1997** **FLOOR SPACE RATIO**

## AMENDMENTS

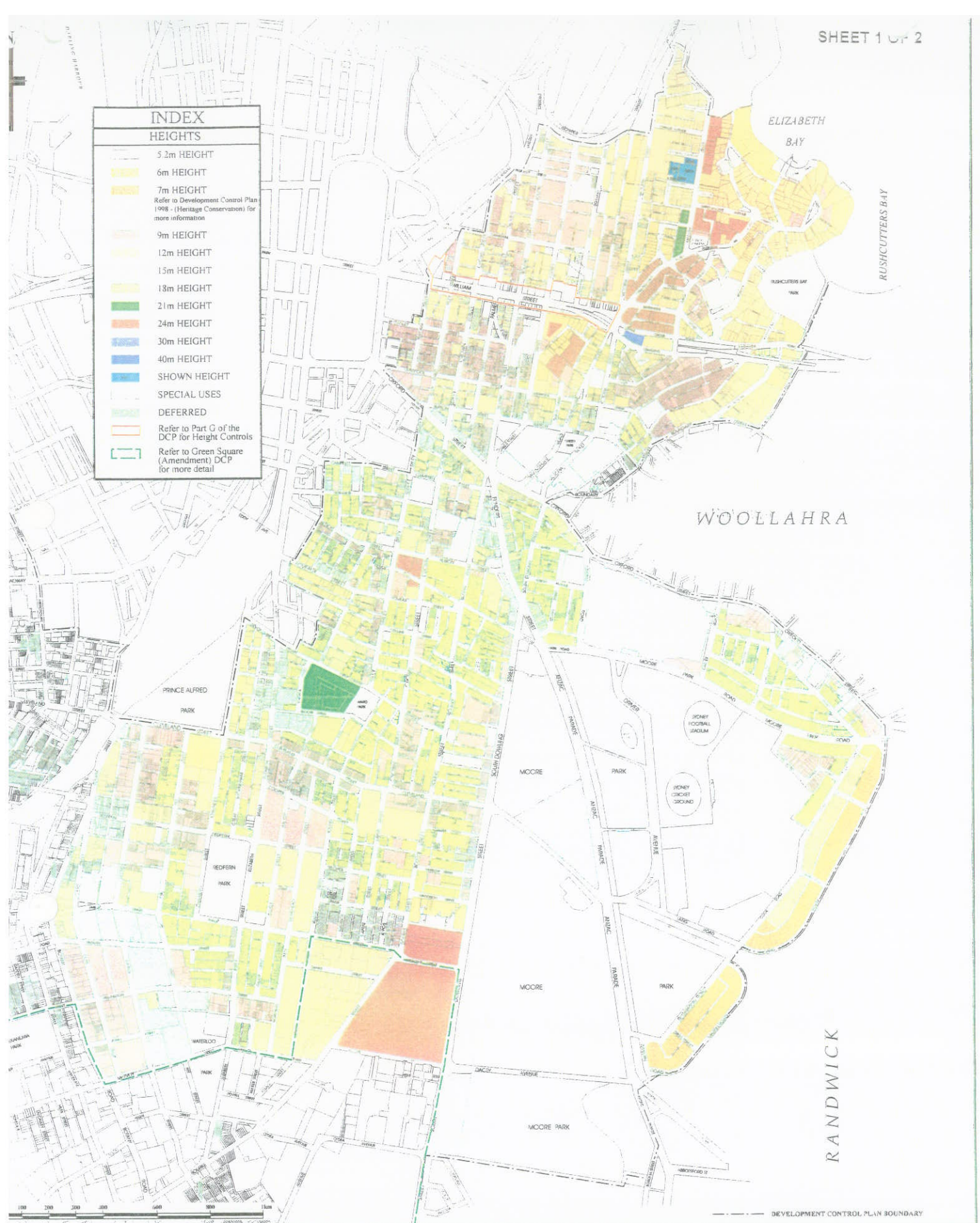
- \* Green Square (Stage 1)  
Effective 16 March 1999
- \* Green Square Deferred Block (Lachlan St & O'Dea Ave)  
Effective 30 December 1999
- \* St. Margaret's Hospital  
Effective 5 March 2001
- \* CRI Site (2-18 Bourke Rd & 1-7 O'Riordan St, Alexandria)  
Effective 2 October 2001
- \* Green Square (Stage 2)  
Effective 22 April 2002



## INDEX

## HEIGHTS

- 5.2m HEIGHT  
6m HEIGHT  
7m HEIGHT  
Refer to Development Control Plan 1998 - (Heritage Conservation) for more information  
9m HEIGHT  
12m HEIGHT  
15m HEIGHT  
18m HEIGHT  
21m HEIGHT  
24m HEIGHT  
30m HEIGHT  
40m HEIGHT  
SHOWN HEIGHT  
SPECIAL USES  
DEFERRED  
Refer to Part G of the DCP for Height Controls  
Refer to Green Square (Amendment) DCP for more detail



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979



# SOUTH SYDNEY DEVELOPMENT CONTROL PLAN 1997 HEIGHT

## AMENDMENTS

- \* Green Square (Stage 1)  
- Effective 15 March 1999
- \* Green Square Deferred Block (Lachlan St & O'Dea Ave)  
- Effective 20 December 1999
- \* St. Margaret's Hospital  
- Effective 3 March 2001
- \* Centennial Park Amendment  
Amendment No.2 (Heritage Conservation) - DCP 1998  
- Effective 3 March 2001
- \* William Street Precinct  
- Effective 10 October 2001
- \* Green Square (Stage 2)  
- Effective 22 April 2002

