



Environmental Site Assessment Phase 1

Hurstville Private Hospital
37 Gloucester Road
Hurstville, NSW

c/o Inspira Planning and Development

November 2010
JBS 41390 - 15930
JBS Environmental Pty Ltd

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List of Abbreviations

A list of the common abbreviations used throughout this report is provided below.

AHD	Australian Height Datum
As	Arsenic
bgs	below ground surface
Cd	Cadmium
CSM	Conceptual site model
Cr	Chromium
Cu	Copper
BTEX	Benzene, toluene, ethylbenzene and xylenes
B(a)P	Benzo(a)pyrene
DECC	NSW Department of Environment and Climate Change (now the DECCW)
DECCW	NSW Department of Environment, Climate Change and Water
DMR	NSW Department of Minerals Resources
DoP	NSW Department of Planning
DWE	NSW Department of Water and Energy
EPA	NSW Environment Protection Authority (now the DECCW)
ESA	Environmental Site Assessment
Ha	Hectare
Hg	Mercury
HIL	Health based investigation level
JBS	JBS Environmental
LEP	Local Environment Plan
LOR	Limit of Reporting
Ni	Nickel
NR	Natural Resources
NSW	New South Wales
PAHs	Polycyclic aromatic hydrocarbons
Pb	Lead
PBIL	Phytotoxicity based investigation level
PQL	Practical Quantitation Limit
QA/QC	Quality Assurance/Quality Control
SCID	Stored Chemical Information Database
TPH	Total Petroleum Hydrocarbons
Zn	Zinc

Executive Summary

Introduction and Objectives

JBS Environmental Pty Ltd (JBS) was engaged by Inspira Developments Pty Ltd (Inspira) on behalf of Continuum Healthcare Group Pty Ltd to conduct a Phase 1 Environmental Site Assessment (ESA) on the Hurstville Private Hospital located at 37 Gloucester Road, Hurstville, NSW (the site).

The identified area of the site consists of the hospital grounds and associated car parking facilities. The current site consists of twelve separate Lots and occupies an area of approximately 7700 m².

The Phase 1 ESA was undertaken as part of the development process to determine whether there are any potential areas of contamination, and whether it requires additional assessment and/or remediation in order to be rezoned or redeveloped.

Scope of Work

The scope of works consisted of a desktop study, a detailed site inspection, preparation of a conceptual site model and the provision of a Phase 1 Environmental Site Assessment Report.

Site Description

The site is a roughly rectangular shaped parcel of land, occupying an area of approximately 10 000 m², including the three residential properties, not owned by the Hospital but located within the rectangular site on the western boundary (area of 2050 m²) (**Figure 2**). It is understood that the residential properties are under consideration for acquisition to facilitate redevelopment of the hospital. The site is bound to the south by Pearl Street, to the west by Millett Street and to the east by Gloucester Road. To the north, and beyond the south, east and west bounding roads is low and medium density residential.

The site contains one large building, however, it should be noted that this building comprises several types of building of a range of ages from early 1900's to early 2000's. The hospital buildings include a reception area, operating surgeries, a day surgery unit, a medical centre and pharmacy, car parking, a cafeteria, a courtyard, a kitchen, amenities, a hazardous materials store and hospital rooms.

The site slopes generally from north east to south west, with the Gloucester Road frontage being approximately 0.5 m to 1 m above the road, and the parking facility and loading docks in the south western portion of the site being situated approximately 1.5 m to 2 m below the level of both Pearl and Millett Streets. 12 Millett Street, which comprises a sealed car park, is situated approximately 1.5 m below the hospital grounds, and slopes gently from the east to the west.

Potential for Contamination

Based on the review of published and historical information, as well as the site inspection, the areas of environmental concern have been identified as follows:

- Fill material historically placed on the site;
- Former (unknown) and current location of the backup generator;
- Current and former car parking areas;

- Buildings and structures of various ages across the site; and
- Hazardous materials store.

Potentially contaminated media includes fill materials, natural soils and groundwater.

Conclusions and Recommendations

Based on the findings of this investigation and subject to the limitations in **Section 6**, conclusions are as follows:

- The site was formerly used for low density residential, was subsequently developed into the Private Hospital, and then added to piecemeal as the surrounding properties were absorbed into the larger hospital site;
- Due to the piecemeal absorption of each Lot into the larger site, and the lack of previous environmental reports, the unknown source of fill material across the site poses a potential contamination risk;
- Areas of the site have historically been used for car parking and vehicle access facilities;
- Areas of the site have been historically and/or currently used for hazardous materials storage, including medical gas and generator fuel stores;
- AECs include the fill material across the site, the soils underlying the current and former car parking and vehicle access, the areas under the hazardous materials storage facilities; and
- The potentially contaminated media includes fill materials, natural underlying soils, and a minimal risk to groundwater.

Based on the results of the Phase 1 ESA, and subject to the limitations in **Section 6**, it is considered that there are potential sources of contamination present resulting from the piecemeal absorption over time of individual Lots into the greater hospital site, and the former and current use of the site as a hospital.

It is recommended that an intrusive soil and groundwater assessment, targeting the AECs identified, be undertaken to identify any contamination associated with the historical and current use of the site.

1 Introduction

1.1 Background and Objectives

JBS Environmental Pty Ltd (JBS) was engaged by Inspira Developments Pty Ltd (Inspira) on behalf of Continuum Healthcare Group Pty Ltd to conduct a Phase 1 Environmental Site Assessment (ESA) on the Hurstville Private Hospital located at 37 Gloucester Road, Hurstville, NSW (the site).

The identified area of the site consists of the hospital grounds and associated car parking facilities. The current site consists of twelve separate Lots and occupies an area of approximately 7700 m².

Adjacent properties identified as Numbers 8, 8A and 10 Millett Street (occupying an additional 2050 m²) are currently owned by other parties, but are being considered for purchase due to their location within the larger site (**Figure 2**). These three properties are not covered in full in this report, however, have been included in the online searches.

It is understood that Hurstville Council is currently preparing a new Local Environmental Plan (LEP) which complies with the Department of Planning (DoP) template and guidelines for the new planning instrument. The currently adopted policy would see all Hospital owned land zoned low density residential.

The owners of the site are considering redevelopment of the property to incorporate a mixed land use, comprising a redeveloped hospital and residential apartments with landscaped gardens. A rezoning application is being developed to present to Council to support the proposed development.

The Phase 1 ESA was undertaken as part of the development process to determine whether there are any potential areas of contamination, and whether it requires additional assessment and/or remediation in order to be rezoned or redeveloped.

The ESA was developed in general accordance with relevant guidelines made or approved by the NSW Department of Environment, Climate Change and Water (DECCW incorporating the Environmental Protection Authority (EPA)).

1.2 Scope of Work

To achieve the project objectives, the following scope of work was undertaken:

- A desktop study was undertaken, which reviewed the following sources:
 - Historical information and documents obtained from Council, aerial photographs, title documentation, a search of the Dangerous Goods register, and reviews of online heritage and DECCW licenses and registers; and
 - Current information obtained from a review of published geological, hydrological, meteorological, hydrogeological and topographical maps.
- A detailed site inspection to identify any indicators of potential contamination and confirm (where possible) aspects of the completed site history assessment;
- Preparation of a Conceptual Site Model (CSM) detailing the environmental characteristics, and potential contamination sources on the site; and
- Preparation of a Phase 1 ESA report in general accordance with relevant NSW DECCW endorsed Guidelines.

2 Site Condition & Surrounding Environment

2.1 Site Identification

The location of the site is shown in **Figure 1**. The site details are summarised in **Table 2.1** and described in detail in the following sections.

Table 2.1 Summary Site Details

Lot/DP	Lots A & B DP400487 Lots 2 & 5 DP16273 Lots C1 & C2 DP377900 Lots A & B DP375463 Lots 12 & 20, Section D DP1426 Lots 1 & 2 DP1045223
Address	37 Gloucester Road, Hurstville (Hospital) 12 Millett Street, Hurstville (Hospital owned car park) 8, 8A and 10 Millett Street, Hurstville (non hospital owned properties)
Co-ordinates (to approximate centre of site)	33° 57' 44.43"S 151° 05' 44.61"E
Local Council	Hurstville City Council
County	Cumberland
Parish	St. George
Site Zoning	Zone 5(a) General Special Uses Zone (Hospital) Zone 2 Residential Zone (8, 8A, 10 and 12 Millett Street)
Previous Use	The site was formerly low density residential before being used as a hospital
Current Use	Hospital – 37 Gloucester Road, Hurstville Car Park – 12 Millett Street, Hurstville Residential Properties – 8, 8A and 10 Millett Street, Hurstville
Proposed Use/s	The site is proposed to be redeveloped to include medium to high density residential, with an area of open space and a hospital
Site Area	Hospital and car park approximately 7700 m ² Residential properties 2050 m ²

The site inspection was undertaken on 3rd November 2010 by suitably qualified JBS personnel. Intrusive soil and groundwater sampling were not undertaken as part of the Phase 1 Assessment, and the inspection consisted of the hospital owned grounds only.

2.2 Site Description

The site is a roughly rectangular shaped parcel of land, occupying an area of approximately 10 000 m², however this includes the three residential properties located within the rectangular site on the western boundary (area of 2050 m²) (**Figure 2**). The site is bound to the south by Pearl Street, to the west by Millett Street and to the east by Gloucester Road. To the north, and beyond the south, east and west bounding roads is low and medium density residential.

The site contains one large building, however, it should be noted that this building comprises several types of building of a range of ages. A sealed driveway traverses the front, Gloucester road portion of the site, providing a vehicle access to the front reception of the hospital. Minimal doctor's car parking is available at the northern extremity of this driveway. Between this driveway and the footpath along Gloucester Road an electrical substation and gas and water mains were observed within their own locked compounds. The south eastern corner (corner of Pearl Street and Gloucester Road) is covered by a lawn, and several landscaped gardens were evident.

The front of the hospital contains a building of early 1900's origin, and comprises the administrative section of the hospital. The glass fronted entrance to the building was observed as quite modern construction, with a reception area, a doctor's lounge, a reception office, and a small cafeteria. The central portion of the site, directly behind the reception area contains a small courtyard, with glass doors into the reception area, and a

door into the cafeteria. The courtyard is completely paved and contains a water feature and several raised garden beds / potted plants. From the courtyard the differing ages of the buildings are evident, giving the appearance that the hospital was built over time around this central courtyard.

The northern portion of the hospital contains a four storey building, which houses the majority of rooms within the hospital. A narrow sealed single lane drive leads along the northern boundary, traversing the western boundary between the hospital and the three non hospital owned Lots before joining on to Millett Street.

The rear section of the hospital contains the birthing rooms, fluids store, the kitchen and amenities blocks. 12 Millett Street comprises a single level, bitumen covered car park, and is visible from the north western corner of the hospital building.

The southern portion of the hospital comprises a three storey building, with the two lower floors containing car parking. On the basement level a locked caged area was observed as the hazardous materials compound, and contained several bottles of gas at the time of the inspection.

The hospital frontage onto Pearl Street comprises a chemist, a medical centre, and the day surgery wing. The plans provided by Inspira Developments show a radiology unit and surgical theatres are located on the second storey.

The site slopes generally from north east to south west, with the Gloucester Road frontage being approximately 0.5 m to 1 m above the road, and the parking facility and loading docks in the south western portion of the site being situated approximately 1.5 m to 2 m below the level of both Pearl and Millett Streets. 12 Millett Street, which comprises a sealed car park, is situated approximately 1.5 m below the hospital grounds, and slopes gently from the east to the west.

Vegetation on the site appears healthy and well maintained, and no areas of surface staining were noted during the inspection.

It should be noted that the site inspection was undertaken on the hospital grounds, and the front and central portions of the hospital. A full inspection of the working sections of the hospital building was not undertaken as part of this inspection.

2.3 Surrounding Landuse

The current landuse of adjacent properties is shown in **Figure 2** and summarised below.

- North – Across Gloucester Road is low density residential;
- South – Across Pearl Street is low and medium density residential, followed by commercial industrial (including a smash repairs), and a school;
- East – Across the intersection of Pearl Street and Gloucester Road is low and medium density residential, with Hurstville Oval located approximately 200 m from the site; and
- West – Across Millett Street is low to medium density housing, followed by King Georges Road.

Based on review of the surrounding land uses by site inspection, surrounding residential properties are unlikely to be potential offsite sources. Due to the surrounding topographical features, it is considered unlikely that any of the nearby industrial / commercial premises are potential offsite sources of contamination.

2.4 Topography

A review of the online topographic map provided by the NSW Natural Resources Atlas Home (NSW NR 2010¹) indicates that the site has an elevation ranging between 55 and 65m Australian Height Datum (AHD). The site slopes from the south eastern corner to the north western portion of the site, with the highest point coinciding with the south eastern site corner boundary.

Topographical features noted include:

- The site boundary along Gloucester Road was observed as 0.5 to 1 m higher than the road reserve.
- The car park located at 12 Millett Street slopes from the north eastern corner to the south west, with a decline in elevation of approximately 1.5 m.
- The loading dock and underground car park located on the south western corner of the site is 2 metres below Millett Street.

2.5 Hydrology

The closest surface water receptor is Poulton Creek, located approximately 1.25 km south of the site. Poulton Creek drains into Oatley Bay 700m further south, which ultimately drains into Botany Bay and the ocean.

The majority of the rainfall at the site is expected to runoff the sealed surfaces in a general south to south westerly direction following the natural slope of the land where it will be diverted into the municipal storm water systems.

2.6 Geology

A review of the regional Sydney geological map (DMR 1966²) indicates the site is underlain by the Triassic age Wianamatta Group, consisting of Ashfield and Bringelly Shale. Typical characteristics of this formation include the presence of shale with some sandstone beds present.

The soils within the area are defined by the Soil Landscapes of Sydney (DNR 2009³) characterises the soils in the area as blackish brown sandy loam, with angular, sub-angular and sub-rounded, fine particles, with some gravel inclusions. Underlying this is a clay loam, at an approximate depth of 0.3 m, which consists of slight plasticity, medium density, red and brown clays.

Based on the Acid Soil Sulphate Risk Map (2009)⁴, the site has no occurrence of acid sulphate soil materials.

2.7 Hydrogeology

Registered groundwater bore information from the Department of Water and Energy (DWE) is included in **Appendix A**.

¹ DNR (2009), NSW Natural Resource Atlas – <http://www.nratlas.nsw.gov.au> viewed on 8.11.2010

² Department of Minerals Resources (1966). Sydney Geological Series Sheet (3rd Edition) SI/5605.

³ DNR (2009), NSW Natural Resource Atlas – <http://www.nratlas.nsw.gov.au> viewed on 9.11.2010

⁴ DNR (2009), NSW Natural Resource Atlas – <http://www.nratlas.nsw.gov.au> viewed on 9.11.2010

Based on the review of DWE information, there are no registered groundwater bores within a 1.5 km radius around the site. Registered bores located 2.5 km east of the site were recorded as containing no water bearing zones.

Based on previous JBS experience in the area the water-bearing zones are predicted to be approximately 5 m below ground surface (bgs).

3 Site History

A summary of the reviewed historical information for the site is provided in the following sections.

3.1 General History

3.2 Aerial Photographs

Aerial photographs from 1930, 1951, 1961, 1970, 1979, 1988, 1994 and 2005 were obtained from the Land and Property Information Centre, and are included in

Appendix B.

The aerial photograph review identified the following features in relation to the history of the site:

- In 1930, the site appeared to consist of a two residences, joined by what appeared to be a covered walkway. A large arc shaped driveway was evident joining the site to Gloucester Road in the northern and southern portions of the original site. The surrounding area appeared to be predominantly low density residential, with some industrial / commercial properties evident to the south along King Georges Road.
- In 1951, the site and surrounding area appeared unchanged from the previous photograph with the exception of an extension between the two buildings, making one large building on the site.
- In 1961, the site appeared unchanged in comparison to the previous photograph. An area one block to the west had been changed from a large open space, to contain 7 low density residential blocks.
- In 1970, the site appeared similar to the previous photograph with two exceptions. The residence directly to the north along Gloucester Road was no longer present and the land had been developed into a sealed carpark. Also, three large trees on the eastern and southern boundary of the site had been removed. The surrounding area appeared similar to the previous photograph with the clearing of an area directly south, which previously consisted of low density housing.
- In 1979, the site had been extended to the north, the car park which was evident in the 1970 photograph located at the northern boundary had been replaced with the extension of the building facing Gloucester Road. Additionally, the rear building containing the kitchen and store rooms had been added to the hospital. The surrounding area looked predominantly the same as the previous photograph, with the development of an area to the south into a large high rise building.
- In 1988, the site had undergone a significant change, with the property located on the corner of Gloucester Road and Pearl Street containing two large buildings, twice as large as the previously evident buildings. These two buildings are currently part of the hospital. South of two blocks to the south west of the site was a triangular area of vacant land, which was identified as containing low density residential properties in the 1979 photograph. In addition, the aged care facility which is currently located to the north of the hospital (100m north) was evident.

- In 1994, the site appeared similar to the previous photograph, with two exceptions. An additional storey had been added to the portion of hospital along the northern Gloucester Road boundary, made evident in the photograph by the lighter red roofing. Also, the newer portion of the hospital had been added on the corner of Pearl and Millett Streets. The area to the south west of the site had been developed with high rise buildings evident within the business sector, where previously vacant land was observed.
- In 2005, the site appeared similar to the previous photograph, and similar to what was observed during the site inspection, with the exception of 12 Millett Street. In 2005, there remained a residential building on the property identified as 12 Millett Street, with no sign of the paved car park which is present today.

3.3 Title Details

A historic title search was undertaken for the twelve Lots which make up the site. Results are included in **Appendix C** and discussed below.

Lots A & B in DP400487 – This parcel of land was originally one Lot, and owned by a builder between 1935 and 1936, and a retired storekeeper between 1936 and 1957. Post 1957 the land was divided into 2 Lots. Both Lots were owned by private landowners (Lot A included a catering manager, widow, married woman, sales engineer, photoengraver and a technician. Lot B included a marine radio operator and a foreman rigger) from 1957. Lot A was purchased by the Hurstville Community Co-Operative Hospital Ltd in 1990, and Lot B in 1993.

Lots 2 & 5 in DP16273 – Lot 2 was owned by a builder between 1929 and 1933, the Australasian Catholic Assurance Company Ltd between 1933 and 1949, and private landowners from 1949 to 1992 when it was purchased by the Hurstville Community Co-Operative Hospital Ltd. Lot 5 was owned by a builder between 1935 and 1937 and a carpenter and joiner from 1937 to 1972 when it was purchased by the Hurstville Community Co-Operative Hospital Ltd.

Lots 12, Sec D in DP1426 – Lot 12 was owned by private landowners (including a freeholder, a salesman, a paymaster and a widow) between 1887 and 1960. In 1960 the Lot was purchased by Hurstville Community Co-Operative Hospital Ltd.

Lot C1 and C2 in DP377900 – Lot C1 was owned by private landowners (spinsters) between 1927 and 1952, when it was purchased by the Goshen Co-Operative Community Hospital Limited. Lot C2 was owned by private landowners (including spinsters and a carpenter) between 1927 and 1958 when it was purchased by the Hurstville Community Co-Operative Hospital Ltd.

Lots A & B in DP375463 – This parcel of land was originally one Lot, and owned by spinsters between 1927 and 1952, and a labourer between 1952 and 1962. The land was subdivided into two separate Lots in 1962 with Lot A being owned by a motor mechanic between 1962 and 1975, and an analyst programmer between 1975 and 1977. Lot B was owned by a clerk between 1962 and 1977. In 1977 both Lots were purchased by the Hurstville Community Co-Operative Hospital Ltd.

Lot 20, Sec D in DP1426 – Lot 20 was owned by a carpenter between 1923 and 1941, a commercial traveller between 1941 and 1950, a railway clerk between 1950 and 1951, a married woman between 1951 and 1958, an iron moulder between 1958 and 1980, a company director between 1980 and 2005, and another party (occupation unknown)

between 1980 and 2005 when the property was purchased by Continuum Healthcare Property Pty Ltd.

Lots 1 & 2 in DP1045223 – Lot 1 was owned by a tinker yard manager between 1914 and 1966, an engineer between 1966 and 1987, and was purchased by the Hurstville Community Co-Operative Hospital Ltd in 1987. Lot 2 was owned by a delivery clerk between 1914 and 1915, a foreman between 1915 and 1966, an engineer between 1966 and 1987, and was purchased by the Hurstville Community Co-Operative Hospital Ltd in 1987.

The Hurstville Community Co-Operative Hospital land has been owned by several groups throughout the last ten years, as summarised following:

- Hurstville Community Private Hospital Pty Ltd between 2000 and 2004;
- LCM Calvary Health Care Holdings Ltd between 2004 and 2007;
- Tuck Property Pty Ltd between 2007 and 2009; and
- Continuum Healthcare Property Pty Ltd since 2009.

3.4 Council Records

Planning Certificates were obtained from Hurstville City Council for the Lots which make up the hospital owned site. Planning Certificates are included in **Appendix D**. The certificate includes the following information regarding the site (all twelve Lots):

- The site is zoned 5(a) Special Use (37 Gloucester Road) and 2 Residential (12 Millett Street);
- The land is not affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979;
- The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961;
- The land is not subject to the Unhealthy Building Land Policy under the provisions of the Environmental Planning and Assessment Act 1979;
- The land is not affected by any road widening or road realignment policies;
- The land is not subject to a property vegetation plan under the Native Vegetation Act 2003;
- The land is not affected by any policies that restrict development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk;
- The land is not subject to flood related development controls;
- The land is not affected by Part 7A of the Threatened Species Conservation Act 1995;
- The land is not identified as significantly contaminated land, is not subject to a management order or is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997;
- In accordance with the Hurstville Local Environmental Plan 1994, a tree preservation order applies to land within Hurstville City Council jurisdiction; and

- The Council has developed a Policy for Potentially Contaminated Land which may restrict the development of this land. The policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes.

3.5 DECCW Records

A search of the DECCW's public register under the *Protection of the Environment Operations Act 1997* was undertaken, and results are included in **Appendix E**. The search identified that, for the site, there were:

- No prevention, clean-up or prohibition notices; and
- One environment protection licence was reported as no longer in force.

The previously registered license was granted to the Hurstville Community Private Hospital Ltd and was active between December 2000 and February 2008. The license allowed the transportation of clinical and related waste from the hospital facility to a NSW based waste facility for disposal.

A search was also undertaken through the DECCW's public contaminated land register (**Appendix E**). The search identified that there have been no notices issued under the *Contaminated Land Management Act 1997* for the site.

It should be noted that no license was ever applied for or registered to the hospital for radiation based chemicals.

3.6 Australian and NSW Heritage Register

A search of the Australian Heritage Trust database and the NSW Heritage Inventory was undertaken (**Appendix F**). It should be noted that the NSW Heritage Register search returned the Fertility First clinic, which is located opposite the hospital, and located at 50 Gloucester Road.

There are no registered heritage items at the site, and no other registered items within close proximity.

3.7 WorkCover Dangerous Goods Licenses

A WorkCover search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover was conducted (**Appendix G**). The Workcover search was reported to have found no records of dangerous goods being stored or registered for the site.

3.8 Anecdotal Evidence

During the site inspection undertaken on the 3rd November 2010, an interview was undertaken with Mr Maurice Cattell who has been employed at the Hurstville Private hospital in the maintenance department. The following was ascertained from the interview:

- The hazardous material area is currently located in the lower car park, previous to this the location was unknown;
- The hazardous material compound consists of medical gases (*i.e.*, nitrous oxide, oxygen);

- No other hazardous materials have reportedly been stored within the site boundaries;
- There is a backup diesel generator on the site, however, this is situated on a sealed concrete slab, with ventilation and preventative maintenance which is undertaken every 6 weeks;
- All landscaping and grounds keeping on the site is undertaken by an independent contractor. No landscaping or gardening equipment is kept within the site (including lawnmowers and subsequent fuels); and
- The property located at 12 Millett Street was transformed into a carpark within the last 2 years. The building was demolished at least 6 months prior to this, and was reportedly a duplex residential property.

3.9 Site History Summary

A summary of the site history is provided in **Table 3.1**.

Table 3.1 Summary Site History

Period	Activity	Source
1952	Lot C1 DP377900 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
1958	Lot C2 DP377900 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
1960	Lot 12, Sec D DP1426 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
	Lot 12, Sec D DP1426 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
Pre 1970	Hospital site has extended to absorb the former residence located to the north along Gloucester Rd, which is being used as a car park.	Aerial Photographs
1972	Lot 5 DP16273 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
1977	Lots 12 A&B DP 375463 were purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
Pre 1979	Hospital buildings have been extended north (rooms), and west (kitchen / amenities).	Aerial Photographs
1987	Lots 1 & 2 DP1045223 were purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
Pre 1988	Hospital buildings have been extended south to include the land located on the corner of Pearl St and Gloucester Rd.	Aerial Photographs
1990	Lot A DP400487 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
1992	Lot 2 DP16273 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
1993	Lot B DP400487 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
Pre 1994	The hospital has been extended by an additional storey within the northern portion of the site, and the extension of the building over the area located on the corner of Millett St and Pearl St.	Aerial Photographs
2000	The hospital lands were held by the Hurstville Community Private Hospital Pty Ltd.	Title Details
	License to transport clinical and related waste from the hospital was granted.	
2004	The hospital land were held by LCM Calvary Health Care Holdings Ltd.	Title Details
2005	Lot 20, Sec D DP1426 was purchased by the Hurstville Community Co-Operative Hospital Ltd.	Title Details
2007	The hospital lands were held by the Tuck Property Pty Ltd.	Title Details
2008	The license to transport clinical and related waste is no longer applicable.	DECCW Reocrods
	The land recently obtained on Millett St (Lot 12) was sealed into a car park	Anecdotal Evidence
2009	The hospital lands were held by the Continuum Healthcare Property Pty Ltd.	Title Details

3.10 Integrity Assessment

The information obtained from sources noted above has been found to be in general agreement regarding the history of the site. Based on the range of sources providing information and the general consistency of this information, it is considered that the historical assessment has an acceptable level of accuracy.

4 Conceptual Site Model

4.1 Potential Areas of Environmental Concern

Based on the review of the published and historical information, as well as the site inspection, the areas of environmental concern have been identified and are presented in **Table 4.1**.

Table 4.1 Areas of Environmental Concern and Associated Contaminants of Potential Concern

Area of Environmental Concern	Contaminants of Potential Concern
Fill historically placed on the site	Heavy metals, TPH/BTEX, PAHs, OCP/OPPs, PCBs, asbestos
Former (unknown) and current location of the backup generator	TPH, PAHs, lead
Current and former car parking areas	TPH, PAHs, lead
Buildings and structures of various ages across the site	Heavy metals, PCBs, asbestos
Hazardous material stores	Heavy metals, TPH/BTEX, PAHs, OCP/OPPs, PCBs, asbestos

AECs on the site are identified on **Figure 3**.

4.2 Potentially Contaminated Media

Potentially contaminated media present at the site include:

- Fill material;
- Natural soils; and
- Groundwater.

Due to the varying elevation of the site compared to surrounding properties, fill material is assumed to be present across the site. The source of fill material is unknown, however it is suggested that fill would have been used for levelling the site. As the fill material underlying the site has unknown origin it must be assumed that as a potentially contaminated medium.

Based on the potential leachability of the contaminants in the fill and the historical uses of the site, vertical migration of contaminants through the fill into the underlying natural soils may have occurred.

Groundwater is identified as a potentially contaminated medium due to the potential historic and current presence of hazardous material storage at the site (including fuels for back up generators), as well as current and historical site activities.

Surface water is not identified as a potentially contaminated medium based on the sealed nature of the site. Areas of surface water are substantially absent from the site.

4.3 Potential for Migration

Contaminants generally migrate from site via a combination of rainwater infiltration, groundwater migration and surface water runoff. The potential for contaminants to migrate is a combination of:

- The nature of the contaminants (solid/liquid and mobility characteristics);
- The extent of the contaminants (isolated or widespread);
- The location of the contaminants (surface soils or at depth); and
- The site topography, geology, hydrology and hydrogeology.

The potential contaminants identified as part of the site history review and site inspection includes liquids (*i.e.* petroleum products).

The entire site is generally paved with the exception of garden areas along the eastern boundary. The site pavement restricts the potential for windblown contaminants to migrate from the site.

The potential for contaminants to migrate via surface water runoff from the site is considered low, based on the sealed nature of the site.

Rainfall infiltration at the site is expected to be very low as a result of the site pavement. However, the potential presence of historical, and the known presence of a diesel generator at the site introduces a potential contamination risk. Based on the proximity of groundwater beneath the site, there is a potential for migration of hydrocarbon contaminants via groundwater flow within the underlying sandstone formation.

5 Conclusions and Recommendations

5.1 Conclusions

Based on the findings of this investigation and subject to the limitations in **Section 6**, conclusions are as follows:

- The site formerly was low density residential, developed into the Private hospital, and then added to piecemeal as the surrounding properties were absorbed into the larger hospital site;
- Due to the piecemeal absorption of each Lot into the larger site, and the lack of previous environmental reports, the unknown source of fill material across the site poses a potential contamination risk;
- Areas of the site have historically been used for car parking and vehicle access facilities;
- Areas of the site have been historically and/or currently used for hazardous materials, including medical gas storage and generator fuel stores;
- AECs include the fill material across the site, the soils underlying the current and former car parking and vehicle access, the areas under the hazardous materials storage facilities; and
- The potentially contaminated media includes fill materials, natural underlying soils, and a minimal risk to groundwater.

5.2 Recommendations

Based on the results of the Phase 1 ESA, and subject to the limitations in **Section 6**, it is considered that there are potential sources of contamination present resulting from the piecemeal absorption of individual Lots into the greater hospital site over time, and the former and current use of the site as a hospital.

It is recommended that an intrusive soil and groundwater assessment, targeting the AECs identified, be undertaken to identify any contamination associated with the historical and current use of the site.

6 Limitations

This report has been prepared for use by the client who commissioned the works in accordance with the project brief only and has been based in part on information obtained from other parties. The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS Environmental Pty Ltd accepts no liability for use or interpretation by any person or body other than the client. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by JBS Environmental Pty Ltd, and should not be relied upon by other parties, who should make their own enquires.

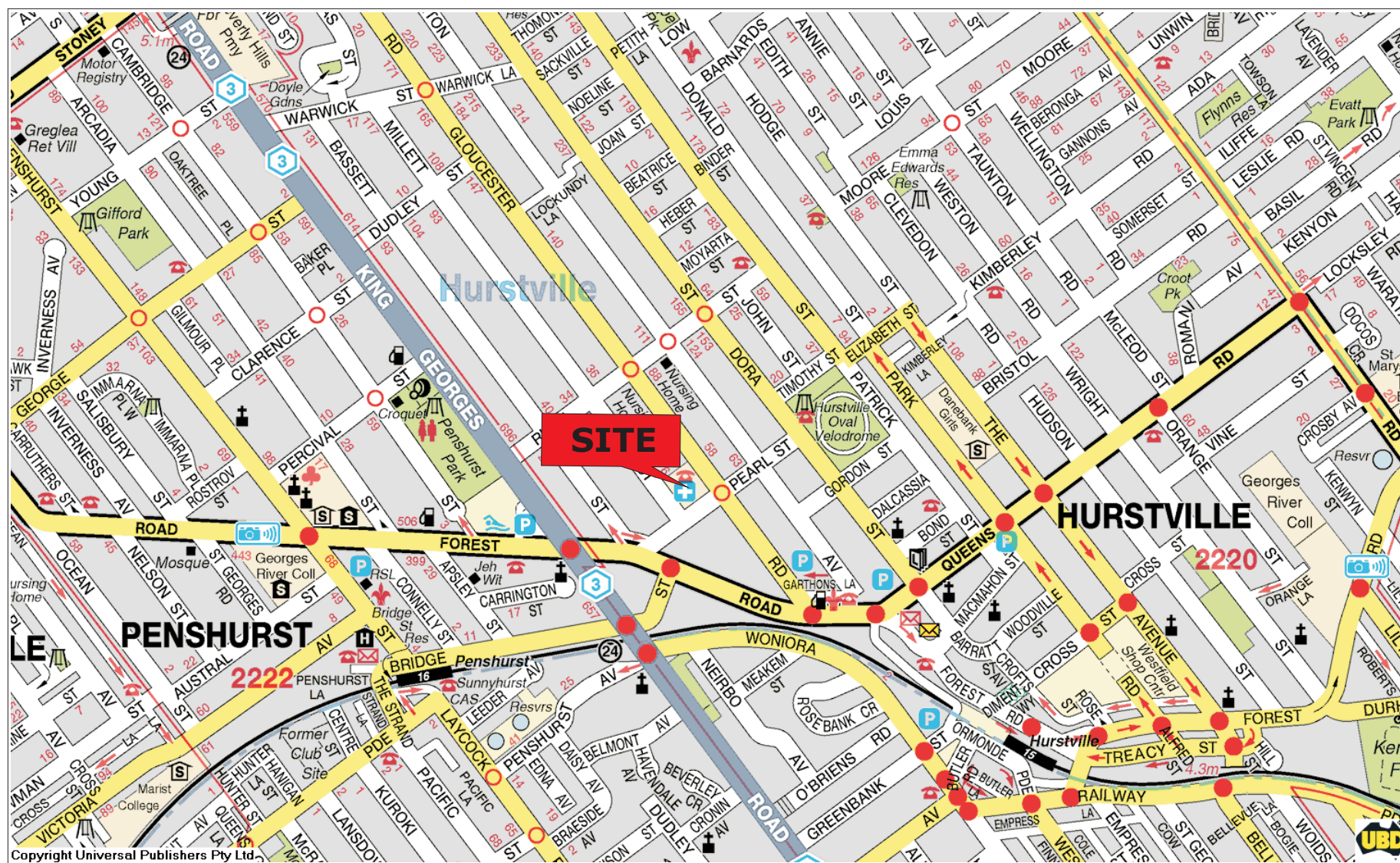
Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements and site history, not on sampling and analysis of all media at all locations for all potential contaminants.

Limited sampling and laboratory analyses were undertaken as part of the investigations, as described herein. Ground conditions between sampling locations may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the sites, which were not identified in the site history and which may not be expected at the site.

Changes to the subsurface conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS Environmental Pty Ltd reserves the right to review the report in the context of the additional information.

Figures



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SOURCE: UBD 2010



Figure 1: Site Location

Client: Inspira Planning and Development

Job No.: 41390

Project: Millett Street, Hurstville, NSW

File: 41390_01.cdr



SOURCE: GOOGLE EARTH 2010

- SITE BOUNDARY
- LOT BOUNDARIES
- HOSPITAL FEATURE



Figure 2: Detailed Site Layout

Client: Inspira Planning and Development

Job No.: 41390

Project: Millett Street, Hurstville, NSW

File: 41390_01.cdr



SOURCE: GOOGLE EARTH 2010

- SITE BOUNDARY
- LOT BOUNDARIES
- HOSPITAL FEATURE
- POTENTIAL AREAS OF ENVIRONMENTAL CONCERN

© 2010 JBS Environmental Pty Ltd



Figure 3: Potential Areas of Environmental Concern

Client: Inspira Planning and Development

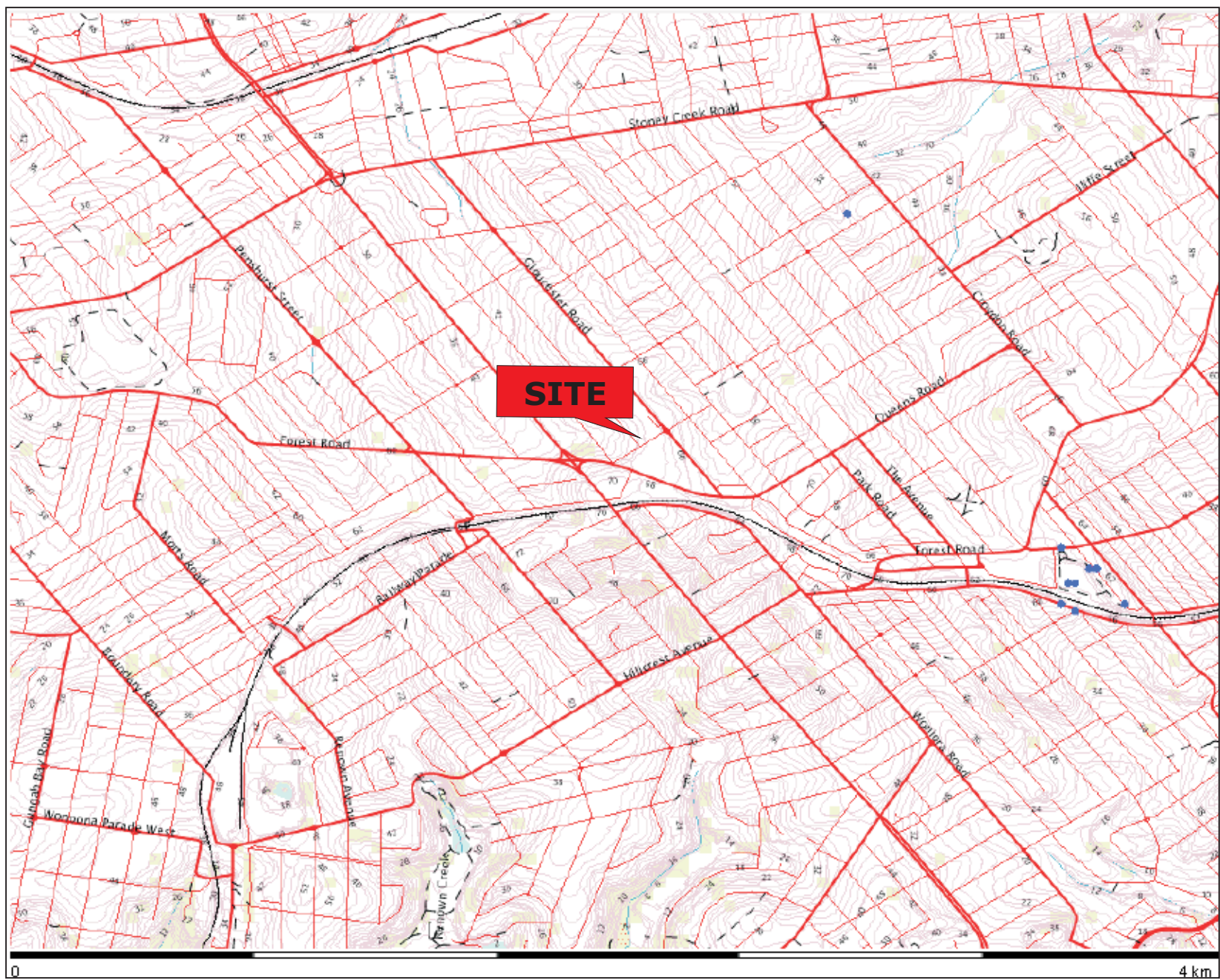
Job No.: 41390

Project: Millett Street, Hurstville, NSW

File: 41390_01.cdr

Appendix A

Groundwater Bore Search



Legend

- Groundwater Bores



Client: Inspira Planning and Development

Job No.: 41390

Project: Millett Street, Hurstville, NSW

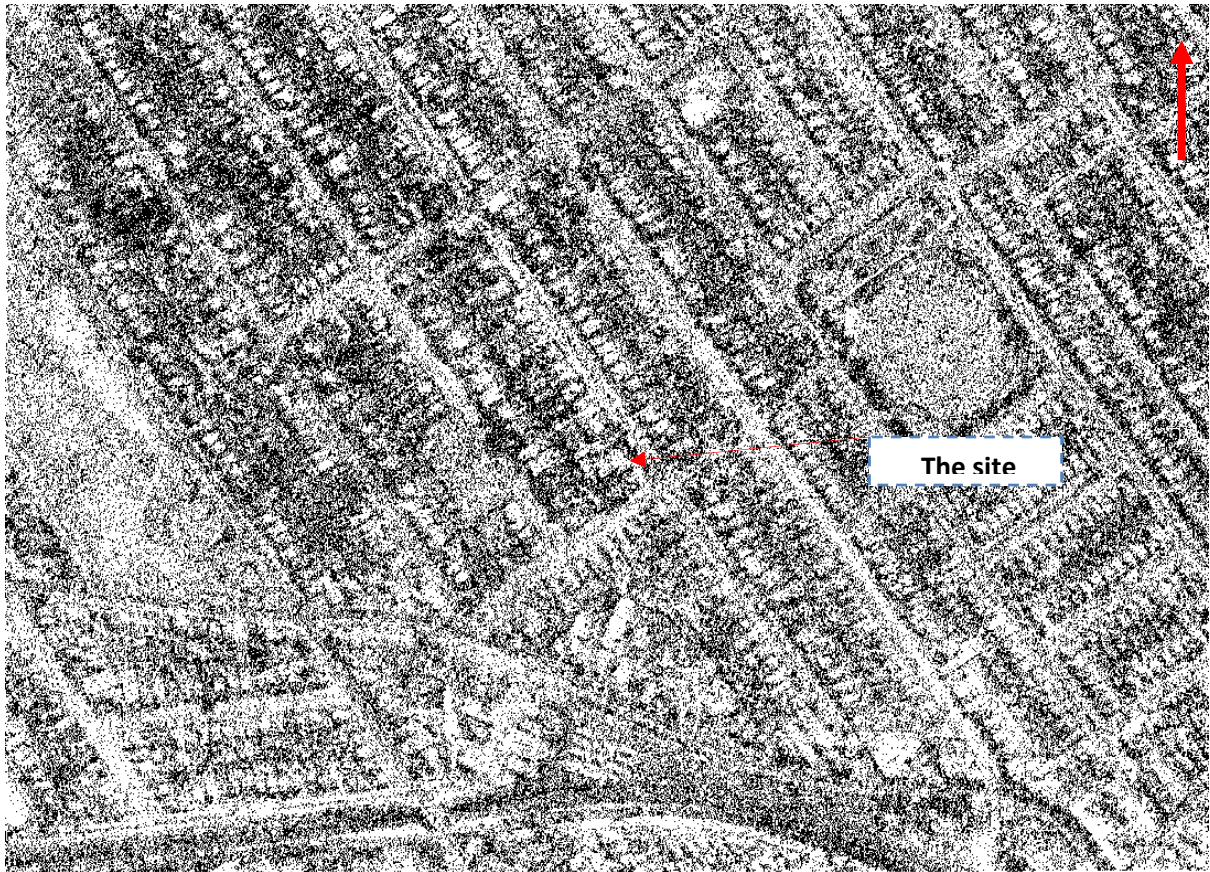
File: 41390_01.cdr

Appendix B

Aerial Photographs



Aerial Photo 1 – 1930



Aerial Photo 2 – 1951



Aerial Photo 3 – 1961



Aerial Photo 4 – 1970



Aerial Photo 5 – 1979



Aerial Photo 6 – 1988



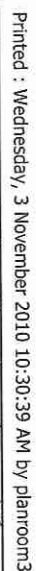
Aerial Photo 7 – 1994



Aerial Photo 8 – 2005

Appendix C

Title Documentation



Cadastral Records Viewer Print



Locality: HURSTVILLE
LGA: HURSTVILLE
Parish: ST GEORGE
County: CUMBERLAND

LEGEND

Parcels [Selected Features]

- Legend:

 - Current Feature
 - Other Selected Features
 - Localities
 - LGAs
 - Rail Corridor
 - Waterway Corridor
 - Waterways
 - Unidentified Parcels
 - Parcels
 - Standard Lot
 - Standard Part Lot
 - Strata
 - Stratum
 - Road Corridor
 - Roads



Land & Property
Management Authority

~ Search ~

re Lots 1 & 2 in DP 1045223

Title Tree

192 / 1045223



V. 2524 F. 175 & 176

by 3/11/10.
Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lot 1 in DP 1045223

Schedule of Registered Proprietors

V. 2524 F. 175 Arthur William Garthorn
issued of Hurstville
19/10/1914 Timber Yard Manager

TA K501866 Arthur William Garthorn
Reg 18/11/66 of Korravee
Jfr L 62701 Engineer
Reg 31/7/68
(V 2524 F. 175)

Jfr W 808448 Hurstville Community Co-Operative
Reg 27/3/87 Hospital Limited
(V 2524 F. 175)

~ Search ~

re Lot 2 in DP 1045223

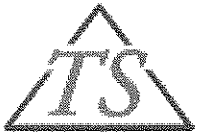
Schedule of Registered Proprietors

Jfr A 97555 John Juanes Ganthon
V. 2524 F. 176 of Hurstville
iss. 19/10/14 Delivery Clerk

Jfr 210935 Arthur William Ganthon
Reg 5/11/15 of Hurstville
(V 2524 F. 176) Foreman

TA K5011866 }
Jfr K62701 } As for Lot 1 in DP 1045223
Jfr W 808448 }

us 3/11/10
Jenners Title Searching Co.



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Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/1045223

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:19 PM	2	14/9/2009

LAND

LOT 1 IN DEPOSITED PLAN 1045223
AT HURSTVILLE
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1045223

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 3 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/1045223

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:19 PM	2	14/9/2009

LAND

LOT 2 IN DEPOSITED PLAN 1045223
AT HURSTVILLE
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1045223

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 3 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

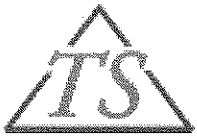
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:20PM

FOLIO: 1/1045223

First Title(s): OLD SYSTEM
Prior Title(s): VOL 2524 FOL 175

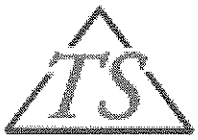
Recorded	Number	Type of Instrument	C.T. Issue
11/9/2002	DP1045223	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
20/6/2006	AC394605	DEPARTMENTAL DEALING	FOLIO CREATED CT NOT ISSUED
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 1
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 2

*** END OF SEARCH ***

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:20PM

FOLIO: 2/1045223

First Title(s): OLD SYSTEM
Prior Title(s): VOL 2524 FOL 176

Recorded	Number	Type of Instrument	C.T. Issue
11/9/2002	DP1045223	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
21/6/2006	AC395012	DEPARTMENTAL DEALING	FOLIO CREATED CT NOT ISSUED
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 1
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 2

*** END OF SEARCH ***

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CERTIFICATE OF TITLE.

(C.)

New South Wales.

CANCELLED ☒ W
THE ISSUE OF NEW FOLIO 11045223



REGISTER BOOK,

[App^r No. _____]

[Reference to last Certificate _____]

[Vol. 817 Folio 57.]