OWN BY G.P. DATE May 97

DRAWING BY G. POLITIS

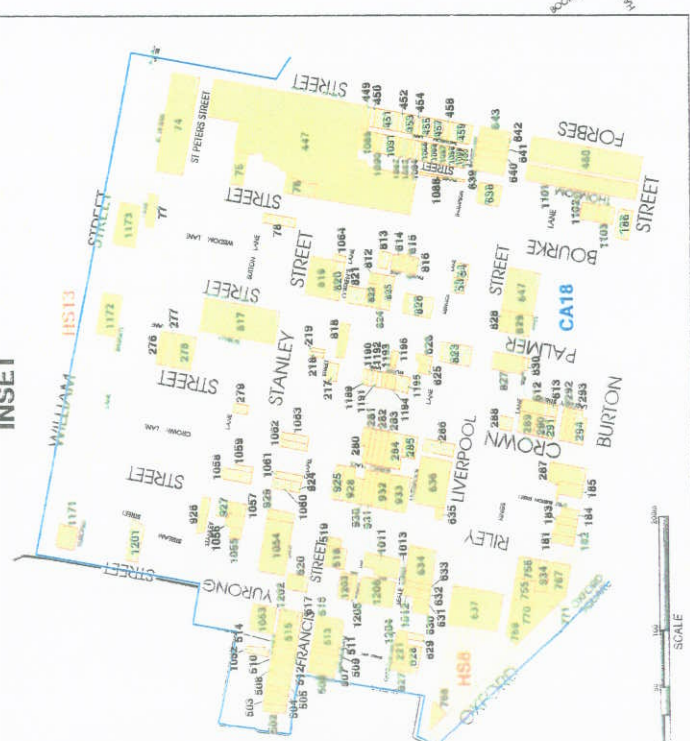
DRAWING BY M. HORIATOPOULOS

DRAWING No. 2001512

IN FORCE FROM 2/7/97



INSET



- HERITAGE ITEMS
- HERITAGE CONSERVATION AREAS
- STREETSCAPE AREAS
- BUSBY'S BORE

NOTE: Heritage number 186 (Busby's Bore) is indicative only. The schedule should be read for a more detailed description.

LOCAL ENVIRONMENTAL PLAN BOUNDARY

STATEMENT OF RELATIONSHIP WITH OTHER PLANS  
Amended Local Environmental Plan 1998 - Amendment No. 3  
Amended Local Environmental Plan 1998 - Amendment No. 7  
Amended Local Environmental Plan 1998 - Amendment No. 11  
CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979  
SOUTH SYDNEY  
LOCAL ENVIRONMENTAL PLAN 1998  
(Amendment No. 3) - Heritage Conservation

DATE: 28/08/99  
OFFICIAL: J. POULTON  
NOTE: THIS IS AN EXTRACT OF THE ORIGINAL MAP GAZETTED ON 28/08/99

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NOTE: THIS IS AN EXTRACT OF THE ORIGINAL MAP GAZETTED ON 28/08/99





**Urban Context Aerial Photograph**

The site is bounded by Bourke Street, Burton Street and Forbes Street with the former police station forming the southern property boundary.

The site is located in a large area of institutional buildings of varying scale. The institutional area and the surrounding mixed residential area about a Conservation Area.

Note, the 'Republic' building (bottom right in the photograph) which is a six storey building with an FSR of 2.5:1.

The St. Margaret's Hospital redevelopment one block north of Taylor Square on Bourke Street) was approved with an FSR of 3.3:1.