Vol. **2524** Folio **175**

Arthur William Garton

of Westhill, Under Land Manager, Transfer Agent and Solicitor for

Amelia Sarah Perry S^r A 97555

_____ is now the proprietor of an Estate in Fee Simple,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such
encumbrances, liens, and interests as are notified herein, in that piece of land situated
in the Municipality of Westhill, Parish of St George, and County of Southland, or thereabouts,
containing fourteen and one quarter perches
as shown on the Plan hereon, and therein edged red, being the lots within mainly of Lot M of Section D
on a Plan deposited in the Land Titles Office, Sydney, No. 1413 and part of ten thousand nine hundred and fifty acres (Section M5 of Parish)
delineated in the Public map of the said parish in the Department of Lands originally granted to John Garton by Direct Grant
dated the eleventh day of April one thousand eight hundred and ten

In witness whereof, I have hereunto signed my name and affixed my Seal, this 19th day of October 1914, day of
October one thousand nine hundred and fourteen

Signed the 19th day of October 1914,

in the presence of

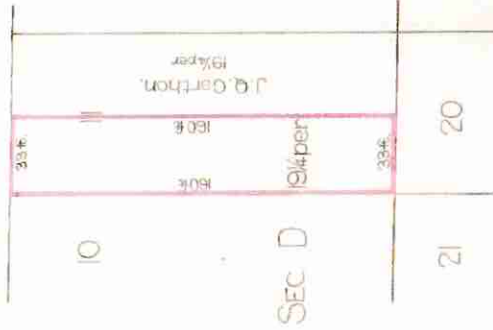
G. H. H. H. H.

G. H. H. H. H.



Deputy Registrar General.

Gloucester St



THE LAND WITHIN
DESCRIBED IS
LOT 1 DP 1045223

Scale: 60ft to an inch.

A 97555

NOTIFICATION REFERRED TO.

Arthur William Garton of Kingswell
Registrar
now the registered proprietor of the land within described.
See Section 94 Application No. 11045223
Entered 18 November 1914
J. Garton
REGISTRAR GENERAL

No. 11045223 CAVEAT by the Registrar-General.
J. Garton
REGISTRAR GENERAL

The within Caveat No. K501865 is hereby withdrawn

Dated 30 July 1968

Registrar

REGISTRAR GENERAL

Arthur William Graham of Hurstville, Engineer

now the registered proprietor of the land within described.

See TRANSFER No. A63701 dated 12 May 1968

Entered 30 July 1968

REGISTRAR GENERAL

REGISTERED PROPRIETOR Hurstville Community Co-operative
Hospital Limited by transfer W808948 Registered 27/11/87

E128808 Mortgage to Commonwealth Bank
of Australia Registered 27-4-1992

REGISTERED PROPRIETOR HURSTVILLE COMMUNITY
PRIVATE HOSPITAL PTY LIMITED BY TRANSFER
W36520963 Registered 13-2-2000

6530964 MORTGAGE TO COMMERCIAL BANK
OF AUSTRALIA REGISTERED 13-2-2000
PA 686740
10-6-2000

6530987 MORTGAGE TO HURSTVILLE COMMUNITY
CO-OPERATIVE HOSPITAL LIMITED REGISTERED
653-2000
7540210
7-5-2001

REGISTERED PROPRIETOR LCM Culinary Health
One Holdings Limited by Transfer A686741
Registered 10-6-2000

A6784966 LEASE TO CULINARY HEALTHCARE SYDNEY
HURSTVILLE COMMUNITY LIMITED. EXPIRES 30-6-2074
REGISTERED 11-11-2005

W808448 TR
E128808 R
6530956 R
W.L.
63-1-PTM
7540210 R
A686740 R
AB784966 L
4/17

RECEIVED 10/11/2005

CERTIFICATE OF TITLE.

(C.)

New South Wales.

CANCELLED ☒

ISSUE OF NEW FOLIO 2/4045223

REGISTER BOOK,



Vol. 2524 Folio 176

[Appⁿ No. _____]

[Reference to last Certificate -]

[Vol. 814 - Folio 54 -]

John Charles Garton of Hurstville Delivery Clerk transferred under Instrument
of Transfer from Amelia Sarah Berry S^oA 91555 is now the proprietor of an Estate in Fee Simple,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such
encumbrances, liens, and interests as are notified hereon, in that piece of land situated
in the Municipality of Hurstville, Parish of S^t George, and County of Lumberland,
containing Fiveleen and one quarter perches, or thereabouts,
as shown on the Plan hereon, and therein edged red, being the South Eastern moiety of Lot 11 of Section D
on a Plan deposited in the Land Titles Office, Sydney, No. 142 and part of one thousand nine hundred and fifty acres (Section 115 of Parish) -
delineated in the Public map of the said Township - in the Department of Lands originally granted to John Dawson by Crown
Grant dated the eleventh day of April one thousand eight hundred and ten.

In witness whereof, I have hereto signed my name and affixed my Seal, this Nineteenth day of October one thousand nine hundred and fourteen.

Signed the 19th day of October 1914

in the presence of

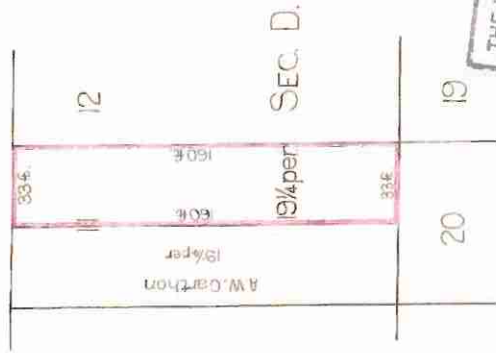
G. G. G. G.



G. Pearce

Deputy Registrar General.

Cloucester St



NOTIFICATION REFERRED TO.

Not A 210935 TRANSFER dated 26th October 1913
from the said John Charles Garton to
Arthur William Garton of Hurstville
Proprietor

Produced and entered 5th November 1915
at 30 o'clock in the after noon

W. P. Williams
REGISTRAR GENERAL

THE LAND WITHIN
DESCRIBED IS
LOT 2 DP1045223

Scale 60 ft to an inch

now the registered proprietor of the land within described.
See Section 94 Application No. 12 of 1914
Entered 12 November 1914

Arthur William Garton
REGISTRAR GENERAL

The within Caveat No. K501868 is hereby withdrawn
Dated 31st July 1968
General
REGISTRAR GENERAL

MORTGAGE 5015985 to Austonia and
New Zealand Banking Group Limited
Registered 28-8-1980

REGISTERED PROPRIETOR Hurstville Community Centre
Hospital Limited by Minister WRD 8488 Replaced
27/3/1984

EIZ 8808 Mortgage to Commonwealth Bank
of Australia, Registered 27.4.1997

REGISTERED PROPRIETOR HILLSVILLE COMMUNITY ASSOCIATION
HOSPITALITY LIMITED BY TRANSFER 630913
ON REINTEGRATED 63-2500.

630664 MORTGAGE TO COMMERCEBANK BANK OF
AUSTRALIA REGISTERED 6-3-2004

662701 Tz
 589515 m
 808447 m
 81/2
 65309560 m
 637
 64 m
 67 m
 7540210 m
 798686700 m
 711 m
 48734966 L

~ Search ~

re Lots A & B in DPH00487

Title Tree

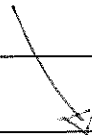
A / 400487



V. 14129 F. 220



V. 7354 F. 109

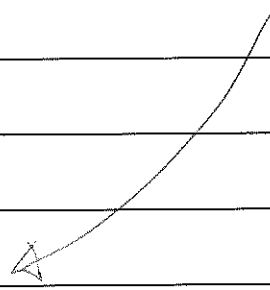


V. 4706 F. 216

B / 400487



V. 7354 F. 108



~ Search ~

re Lots A & B in DP 400487

Schedule of Registered Proprietors

V. 4706 F.216 issued 19/8/1935	Gordon Douglas Campbell Morrison of Fine Rock Builder
Jfr C456080 Reg 22/7/36 (V. 4706 F.216)	John Thomas Mc Namara of Campsie Retired, Storekeeper
Jfr G 721907 Reg 2/9/57 (V. 4706 F.216)	Charles Sydney Macklen of Thurstville Catering Manager Melba Joyce Macklen, his wife as regards Lot A
Jfr H619321 Reg 24/10/60 (V. 7354 F.109)	Gwendoline Gallagher of Thurstville Widow as regards Lot A
TA L122784 Reg 3/5/68 (V. 7354 F.109)	Adrienne Gwendoline Dodd of Thurstville Married Woman as regards Lot A

~ Search ~

re Lot A in DP 400487

Schedule of Regd Proprietors Contd.

Jfr M 716749 Roger William Stewart
Reg 5/5/72 of Hurstville, Sales Engineer &
(V. 7354 F.109) Maxine Stewart, his wife

Jfr N 556014 Martin Clarence Wells
Reg 30/10/73 of Hurstville, Photo Engraver &
(V. 7354 F.109) Lynette Margaret Wells, his wife

Jfr R 766784 I Wen Hsia Wu, Housewife
Reg 17/4/80 Eugene Wu, Technician &
(V. 7354 F.109) Bernard Wu, Technician
all of Carwood

Jfr Z 108117 Hurstville Community Co-Operative
Reg 13/7/90 Hospital Limited
(A/400487)

WJ 3/11/10
Jenners Title Searching Co.
ESTABLISHED 1949

~ Search ~

re Lot B in DP 400487

Schedule of Registered Proprietors
Centre.

TA H 127981 Robert Alexander Mc Namara

Reg 28/1/59 of Concord West

TA H 146842 Marine Radio Operator

Reg 30/1/59

(V 7354 F108)

TA H 200518 Joseph John Tredoux

Reg 12/5/59 of Hurstville, Foreman Rigger +

(V 7354 F108) Lila Tredoux his wife

ND N 431893 Joseph John Tredoux

Reg 10/9/73

(V 7354 F108)

TA W 489519 Frances Susan Tredoux

Reg 3/9/86

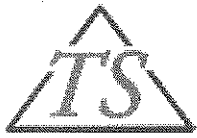
(V 7354 F108)

TA I 47880 Hurstville Community Co-Operative

Reg 15/1/93 Hospital Limited

(B/400487)

3/11/10.
Jenners Title Searching Co.



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/400487

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:22 PM	9	14/9/2009

LAND

LOT A IN DEPOSITED PLAN 400487
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP400487

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 G721907 CROSS EASEMENTS (S181 B CONVEYANCING ACT, 1919)
AFFECTING THE PARTY WALL(S) SHOWN ON THE COMMON
BOUNDARY OF LOTS A & B IN DP400487
- 3 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED
- 4 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO
PERIODS OF 5 YEARS EACH.

NOTATIONS

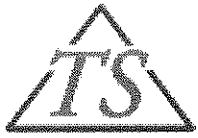
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: B/400487

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	11:58 AM	7	14/9/2009

LAND

LOT B IN DEPOSITED PLAN 400487
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP400487

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 G721907 CROSS EASEMENTS (S181 B CONVEYANCING ACT, 1919)
AFFECTING THE PARTY WALL(S) SHOWN ON THE COMMON
BOUNDARY OF LOTS B & A IN DP400487
- 3 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED
- 4 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO
PERIODS OF 5 YEARS EACH.

NOTATIONS

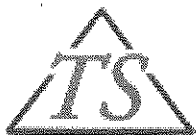
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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Jenners Title Searching Co.

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:21PM

FOLIO: A/400487

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14129 FOL 220

Recorded	Number	Type of Instrument	C.T. Issue
29/7/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
21/9/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
16/3/1990	Y893341	DISCHARGE OF MORTGAGE	EDITION 1
13/7/1990	Z108117	TRANSFER	EDITION 2
15/1/1993	I47879	MORTGAGE	EDITION 3
6/3/2000	6530957	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 4
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 5
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 6
11/11/2005	AB784966	LEASE	EDITION 7
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 8
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 9

*** END OF SEARCH ***

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Vol. 14129 Fol. 220

Appln No 6125

Prior Title Vol. 7354 Fol. 109



EDITION ISSUED

5 6 1900

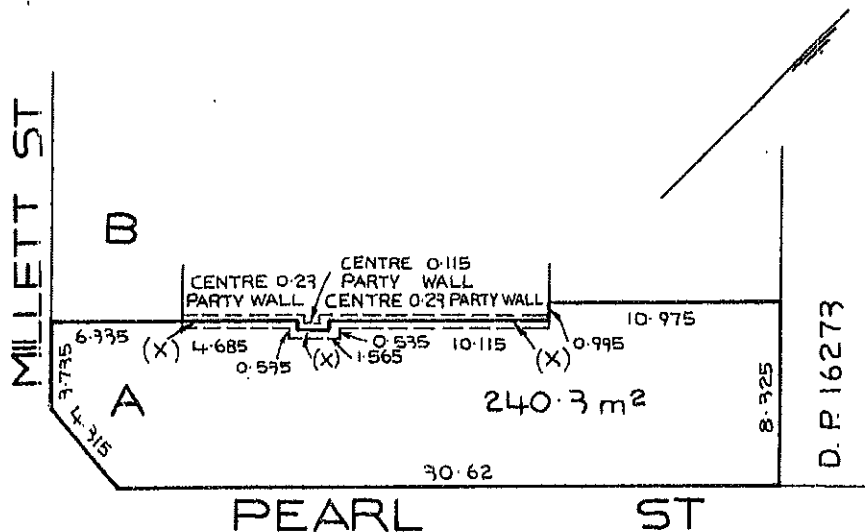
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



(X) CROSS EASEMENTS - G721907

REDUCTION RATIO 1:250

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot A in Deposited Plan 400487 in the Municipality of Hurstville Parish of St. George County of Cumberland being part of Portion 115 granted to John Townson on 11-4-1810.

FIRST SCHEDULE

I WEN HSIA WU, Housewife, as to an undivided one fifth share, EUGENE WU, Technician, as to two undivided one fifth shares and BERNARD WU, Technician, as to the remaining two undivided one fifth shares, all of Earlwood, as Tenants in Common.

SECOND SCHEDULE

- CR-1
1. Reservations and conditions, if any, contained in the Crown grant above referred to.
 2. G721907 Cross-easements (section 181B Conveyancing Act, 1919) affecting the party walls shown so burdened in the plan hereon.
 3. R766785 Mortgage to Australia and New Zealand Savings Bank Limited.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

PERSONS ARE CAUTIONED AGAINST ALTERING

[illegible]



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 11:58AM

FOLIO: B/400487

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 7354 FOL 108

Recorded	Number	Type of Instrument	C.T. Issue
2/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
10/1/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
15/1/1993	I47880	TRANSFER	
15/1/1993	I47881	MORTGAGE	EDITION 1
6/3/2000	6530958	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

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KP13



TRANSFER

Real Property Act, 1900

B



I
047880 Y

Office of State Revenue use only

00-22

20/99709+100 40 502+ 262120

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIER B/400487

(B) LODGED BY

L.T.O. Box

240

Name, Address or DX and Telephone

COMMONWEALTH BANK OF AUSTRALIA
BRANCH LENDING SUPPORT
PHONE: 227-7618 DX 1020

Reference (max. 15 characters): 2184 H. 5/1/10

(C) TRANSFEROR

FRANCES SUSAN TREDOUX

(D) acknowledges receipt of the consideration of \$189,000.00

and as regards the land specified above transfers to the transferee an estate in fee simple

(E) subject to the following ENCUMBRANCES 1. 2. 3.

(F) TRANSFEE

T

HURSTVILLE COMMUNITY CO-OPERATIVE HOSPITAL LIMITED of 37
Gloucester Road Hurstville

as joint tenants/tenants in common

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900

DATE OF EXECUTION 16/12/92

Signed in my presence by the transferor who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

F. Tredoux
Signature of Transferor

Signed in my presence by the transferee who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Kenneth Bruce Hancock
Signature of Transferee
Kenneth Bruce Hancock, Solicitor for Transferee

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

CHECKED BY (office use only)

202

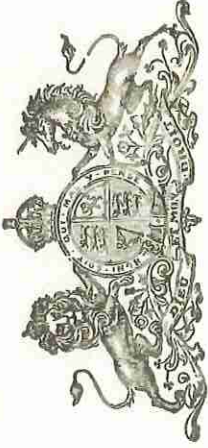
Primary Appn. No. 6125

Reference to Last Title

Vol. 4706 Fol. 216

Deposited Plan No. 16273

New South Wales.



[CERTIFICATE OF TITLE.]

REGISTER BOOK.

7354 Fol. 108

Issued on Order No. G725507

36KX

CANCELLED 17
ON ISSUE OF NEW FOLIO 8/400487

JOHN THOMAS McNAMARA, of Concord West, Retired Storekeeper, is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in that piece of land Parish of St. George, and County of Cumberland in the Municipality of Hurstville shown in the plan hereon and therein edged red being Lot B in plan lodged with Transfer No. G721907 and being part of Portion 115 granted to John Townson on 11th April 1810.

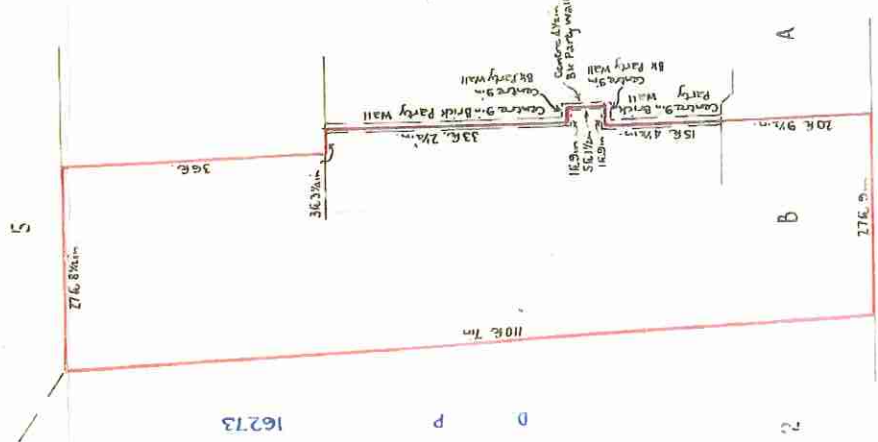
In witness whereof I have hereunto signed my name and affixed my Seal, this

Signed in the presence of

J. W. Moss

Ninth day of September, 1957

Registrar-General



Area 11 1/2 per
Scale 20 feet to one inch
NOTIFICATION REFERRED TO

Cross easements created by Transfer No. G721907 by the operation of Section 181B of the Conveyancing Act, 1919-1954, in respect of the area colored blue in plan hereon.

J. W. Moss

Registrar-General



Robert Alexander McNamara of Concord West, Marine Radio Operator is now the registered proprietor of the land within described. See Section 94 Application No. H127981 Entered 28th January 1957

No. H127982 CAVEAT by the Registrar General. Entered 28th January 1957. J. W. Moss

The within Caveat No. H127982 is hereby withdrawn Dated 20th March 1957 J. W. Moss

Robert Alexander McNamara of Concord West, Marine Radio Operator is now the registered proprietor of the land within described. See TRANSFER No. H127982 Entered 28th January 1957

Entered 28th January 1957 J. W. Moss

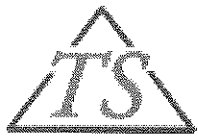
Joseph John Jackson of Newcastle Foreman
Pigges and John Jackson his wife
are
joint tenants
H200518 14th April 1939
12th May 1939
REGISTRAR GENERAL

H200519 MORTGAGE dated 14th April 1939
from the said John Joseph Jackson and his
Induced to the English, Scottish and
Welsh Bank Limited
12th May 1939
REGISTRAR GENERAL

Joseph John Jackson of Newcastle
the surviving joint tenant, is
now registered sole proprietor of the land within described.
See Notice of Death (Section 101) No. 431893
Edward 10th September 1973
REGISTRAR GENERAL

REGISTERED PROPRIETOR Frances Susan
Jackson by Transmission W489519
Registered 3/9/1986
REGISTRAR GENERAL

W489519/M



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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/16273

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:01 PM	23	14/9/2009

LAND

LOT 2 IN DEPOSITED PLAN 16273
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP16273

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO
PERIODS OF 5 YEARS EACH.
 - AC590357 LEASE OF LEASE AE765957 TO SONIC HEALTHCARE
LIMITED OF THE PART OF LEVEL 2 SHOWN HATCHED IN
PLAN (PAGE 37) WITH AC590357. EXPIRES: 11/7/2008.
OPTION OF RENEWAL: 2 PERIODS OF 2 YEARS EACH.
 - AD323560 LEASE OF LEASE AE765957 TO PHILLIP ANTHONY
RICHARDSON & FRANCIS CHARLES CROSSLE OF SUITE 8, 2
PEARL STREET, HURSTVILLE. EXPIRES: 31/12/2011.
OPTION OF RENEWAL: 5 YEARS.
 - AD323561 LEASE OF LEASE AE765957 TO TDM O & G PTY LTD OF
SUITE 7, 2 PEARL STREET, HURSTVILLE. EXPIRES:
31/1/2012. OPTION OF RENEWAL: 5 YEARS.
 - AE278315 LEASE OF LEASE AE765957 TO EDWARD MANAGERIAL
SERVICES PTY LIMITED SUITE 9, 2 PEARL STREET,
HURSTVILLE. EXPIRES: 31/5/2011. OPTION OF RENEWAL:
THREE YEARS WITH ONE FURTHER OPTION OF THREE YEARS.
 - AE358103 LEASE OF LEASE AE765957 TO SONIC HEALTHCARE
LIMITED OF SUITE 6, 2 PEARL STREET, HURSTVILLE.
EXPIRES: 11/7/2010. OPTION OF RENEWAL: 2 YEARS.
 - AE622786 LEASE OF LEASE AE765957 TO ORTHOSPORTS PTY
LIMITED OF FIRST FLOOR, TENANCY 4, 2 PEARL STREET,
HURSTVILLE. EXPIRES: 31/3/2011. OPTION OF RENEWAL:
3 YEARS AND A FURTHER 3 YEARS.
- 3 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED

END OF PAGE 1 - CONTINUED OVER

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/16273

PAGE 2

NOTATIONS

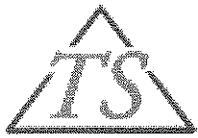
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 5/16273

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:06 PM	7	14/9/2009

LAND

LOT 5 IN DEPOSITED PLAN 16273
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP16273

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 3 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:01PM

FOLIO: 2/16273

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 4333 FOL 234

Recorded	Number	Type of Instrument	C.T. Issue
18/2/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
15/2/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
9/5/1991	Z635292	TRANSMISSION APPLICATION	EDITION 1
20/11/1991	E74373	TRANSMISSION APPLICATION	EDITION 2
6/1/1992	E170527	TRANSFER	EDITION 3
13/2/1992	E257720	MORTGAGE	EDITION 4
27/3/1995	088969	LEASE	
27/3/1995	088970	LEASE	
27/3/1995	088971	LEASE	
27/3/1995	088972	LEASE	EDITION 5
11/5/1995	0193509	LEASE	EDITION 6
8/1/1996	0784000	LEASE	
8/1/1996	0784001	LEASE	EDITION 7
22/5/1997	3068645	LEASE	EDITION 8
7/10/1998	5308091	LEASE	EDITION 9
22/11/1999	6352370	CAVEAT	
29/11/1999	6338797	CAVEAT	
6/3/2000	6530953	WITHDRAWAL OF CAVEAT	
6/3/2000	6530954	WITHDRAWAL OF CAVEAT	
6/3/2000	6530955	DISCHARGE OF MORTGAGE	
6/3/2000	6530960	LEASE	
6/3/2000	6530961	LEASE	
6/3/2000	6530962	LEASE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	

END OF PAGE 1 - CONTINUED OVER

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:01PM

FOLIO: 2/16273

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
6/3/2000	6530987	MORTGAGE	EDITION 10
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 11
3/12/2003	AA218473	TRANSFER OF LEASE	
8/3/2004	AA424860	LEASE	EDITION 12
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 13
8/2/2005	AB215783	LEASE	
8/2/2005	AB215784	LEASE	
8/2/2005	AB215785	LEASE	EDITION 14
11/11/2005	AB784966	LEASE	EDITION 15
13/11/2006	AC590357	SUB-LEASE	EDITION 16
3/9/2007	AD323559	DETERMINATION OF LEASE	
3/9/2007	AD323560	LEASE	
3/9/2007	AD323561	LEASE	EDITION 17
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 18
21/10/2008	AE278314	CHANGE OF NAME	
21/10/2008	AE278315	SUB-LEASE	EDITION 19
23/12/2008	AE358103	SUB-LEASE	EDITION 20
7/5/2009	AE622785	DETERMINATION OF LEASE	
7/5/2009	AE622786	SUB-LEASE	EDITION 21
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE972649	DEPARTMENTAL DEALING	
14/9/2009	AE806780	VARIATION OF LEASE	
14/9/2009	AE835310	VARIATION OF LEASE	
14/9/2009	AE881320	CHANGE OF NAME	EDITION 22
14/9/2009	AE972725	DEPARTMENTAL DEALING	EDITION 23

*** END OF SEARCH ***

JBS-Hurstville

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Appl. No. 6125

Reference to last Certificates,

Vol. 3467 Fols 106 and 107

New South Wales.

[CERTIFICATE OF TITLE.]

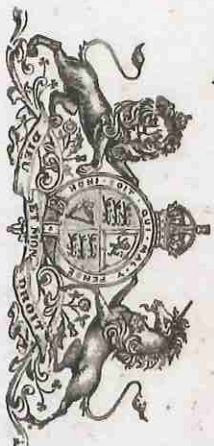
ORDER NO. B875062

RESIDUE AFTER TRANSFER NO. B870819

REGISTER BOOK.

Vol. 4333 Fol. 234

CANCELLED
ON ISSUE OF NEW FOLIO 21/6273



FRANCIS WILLIAM SKINNER of Rockdale, Builder, by virtue of Certificates of Title Volume 3467 Fols 106 and 107 now surrendered as to Residue after Transfer No. B870819 is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in that piece of land situated in the Municipality of Hurstville containing Thirty one and one half perches as shown in the Plan hereon and therein edged red, being lot 2 in Deposited Plan No. 16273 and being part of 1950 acres (Portion 115 of Parish) delineated in the Public Map of the said Parish in the Department of Lands originally granted to John Townson by Crown Grant dated the 11th day of April 1810.

In witness whereof, I have herunto signed my name and affixed my Seal, this

Signed in the presence of

Sherrington

month

day of

October 1929

Registrar General



Millet St

683062.

Scale - 30 ft to one inch.

NOTIFICATION REFERRED TO.

No. 8317776 Mortgage dated the 4th day of April 1929 from Francis William Skinner to Australasian Catholic Assurance Company Limited Produced and entered the 7th day of May 1929 at 55 minutes past 2 o'clock in the afternoon.

McLayton
Registrar General.



No. 0179721	DISCHARGE of within mortgage
B817776	dated 4th May 1923
Produced and entered	15th May 1923
at 2 o'clock in the afternoon.	
<i>Ray W. Davis</i>	
REGISTRAR GENERAL	



No. 0179722	TRANSFER dated 4th May 1923
from the said Francis William Skinner to	
Australasian Catholic Assurance Company	
limited	
Produced and entered	15th May 1923
at 2 o'clock in the afternoon.	
<i>Ray W. Davis</i>	
REGISTRAR GENERAL	



No. F41068	TRANSFER dated 29th June 1949
from the said Australasian Catholic Assurance	
Company limited to John Catherine W. May	
James W. May, and John W. May	
Produced and entered	11th July 1949
at 5 o'clock in the afternoon.	
<i>J. W. May</i>	
REGISTRAR GENERAL	

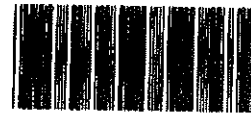


No. F41069	MORTGAGE dated 30th May 1949
from the said John Catherine W. May, John W. May,	
James W. May, and John W. May	
Produced and entered	11th July 1949
at 5 o'clock in the afternoon.	
<i>J. W. May</i>	
REGISTRAR GENERAL	



RP3

STAMP DUTY



E
074373 P

TRANSMISSION APPLICATION

TA

SECTION 93, REAL PROPERTY ACT, 1900
(See Instructions for Completion on back of form)

	of	
\$		R /

DESCRIPTION
OF LAND
Note (a)

LAND of which deceased is registered proprietor		
Torrens Title reference	If Part Only, Delete Whole and Give Details	Location
Folio Identifier 2/16273	WHOLE	Hurstville

REGISTERED
DEALING
Note (b)

LEASE, MORTGAGE, OR CHARGE of which deceased is registered proprietor			
Type of Dealing	Registered Number	Torrens Title Reference	Location

DECEASED
REGISTERED
PROPRIETOR
Note (c)

Duncan James McKay Brown

Note (d)

(the abovenamed DECEASED) is registered as proprietor of the land above described. The APPLICANT
abovementioned registered dealing.

APPLICANT
Note (e)

Kevin John Carpenter	OFFICE USE ONLY
----------------------	-----------------

ENTITLEMENT
Note (f) and (i)

being entitled as executor of the will/estate of the abovenamed deceased

Probate No. 115563/91
Letters of Administration No.

of whose will was granted on 31-10-91
of whose estate were

to Kevin John Carpenter

Note (d)

hereby applies to be registered as proprietor of the estate or interest of the said deceased in the land above described.
abovementioned registered dealing.

DATE 13 November 1991

I hereby certify this application to be correct for the purposes of the real Property Act, 1900.
Signed in my presence by the applicant who is personally known to me.

EXECUTION
Note (g)

Signature of Witness
R. J. HODGE
Name of Witness (BLOCK LETTERS)
SOLICITOR
Address and Occupation of Witness

Signature of Applicant

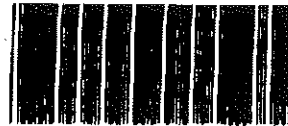
TO BE COMPLETED
BY LODGING PARTY
Notes (g) and (h)

LODGED BY		PROBATE No. LOCATION OF DOCUMENTS AND/OR OTHER DATE OF DEATH	
OWEN HODGE & SON SOLICITORS 12 ORMONDE PDE HURSTVILLE DX 11344 HURSTVILLE BOX 404X		CT	Herewith.
Ref:		<u>115563/91</u>	<u>11/9/91</u>
Delivery Box Number		<u>3322N FM</u>	Produced by
Checked <u>30</u>	Passed	Secondary Directions	
Signed <u>[Signature]</u>	Extra Fee	Delivery Directions	
REGISTERED - -19		20 NOV 1991	

RP13



TRANSFER
Real Property



E
170527 C

Office of State Revenue use only

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIER 2/16273

(B) LODGED BY

L.T.O. Box

245

Name, Address or DX and Telephone

**COMMONWEALTH BANK OF AUSTRALIA
BRANCH LENDING SUPPORT
PHONE: 227-7613 DX 1020**

REFERENCE (max. 15 characters): **2184 Hurstville**

KEVIN JOHN CARPENTER

(C) TRANSFEROR

\$250,000.00

(D) acknowledges receipt of the consideration of
and as regards the land specified above transfers to the transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. 2. 3.

(F) TRANSFEE

T

**HURSTVILLE COMMUNITY CO-OPERATIVE HOSPITAL LIMITED of 37
Gloucester Road, Hurstville**

as joint tenants/tenants in common

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATE OF EXECUTION** ... **24/12/1991** ...

Signed in my presence by the transferor who is personally known to me.

[Signature]

Signature of Witness

Sharon Bewler

Name of Witness (BLOCK LETTERS)

Solicitor Hurstville

Address of Witness

[Signature]

Signature of Transferor

Signed in my presence by the transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

[Signature]

Signature of Transferee

Kenneth B Hancock, Solicitor for Transferee

[Signature]

Form: 10CN
Licence: 05-11-682
Licensee: Softdocs
Owen Hodge Lawyers

2

CHANGE OF NAME

New South Wales
Real Property Act 1900



AE278314U

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the F by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) FOLIO OF THE REGISTER

--

(B) REGISTERED DEALING

Number AB784966	Folio of the Register 2/16273
--------------------	----------------------------------

(C) LODGED BY

Document Collection Box 404X	Name, Address or DX, Telephone, and LLPN if any LLPN: 123277 Q OWEN HODGE LAWYERS DX 11344 HURSTVILLE Tel: (02) 9570 7844 Reference (optional): RMH:BLM:228595-CITY OFFICE	CODE CN
---------------------------------	--	------------

(D) REGISTERED PROPRIETOR

Whose name is to be changed, show the name as it currently appears on the folio of the Register CALVARY HEALTH CARE HOLDINGS LIMITED (ACN 105 956 947) CALVARY HEALTH CARE SYDNEY - HURSTVILLE COMMUNITY LTD (ACN 105 956 947)

(E) NEW NAME

HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED (ACN 105 956 947)

(F) The abovenamed registered proprietor of the _____ registered dealing _____ specified above applies to have his/her new name recorded in the Register in respect of that registered dealing.

(G) STATUTORY DECLARATION BY THE APPLICANT*

I, DENIS KING, authorised officer of the applicant

solemnly and sincerely declare that -

1. The Company is identical with the registered proprietor referred to above;
2. Certified copy of Certificate of Incorporation of Change of Name attached

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900 and I certify this application correct for the purposes of the Real Property Act 1900.

Made and subscribed at HURSTVILLE in the State of New South Wales

on 13 JUNE 2008 in the presence of:

Signature of witness: Carolyn McKellar
Name of witness: CAROLYN MCKELLAR

Address of witness: 4 ONSLAW PLACE
SYLVANIA NSW 2224

Qualification of witness: ☐ Justice of Peace ☐ Practising Solicitor

Signature of authorised officer: Denis King

Name: DENIS KING
Authority of officer: DIRECTOR
Signing on behalf of: HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED (ACN 105 956 947)
☒ Other [specify] REGISTERED NURSE

* As the Department of Lands may not be able to provide the services of a justice of the peace or other qualified witness, the statutory declaration should be signed and witnessed prior to lodgment of the form at Land and Property Information Division.

DEACONS ATTN: KAREN DAVIDSON
GPO BOX 3872
SYDNEY NSW 2001

Remove this top section if desired before framing



Certificate of Registration on Change of Name

This is to certify that

**CALVARY HEALTH CARE SYDNEY - HURSTVILLE
COMMUNITY LIMITED**

Australian Company Number 105 956 947

did on the twelfth day of November 2007 change its name to

**HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED**

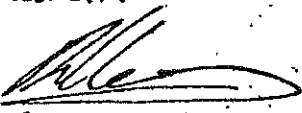
Australian Company Number 105 956 947

The company is a public company.

The company is limited by guarantee.

The company is registered under the Corporations Act 2001 and
is taken to be registered in New South Wales and the date
of commencement of registration is the eighteenth day of August, 2003.

*I certify that
this copy is a true
copy of the said
document.*


PAUL COOLEY
CHARTERED ACCOUNTANT

Issued by the
Australian Securities and Investments Commission
on this twelfth day of November, 2007.



Anthony Michael D'Aloisio
Chairman



CERTIFICATE

Form: 10CN
Release: 2.3
www.lands.nsw.gov.au

CHANGE OF NAME

New South Wales
Real Property Act 1900



AE881320L

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar to release information by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **FOLIO OF THE REGISTER**

--

(B) **REGISTERED DEALING**

Number AB784966	Folio of the Register 2/16273
--------------------	----------------------------------

(C) **LODGED BY**

Document 795D	Name, Address or DX, Telephone, and LLPN if any Deacons 225 George Street Sydney NSW 2000 DX 368 Sydney Reference: 2628203 <i>AA</i>	LLPN 123576E Doc: 7446167	CODE CN
-------------------------	--	--	-------------------

(D) **REGISTERED PROPRIETOR**

Whose name is to be changed; show the name as it currently appears on the folio of the Register HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED ACN 105 956 947
--

(E) **NEW NAME**

Of the above registered proprietor in full HURSTVILLE COMMUNITY PRIVATE HOSPITAL PTY LIMITED ACN 105 956 947

(F) The registered proprietor of the above registered dealing applies to have its new name recorded in the Register in respect of that registered dealing

(G) **STATUTORY DECLARATION BY THE APPLICANT***

I, Michael McKee

solemnly and sincerely declare that—

1. I am *a solicitor employed by Deacons who act for the Registered Proprietor*
2. I attach a copy of a certificate of registration on change of type and conversion to a proprietary company, issued by the Australian Securities and Investments Commission

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900, and

I certify this application to be correct for the purposes of the Real Property Act 1900.

Made and subscribed at *Sydney* in the State of New South Wales
on *4 August 2009* in the presence of—

Signature of witness:

Anty Treigl

Signature of applicant:

[Signature]

Name of witness:

Address of witness:

*Anthony Treigl
225 George Street
Sydney NSW 2000*

Qualification of witness: ☐ Justice of the Peace ☒ Practising Solicitor ☐ Other qualified witness [specify]

* As the Department of Lands may not be able to provide the services of a justice of the peace or other qualified witness, the statutory declaration should be signed and witnessed prior to lodgment of the form at Land and Property Information Division.

I certify that I have sighted the original of this document and that this is a true accurate copy of the original.

L.A. Dooley
Name: ROBERT DOOLEY, SOLICITOR

Date: 10th July, 2009

AE 881320

Lin.

Form 242

DEACONS ATTN: KAREN DAVIDSON
GPO BOX 3872
SYDNEY NSW 2001

Remove this top section if desired before framing



Certificate of Registration on Change of Type and Conversion to a Proprietary Company

This is to certify that

**HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED**

Australian Company Number 105 956 947

on the twenty-sixth day of September 2008 converted to
a company limited by shares
and on the twenty-sixth day of September 2008 changed
to a proprietary company.

The name of the company is now

**HURSTVILLE COMMUNITY PRIVATE HOSPITAL PTY
LIMITED**

Australian Company Number 105 956 947

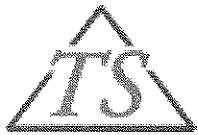
The company is registered under the Corporations Act 2001 and
is taken to be registered in New South Wales and the date
of commencement of registration is the eighteenth day of August, 2003.

Issued by the
Australian Securities and Investments Commission
on this twenty-sixth day of September, 2008.

Anthony Michael D'Aloisio
Chairman



CERTIFICATE



Jenners Title Searching Co.

LPI On-Line

Jenners Title Searching Co. hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:07PM

FOLIO: 5/16273

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 4706 FOL 219

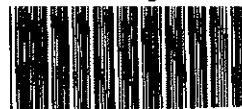
Recorded	Number	Type of Instrument	C.T. Issue
21/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
27/2/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
27/4/1992	E352255	CHANGE OF NAME	
27/4/1992	E128808	MORTGAGE	EDITION 1
6/3/2000	6530956	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



E
352255 W

**APPLICATION TO RECORD
CHANGE OF NAME**
REAL PROPERTY ACT, 1900
CROWN LANDS CONSOLIDATION ACT, 1913
WESTERN LANDS ACT, 1901

CN
KC

	of	X
\$		

**DESCRIPTION
OF LAND**

Note (a)

LAND of which applicant is registered proprietor/holder			
Torrens Title Reference	Location	Tenure Card Reference	Land District
VOLUME 4706 FOLIO 219 NOW KNOWN AS FOLIO IDENTIFIER 5/16273			PARISH OF ST GEORGE COUNTY OF CUMBERLAND

**REGISTERED
DEALING**

Note (b)

LEASE, MORTGAGE, or CHARGE of which applicant is registered proprietor		
Type of Dealing	Registered Number	Torrens Title Reference

**NAME OF REG'D
PROPRIETOR(S)/
HOLDER(S)
(as presently
recorded)**

Note (c)

HURSTVILLE COMMUNITY CO-OP HOSPITAL LIMITED

being the REGISTERED PROPRIETOR(S)/HOLDER(S) and a change of name, as set out in the statutory declaration below having been affected, the applicant hereby applies to have the following name(s) recorded in the Register.

The name(s), address(es) and occupation(s) or description(s) of the REGISTERED PROPRIETOR(S)/HOLDER(S) should now be recorded as

**NAME OF REG'D
PROPRIETOR(S)/
HOLDER(S)
(after change
of name)**

HURSTVILLE COMMUNITY CO-OPERATIVE HOSPITAL LIMITED A CO-OPERATIVE DULY INCORPORATED IN THE STATE OF NEW SOUTH WALES AND HAVING ITS REGISTERED OFFICE AT FIRST FLOOR 15-17 FOREST ROAD HURSTVILLE	OFFICE USE ONLY
--	-----------------

STATUTORY DECLARATION

Note (d)

In support of this application I

solemnly and sincerely declare that:

Note (e)

1. The applicant is identical with
proprietor/holder (or one of them) of the abovementioned land.

, the registered

Note (f)

2. On the day of , 19 , at in the State of , the
applicant married

, the

Note (g)

3. Co-Operative incorrectly recorded as Co-Op on title.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900, and I hereby certify this application to be correct for the purposes of the Real Property Act, 1900.

Made and subscribed at HURSTVILLE the 24th day of MARCH, 1992 in
the presence of—

Grant Taylor J.P.
Signature of Witness
Grant Taylor J.P.
Name of Witness (BLOCK LETTERS)
15 SYBIL ST. KOGARAH
Address and Occupation of Witness
ARCHITECT.

EXECUTION

Note (h)

[Signature]
Signature of Applicant
Secretary


**TO BE COMPLETED
BY LODGING PARTY**

Notes (i)
and (j)

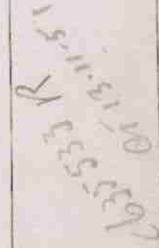
LODGED BY		24J COMMONWEALTH BANK 24J OF AUSTRALIA BRANCH LENDING SUPPORT 388 GEORGE STREET SYDNEY PHONE: 227-7558 DX 1020 SYDNEY 24J		LOCATION OF DOCUMENTS	
2184/Hville Com Delivery Box Number				CT	OTHER
					Herewith.
					In L.T.O. with <u>E/28808</u> .
					Produced by
Checked	Passed	REGISTERED - 19		Secondary Directions	
Signed	Extra Fee			Delivery Directions	

OFFICE USE ONLY

DM
181 44639/DISCHARGE of within mortgage
F41269 dated 31st March 1934
Produced 1st April 1934 and entered 1st April 1934
at 3.00 pm clock in the afternoon.
a. H. Ellis
REGISTRAR GENERAL.



COMPUTER FOLIO NO FURTHER
DEALINGS TO BE REGISTERED.



MORTGAGE No. C635333 has been discharged.
See H255987 Entered 21st July 19 59
Jowatson
REGISTRAR GENERAL

No. H255988 MORTGAGE dated 26th June 19 59
from the said Arthur James Baker
Entered 21st July 19 59
Jowatson
REGISTRAR GENERAL

MORTGAGE No. H255988 has been discharged.
See H255987 Entered 10th October 19 62
Jowatson
REGISTRAR GENERAL

No. J159389 MORTGAGE dated 7th September 19 62
to Angelia and her husband
Bank Limited
Entered 10th October 19 62
Jowatson
REGISTRAR GENERAL

MORTGAGE No. J159389 has been discharged.
See M591957 Entered 15th February 19 72
Jowatson
REGISTRAR GENERAL

Horseshill Community Co-op Hospital Limited
now the registered proprietor of the land within described.
See TRANSFER No. M591958 dated 21st January 19 72
Entered 15th February 19 72
Jowatson
REGISTRAR GENERAL

No. M591959 MORTGAGE dated 24th January 19 72
to Arthur James Baker of Victoria
Baker, Richard
Entered 15th February 19 72
Jowatson
REGISTRAR GENERAL

MORTGAGE No. M591959 has been discharged.
See M319661 Entered 12th July 19 72
Jowatson
REGISTRAR GENERAL

COMPUTER
DEALINGS TO BE REGISTERED.

~ Search ~

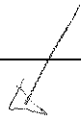
re Lot 12 Sec D in DP 1426 +
Lot C1 in DP 377900

Title Tree

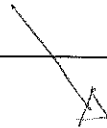
Auto Consol 8476-249



V. 8476 F. 249



V. 847 F. 183



V. 6516 F. 230



V 4001 F. 130

WJ 3/11/10

Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lot C1 in DP 377900

Schedule of Registered Proprietors

V4001 F.130 Edith Wilson Yaman
issued of Hurstville
12/5/1927 Spinster

J/C 332847 Agnes Locke Martin
Reg 26/11/35 of Sydney
(V4001 F.130) Spinster

J/F 584030 Gosken Co-Operative Community
Reg 14/5/52 Hospital Limited
(V4001 F.130)

~ Search ~

re Lot 12 Dec D in DP1426

Schedule of Registered Proprietors

V847 F.183 Arthur Padgett
issued of Hurstville
20/8/1887 Freeholder

Jfr 272950 Minnie Mary Seale
Reg 23/10/1916 wife of ^{Herbert} William Seale
(V847 F.183) of Petersham, Salesman

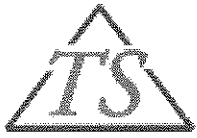
Jfr A992319 Thomas Cobden Poulton
Reg 14/9/23 of Sydney
(V847 F.183) Paymaster

TA D982574 Edith Lelitia Poulton
Reg 29/3/49 of Hurstville
(V847 F.183) Widow

Jfr H 710562 Hurstville Community Co-Operative
Reg 10/12/60 Hospital Limited
(V847 F.183)

ns 3/11/10
Jenners Title Searching Co.

ESTABLISHED 1949



Jenners Title Searching Co.

LPI On-Line

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Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 8476-249

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
3/11/2010	12:09 PM	7	14/9/2009

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM SEE SCHEDULE OF PARCELS

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 F492911 RIGHT OF CARRIAGEWAY AFFECTING THE PART OF LOT C1
SHOWN AS RIGHT OF CARRIAGEWAY 13' WIDE IN DP377900
- 3 DP637553 EASEMENT TO DRAIN WATER APPURTENANT TO THE LAND ABOVE
DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN
DP637553
- 4 U756639 LEASE TO SYDNEY ELECTRICITY OF PART BEING SUBSTATION
PREMISES NO 10924 GLOUCESTER HOSPITAL SHOWN IN PLAN
WITH U756639 EXPIRES 28.2.2044
- 5 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED
- 6 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL
LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO
PERIODS OF 5 YEARS EACH.

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOT 12 SEC. D IN DP1426
LOT C1 IN DP377900

TITLE DIAGRAM

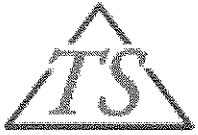
DP1426
DP377900.