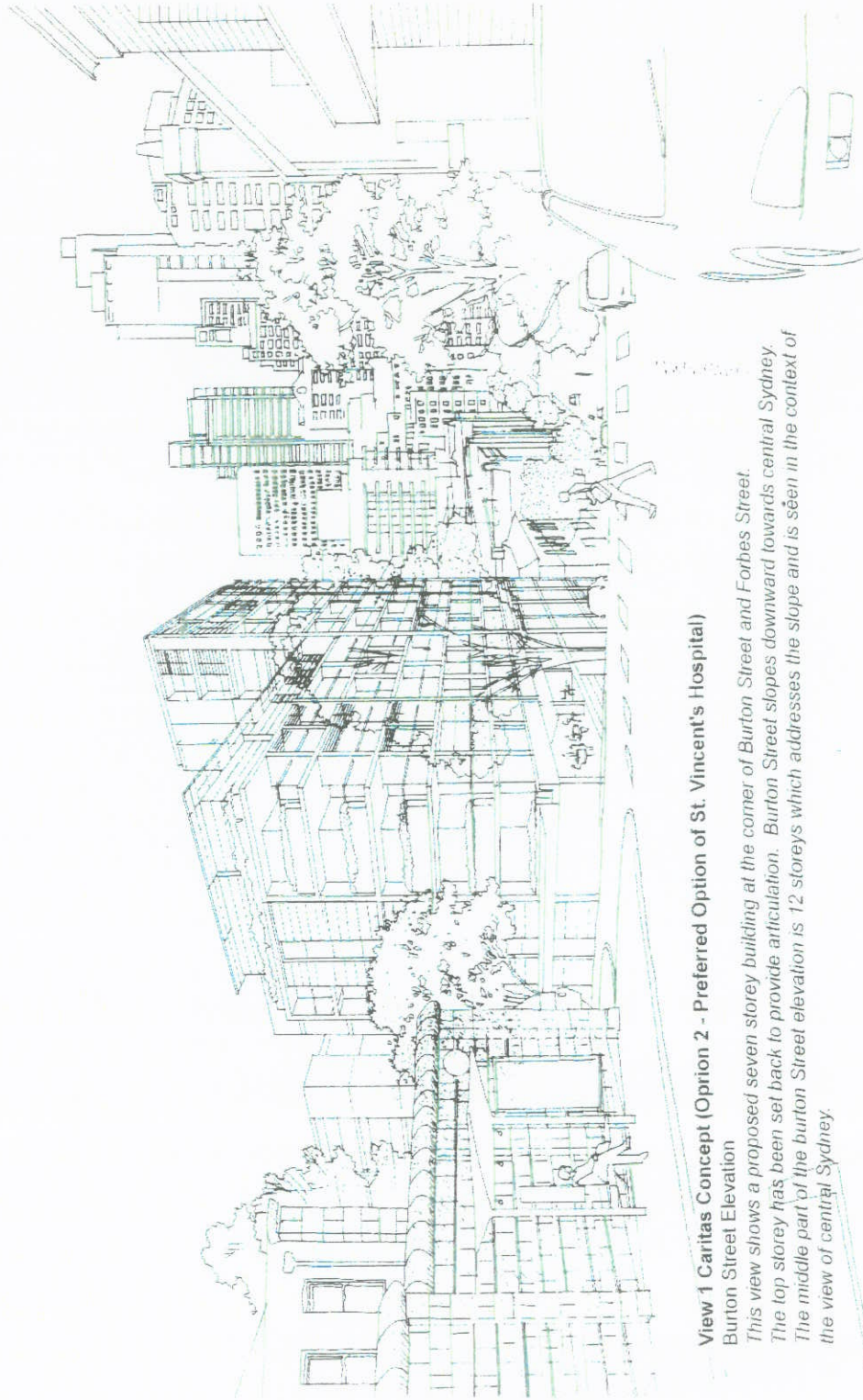


### Site Buildings

Three heritage listed buildings on-site are to be retained (being Caritas House, Caritas Cottage and the small Arts & Crafts building on the corner of Bourke Street and Burton Street which served in the past as a kitchen to the complex).

According to Graham Brooks & Associates, Heritage Consultants, the rear addition to Caritas House and the existing Caritas Centre can to be demolished.





**View 1 Caritas Concept (Option 2 - Preferred Option of St. Vincent's Hospital)**

**Burton Street Elevation**

*This view shows a proposed seven storey building at the corner of Burton Street and Forbes Street. The top storey has been set back to provide articulation. Burton Street slopes downward towards central Sydney. The middle part of the Burton Street elevation is 12 storeys which addresses the slope and is seen in the context of the view of central Sydney.*



**View 2 Caritas Concept (Option 2 - Preferred Option of St. Vincent's Hospital)  
Bourke Street Elevation**

*This view shows a proposed six storey building fronting Bourke Street near the intersection of Burton Street. The sixth floor is set back to provide articulation.*

*The existing heritage wall along Bourke Street is retained as well as the brick building on the corner.*

*Note: The 'Republic' building diagonally opposite this intersection (building at the far right in the picture) is six storeys.*



## CARITAS CONCEPT PLAN

### INFORMATION SHEET TO ACCOMPANY THE THREE OPTIONS

The Caritas Concept is presented in three options:

**Option 1** represents the lowest unit yield providing for 101 residential apartments and approximately 1085m<sup>2</sup> of commercial floor space. Basement car parking is provided for a total of 131 tenant vehicles.

Option 1 will achieve a floor space ratio of 2.45:1. This is less than the density of the existing 'Republic' development adjacent to the site at 2.5:1.

**Option 2** represents the highest unit yield and is the preferred option for St. Vincent's Hospital. This option provides for 131 residential apartments and approximately 1085m<sup>2</sup> of commercial floor space. Basement car parking is provided for a total of 166 tenant vehicles.

Option 2 will achieve a floor space ratio of 3.15:1. This is less than the density of the existing St. Margaret's Hospital development on Bourke Street to the south of the site at 3.3:1.

**Option 3** represents the medium unit yield providing for 122 residential apartments and approximately 1085m<sup>2</sup> of commercial floor space. Basement car parking is provided for 154 vehicles.

Option 3 will achieve a floor space ratio of 2.94:1.

The table below describes the three options.

| Site Area<br>4426m <sup>2</sup> | No. Units | Residential GFA (m <sup>2</sup> ) | Commercial GFA<br>(m <sup>2</sup> ) | FSR    | NO. CP Bays |
|---------------------------------|-----------|-----------------------------------|-------------------------------------|--------|-------------|
| Option 1                        | 101       | 10875                             | 1085                                | 2.45:1 | 131         |
| Option 2                        | 131       | 13967                             | 1085                                | 3.15:1 | 166         |
| Option 3                        | 122       | 13000                             | 1085                                | 2.94:1 | 154         |

#### Car Parking

The site is subject to the South Sydney DCP 11 – Transport Guidelines for Development 1996. The DCP requires a lower car parking yield than proposed in the Central Sydney Controls due to differing objectives. By way of comparison, the DCP requires the following:

- 1 bedroom apartments 0.5 spaces per apartment
- 2 bedroom apartments 0.8 spaces per apartment
- 3 or more bedroom apartments 1.2 spaces per apartment

However, given the proximity of the property to Central Sydney and the site now being located within the City of Sydney local government area it was considered that the residential car parking provisions should be based upon the residential car parking provisions contained in the Central Sydney Controls 2005 which permits the following:

- 1 bedroom apartments 1 space per 2 apartments
- 2 bedroom apartments 1 space per apartment plus 1 additional space per 5 apartments
- Apartments with 3 or more bedrooms 2 spaces per apartment

As such, the residential car parking provision applied to the concept plan is 1.2 car bays per dwelling which reflects an average of the 2 bedroom apartments.