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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Jenners Title Searching Co.

LPI On-Line

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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:10PM

FOLIO: AUTO CONSOL 8476-249

Recorded	Number	Type of Instrument	C.T. Issue
24/7/1992		CONSOL HISTORY RECORD CREATED FOR AUTO CONSOL 8476-249	
		PARCELS IN CONSOL ARE: 12/D/1426, C1/377900.	
11/11/1994	U756639	LEASE	EDITION 1
6/3/2000	6530959	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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New South Wales



Primary Appt No. 6125

Reference to Last Titles

Vol. 847 Fol. 183
" 6516 " 230

REGISTER BOOK

Vol. 8476 Fol. 249

ML Issued on Order No. J438136

CANCELLED

ON ISSUED Auto Cancelled 24-5-1985

HURSTVILLE COMMUNITY CO-OPERATIVE HOSPITAL LIMITED, is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances liens, and interests as are notified hereon, in That piece of land in the Municipality of Hurstville Parish of St. George and County of Cumberland shown in the plan hereon being Lot C1 in plan lodged with Transfer No. F584030 and Lot 12 of Section D in Deposited Plan No. 1426 and being part of Portion 115 granted to John Townson on 11th April 1810.

377900

Persons are cautioned against altering or adding to this Certificate or any notification thereon.

In witness whereof I have hereunto signed my name and affixed my Seal, this

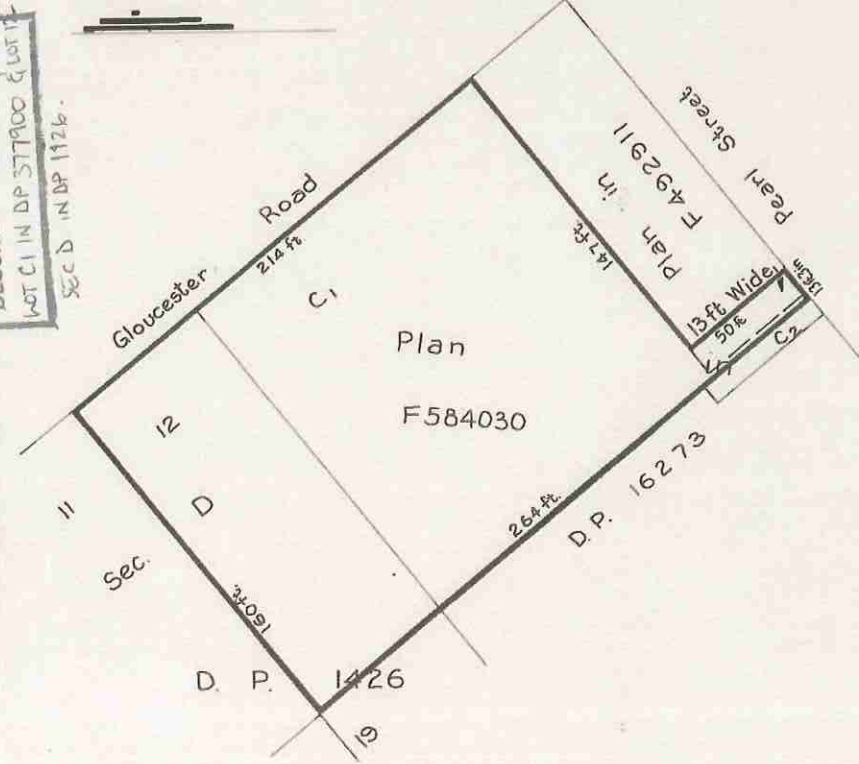
Signed in the presence of *Phill*

Twenty-eighth day of October, 19 63.

John Townson
Registrar-General.



THE LAND WITHIN DESCRIBED IS Lot C1 IN DP 377900 & LOT 12 SEC D IN DP 1426.



No. M410894 MORTGAGE dated 24 December 1963 to *Commonwealth Trading Bank of Australia*
Entered 28 September 1971
John Townson
REGISTRAR GENERAL



EN2 DP 637553 Easement to drain water appurtenant to the land within described affecting the land shown so burdened in DP 637553 Registered 24-5-1985



COMPUTER DEALING NO FURTHER

Area: 3rd 8 1/4 per.
Scale: 60 feet to one inch.

NOTIFICATION REFERRED TO

Right of Carriageway created by Transfer No. F492911 affecting the piece of land 13 feet wide shown in the plan hereon.

John Townson
Registrar General.



~ Search ~

-re Lot C2 in DP 377900

Title Tree

C2 / 377900



V. 6516 F. 231



V. 4001 F. 130

WJ 2/11/10
Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lot C2 in DP 377900

Schedule of Registered Proprietors

V. 4001 F.130 Edith Wilson Graham
issued of Hurstville
12/5/1927 Spinster

Lfr C 332847 Agnes Locke Martin
Reg 26/4/35 of Sydney, Spinster
(V4001 F.130)

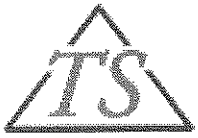
Lfr F596487 Arthur James Baker
Reg 14/5/52 of Hurstville
(V4001 F.130) Carpenter

Lfr M 591958 Hurstville Community Co- Op
Reg Hospital Limited
(V6516 F.231)

CN F 352254 Hurstville Community Co- Operative
Reg 27/4/1992 Hospital Limited
(C2/377900)

us 3/11/10
Jenners Title Searching Co.

ESTABLISHED 1949



Jenners Title Searching Co.

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

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: C2/377900

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:12 PM	7	14/9/2009

LAND

LOT C2 IN DEPOSITED PLAN 377900
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP377900

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 3 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

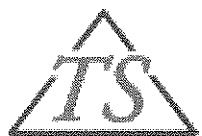
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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Jenners Title Searching Co.

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:12PM

FOLIO: C2/377900

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 6516 FOL 231

Recorded	Number	Type of Instrument	C.T. Issue
2/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
21/11/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
27/4/1992	E352254	CHANGE OF NAME	
27/4/1992	E128808	MORTGAGE	EDITION 1
6/3/2000	6530956	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

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PRINTED ON 3/11/2010

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10. M591959 MORTGAGE dated 24 January 1972
to Arthur James Barber of Under
Beach Road
Entered 15th February 1972
Louise
REGISTRAR GENERAL

MORTGAGE No. M59 1959 has been discharged.
See M 319669 Entered 12th July 1973
Louise
REGISTRAR GENERAL

NO FURTHER DEALINGS TO BE REGISTERED

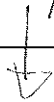
2 w/o 699618 1/2

~ Search ~

re L&L A & B in DP 375463

Title Tree

A & B / 375463



V. 8339 F. 65 & 66



V. 6451 F. 97



V. 4001 F. 130

~ Search ~

re Lots A & B in DP 375463

Schedule of Registered Proprietors

V4001 F. 130 Edith Wilson Gaman
issued of Hurstville
12/5/1927 Spinster

Lfr C 332847 Agnes Locke Martin
Reg 26/4/35 of Sydney
(V4001 F. 130) Spinster

Lfr F 492911 John Francis Maloney
Reg 20/2/52 of Bexley
(V4001 F. 130) Labourer

TA H926816 William Francis Maloney
Reg 8/2/62 of Hurstville, Clerk
(V6451 F. 97)

as regards Lot B

TA H926817 John Howard Maloney
Reg 8/2/62 of Hurstville, Motor Mechanic
(V6451 F. 97)

as regards Lot A

3/11/10.

Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lots A & B in DP 375463

Schedule of Regd Proprietors Contd.

If P180068 Colin Andrew Langdon
 Reg 29/1/75 of Penshurst, Analyst Programmer?
 (V 8339 F.66) Rebyn Ann Langdon, his wife
 as regards Lot A

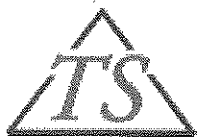
Q 467008 Thestrville Community Co-Operative
 Reg 1/12/77 Hospital Limited
 (V 8339 F.66)

Q 639524
 Reg 12/4/78
 (V 8339 F.65)

Q 3/11/10

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ESTABLISHED 1949



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/375463

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:13 PM	7	14/9/2009

LAND

LOT A IN DEPOSITED PLAN 375463
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP375463

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 F492911 RIGHT OF CARRIAGEWAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN VOL 8339 FOL 66
- 3 H926816 CROSS EASEMENTS (S181 B CONVEYANCING ACT, 1919) AFFECTING THE PARTY WALL(S) SHOWN ON THE COMMON BOUNDARY OF LOTS A AND B IN DP375463
- 4 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 5 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

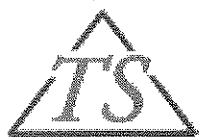
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: B/375463

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:14 PM	7	14/9/2009

LAND

LOT B IN DEPOSITED PLAN 375463
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP375463

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (CN AE765956)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 F492911 RIGHT OF CARRIAGEWAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN VOL 8339 FOL 65
- 3 H926816 CROSS EASEMENTS (S181 B CONVEYANCING ACT, 1919) AFFECTING THE PARTY WALL(S) SHOWN ON THE COMMON BOUNDARY OF LOTS A AND B IN DP375463
- 4 AD605596 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
- 5 AE765957 LEASE TO HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED EXPIRES: 8/11/2012. OPTION OF RENEWAL: TWO PERIODS OF 5 YEARS EACH.

NOTATIONS

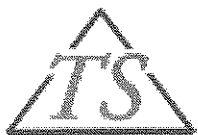
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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PRINTED ON 3/11/2010

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:13PM

FOLIO: A/375463

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 8339 FOL 66

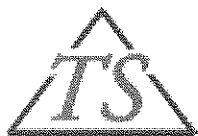
Recorded	Number	Type of Instrument	C.T. Issue
31/8/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/10/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
27/4/1992	E128808	MORTGAGE	EDITION 1
6/3/2000	6530956	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:15PM

FOLIO: B/375463

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 8339 FOL 65

Recorded	Number	Type of Instrument	C.T. Issue
31/8/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/10/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
6/4/1992	E369963	DEPARTMENTAL DEALING	
27/4/1992	E128808	MORTGAGE	EDITION 1
6/3/2000	6530956	DISCHARGE OF MORTGAGE	
6/3/2000	6530963	TRANSFER	
6/3/2000	6530964	MORTGAGE	
6/3/2000	6530987	MORTGAGE	EDITION 2
7/5/2001	7540210	DISCHARGE OF MORTGAGE	EDITION 3
10/6/2004	AA686740	DISCHARGE OF MORTGAGE	
10/6/2004	AA686741	TRANSFER	EDITION 4
11/11/2005	AB784966	LEASE	EDITION 5
6/11/2007	AD540840	CAVEAT	
18/12/2007	AD605550	TRANSFER	
18/12/2007	AD605596	MORTGAGE	EDITION 6
14/9/2009	AE765955	CHANGE OF NAME	
14/9/2009	AE765956	CHANGE OF NAME	
14/9/2009	AE765957	LEASE	EDITION 7

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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New South Wales

[CERTIFICATE OF TITLE]

Primary Appt No. 6125

Reference to Last Title

Vol. 6451 Fol. 97

Deposited Plan No.1426



CANCELLED **W**
ON ISSUE OF NEW FOLIO **A/375463**
REGISTER BOOK

Vol. **8339** Fol. **66**

Issued on Transmission Application
No. H926817

5
GRAY

JOHN HOWARD MALONEY, of Hurstville, Motor Mechanic, is now the proprietor of an Estate in Fee Simple,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances
liens, and interests as are notified hereon, in That piece of land
in the Municipality of Hurstville Parish of St. George and County of Cumberland
shown in the plan hereon being Lot A in plan lodged with Transfer No. F492911 and being part of Portion 115 granted to
John Townson on 11th April 1810.

In witness whereof I have hereunto signed my name and affixed my Seal, this

Thirteenth day of February, 1962

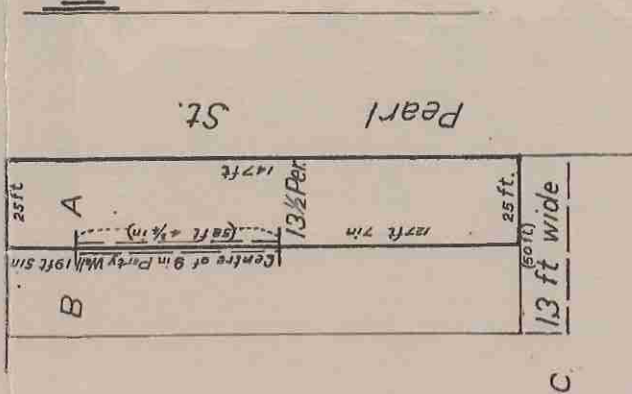
Signed in the presence of

B. Elgallidge

Gloucester Rd.



J. J. J. J.
Registrar-General.



Scale:- 40 feet to one inch

NOTIFICATION REFERRED TO

Right of Carriageway created by Transfer No. F492911 appurtenant
to the land above described affecting the piece of land 13 feet
wide shown in plan hereon.



J. J. J. J.
Registrar-General.

Cross easements (Section 181B Conveyancing Act 1919) created
by Transfer No. H926816 affecting the party wall erected on
the common boundary of Lots A and B shown in plan hereon.



J. J. J. J.
Registrar-General.

Colin Andrew Langdon of Perthurst, Analyst
Programmer and Rubyn Ann Langdon his
wife as joint tenants are
now the registered proprietors of the land within described
See TRANSFER No. P180068 dated 29th January 1975
Entered 11th March 1975
J. J. J. J.
REGISTRAR GENERAL

No. P180069 MORTGAGE dated 6th January 1975
to Australia and New Zealand Savings Bank
Limited
Entered 11th March 1975
J. J. J. J.
REGISTRAR GENERAL

Caveat No Q211649 by Hurstville Community Co-operative
Hospital Limited.
Registered. 26.5.1977
J. J. J. J.
REGISTRAR GENERAL




0000000000

TRANSFER NO. 0447005 Hurstville Community
Co-operative Hospital Limited is

now the registered proprietor of the land within described

Registered 1-12-1977



REGISTRAR GENERAL

COMPUTER FOLIO NO FURTHER
DEALINGS TO BE REGISTERED.

2/5/8
= 2015
x 197006240

202

Primary Appn No. 6125

Reference to Last Title

Vol. 6451 Fol. 97

Deposited Plan No. 1426

New South Wales



[CERTIFICATE OF TITLE]

CANCELLED **W**
ON ISSUE OF NEW FOLIO **B/375463**
REGISTER BOOK

Vol. **8339** Fol. **65**

Issued on Transmission Application
No. **N926816**

S
GRY

WILLIAM FRANCIS MALONEY, of Hurstville, Clerk, is now the proprietor of an Estate in Fee Simple,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances
liens, and interests as are notified hereon, in That piece of land
in the Municipality of Hurstville Parish of St. George and County of Cumberland
shown in the plan hereon being Lot B in plan lodged with Transfer No. **F/12811** and being part of Portion **115** granted to
John Tomson on 11th April 1810.

In witness whereof I have hereunto signed my name and affixed my Seal, this

Thirteenth day of February, 1962

Signed in the presence of

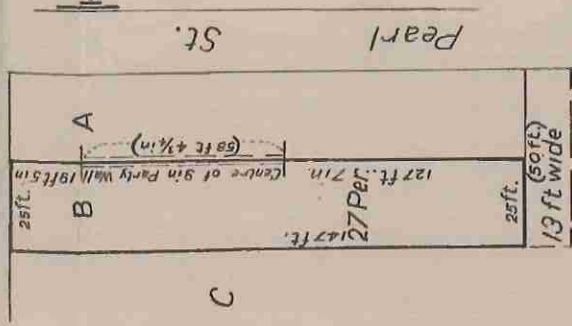
B. E. Gallidge

Gloucester Rd.

Registrar-General.



Jenkinson



Scale: - 40 feet to one inch.

NOTIFICATION REFERRED TO

Right of Carriageway created by Transfer No. **F/12811** appurtenant
to the land above described affecting the piece of land 13 feet
wide shown in plan hereon.



Jenkinson
Registrar-General.

Cross easements (Section 181B Conveyancing Act 1919) created by
Transmission Application No. **N926816** affecting the party wall
erected on the common boundary of Lots A and B shown in plan
hereon.



Jenkinson
Registrar-General.

TRANSFER NO. **A639524P** ~~Hurstville Community~~
~~Co-operative Hospital Limited~~ is
now the registered proprietor of the land within described
Registered **19-4-1978**
REGISTRAR GENERAL

H926816

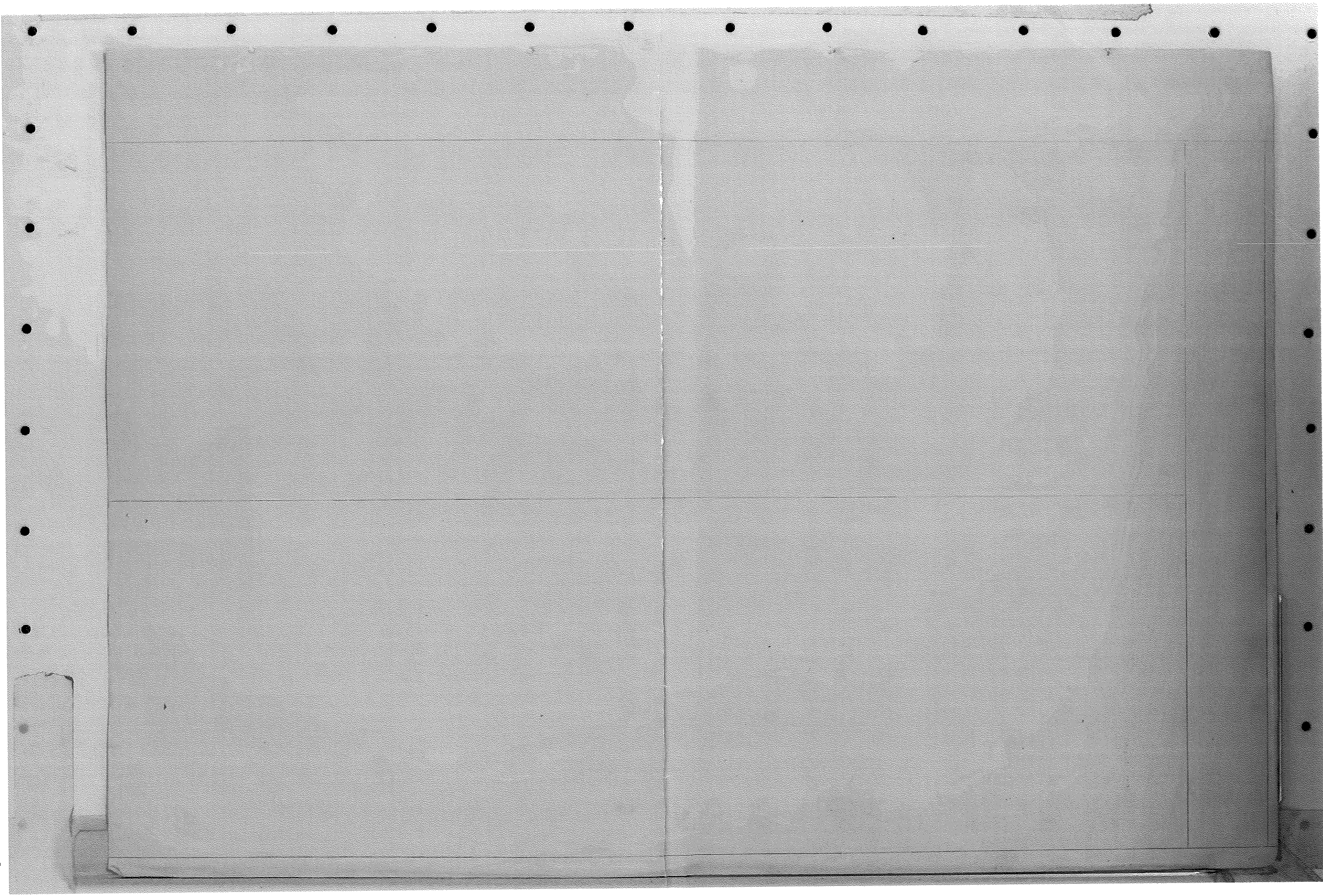
COMPILED FOLIO NO FURTHER
DEALINGS TO BE REGISTERED.



08339065

B

A639524P



~ Search ~

re Lot 20 Sec D in DP 1426

Title Tree

20 / D / 1426

↓

V. 3481 F. 6

~ Search ~

re Lot 20 Sec D in DP 1426

Schedule of Registered Proprietors

V.3481 F.6
issued
21/7/23
Wallace Douglas Fraser
of Hurstville
Carpenter

Jr C 981839
Reg 12/2/41
(V.3481 F.6)
Joseph William Backus
of Hurstville Commercial Traveller
Janet Amelia Backus, his wife

Jr F 243532
Reg 16/6/50
(V.3481 F.6)
Cybil Ambler
of Hurstville, Railway Clerk
Edith Lily Ambler, his wife

Jr F 542414
Reg 2/10/51
(V.3481 F.6)
Dinah Kennett Horton Jameson
of Punchbowl
Married Woman

Jr H 6418
Reg 18/7/58
(V.3481 F.6)
Henry Oscar Robert Lantham
of Hurstville
Ironmonger

W 3/11/10

Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lot 20 Sec D in DP1426

Schedule of Registered Proprietors Contd

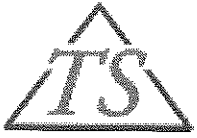
Jfr AB679685 Jack Eric Tuckfield
Reg 29/2/80 of Blakenhurst, Company Director &
(V. 3481 F.6) Jeanette Irene Tuckfield, his wife

Jfr AB514417 Jack Eric Tuckfield
Reg 30/5/2005
(20/10/1426)

Jfr AE231477 Continuum Healthcare
Reg 24/9/2008 Property Pty. Limited
(20/10/1426)

WJ 3/11/10
Jenners Title Searching Co.

ESTABLISHED 1949



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 20/D/1426

SEARCH DATE	TIME	EDITION NO	DATE
3/11/2010	12:17 PM	4	24/9/2008

LAND

LOT 20 OF SECTION D IN DEPOSITED PLAN 1426
AT HURSTVILLE
LOCAL GOVERNMENT AREA HURSTVILLE
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1426

FIRST SCHEDULE

CONTINUUM HEALTHCARE PROPERTY PTY LIMITED (T AE231477)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE231478 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED

NOTATIONS

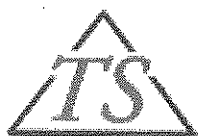
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

JBS-Hurstville

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2010 12:16PM

FOLIO: 20/D/1426

First Title(s): OLD SYSTEM
Prior Title(s): VOL 3481 FOL 6

Recorded	Number	Type of Instrument	C.T. Issue
17/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
31/10/1989	Y592219	MORTGAGE	FOLIO CREATED EDITION 1
24/2/2003	9399262	DISCHARGE OF MORTGAGE	EDITION 2
30/5/2005	AB514417	TRANSFER	EDITION 3
24/9/2008	AE231477	TRANSFER	
24/9/2008	AE231478	MORTGAGE	EDITION 4

*** END OF SEARCH ***

JBS-Hurstville

PRINTED ON 3/11/2010

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Ref:JBS-Hurstville /Src:T

Form: 011 W

Licence: 01-08-110

Licensee: Midware Systems

P. J. Wood & Associates

① TRANSFER
without monetary consideration
New South Wales
Real Property Act 1900



AB514417W

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY

Office of State Revenue NSW Treasury YEAR 2000 2005 Duty EXEMPT (62x 5.68) Asst Details: VENDOR DUTY ID: 2771449-002
--

NEW SOUTH WALES DUTY
11-02-2005 0002471449-001
SECTION 68(1)-ORIGINAL
NO DUTY PAYABLE

(A) TORRENS TITLE

If appropriate, specify the part transferred
20/D/1426

(B) LODGED BY

Delivery Box 1W	Name, Address or DX and Telephone PJ Wood & Associates 6/25-35A Park Rd, Hurstville 2220 DX 11331 HURSTVILLE Reference (optional): PTD: NE	CODE T
---------------------------	--	------------------

(C) TRANSFEROR

JEANETTE IRENE TUCKFIELD

(D)

Pursuant to order of the Local Court at Sutherland dated 21.12.2004

(E) ESTATE

and as regards the land specified above transfers to the transferee an estate in fee simple as joint tenant.