## Option 1

| Site Area 4426m <sup>2</sup> | Residential GFA (m <sup>2</sup> ) | No. Units | FSR    | Commercial GFA (m <sup>2</sup> ) |
|------------------------------|-----------------------------------|-----------|--------|----------------------------------|
| RL 65                        | 143                               | 1         |        |                                  |
| RL 62                        | 489                               | 4         |        |                                  |
| RL 59                        | 1229                              | 12        |        |                                  |
| RL 56                        | 2292                              | 21        |        |                                  |
| RL 53                        | 2302                              | 22        |        |                                  |
| RL 50                        | 2292                              | 21        |        |                                  |
| RL 47                        | 1697                              | 16        |        | 585                              |
| RL 43                        | 431                               | 4         |        | 500                              |
| Total                        | 10875                             | 101       | 2.45:1 | 1085                             |

## Car Parking:

Residential Spaces: 122

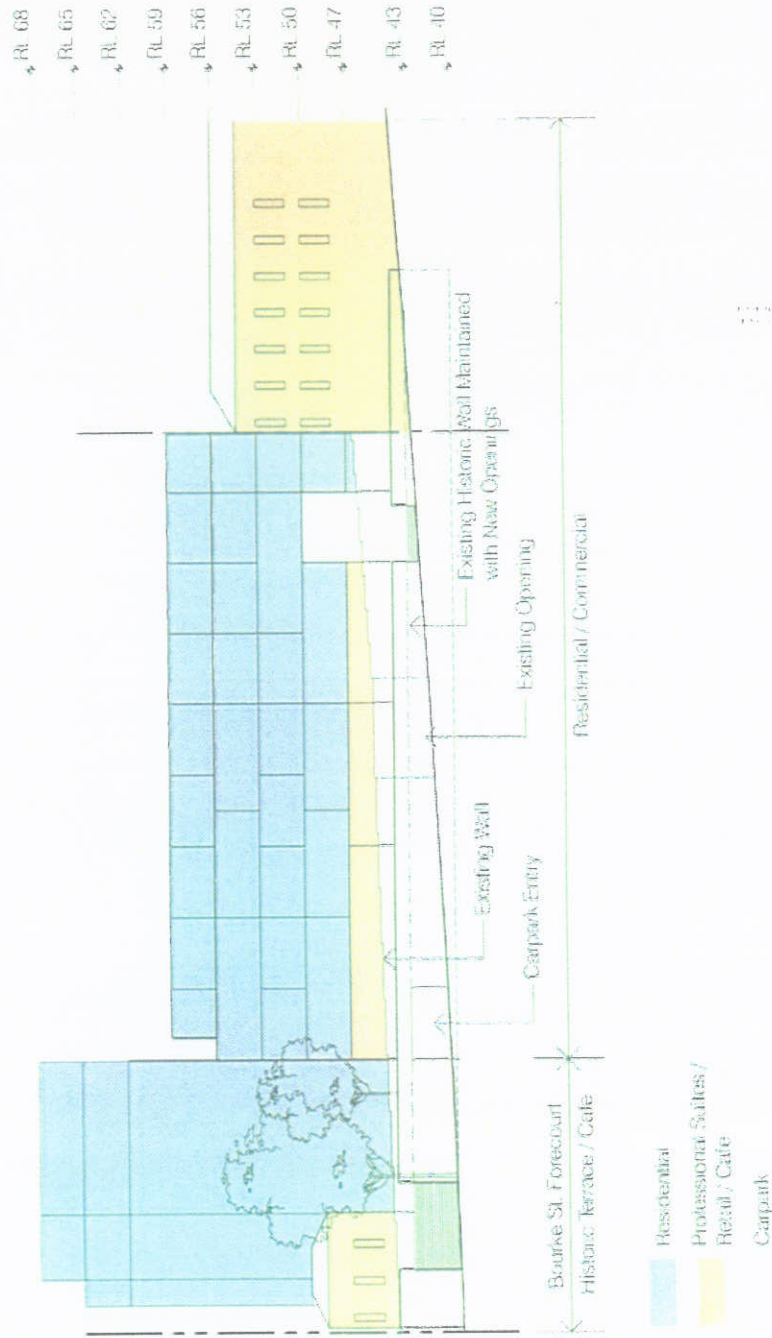
Commercial Spaces: 9

Total: 131



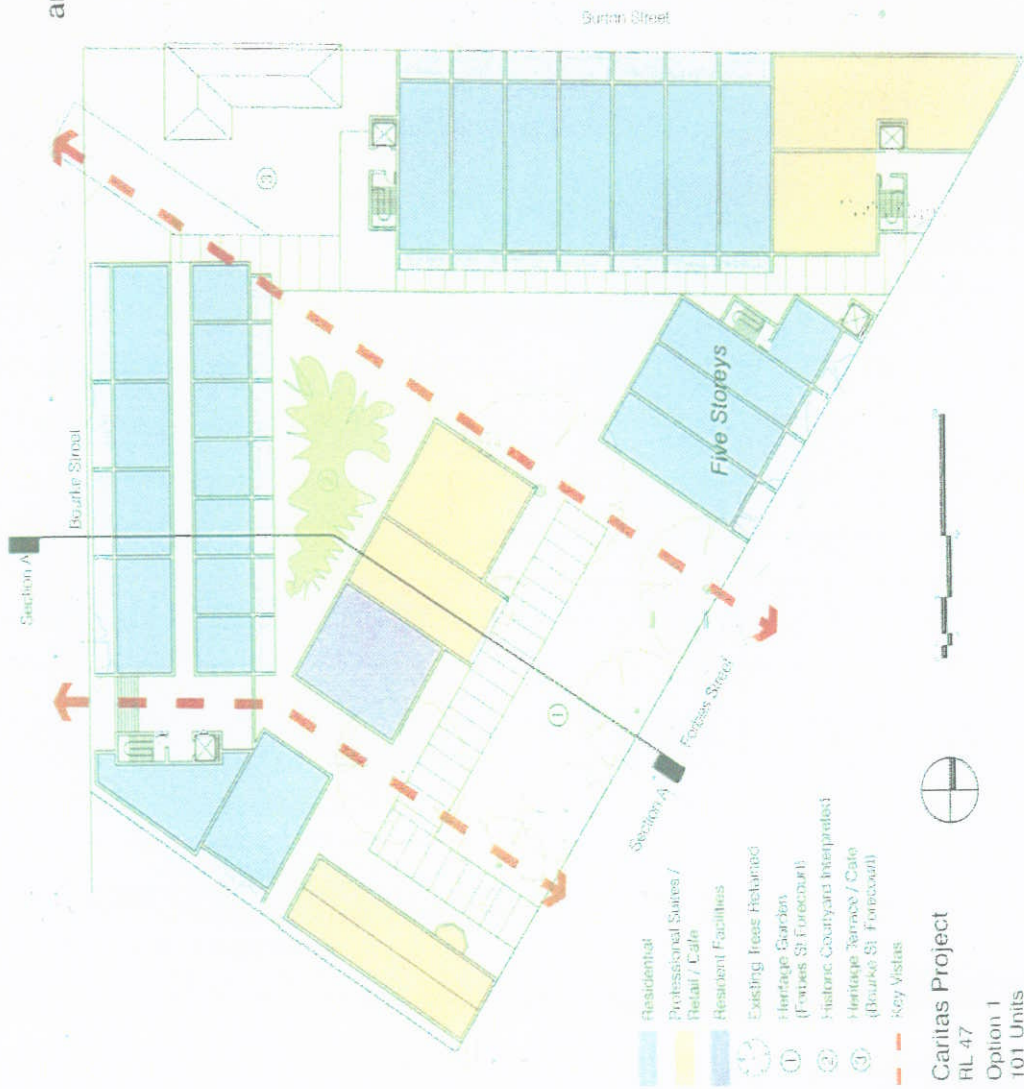


Option 1 - North Elevation  
(Burton Street)



Option 1 - West Elevation  
(Bourke Street)





Caritas Project  
RL 47  
Option 1  
101 Units



Residential

Caritas Project  
RL 50 & 56  
Option 1



## Option 2

| Site Area 4426m <sup>2</sup> | Residential GFA (m <sup>2</sup> ) | No. Units | FSR    | Commercial GFA (m <sup>2</sup> ) |
|------------------------------|-----------------------------------|-----------|--------|----------------------------------|
| RL 77                        | 459                               | 4         |        |                                  |
| RL 74                        | 459                               | 4         |        |                                  |
| RL 71                        | 459                               | 4         |        |                                  |
| RL 68                        | 459                               | 5         |        |                                  |
| RL 65                        | 944                               | 9         |        |                                  |
| RL 62                        | 944                               | 9         |        |                                  |
| RL 59                        | 1229                              | 12        |        |                                  |
| RL 56                        | 2292                              | 21        |        |                                  |
| RL 53                        | 2302                              | 22        |        |                                  |
| RL 50                        | 2292                              | 21        |        |                                  |
| RL 47                        | 1697                              | 16        |        | 585                              |
| RL 43                        | 431                               | 4         |        | 500                              |
| Total                        | 13967                             | 131       | 3.15:1 | 1085                             |

## Car Parking:

Residential Spaces: 157

Commercial Spaces: 9

Total: 166

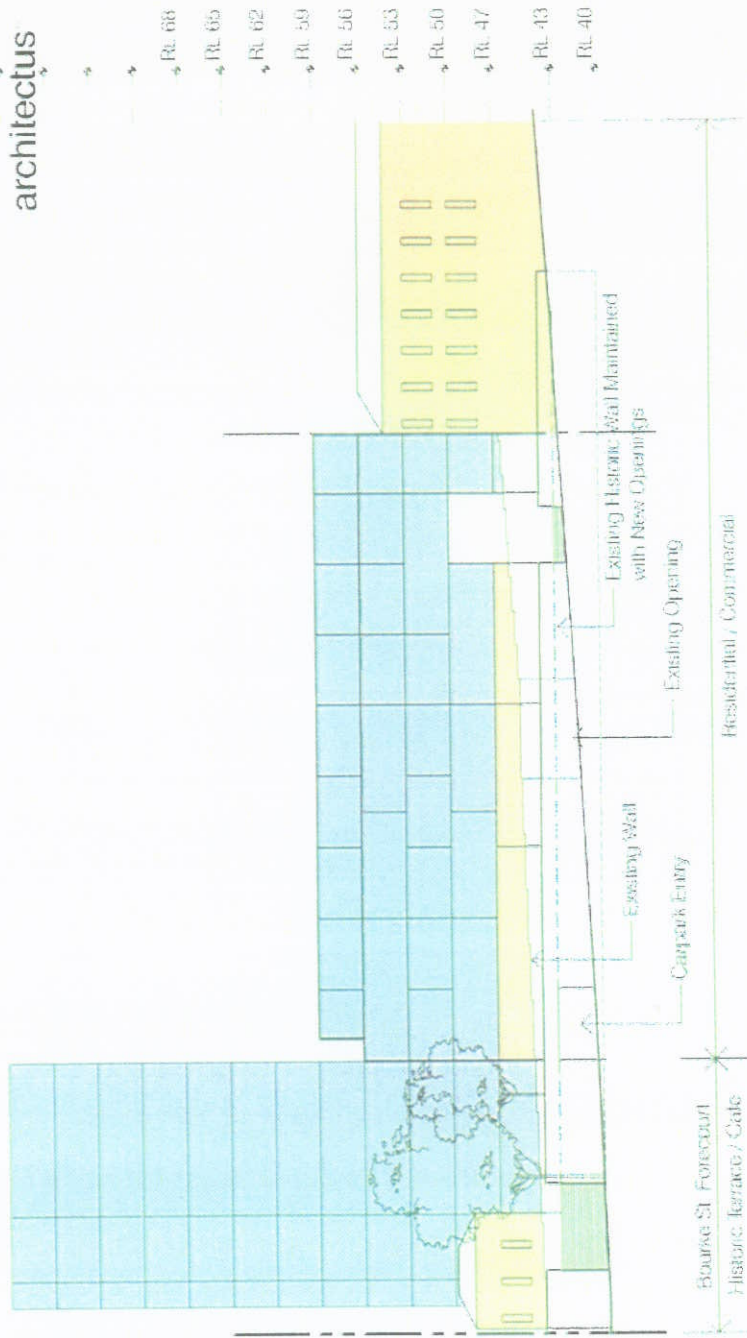
architectus



Option 2 - North Elevation  
(Burton Street)



architectus

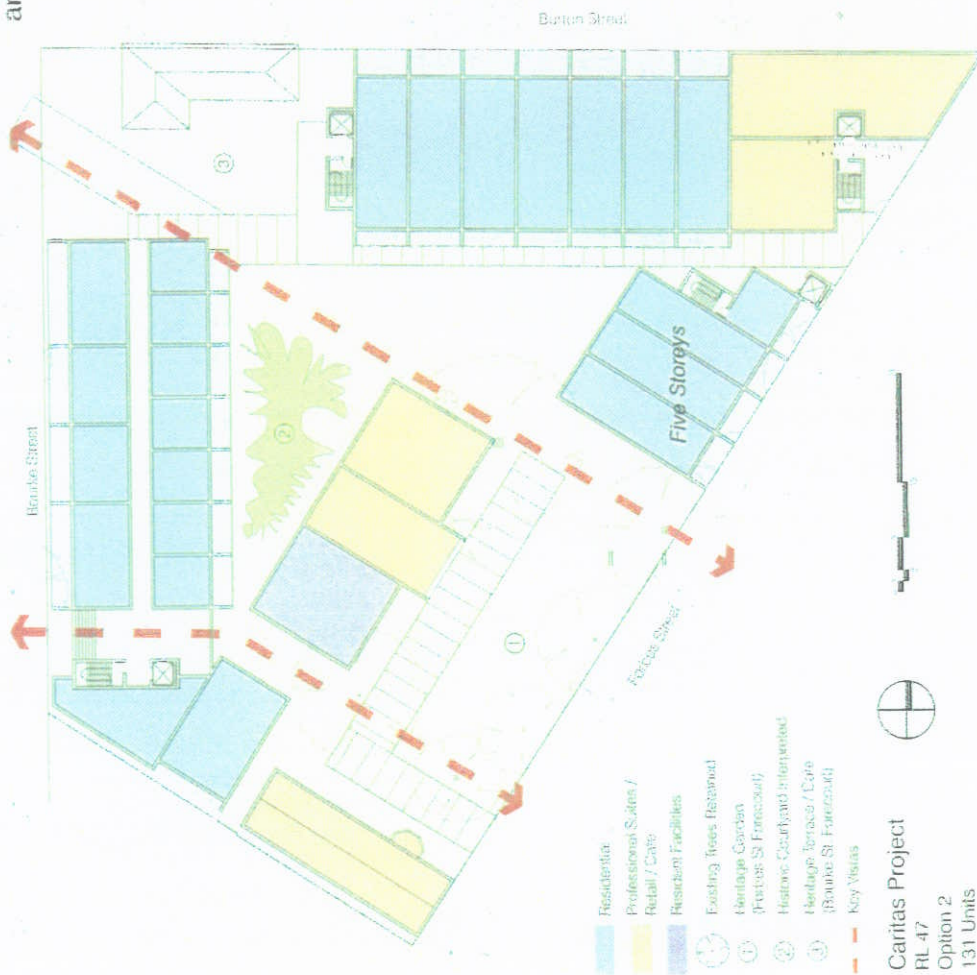


- Residential
- Professional Suites / Retail / Cafe
- Carpark

Option 2 - West Elevation  
(Bourke Street)