(F) SHARE
TRANSFERRED

(G) Encumbrances (if applicable): Y592219

(H) TRANSFEE

JACK ERIC TUCKFIELD

(I)

TENANCY:

(J) DATE

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

Name of witness:

Address of witness:

Joannis Thessalonidis
370A Forest Rd
Bexley 2207.

Signature of transferor:

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name: PETER JOHN WOOD
Signatory's capacity: Solicitor for the transferee

No. 220 TRANSFERRED TO THE HANDS
from us said _____

Produced and entered at _____ o'clock in the _____ hour.

REGISTRAR GENERAL.

No. 2200 MORTGAGE and
from the said Charles Charlesworth
Charles Charlesworth
Charles Charlesworth
Produced and entered 26th June 1890
at 2 o'clock in the afternoon
1890
REGISTRAR GENERAL.

No. FS42 413 DISCHARGE of within mortgage
No. 1243 533 dated 4th September 1951
Produced and entered 2nd October 1951
at 2.45 pt. o'clock in the fore noon.
A. J. Wells
REGISTRAR GENERAL

No. F5474 TRANSFER dated 27d December 1951
from the said Legal Adviser and Coll. City Engineer
to Sarah Elizabeth Hartne Thompson and her husband,
clearance agent

In the land within described
Produced and entered 2nd October 1951
at 27 mts 6 1/2 o'clock in the PM.

W. H. Ellis

REGISTRAR GENERAL.

Henry Oscar Robert Chubbam of Kinstedville,
Hornswagden is
now the lawful possessor of the land within described.
See TRANSFER OF 464.18 dated 18 July 1958
Entered 27th July 1958
Jardalson

No. H4419 MORTGAGE DATED 18th July 1958
 " " " " " " King George VI and Queen Elizabeth
National Mutual Life Assurance of Australasia
Limited
 CANCELLED 29th July 1958
 REGISTERED London and
 " " " " " " ROYAL CANAL


Un 17024022 Cantat dated 20th April 1972
 22040214 22040211 22040210

1. *Chlorophyll a* (Chl a) is the primary photosynthetic pigment in most plants and algae. It is a green pigment that absorbs light energy in the blue and red regions of the visible spectrum. Chl a is essential for the light-dependent reactions of photosynthesis, where it converts light energy into chemical energy.

CAVEAT No. N 704622. has been withdrawn
 See N 224434 Entered 15th May 1973

[Signature]

REGISTRAR GENERAL



MORTGAGE No. H 6419 has been discharged.
See N 22443 S Entered 15th May 19 1930
James
REGISTRAR GENERAL

No. N224436. **MORTGAGE** dated 12th April 1973
to A.C.C. (Advances) Limited
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Enclosed 15th May
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TRANSFER NO. ROBERTS JACKSON TRUST
De Laubach Trust Company Director and Guarantor
De Laubach Trust Company as joint tenants and
Trustee

Now the registered proprietors of the land which is described in the

Registered 29-2-1980

REGISTRAR GENERAL

MORTGAGE No. 15796 Australia and New Zealand Savings Bank Limited
 Registered 20-2-1980
 Discharged 25-8-1980
 REGISTERED GENERAL

MONTGOMERY COUNTY TO MARYLAND AND DISTRICT OF COLUMBIA
LOCAL OR RECORDING OFFICE LIMITED
Registered 21-8-1950
REGISTERED GENERAL

W446378 Mortgage to Arthur Henry Bagnall and
Barbara Valerie Bagnall as joint tenants Registered
25-8-1956
Y5922718

Y592219 MORTGAGE TO ST GEORGE BUILDING
SOCIETY LTD. REGISTERED 18-9-1989.

Handwritten: 7-26-89
FOLIO CANCELLED - NEW FOLIO IN
~~30-D~~ 1426
30/10/89
WUSTL M R
5227 M R
K6776
PK 2255-J v 2
v 2 f-55-2

~ Search ~

re Lots A + B in DP 400487

Lots 295 in DP 16273

Lot C2 in DP 377900

Lots A + B in DP 375463

Land in Auto Censol 8476-249

Lots 1 & 2 in DP 1045223

Schedule of Regd Proprietors Contd.

Jfr 6530963 Hurstville Community Private
Reg 6/3/2000 Hospital Pty. Limited

Jfr AA686741 LCM Calvary Health Care Holdings
Reg 10/6/2004 Limited

Jfr AD605550 Truck Property Pty. Limited
Reg 18/12/2007

CN AE 765956 Continuum Healthcare Property
(Reg 14/9/2009) Pty. Limited

Licence: 10V/0096/96

Edition: 9804

TRANSFER

New South Wales

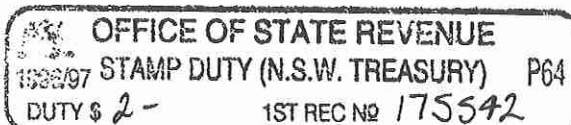
Real Property Act 1900

6530963B



STAMP DUTY

Office of State Revenue use only



(A) TORRENS TITLE

If appropriate, specify the part or share transferred Folio Identifiers A/375463, B/375463, 2/16273, 5/16273, A/400487, B/400487, Auto Consol 8476-249, C2/377900, Volume 2524 Folio 175, Volume 2524 Folio 176

(B) LODGED BY

LTO Box 24J	Name, Address or DX and Telephone CTB Reference (optional): 461622-TE99.	CODES T TS (\$713) TW (Sheriff)
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(C) TRANSFEROR

HURSTVILLE COMMUNITY CO-OPERATIVE HOSPITAL LIMITED (ADMINISTRATOR APPOINTED)
ARBN S0179506

(D)

The transferor acknowledges receipt of the consideration of \$
transfers to the transferee an estate in fee simple.

PURSUANT TO AGREEMENT DATED 19 OCTOBER 1999
and as regards the land specified above

(E)

Encumbrances (if applicable): 1. 2. 3.

(F) TRANSFEE

HURSTVILLE COMMUNITY PRIVATE HOSPITAL PTY LIMITED, ACN 089 804 786

(G)

TENANCY:

(H) We certify this dealing correct for the purposes of the Real Property Act 1900.

DATE: 8 DECEMBER 1999

Signed in my presence by the transferor who is personally known to me.

Signature of witness:

L Phillips

Name of witness:

L. PHILLIPS

Address of witness:

10/15 CASTLECREAK ST
Sydney

HURSTVILLE COMMUNITY CO-OPERATIVE
HOSPITAL LIMITED (ADMINISTRATOR
APPOINTED) by its Administrator
MARTIN JOHN GREEN

M J Green

Signed in my presence by the transferee who is personally known to me.

Signature of witness:

R Dominik Giemza

Name of witness:

R. DOMINIK GIEMZA

Address of witness:

10/7 BUSAC RD
MARSFIELD NSW 2122

Signature of transferee:

Maura Bernadette McBill Solicitor,
as agent of Hurstville Community Private
Hospital Pty Ltd

If signed on the transferee's behalf by a solicitor or licensed conveyancer, show the signatory's full name and capacity below:

MAURA BERNADETTE MCBILL
SOLICITOR.

All handwriting must be in block capitals.

A set of notes on this form (97-01T-2)

is available from the Land Titles Office.

Page 1 of

number additional pages sequentially

Checked by (LTO use):

/s/ SM8

Form: 01T
Release: 2.1
www.lpi.nsw.gov.au

10

TRANSFER

New South Wales
Real Property Act 1900



AA686741X

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY
31-05-2004 0001988343-002
SECTION 275-TRANSFER
NO DUTY PAYABLE

(A) TORRENS TITLE

A/400487, B/400487, C2/377900, A/375463, B/375463, 5/16273, 2/16273,
Auto Consol 8476-249, Volume 2524 Folio 175, Volume 2524 Folio 176

(B) LODGED BY

Delivery Box 229P	Name, Address or DX and Telephone Cutler Hughes & Harris DX 205 SYDNEY Tel: 9020 5748 Reference: CAL307/1 (216137 1)	CODES T TW (Sheriff)
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(C) TRANSFEROR

HURSTVILLE COMMUNITY PRIVATE HOSPITAL PTY LIMITED, ABN 51 089 804 786

(D) **CONSIDERATION** The transferor acknowledges receipt of the consideration of \$ 1.00 and as regards

(E) **ESTATE** the land specified above transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

LCM CALVARY HEALTH CARE HOLDINGS LIMITED, ABN 22 105 355 306

(I)

TENANCY:

(J) DATE

31 May 2004

Certified correct for the purposes of the Real Property Act 1900
and executed on behalf of the corporation named below by the
authorised person(s) whose signature(s) appear(s) below
pursuant to the authority specified.

Corporation: Hurstville Community Private Hospital Pty Ltd, ABN 51 089 804 786
Authority: section 127 of the Corporations Act 2001

Signature of authorised person: *Terence William Sheahan*

Signature of authorised person: *Angus Jude Bradley*

Name of authorised person: TERENCE WILLIAM SHEAHAN
Office held: DIRECTOR

Name of authorised person: ANGUS JUDE BRADLEY
Office held: SECRETARY

Certified correct for the purposes of the Real Property Act 1900
and executed on behalf of the corporation named below by the
authorised person(s) whose signature(s) appear(s) below
pursuant to the authority specified.

Corporation: LCM Calvary Health Care Holdings Limited, ABN 22 105 355 306
Authority: section 127 of the Corporations Act 2001

Signature of authorised person: *Terence William Sheahan*

Signature of authorised person: *Angus Jude Bradley*

Name of authorised person: TERENCE WILLIAM SHEAHAN
Office held: DIRECTOR

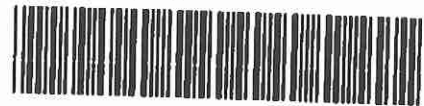
Name of authorised person: ANGUS JUDE BRADLEY
Office held: SECRETARY

CT 229P

Form: 01T
Release: 3.4
www.lands.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



AD605550N

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY

16-11-2007

0004695590-001

SECTION 18(2)

DUTY

\$ *****2.00

Certificate of title folio identifiers 2/16273, 5/16273, A/400487, B/400487, C2/377900, A/375463, B/375463, 1/1045223, 2/1045223, Auto Consol 8476-249

Document
Collection
Box

Name, Address or DX, Telephone, and LLPN if any

LLPN:
123832N

GADENS

Deacons Alfred Street, Circular Quay, Sydney, NSW
2000
DX 885 SYDNEY
02 9210 0993

CODES

T

TW

(Sheriff)

Reference: LCM/2620203 - (5356618) 2248031 (LAW)

LCM Calvary Health Care Holdings Limited ABN 22 105 355 306

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 3,300,000.00 and as regards

(E) ESTATE the above folio of the Register transfers to the transferee an estate in fee simple

(F) SHARE
TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

Tuck Property Pty Limited ACN 128 089 832

(I) TENANCY:

DATE 9 November 2007

(J) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: LCM Calvary Health Care Holdings Limited

Authority: Section 127 of the Corporations Act 2001

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held:

Office held:

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name:

Signatory's capacity:

Lexia Gai Wilson
transferee's solicitor

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

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Page 1 of 1

DEPARTMENT OF LANDS
LAND AND PROPERTY INFORMATION DIVISION

OFF X AD540840 (lapsed)

~ Search ~

re Lots 2 & 5 in DP 16273

Title Tree

2 / 16273



V. 4333 F. 234

5 / 16273



V. 4706 F. 219.

WJ 3/11/10

Jenners Title Searching Co.

ESTABLISHED 1949

~ Search ~

re Lot 2 in DP 16273

Schedule of Registered Proprietors

V 4333 F.234 Francis William Skinner
issued of Rockdale
9/10/1929 Builder

Jfr C 179722 Australasian Catholic Assurance
Reg 15/5/33 Company Limited
(V 4333 F.234)

Jfr F 41068 Jean Catherine McKay Brown
Reg 11/7/49 of Hurstville
(V 4333 F.234) Spinster

TA 2 635292 Duncan James McKay Brown
Reg 9/5/1991
(2/16273)

TA E 74373 Kevin John Carpenter
Reg 20/11/91
(2/16273)

Jfr E 170527 Hurstville Community Co-Operative
Reg 6/1/92 Hospital Limited
(2/16273) Jenners 29 3/11/10
Title Searching Co.
ESTABLISHED 1949

~ Search ~

re Lot 5 in DP 16273

Schedule of Registered Proprietors

V. 4706 F.219
issued
19/8/1935
Gordon Douglas Campbell Morrison
of Five Lock
Builder

JRC 599782
Reg 23/11/37
(V4706 F.219)
Arthur James Baker
of Hurstville
Carpenter & Joiner

JAM 591958
Reg 24/1/72
(V4706 F.219)
Hurstville Community Co-Op
Hospital Limited

CNE 352255
Reg 27/4/92
(5/16273)
Hurstville Community Co-Operative
Hospital Limited

Appendix D

Council Records



Hurstville City Council

Civic Centre,
MacMahon Street
Hurstville NSW 2220

PO Box 205 Hurstville BC NSW 1481
DX 11310 Hurstville
Telephone (02) 9330 6222
Facsimile (02) 9330 6223
email hccmail@hurstville.nsw.gov.au
website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28213	Our Reference :	D10/115415
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot 12 Sec D DP1426		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213
Date of Issue : 4/11/2010

Our Reference : D10/115415
Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

*Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.*

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28213

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Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

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Certificate No : 2010/2011-28213
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Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:*
 - (i) the period for which the certificate is current, and*
 - (ii) that a copy may be obtained from the head office of the Department of Planning, and*
- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

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Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



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2010/2011-28213

.....
For General Manager

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28213

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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MacMahon Street
Hurstville NSW 2220

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website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28212	Our Reference :	D10/115413
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot B DP375463		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28212

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

Planning Certificate Under Section 149(2) and 149(5)

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(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

Planning Certificate Under Section 149(2) and 149(5)
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Our Reference : D10/115413

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- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
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Our Reference : D10/115413

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Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

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Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

*Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.*

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

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(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

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(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28212

Our Reference : D10/115413

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Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department of Planning, and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28212
Date of Issue : 4/11/2010

Our Reference : D10/115413
Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28212

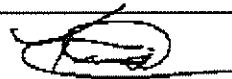
Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:30:42 PM
2010/2011-28212

.....
For General Manager

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28212
Date of Issue : 4/11/2010

Our Reference : D10/115413
Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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Hurstville NSW 2220

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website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28210	Our Reference :	D10/115411
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot C2 DP377900		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

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(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.
Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210
Date of Issue : 4/11/2010

Our Reference : D10/115411
Your Reference: Our receipt no. 341687

(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department of Planning, and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28210

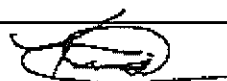
Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



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2010/2011-28210

.....
For General Manager

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28210

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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Hurstville NSW 2220

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website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28209	Our Reference :	D10/115411
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot C1 DP377900		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

Planning Certificate Under Section 149(2) and 149(5)

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(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
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Certificate No : 2010/2011-28209

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Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
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Our Reference : D10/115411
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Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

**Planning Certificate Under Section 149(2) and 149(5)
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Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
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Certificate No : 2010/2011-28209

Our Reference : D10/115411

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(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

**Planning Certificate Under Section 149(2) and 149(5)
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Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

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Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and

(ii) that a copy may be obtained from the head office of the Department of Planning, and

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209
Date of Issue : 4/11/2010

Our Reference : D10/115411
Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
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Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209

Our Reference : D10/115411

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



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2010/2011-28209

.....
For General Manager

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28209
Date of Issue : 4/11/2010

Our Reference : D10/115411
Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

Civic Centre,
MacMahon Street
Hurstville NSW 2220

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DX 11310 Hurstville
Telephone (02) 9330 6222
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email hccmail@hurstville.nsw.gov.au
website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28206	Our Reference :	D10/115407
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot B DP400487		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

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(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

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Our Reference : D10/115407

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Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

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(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

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Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department of Planning, and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28206
Date of Issue : 4/11/2010

Our Reference : D10/115407
Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28206

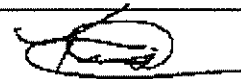
Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



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2010/2011-28206

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For General Manager

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28206

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

Civic Centre,
MacMahon Street
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website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28205	Our Reference :	D10/115407
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot A DP400487		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

(4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205
Date of Issue : 4/11/2010

Our Reference : D10/115407
Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205
Date of Issue : 4/11/2010

Our Reference : D10/115407
Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department of Planning, and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 1/1 October 2007 in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and

(b) that a copy may be obtained from the head office of the Department of Planning.

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) The period for which the certificate is current, and

(b) That a copy may be obtained from the head office of the Department of Planning.

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28205

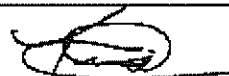
Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:08:37 PM
2010/2011-28205

.....
For General Manager

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28205

Our Reference : D10/115407

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28214	Our Reference :	D10/115415
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 14084-4
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	12 Millett Street		
Locality:	HURSTVILLE		
Lot Desc:	Lot 20 Sec D DP1426		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28214

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28214

Our Reference : D10/115415

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

- (3) The name of each development control plan that applies to the carrying out of development on the land.*

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.

Development Control Plan No. 2 - Hurstville City Centre.

- (4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.*

Clause 2. Zoning and land use under relevant LEPs

- For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*
- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
 - (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
 - (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
 - (d) the purposes for which the instrument provides that development is prohibited within the zone,*
 - (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
 - (f) whether the land includes or comprises critical habitat,*
 - (g) whether the land is in a conservation area (however described),*
 - (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
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(a) ZONE No.2 (Residential Zone) under Hurstville Local Environmental Plan 1994.

(b) See Attachment "Z"

(c) See Attachment "Z"

(d) See Attachment "Z"

(e) The development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land are as prescribed in clause 11 of the Hurstville Local Environmental Plan, 1994.

11 Minimum lot sizes for dwelling houses on land within Zone No 2

(1) The minimum allotment size for the erection of a dwelling house on land within Zone No 2 is 450 m² and the allotment must have a width of at least 15 metres.

(1A) The objectives of this clause are to:

- (a) retain the pattern of subdivision in residential areas as reflected in lot size, orientation and shape, and
- (b) ensure allotments have a minimum size so as to provide landscaped areas that are suitable for tree planting, and
- (c) require larger allotments within the foreshore scenic protection area (as referred to in clause 19B) where the topography or other natural features of a site limit its subdivision potential.

(2) Notwithstanding subclause (1), the minimum allotment size for the erection of a dwelling house on a battleaxe allotment on land within Zone No 2 is 550 m² and the allotment must have a width of at least 15 metres.

(3) Notwithstanding subclauses (1) and (2), the minimum allotment size for the erection of a dwelling house on land within Zone No 2 that is located within a foreshore scenic protection area (as referred to in clause 19B) is 550m² for the allotment at the front and 650m² for the battleaxe allotment.

(4) The width or area of any access corridor, accessway, right of carriageway or the like is not to be included in the calculation of the width or area of an allotment.

(5) This clause does not prohibit the erection of a dwelling house in Zone No 2 on an allotment of land that existed as a separate allotment on the appointed day.

(f) The land does not include or comprise critical habitat.

(g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.

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(h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

Planning Certificate Under Section 149(2) and 149(5)

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Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993,*
- (b) any environmental planning instrument*
- (c) any resolution of the council.*

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

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(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

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(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services
Applies to all land in the City of Hurstville.

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Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

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The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:*
 - (i) the period for which the certificate is current, and*
 - (ii) that a copy may be obtained from the head office of the Department of Planning, and*
- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.*

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28214

Our Reference : D10/115415

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(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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Our Reference : D10/115415

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Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

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Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

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Your Reference: Our receipt no. 341687

ATTACHMENT 'Z'

Zone No. 2 (Residential Zone)

Zone objectives

The objectives of this zone are:

- (a) to preserve and enhance the character and amenity of established residential areas;
- (b) to allow a variety of housing types within existing residential areas;
- (c) to encourage the conservation of residential areas which include individual buildings and streets of heritage significance;
- (d) to encourage greater visual amenity by requiring landscaping and permitting a greater variety of building materials and flexibility of design;
- (e) to enable redevelopment for medium density housing forms, including townhouses, villas, cluster housing, semi-detached housing, residential flat buildings and the like, where such development does not interfere with the amenity of surrounding residential areas; and
- (f) to allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Animal establishments; bed and breakfast accommodation; car parks; child care centres; commercial signs; community facilities; dual occupancies; dwelling houses; educational establishments; group homes; health consulting rooms; home activities; hospitals; multiple dwellings; places of worship; recreation areas; recreation facilities; residential flat buildings; residential offices; roads.

[Am. No. 22 Gaz 25-8-00; Am No. 3 Gaz 22-12-00; Am No. 47 Gaz 26-3-04; Am No. 43 Gaz 26-11-04]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.

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Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:34:30 PM
2010/2011-28214

.....
For General Manager



Hurstville City Council

Civic Centre,
MacMahon Street
Hurstville NSW 2220

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JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28211	Our Reference :	D10/115413
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot A DP375463		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

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Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

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Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

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- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

- (3) The name of each development control plan that applies to the carrying out of development on the land.*

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.
Development Control Plan No. 2 - Hurstville City Centre.

- (4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.*

Clause 2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
- (d) the purposes for which the instrument provides that development is prohibited within the zone,*
- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) whether the land includes or comprises critical habitat,*
- (g) whether the land is in a conservation area (however described),*
- (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993,*
- (b) any environmental planning instrument*
- (c) any resolution of the council.*

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
 - (ii) that a copy may be obtained from the head office of the Department of Planning,*
- and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:29:07 PM
2010/2011-28211

.....
For General Manager

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28211

Our Reference : D10/115413

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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Hurstville NSW 2220

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JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28207	Our Reference :	D10/115410
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot 2 DP16273		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

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- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

- (3) The name of each development control plan that applies to the carrying out of development on the land.*

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.
Development Control Plan No. 2 - Hurstville City Centre.

- (4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.*

Clause 2. Zoning and land use under relevant LEPs

- For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*
- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
 - (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
 - (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
 - (d) the purposes for which the instrument provides that development is prohibited within the zone,*
 - (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
 - (f) whether the land includes or comprises critical habitat,*
 - (g) whether the land is in a conservation area (however described),*
 - (h) whether an item of environmental heritage (however described) is situated on the land.*

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

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Your Reference: Our receipt no. 341687

Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:
(a) Division 2 of Part 3 of the Roads Act 1993,
(b) any environmental planning instrument
(c) any resolution of the council.

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

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(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management

Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services

Applies to all land in the City of Hurstville.

**Planning Certificate Under Section 149(2) and 149(5)
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Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department of Planning,*
and

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and

(b) that a copy may be obtained from the head office of the Department of Planning.

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) The period for which the certificate is current, and

(b) That a copy may be obtained from the head office of the Department of Planning.

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
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Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

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Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:15:26 PM
2010/2011-28207

.....
For General Manager

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28207

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.



Hurstville City Council

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MacMahon Street
Hurstville NSW 2220

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website www.hurstville.nsw.gov.au

JBS ENVIRONMENTAL
128 O'RIORDAN STREET
MASCOT NSW 2020

Planning Certificate Under Section 149(2) and 149(5) Environmental Planning and Assessment Act 1979

Certificate No. :	2010/2011-28208	Our Reference :	D10/115410
Date of Issue :	4/11/2010	Your Reference:	Our receipt no. 341687

Assessment No. 37607-5
Owner(s) Continuum Healthcare Property Pty Ltd

Description of Land:

Address:	37 Gloucester Road		
Locality:	HURSTVILLE		
Lot Desc:	Lot 5 DP16273		
Parish:	St George	County:	Cumberland

As at the date of this Certificate the abovementioned land may be affected by the following matters:

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 1. Names of relevant Planning Instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development the land:

Local Environmental Plans

Hurstville Local Environmental Plan 1994 gazetted 27 May 1994, as amended.

State Environmental Planning Policies

The following State Environmental Planning Policies apply:

- No. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Projects) 2005
- SEPP (Sydney Region Growth Centre) 2006
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Temporary Structures and Places of Public Entertainment) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009

**Planning Certificate Under Section 149(2) and 149(5)
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Your Reference: Our receipt no. 341687

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

- (3) The name of each development control plan that applies to the carrying out of development on the land.*

The following development control plans apply to the carrying out of development on the land:

Development Control Plan No. 1 - LGA Wide.
Development Control Plan No. 2 - Hurstville City Centre.

- (4) In this clause, proposed environmental planning instruments includes a planning proposal for a LEP or a draft environmental planning instrument.*

Clause 2. Zoning and land use under relevant LEPs

- For each environmental planning instrument or proposed instrument referred to in Clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):*
- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*
 - (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*
 - (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*
 - (d) the purposes for which the instrument provides that development is prohibited within the zone,*
 - (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
 - (f) whether the land includes or comprises critical habitat,*
 - (g) whether the land is in a conservation area (however described),*
 - (h) whether an item of environmental heritage (however described) is situated on the land.*

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Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

- (a) ZONE No.5(a) (General Special Uses Zone) under Hurstville Local Environmental Plan 1994.
- (b) See Attachment "Z"
- (c) See Attachment "Z"
- (d) See Attachment "Z"
- (e) There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a conservation area under the provisions of Hurstville Local Environmental Plan 1994, as amended.
- (h) The land does not contain a heritage item under the provisions of Hurstville Local Environmental Plan 1994, as amended.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28208
Date of Issue : 4/11/2010

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Clause 3. Complying Development

(1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Yes, complying development under the General Housing Code **may** be carried out on the

Housing Internal Alterations Code

Yes, complying development under the Housing Internal Alterations Code **may** be carried out on the land

General Commercial and Industrial Code

Yes, complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivisions Code

Yes, complying development under the Subdivisions Code **may** be carried out on the land.

Disclaimer

This certificate only addresses matters raised in Clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 4. Coastal protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the council has been so notified by the Department of Public Works.

Council has not been notified by the Department of Public Works that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is not in an area proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993,*
- (b) any environmental planning instrument*
- (c) any resolution of the council.*

(a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

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Your Reference: Our receipt no. 341687

(b) The land is not affected by any road widening or road realignment under the provisions of the Hurstville Local Environmental Plan, 1994

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

Clause 7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.

**Planning Certificate Under Section 149(2) and 149(5)
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Your Reference: Our receipt no. 341687

(2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

Note 1: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Note 2: The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

Clause 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Clause 9. Contributions plans

The name of each contributions plan applying to the land.

The following Contribution Plans apply:

Section 94 Contributions Plan No. 2 Open Space and Community Recreation Facilities
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 3 Drainage
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 4 Community Services and Facilities
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 5 Management
Applies to all land in the City of Hurstville.

Section 94 Contributions Plan No. 6 Library and Information Services
Applies to all land in the City of Hurstville.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Clause 10. Biobanking Agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.

The land is not shown to be bushfire prone land in Council records.

Clause 12. Property vegetation plans

If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The provisions of the Native Vegetation Act 2003, do not apply to the City of Hurstville.

Clause 13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction by the Minister in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979 as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 15. Site compatibility certificates and conditions for seniors housing

If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (i) the period for which the certificate is current, and*
 - (ii) that a copy may be obtained from the head office of the Department of Planning,*
- and*

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (seniors housing) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

Clause 16. Site compatibility certificates for infrastructure

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and*
- (b) that a copy may be obtained from the head office of the Department of Planning.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

Clause 17. Site compatibility certificates and conditions for affordable rental housing

(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department of Planning.*

(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28208
Date of Issue : 4/11/2010

Our Reference : D10/115410
Your Reference: Our receipt no. 341687

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land:

Note 1. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,*
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the Department of Environment and Climate Change).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

Note 2: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Note 3: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.

**Planning Certificate Under Section 149(2) and 149(5)
Environmental Planning and Assessment Act 1979**

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Draft Hurstville Local Environmental Plan 2011

Council resolved on 23 July 2008 to prepare a new comprehensive draft local environmental plan for the whole of the City of Hurstville. This draft LEP, upon gazettal, will replace the Hurstville Local Environmental Plan 1994.

The draft plan has not yet been placed on exhibition under section 66(1)(b) of the Act.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Tree Preservation

In accordance with the provisions of Clause 14 of the Hurstville Local Environmental Plan 1994, a tree preservation order applies to this land.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.

***** END *****



TChristy 8/11/2010 5:21:18 PM
2010/2011-28208

.....
For General Manager

Planning Certificate Under Section 149(2) and 149(5)

Environmental Planning and Assessment Act 1979

Certificate No : 2010/2011-28208

Our Reference : D10/115410

Date of Issue : 4/11/2010

Your Reference: Our receipt no. 341687

ATTACHMENT 'Z' Continued

Zone No. 5(a) (General Special Uses Zone)

Zone objectives

The objectives of this zone are:

- (a) to accommodate development by public authorities on publicly owned land;
- (b) to accommodate private educational, religious or similar purposes on privately owned land;
- (c) to allow appropriate community uses;
- (d) to enable associated and ancillary development; and
- (e) to identify and protect land intended to be acquired for special uses.

1. Without development consent

Exempt development; public utility undertakings other than gas holders or generating works.
[Am. No. 22 Gaz 25-8-00]

2. Only with development consent

Advertising; commercial signs; roads; the particular purpose indicated by red lettering on the map and purposes ordinarily incidental or subsidiary to that purpose; any public purpose.
[Am. No. 22 Gaz 25-8-00]

3. Prohibited

Any purpose other than a purpose included in item 1 or 2.

Appendix E

DECCW Records



You are here: [Home](#) > [Environment protection licences](#) > [POEO Public Register](#) > [Search for licences, applications and notices](#)



Search Results

Your search for: **Suburb -** Hurstville

matched

6 licences (with applications or notices matching your search)

plus 4 notices (where no licence is available online. [See faq](#))

Search again

Return to previous page

Document number	Name Address		Status/Notice type
2099	AMCOR PACKAGING (AUSTRALIA) PTY LTD licence summary	95 FOREST ROAD HURSTVILLE 2220	Surrendered
7120	DOMINELLI HURSTVILLE PTY LIMITED licence summary	CORNER FOREST ROAD & PEARL STREET HURSTVILLE 2220	Surrendered
982	HOLCIM (AUSTRALIA) PTY LTD licence summary	156 BELLEVUE PARADE HURSTVILLE 2220	No longer in force
6539	HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED licence summary	37 GLOUCESTER ROAD HURSTVILLE 2220	No longer in force
10470	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD licence summary	12 Butler Street HURSTVILLE 2220	No longer in force
6745	TYCO HEALTHCARE PTY LIMITED licence summary	59-69 HALSTEAD STREET HURSTVILLE 2220	Surrendered
1039133	MAO; XIANGMING notice summary	3/1 BOND STREET HURSTVILLE 2220	S 91 Clean-Up Notice
1108563	MOURAD; MARIO notice summary	13 WARWICK STREET HURSTVILLE 2220	S 91 Clean-Up Notice
1113565	MOURAD; MARIO notice summary	13 WARWICK STREET HURSTVILLE 2220	S 91 Clean-Up Notice
008440	SOUTHLINE EYE SURGERY notice summary	8-10 WONIORA ROAD HURSTVILLE 2220	S 80 Surrender Licence

Page 1 of 1

26 October 2010



You are here: [Home](#) > [Environment protection licences](#) > [POEO Public Register](#) > [Search for licences, applications and notices](#)



Licence summary

Your search for: **Suburb -** Hurstville

[Search again](#)[Return to previous page](#)

Summary of Licence No: 6539

[View this licence](#) (PDF document 0 kb)

Licence holder: HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED

Trading as : HURSTVILLE COMMUNITY PRIVATE HOSPITAL

Premises: HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED
37 GLOUCESTER ROAD HURSTVILLE 2220

LGA: Kogarah **Catchment:** Sydney Coast-Georges River

Administrative fee: \$760.00

Status of licence: No longer in force

Licence type: Premises

Activity type: *Hazardous, Industrial or Group A Waste Generation or Storage

Licence review: Completed 15 Feb 05

Applications

Number	Application type	Current status	Date received
144537 View application	Licence Transfer	Approved	11 Aug 06

Notices

Number	Issue date	Notice type
1044523 View notice	16 Feb 05	S 58 Licence Variation
1018616 View notice	23 Oct 02	S 58 Licence Variation

Annual Return Information [information about non-compliance](#)

Start date	End date	Date received	Non-compliance	LBL Data
01 Jan 07	31 Dec 07	05 Feb 08	No	Not subject to LBL
01 Jan 06	31 Dec 06	01 Feb 07	No	Not subject to LBL
01 Jan 05	31 Dec 05	10 Feb 06	No	Not subject to LBL
01 Jan 04	31 Dec 04	02 Mar 05	No	Not subject to LBL
01 Jan 03	31 Dec 03	27 Feb 04	No	Not subject to LBL
01 Jan 02	31 Dec 02	21 Feb 03	No	Not subject to LBL
01 Jan 01	31 Dec 01	18 Feb 02	No	Not subject to LBL
01 Jan 00	31 Dec 00	02 Mar 01	No	Not subject to LBL

5 November 2010

Environment Protection Licence

Licence - 6539

Department of Environment & Climate Change NSW



Licence Details

Number:	6539
Anniversary Date:	01-January
Review Due Date:	15-Feb-2010

Licensee

HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED
PO BOX 33
HURSTVILLE NSW 2220

Licence Type

Premises

Premises

HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED
37 GLOUCESTER ROAD
HURSTVILLE NSW 2220

Scheduled Activity

Waste Activities

Fee Based Activity

Hazardous, Industrial or Group A Waste Generation or Storage (73)

Scale

> 10 - 100 T

Region

Waste Operations
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: 02 9995 5000
Fax: 02 9995 5999

PO Box A290 SYDNEY SOUTH
NSW 1232

Environment Protection Licence

Licence - 6539

Department of Environment & Climate Change NSW



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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- and
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Environment Protection Licence

Licence - 6539

Department of Environment & Climate Change NSW



The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED
PO BOX 33
HURSTVILLE NSW 2220

subject to the conditions which follow.

1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-

Environment Protection Licence

Licence - 6539



based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity

Waste Activities

Fee Based Activity	Scale
--------------------	-------

Hazardous, Industrial or Group A Waste Generation or Storage (73)	> 10 - 100 T
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A1.3 Not applicable.

Environment Protection Licence

Licence - 6539



A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED
37 GLOUCESTER ROAD
HURSTVILLE
NSW
2220
A/375463, B/375463, 2/16273, 5/16273, A/400487, B/400487, AUTO-CONSOL 8476-249, C2/377900, VOLUME 2524 FOLIO 175, VOLUME 2524 FOLIO 176

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to air and water and applications to land

Environment Protection Licence

Licence - 6539



P1 Location of monitoring/discharge points and areas

P1.1 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.

3 Limit conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

L4 Volume and mass limits

L4.1 Not applicable.

L5 Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be

Environment Protection Licence

Licence - 6539



received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

- L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.
- L5.3 Except as provided by any other condition of this licence, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises.

Clinical and related wastes [R100]

- L5.4 The quantity of hazardous and/or industrial and/or Group A waste generated and/or stored on the premises must not exceed 100 tonnes per year.

L6 Noise Limits

- L6.1 Not applicable.

L7 Potentially offensive odour

- L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

4 Operating conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Environment Protection Licence

Licence - 6539



- O1.2 The licensee must ensure that the handling, labelling, containment, internal transport, storage and disposal of clinical and related wastes are carried out in accordance with the "Waste Management Guidelines for Health Care Facilities", 1998, issued by the NSW Department of Health. Further guidance in this matter may be taken from "Industry Code of Practice for the Management of Clinical and Related Wastes", July 1998, published by the Australian and New Zealand Clinical Waste Management Industry Group (ANZCWMIG).
- O1.3 Without limiting to O1.2, the licensee must ensure that:
- (a) Containers that are to be reused must be thoroughly cleansed and disinfected with hospital strength disinfectant before being reused.
 - (b) Where second hand containers are used, all other irrelevant markings must be removed or otherwise effectively destroyed.
 - (c) Sharps are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) and disposed of as clinical waste.
 - (d) Sharps contaminated by cytotoxic waste are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and classified as "Cytotoxic Waste-Sharp only" for disposal.
 - (e) Pharmaceutical waste awaiting disposal must be stored in the same manner as pharmaceuticals in use. Storage requirements for pharmaceuticals are provided in the NSW Health Department documents: Circular 97/10 and 95/37.
 - (f) Pharmaceutical waste is placed in non-reactive container and is not discharged to the sewer or through any other process where it may find its way into the environment.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- (a) must be maintained in a proper and efficient condition; and
 - (b) must be operated in a proper and efficient manner.

O3 Emergency response

- O3.1 Within 3 months of the date of the issue of this licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.

O4 Processes and management

- O4.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Environmental Guidelines:

Environment Protection Licence

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Assessment, Classification and Management of Liquid and Non-Liquid Wastes, in force as at 1 July 1999.

O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

O5 Monitoring of waste movements within NSW

O5.1 Conditions O5.2 to O5.16 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW.

Prerequisites for waste movements

- O5.2 If the waste is transported from the premises, the licensee must ensure that the waste is transported:
- (a) to a place which has been licensed by the EPA to issue consignment authorisation numbers; and
 - (b) to a place that can otherwise lawfully accept that class of waste.
- O5.3 If the waste is transported from the premises, the licensee must;
- (a) obtain a consignment authorisation number from the consignee;
 - (b) complete an approved waste data form in relation to the consigned waste in accordance with the instructions on the form and to the extent required, and give a copy of the form to the person transporting the waste;
 - (c) ensure that the waste data form:
 - (i) is completed accurately, and
 - (ii) is retained for a period of not less than 4 years from the time the form was completed, and
 - (iii) is made available for inspection by an authorised officer on request;
 - (d) ensure, if the waste is of such an amount as to require the person transporting it to be licensed, that the person transporting the waste is licensed.

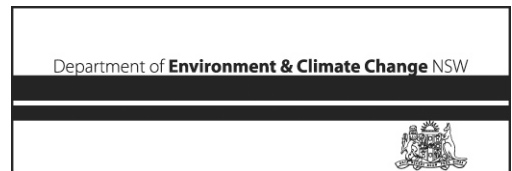
Application for a consignment authorisation number

- O5.4 To obtain a consignment authorisation number as required by O5.3 (a), the licensee must apply in writing to the consignee. An application must include the following information:
- (a) a statement identifying the classification of the waste in accordance with the requirements of condition 04.1;
 - (b) copies of all information used to classify the waste;
 - (c) an estimate of the amount of waste to which the application applies;
 - (d) whether the consignment will consist a single load or multiple loads;
 - (e) an estimate of the total period required for transportation of the consignment;
 - (f) the date of dispatch of at least the first load in the consignment.

Note: The licensee may nominate the dates of dispatch of as many loads as is feasible. This should be discussed with the consignee and will depend on the predictability of the rate of generation of the waste and the likelihood of the need for amendments to the dates nominated. If the waste is predictable, a schedule may be able to be submitted for the entire consignment, however if it is unpredictable, the date of only one future load may be able to be determined at a time (see also 05.9 about amending notified dates).

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Note: The requirement for a written application for a consignment authorisation number does not preclude preliminary contact to obtain quotes and/or advice. Such preliminary contact does not require the formal provision of the above information that need only be supplied in the formal application.

O5.5 Once an application for a consignment authorisation number, as set out in 05.4 has been submitted, the licensee must not submit an application for the same consignment to another consignee until notification is received concerning the outcome of the application.

Notification of dates of dispatch of the second and subsequent loads in a consignment.

O5.6 The licensee must provide the consignee with written notification of the date of dispatch of each load of waste.

O5.7 The notification referred to in 05.6 must be received by consignee no later than the date of arrival of the preceding load at the destination.

Notification of a final load in a consignment.

O5.8 Unless the movement of an entire consignment of waste occurs in a single load, by the time the final load in a consignment is accepted at the destination, the licensee must have informed the consignee in writing, that no further loads are to be dispatched under that consignment authorisation number.

Note: The notifications referred to in conditions 05.6 and 05.8 may be attached to the waste data form of the preceding load.

Amendments to the nominated date(s) of dispatch

O5.9 If the date of dispatch for a load of waste is changed, the licensee must give written notification of this to the consignee and nominate a revised date of dispatch.

O5.10 A notification referred to in 05.9 must occur on or before the date of delivery as previously nominated.

Note: More than one amendment to dates of dispatch may occur.

Cancellation of consignment authorisations

O5.11 If the licensee determines that the delivery of a consignment of waste is to be discontinued for any reason, the consignee must be notified in writing before the nominated date of dispatch of the next expected load.

Notification of delayed delivery by transporter

O5.12 If the licensee receives written notification from a transporter who removed waste from the

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premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O5.13 The licensee must record and retain all information related to each consignment of waste.

Note: This includes waste data forms and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc.

O5.14 The records referred to in O5.13 must be kept so that:

- (a) all records relating to individual consignment authorisation numbers are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed; and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

O5.15 The licensee must notify the EPA, in writing, within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

O5.16 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:

- (a) the refusal by a person to whom the licensee has applied for a consignment authorisation number in accordance with O5.4 to issue such a number;
- (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste;
- (c) a transporter who transports, or attempts to transport, waste without a waste data form completed to the extent required;
- (d) the refusal of a consignee to accept waste from the licensee;
- (e) the failure of the licensee to receive written confirmation of receipt of waste from a consignee within 21 days of dispatch, or where a transporter has provided written notification of a revised date of delivery as set out in O5.12 within 21 days of that date;
- (f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation

NSW Environment Protection Authority

O6 Monitoring of interstate movements of controlled wastes

O6.1 Conditions O6.2 to O6.11 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW.

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Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Classification of controlled waste

O6.2 The licensee must accurately identify the waste, in accordance with 04.1, and determine if the waste is a controlled waste within the meaning of the NEPM.

Note: The waste producer must check with the agency in the State or Territory of destination to determine whether waste is classified as a controlled waste under the NEPM. Unless advised otherwise by the agency of the State or Territory of destination, any waste included in Appendix 1 of this licence is a controlled waste for the purposes of the NEPM.

Application for a consignment authorisation

O6.3 If the waste is transported from the premises to another participating State or Territory, the licensee must comply with all conditions attached to the consignment authorisation issued by an agency or a facility delegated by an agency in the destination State or Territory.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to obtain, prior to the waste being dispatched, a consignment authorisation from an agency, or a facility delegated by an agency, in the destination State or territory to allow the movement of controlled waste.

Waste movements

O6.4 If the waste is transported from the premises to another participating State or Territory, the licensee must ensure that the waste is transported to a place that can lawfully be used as a waste facility for that waste.

O6.5 The licensee must ensure that the waste transporter is licensed as required by the agency of each participating State or Territory through which the waste is transported.

O6.6 The licensee must:

- (a) retain a copy of the waste transport certificate for the waste for a period of not less than 4 years from the time the form was completed, and
- (b) make the copy of the waste transport certificate available for inspection by an authorised officer on request.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to complete a waste transport certificate for the waste. This should be done in accordance with the instructions printed on the certificate and the required copy of the waste transport certificate should be forwarded to the agency in the State of destination.

Notification of delayed delivery by transporter

O6.7 If the licensee receives written notification from the transporter who removed waste from the

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licensee's premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O6.8 The licensee must record and retain all information related to each consignment of waste.

Note: This includes the waste transport certificates and copies of other documents such as consignment authorisations issued by an agency in the destination State or Territory, notifications of revised delivery dates by transporters, regular and other reports, etc.

O6.9 The records referred to in O6.8 must be kept so that:

- (a) all records relating to each consignment authorisation are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed, and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

O6.10 The licensee must notify the EPA in writing within 48 hours of becoming aware of a suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

O6.11 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:

- (a) the refusal by an agency, or facility delegated by an agency, in participating State or Territory to whom the licensee has applied for a consignment authorisation in accordance with O6.3, to issue such an authorisation;
- (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste to another participating State or Territory to the extent required;
- (c) a transporter who transports, or attempts to transport, waste to another participating State or Territory without a waste transport certificate completed to the extent required;
- (d) the refusal of a destination in another participating State or Territory to accept from the licensee waste for which a consignment authorisation has been issued;
- (e) the failure of the licensee to receive written confirmation of receipt of waste from a destination in another participating State or Territory within 28 days of dispatch.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation
NSW Environment Protection Authority

5 Monitoring and recording conditions

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M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- (a) in a legible form, or in a form that can readily be reduced to a legible form;
 - (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - (c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- (a) the date(s) on which the sample was taken;
 - (b) the time(s) at which the sample was collected;
 - (c) the point at which the sample was taken; and
 - (d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 Not applicable.

M3 Testing methods - concentration limits

- M3.1 Not applicable.
- M3.2 Not applicable.

M4 Recording of pollution complaints

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M4.2 The record must include details of the following:
- (a) the date and time of the complaint;
 - (b) the method by which the complaint was made;
 - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) if no action was taken by the licensee, the reasons why no action was taken.

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M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:

- (a) the date of the issue of this licence or
- (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

M6 Requirement to monitor volume or mass

M6.1 Not applicable.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- (a) a Statement of Compliance; and
- (b) a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete

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the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

- R1.6 Not applicable.

Licensee must retain copy of Annual Return

- R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- (a) the licence holder; or
 - (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material

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harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- (a) the cause, time and duration of the event;
- (b) the type, volume and concentration of every pollutant discharged as a result of the event;
- (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- (g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Regular reporting of transportation of certain wastes within NSW

R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW.

Regular reporting

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- R4.2 The licensee must supply to the EPA, for each transporter that transported waste from the licensee's premises, the information as set out in Appendix 2, table 1.
- R4.3 The licensee must supply to the EPA, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2.