0 10 20 30 40 50 60 70 80 90 100









Residential

Caritas Project  
RL 50 & 56  
Option 2

## Option 3

| Site Area 4426m <sup>2</sup> | Residential GFA (m <sup>2</sup> ) | No. Units | FSR    | Commercial GFA (m <sup>2</sup> ) |
|------------------------------|-----------------------------------|-----------|--------|----------------------------------|
| RL 71                        | 459                               | 4         |        |                                  |
| RL 68                        | 459                               | 5         |        |                                  |
| RL 65                        | 944                               | 9         |        |                                  |
| RL 62                        | 944                               | 9         |        |                                  |
| RL 59                        | 1752                              | 16        |        |                                  |
| RL 56                        | 2006                              | 19        |        |                                  |
| RL 53                        | 2016                              | 19        |        |                                  |
| RL 50                        | 2292                              | 21        |        |                                  |
| RL 47                        | 1697                              | 16        |        | 585                              |
| RL 43                        | 431                               | 4         |        | 500                              |
| Total                        | 13000                             | 122       | 2.94:1 | 1085                             |

## Car Parking:

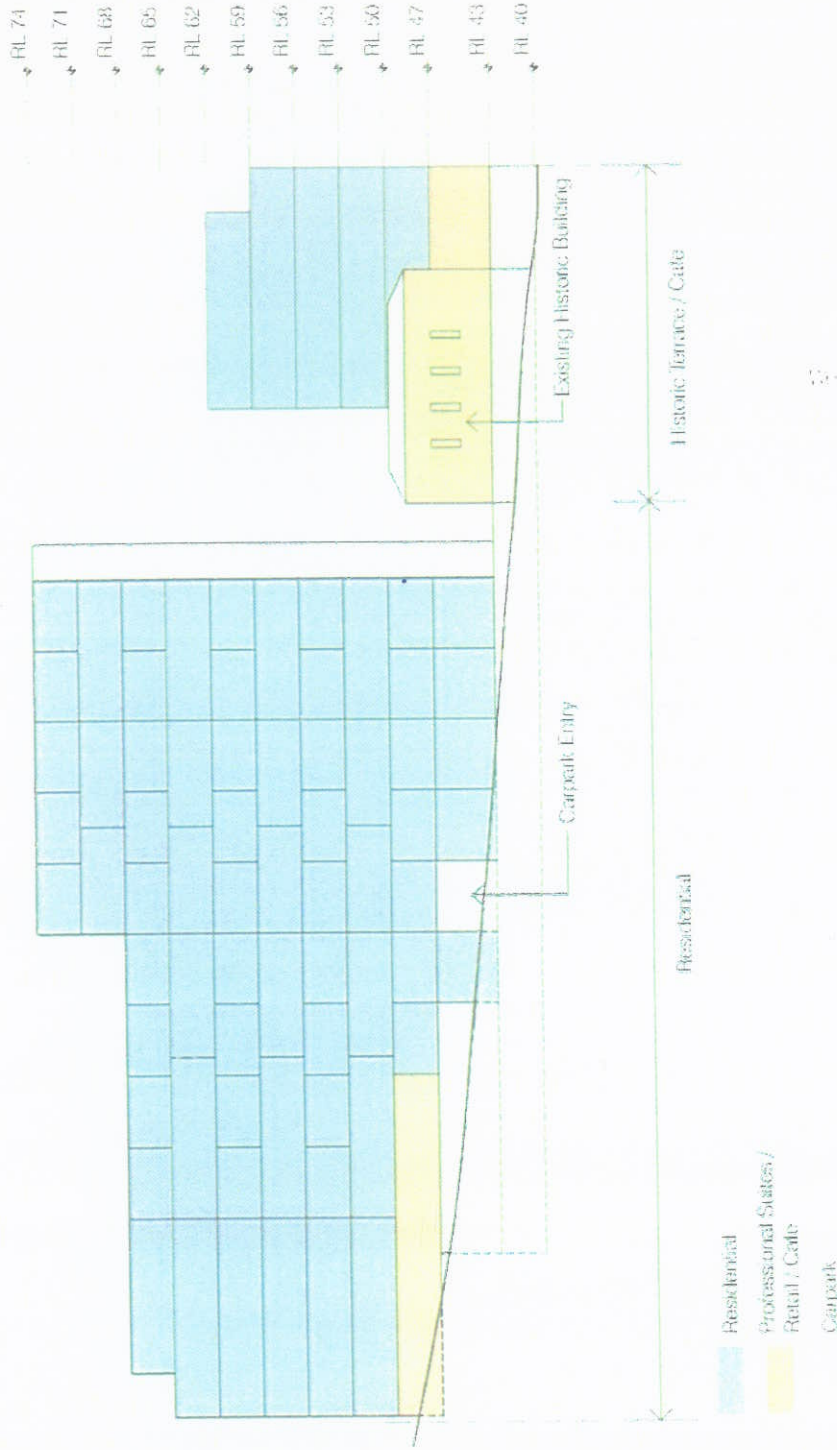
Residential Spaces: 146

Commercial Spaces: 9

Total: 154



architectus

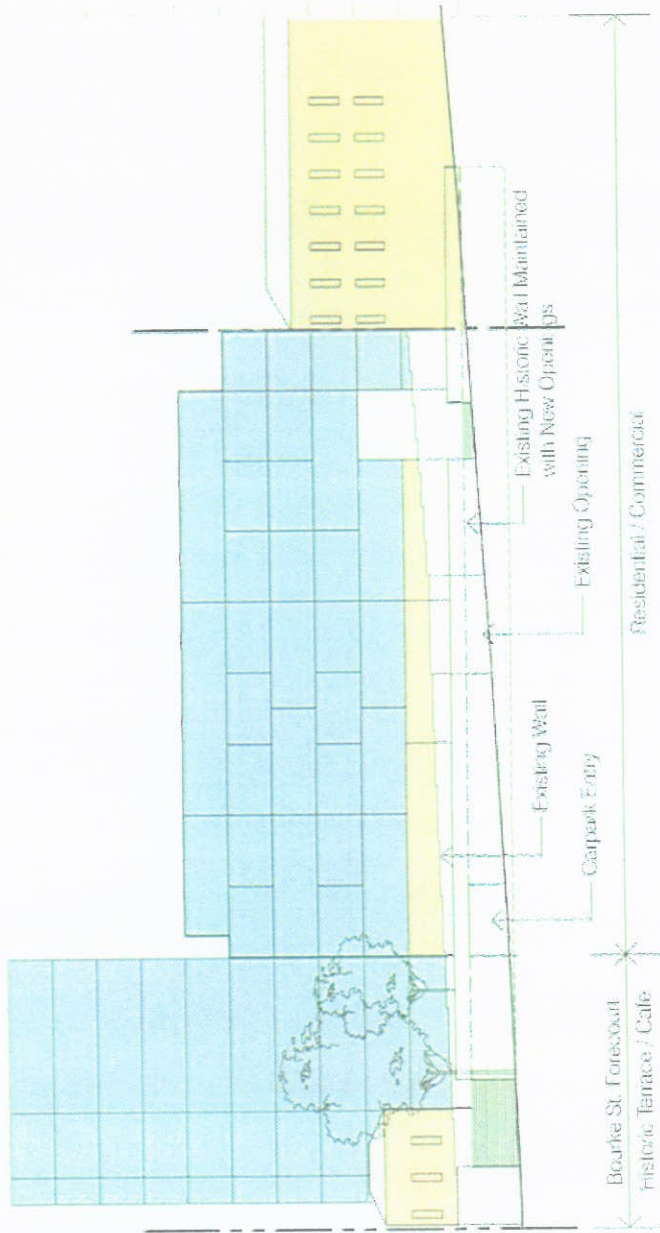


Option 3 - North Elevation  
(Burton Street)

- RL 74
- RL 71
- RL 68
- RL 65
- RL 62
- RL 59
- RL 56
- RL 53
- RL 50
- RL 47
- RL 43
- RL 40

architectus

- RL 74
- RL 71
- RL 68
- RL 65
- RL 62
- RL 59
- RL 56
- RL 53
- RL 50
- RL 47
- RL 43
- RL 40

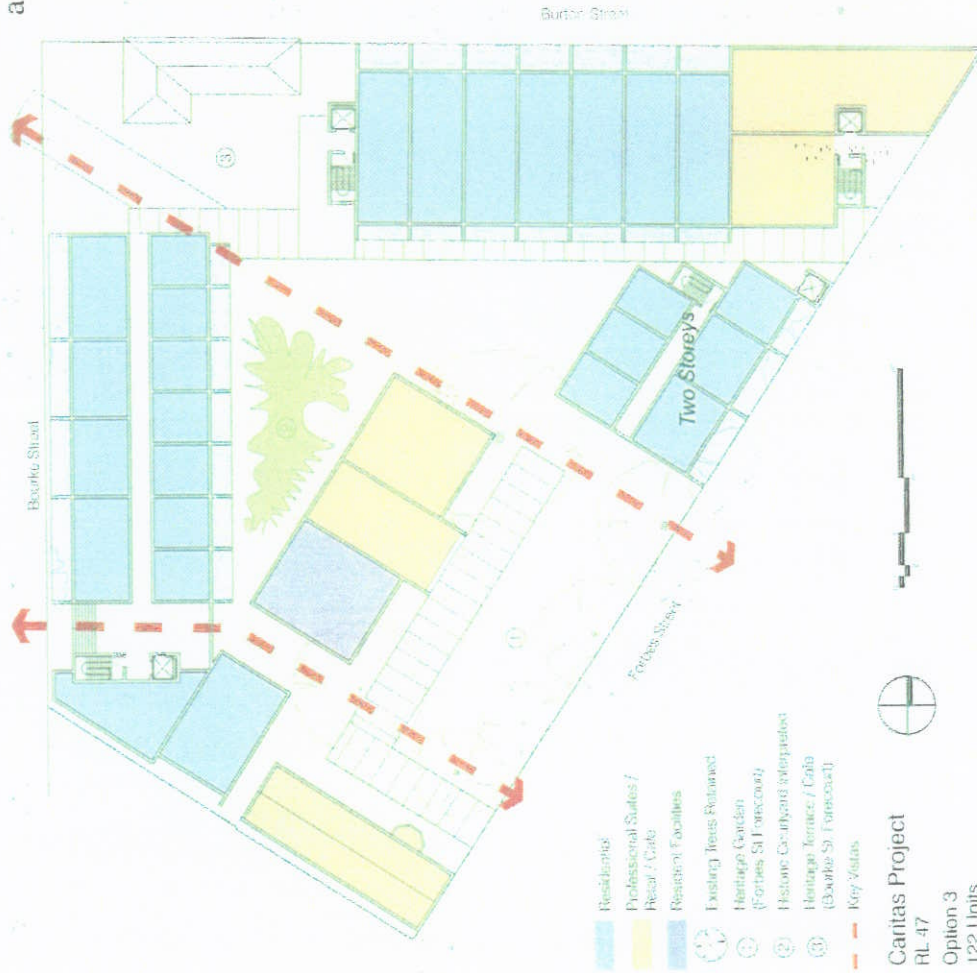


- Residential
- Professional Suites / Retail / Cafe
- Carpark

Option 3 - West Elevation  
(Bourke Street)









Hersichtsbereich

Caritas Project  
RL 50  
Option 3