Reporting periods

- R4.4 Reports to the EPA in accordance with R4.2 and R4.3 shall be supplied on or before:
- (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
 - (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
 - (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
 - (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

Note: The EPA should be notified of exception reports by sending a facsimile to:
Manager, Hazardous Waste Regulation
NSW Environment Protection Authority

Nil reports

- R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the EPA must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3.

R5 Regular reporting of interstate movements of controlled wastes

- R5.1 Conditions R5.2 to R5.5 apply to the movement of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Regular reporting

- R5.2 The licensee must supply to the EPA, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3.

Reporting periods

- R5.3 Reports to the EPA in accordance with R5.2 shall be supplied on or before:
- (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;

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- (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
- (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
- (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

Nil reports

- R5.4 If waste has not been transported from the premises in any reporting period as set out in R5.3, the EPA must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2.

Interstate transport of controlled wastes

- R5.5 The licensee must comply with the requirements of the NEPM.

General conditions

G1 Copy of licence kept at the premises

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

Pollution studies and reduction programs

- U1.1 Not applicable.

Special conditions

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E1.1 Not applicable.

Appendices

APPENDIX 1

WASTE DESCRIPTIONS AND CORRESPONDING WASTE CODES

The waste descriptions and waste codes shown below must be used to identify hazardous, industrial and Group A wastes on the waste data form for movements of those wastes within NSW, and to identify controlled wastes on the waste transport certificate for those wastes moved between NSW and other States and Territories. The waste codes must also be used to identify wastes when reporting the information required in the Tables in Appendix 2.

Description	Waste Code	Description	Waste Code
Acidic solutions or acids in solid form	B100	Organohalogen compounds - other than substances referred to in this list	M160
Animal effluent and residues (abattoir effluent, poultry and fish processing wastes)	K100	Perchlorates	D340
Antimony; antimony compounds	D170	Phenols, phenol compounds including chlorophenols	M150
Arsenic; arsenic compounds	D130	Phosphorus compounds excluding mineral phosphates	D360
Asbestos	N220	Polychlorinated dibenzo-furan (any congener)	M170
Barium compounds (excluding barium sulphate)	D290	Polychlorinated dibenzo-p-dioxin (any congener)	M180
Basic solutions or bases in solid form	C100	Residues from industrial waste treatment/disposal operations	T190
Beryllium; beryllium compounds	D160	Selenium; selenium compounds	D240
Boron compounds	D310	Sewage sludge and residues including nightsoil and septic tank sludge	K130
Cadmium; cadmium compounds	D150	Soils contaminated with a controlled waste	N120
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials	M250
Chlorates	D350	Tannery wastes (including leather dust, ash, sludges and flours)	K140
Chromium compounds (hexavalent and trivalent)	D140	Tellurium; tellurium compounds	D250
Clinical and related wastes	R100	Thallium; thallium compounds	D180
Cobalt compounds	D200	Triethylamine catalysts for setting foundry sands	M230
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Tyres	T140
Copper compounds	D190	Vanadium compounds	D270
Cyanides (inorganic)	A130	Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on human health and/or the environment are not known	T100
Cyanides (organic)	M210	Waste containing peroxides other than hydrogen peroxide	E100
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Waste from heat treatment and tempering operations containing cyanides	A110
Ethers	G100	Waste from manufacture, formulation and use of wood-preserving chemicals	H170
Filter cake	N190	Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100
Fire debris and fire washwaters	N140	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100

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Fly ash	N150	Waste from the production, formulation and use of organic solvents	G160
Grease trap waste	K110	Waste from the production, formulation and use of photographic chemicals and processing materials	T120
Halogenated organic solvents	G150	Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Waste from the production and preparation of pharmaceutical products	R140
Inorganic fluorine compounds excluding calcium fluoride	D110	Waste mineral oils unfit for their original intended use	J100
Inorganic sulfides	D330	Waste oil/water, hydrocarbons/water mixtures or emulsions	J120
Isocyanate compounds	M220	Waste pharmaceuticals, drugs and medicines	R120
Lead; lead compounds	D220	Waste resulting from surface treatment of metals and plastics	A100
Mercury; mercury compounds	D120	Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160
Metal carbonyls	D100	Waste substances and articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls and/or polybrominated biphenyls	M100
Nickel compounds	D210		
Non toxic salts	D300		
Organic phosphorous compounds	H110		
Organic solvents excluding halogenated solvents	G110	Wool scouring wastes	K190
		Zinc compounds	D230

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APPENDIX 2

Table 1

[Table 1 refers to the regular reporting requirements in R4.2. Its purpose is to provide information on the total amount of waste moved by each transporter from waste activities in NSW.]

1. The licensee must provide a copy of the information in the following table for each transporter used by the licensee in the reporting period.

Waste Activities Table 1: Waste Movements By Transporter and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity:
Name of Transporter:		Licence No. of Transporter
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
Hazardous Liquid Waste	Code	Weight
	Code	Weight
Industrial Non-Liquid Waste	Code	Weight
	Code	Weight
Group A Liquid Waste	Code	Weight

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	Code	Weight
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[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

Waste class refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

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**Table 2:**

[Table 2 refers to the reporting requirements in R4.3. Its purpose is to provide information on the total amount of waste sent to each destination within NSW. Cross referencing by ANZSIC code provides data on which types of industry are sending wastes to disposal and treatment facilities.]

1. The licensee must provide a copy of the information in the following table for each destination within NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 2: Waste Movements By Destination (within NSW) and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity
Destination:		
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Wastes</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
	<i>Code</i>	<i>Weight</i>
Industrial Non-Liquid Wastes	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Hazardous Liquid Wastes	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Group A Liquid Wastes	<i>Code</i>	<i>Weight</i>

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NOTES:

Waste code refers to the codes listed in Appendix 1 of this licence and entered on waste data forms.

Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.

Table 3:

[Table 3 refers to the regular reporting requirements in R5.2. Its purpose is to provide information on the total amounts of controlled wastes sent from NSW licensed waste activities to other States and Territories. Cross-referencing by ANZSIC code allows data on which types of industries are sending wastes interstate.]

1. The licensee must provide a copy of the information in the following table for each destination outside NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 3: Controlled Waste Movements By Interstate Destination and Waste Category		
Name of Licensed Waste Activity:	Waste Activity Licence No.:	
Reporting Period:	ANZSIC Code Waste Activity:	
Destination State or Territory:	Destination Facility	
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this type</i>	<i>Total Weight for waste of this code</i>
	<i>Code</i>	<i>Weight</i>
Industrial Non-Liquid Waste	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Hazardous Liquid Waste	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Group A Liquid Waste	<i>Code</i>	<i>Weight</i>

Environment Protection Licence

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Other Types of Waste (eg Group B and C Liquid Wastes, Used Tyres)	Code	Weight
--	------	--------

[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

Waste class refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

Dictionary

General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand

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composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
industrial waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
inert waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997

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regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
reprocessing of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
treatment of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste code	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
waste type	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Model Licence Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

Agency	A body or bodies of a participating State or a participating Territory which that State or Territory has nominated for the purposes of the NEPM.
Chemical control order (CCO)	An order under sections 22 and 23 of the Environmentally Hazardous Chemicals Act 1985.
Consignee	The person to whom the waste is dispatched, and includes: <ul style="list-style-type: none"> (a) in the case of a waste facility that is licensed - the occupier; (b) in the case of a person carrying on mobile waste processing that is licensed - the person operating the mobile place; (c) in the case of a place that can be otherwise lawfully be used as a waste facility for that waste - the owner or occupier of that place.
Consignment	One or more shipments of a specified waste dispatched to a particular destination.

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Consignment authorisation	An approval which includes a unique identifier granted by an agency, or a facility delegated by an agency, in the jurisdiction of destination to allow the movement of controlled waste.
Controlled waste	Any waste included in List 1 of Schedule A of the NEPM, provided that the waste possesses one or more of the characteristics in List 2, of Schedule A of the NEPM.
Date of dispatch	The date on which a load of waste is removed from the premises.
Destination	Where hazardous, industrial or Group A wastes are transported within NSW, the place described in the waste data form as the destination for the waste. Where controlled wastes are transported between NSW and another participating State or Territory, the place described in Part 3 of the waste transport certificate as the facility receiving the waste.
Facility	A place where controlled wastes are received.
Facility Operator	A person in charge of a facility.
Jurisdiction of destination	In relation to a particular consignment of waste means the State or Territory in which the facility is located to which the waste is intended to be transported.
Load	The amount of a consignment of waste placed on a vehicle for any single dispatch from the premises at which it was generated or stored.
Load number	A consecutive number identifying each load of waste within a consignment and starting with 1 for the first load of each consignment. One or more loads may make up a consignment.
NEPM	The National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.
Non-liquid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997.
Participating State or Territory	A State or Territory that is (a) a party to the Intergovernmental Agreement on the Environment made on 1 May 1992 between the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association, a copy of which is set out in the Schedule to the Commonwealth Act; and (b) in which an Act that corresponds to the National Environment Protection Council Act 1994 of the Commonwealth is in force in accordance with the Agreement.
Recycling of waste	The processing of waste into a similar non-waste product.
Regulation	The Protection of the Environment Operations (Waste) Regulation 1996.
Transporter	A person responsible for moving controlled wastes either from one participating State or Territory to another or through participating States or Territories.
Waste activity	An activity, whether required to be licensed or not, carried on for business or other commercial purposes, that involves the generating or storage of any of the following waste classes: (a) hazardous waste, (b) industrial waste,

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	(c) Group A waste.
Waste class	Means either hazardous, industrial or Group A waste.
Waste data form	A certificate in the form approved by the EPA.
Waste guidelines	The document called " <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> " issued by the EPA and in force as at 1 July 1999.
Waste producer	Means the licensee.
Waste transport certificate	A certificate in the form approved by the EPA as fulfilling the requirements of Schedule B of the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.

Mr Tim Gilbert

Environment Protection Authority

(By Delegation)

Date of this edition - 19-Oct-2006

End Notes

1	Licence varied by Change of Contact details, issued on 04-Mar-2002, which came into effect on 04-Mar-2002.
2	Licence varied by notice 1018616, issued on 23-Oct-2002, which came into effect on 17-Nov-2002.
3	Licence varied by Admin corrections to archived record, issued on 04-Dec-2002, which came into effect on 04-Dec-2002.
4	Licence varied by notice 1044523, issued on 16-Feb-2005, which came into effect on 13-Mar-2005.
5	Licence transferred through application 144537, approved on 19-Oct-2006, which came into effect on 01-Jul-2004.



You are here: [Home](#) > [Contaminated land](#) > [Record of EPA notices](#)



Search results

Your search for: LGA: Hurstville City Council

[Search Again](#)[Refine Search](#)

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

- Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.
- The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (POEO Act).
- Contamination at the site may be being managed under the [planning process](#).

More information about particular sites may be available from:

- The [POEO public register](#)
- The appropriate planning authority: for example, on a planning certificate issued by the local council under [section 149 of the Environmental Planning and Assessment Act](#).

See [What's in the record and What's not in the record](#).

If you want to know whether a specific site has been the subject of notices issued by the EPA under the CLM Act, we suggest that you search by Local Government Area only and carefully review the sites that are listed.

This public record provides information about sites regulated by the EPA under the Contaminated Land Management Act 1997, including sites currently and previously regulated under the Environmentally Hazardous Chemicals Act 1985. Your inquiry using the above search criteria has not matched any record of current or former regulation. You should consider searching again using different criteria. The fact that a site does not appear on the record does not necessarily mean that it is not affected by contamination. The site may have been notified to the EPA but not yet assessed, or contamination may be present but the site is not yet being regulated by the EPA. Further information about particular sites may be available from the appropriate planning authority, for example, on a planning certificate issued by the local council under section 149 of the Environmental Planning and Assessment Act. In addition the EPA may be regulating contamination at the site through a licence under the Protection of the Environment Operations Act 1997. You may wish to search the [POEO public register](#)

Search TIP

To search for a specific site, search by LGA (local government area) and carefully review all sites listed.

... [more search tips](#)

12 November 2010

Appendix F

Heritage Records

Working with the community to know, value and care for our heritage



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Statutory Listed Items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into two sections.

- **Section 1.** contains items listed by the **Heritage Council** under the NSW Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the NSW Heritage Act. This information is provided by the Heritage Branch.
- **Section 2.** contains items listed by **Local Councils & Shires and State Government Agencies**. This section may also contain additional information on some of the items listed in the first section.

Section 1. Items listed under the NSW Heritage Act.

Click on an item name to view the full details.

The search results can be re-sorted by clicking on the **(sort)** option at the top of each column.

Item Name (sort)	Address (sort)	Suburb (sort)	LGA (sort)	Listed Under Heritage Act
-------------------------	-----------------------	----------------------	-------------------	----------------------------------

There were no records in this section matching your search criteria.

Section 2. Items listed by Local Government and State agencies.

Item Name (sort)	Address (sort)	Suburb (sort)	LGA (sort)	Information Source (sort)
Advance House	127-137 Forest Road	Hurstville	Hurstville	LGOV
Alinda	29 Millett Street	Hurstville	Hurstville	LGOV
Allawah Reservoir (WS 0001)	Forest Road	Hurstville	Hurstville	SGOV
Belmontes Pizza Shop	372 Forest Road	Hurstville	Hurstville	LGOV
Berkley Building	195 - 197 Forest Road	Hurstville	Hurstville	LGOV
Centennial Bakery	319-321 Forest Road	Hurstville	Hurstville	LGOV
Colvins Bakery	1 Gordon Street	Hurstville	Hurstville	LGOV
Crosswalk House	2-6 Crofts Avenue	Hurstville	Hurstville	LGOV
Devonia Farm House	136 Stoney Creek Road	Hurstville	Hurstville	LGOV
Electricity House Building	213 Forest Road	Hurstville	Hurstville	LGOV
Electricity Substation No. 10014	3 Lily Street	Hurstville	Hurstville	SGOV

Erina	18 Millet Street	Hurstville	Hurstville	LGOV
Fire Station	27 MacMahon Street	Hurstville	Hurstville	LGOV
Fretus Service Station	16 Treacy Street	Hurstville	Hurstville	LGOV
Friendly Societies' Dispensary Building	17 MacMahon Street	Hurstville	Hurstville	LGOV
Front façade of building	136 Forest Road	Hurstville	Hurstville	LGOV
Front Façade of Building	184 Forest Road	Hurstville	Hurstville	LGOV
Gladwyn	96 Queens Road	Hurstville	Hurstville	LGOV
Holy Trinity Anglican Church	671 Forest Road	Hurstville	Hurstville	LGOV
House	112 Forest Road	Hurstville	Hurstville	LGOV
House	140-142 Forest Road	Hurstville	Hurstville	LGOV
House	166 Forest Road	Hurstville	Hurstville	LGOV
House	178 Forest Road	Hurstville	Hurstville	LGOV
House	12 The Avenue	Hurstville	Hurstville	LGOV
House	48 Treacy Street	Hurstville	Hurstville	LGOV
Hurstville Hotel	350 Forest Road	Hurstville	Hurstville	LGOV
Hurstville Public School Building	80 Forest Road	Hurstville	Hurstville	LGOV
Hurstville Railway Sub-Station	Forest Road	Hurstville	Hurstville	SGOV
Item	117 Botany Street	Hurstville	Hurstville	LGOV
Item	69 Bristol Road	Hurstville	Hurstville	LGOV
Item	76 Bristol Road	Hurstville	Hurstville	LGOV
Item	19 Carrington Avenue	Hurstville	Hurstville	LGOV
Item	56-58 Carrington Avenue	Hurstville	Hurstville	LGOV
Item	71 Carrington Avenue	Hurstville	Hurstville	LGOV
Item	73 Carrington Avenue	Hurstville	Hurstville	LGOV
Item	75 Carrington Avenue	Hurstville	Hurstville	LGOV
Item	2 Clevedon Road	Hurstville	Hurstville	LGOV
Item	4 Clevedon Road	Hurstville	Hurstville	LGOV
Item	8 Crofts Avenue	Hurstville	Hurstville	LGOV
Item	3 Cronulla Street	Hurstville	Hurstville	LGOV
Item	7 Cronulla Street	Hurstville	Hurstville	LGOV

Item	30-32 Cronulla Street	Hurstville	Hurstville	LGOV
Item	43 Cronulla Street	Hurstville	Hurstville	LGOV
Item	77 Cronulla Street	Hurstville	Hurstville	LGOV
Item	50 Dora Street	Hurstville	Hurstville	LGOV
Item	273 Dora Street	Hurstville	Hurstville	LGOV
Item	43 Durham Street	Hurstville	Hurstville	LGOV
Item	185A Forest Road	Hurstville	Hurstville	LGOV
Item	220 Forest Road	Hurstville	Hurstville	LGOV
Item	239 Forest Road	Hurstville	Hurstville	LGOV
Item	245-247 Forest Road	Hurstville	Hurstville	LGOV
Item	279-285 Forest Road	Hurstville	Hurstville	LGOV
Item	50 Gloucester Road	Hurstville	Hurstville	LGOV
Item	14 Kimberley Road	Hurstville	Hurstville	LGOV
Item	18 Kimberley Road	Hurstville	Hurstville	LGOV
Item	62 Kimberley Road	Hurstville	Hurstville	LGOV
Item	39 Lily Street	Hurstville	Hurstville	LGOV
Item	52/53A Lily Street	Hurstville	Hurstville	LGOV
Item	76 Lily Street	Hurstville	Hurstville	LGOV
Item	14 MacMahon Street	Hurstville	Hurstville	LGOV
Item	67 Millett Street	Hurstville	Hurstville	LGOV
Item	16 Patrick Street	Hurstville	Hurstville	LGOV
Item	24 Taunton Road	Hurstville	Hurstville	LGOV
Item	78 The Avenue	Hurstville	Hurstville	LGOV
Item	79 The Avenue	Hurstville	Hurstville	LGOV
Item	81 The Avenue	Hurstville	Hurstville	LGOV
Item	82 The Avenue	Hurstville	Hurstville	LGOV
Item	84 The Avenue	Hurstville	Hurstville	LGOV
Item	87 The Avenue	Hurstville	Hurstville	LGOV
Item	90 The Avenue	Hurstville	Hurstville	LGOV
Item	92 The Avenue	Hurstville	Hurstville	LGOV
Item	110-112 The Avenue	Hurstville	Hurstville	LGOV
Item	1 Vine Street	Hurstville	Hurstville	LGOV
Item	26 Weston Road	Hurstville	Hurstville	LGOV

Lorne	18 The Avenue	Hurstville	Hurstville	LGOV
NIB Health Building	235 Forest Road	Hurstville	Hurstville	LGOV
Old Post Office	243a Forest Road	Hurstville	Hurstville	LGOV
Old Propellor Building	218 Forest Road	Hurstville	Hurstville	LGOV
Presbyterian Church	1 MacMahon Street	Hurstville	Hurstville	LGOV
Rendered Facade of Building	248 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	263 - 273 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	272 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	316 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	324-328 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	338 - 340 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	342 - 348 Forest Road	Hurstville	Hurstville	LGOV
Rendered Facade of Building	18 Treacy Street	Hurstville	Hurstville	LGOV
Rendered Façade of Building	230 - 242 Forest Road	Hurstville	Hurstville	LGOV
Ritchie House	289 Forest Road	Hurstville	Hurstville	LGOV
Semi-detached Houses	33-47 Dora Street	Hurstville	Hurstville	LGOV
Soul Pattinson Building	225 Forest Road	Hurstville	Hurstville	LGOV
St. George Anglican Church	144 Forest Road	Hurstville	Hurstville	LGOV
Sylvan	89 The Avenue	Hurstville	Hurstville	LGOV
Uniting Church	20-22 The Avenue	Hurstville	Hurstville	LGOV
Waikouaiti	95 The Avenue	Hurstville	Hurstville	LGOV
War Memorial Monument	Forest Road	Hurstville	Hurstville	LGOV
Westpac Bank	244 Forest Road	Hurstville	Hurstville	LGOV
Wingello	174-176 Forest Road	Hurstville	Hurstville	LGOV
Yarra-mundi	75 Queens Road	Hurstville	Hurstville	LGOV
Yuringa	85 The Avenue	Hurstville	Hurstville	LGOV

There were **100** records in this section matching your search criteria.

There was a total of **100** records matching your search criteria.

Key:

LGA = Local Government Area

GAZ = NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.

Note: The Heritage Branch seeks to keep the State Heritage Inventory (SHI) up to date, however the latest listings in Local and Regional Environmental Plans (LEPs and REPs) may not yet be included. Always check with the relevant Local Council or Shire for the most recent listings.

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Heritage Act 1977

CRITERIA FOR LISTING ON THE STATE HERITAGE REGISTER

The State Heritage Register is established under Part 3A of the Heritage Act (as amended in 1998) for listing of items of environmental heritage¹ which are of state heritage significance².

To be assessed for listing on the State Heritage Register an item will, in the opinion of the Heritage Council of NSW, meet one or more of the following criteria³:

- a) an item is important in the course, or pattern, of NSW's cultural or natural history;
- b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history;
- c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;
- d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;
- e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history;
- f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history;
- g) an item is important in demonstrating the principal characteristics of a class of NSW's
 - cultural or natural places; or
 - cultural or natural environments.

An item is not to be excluded from the Register on the ground that items with similar characteristics have already been listed on the Register.

¹ **environmental heritage** means those places, buildings, works, relics, moveable objects, and precincts, of state or local heritage significance (section 4, *Heritage Act, 1977*).

² **state heritage significance**, in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific cultural, social, archaeological, architectural, natural or aesthetic value of the item (section 4A(1), *Heritage Act, 1977*).

³ Guidelines for the application of these criteria may be published by the NSW Heritage Office.



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Item

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

Item

Name of Item: Item

Primary Address: 50 Gloucester Road, Hurstville, NSW 2220

Local Govt. Area: Hurstville

Property Description:

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
-----------------	-------------------	----------------	-----------------	-------------------

All Addresses

Street Address	Suburb/Town	LGA	Parish	County	Type
50 Gloucester Road	Hurstville	Hurstville			Primary

Assessment Criteria Items are assessed against the  **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Schedule 2		27 May 94	73	2484

References, Internet links & Images

None

Note: Internet links may be to web pages, documents or images.

Data Source

The information for this entry comes from the following source:

Name: Local Government

Database Number: 1810084

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Alinda

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

Item

Name of Item: Alinda

Type of Item: Built

Group/Collection: Residential buildings (private)

Category: House

Primary Address: 29 Millett Street, Hurstville, NSW 2220


Local Govt. Area: Hurstville

Property Description:

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
-----------------	-------------------	----------------	-----------------	-------------------

All Addresses

Street Address	Suburb/Town	LGA	Parish	County	Type
29 Millett Street	Hurstville	Hurstville			Primary

Assessment Criteria Items are assessed against the  **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Schedule 2		27 May 94	73	2484

References, Internet links & Images

None

Note: Internet links may be to web pages, documents or images.

Data Source

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Database Number: 1810098

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Erina

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

Item

Name of Item: Erina

Type of Item: Built

Group/Collection: Residential buildings (private)

Category: House

Primary Address: 18 Millet Street, Hurstville, NSW 2220


Local Govt. Area: Hurstville

Property Description:

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
-----------------	-------------------	----------------	-----------------	-------------------

All Addresses

Street Address	Suburb/Town	LGA	Parish	County	Type
18 Millet Street	Hurstville	Hurstville			Primary

Assessment Criteria Items are assessed against the  **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
<i>Local Environmental Plan</i>	Schedule 2		27 May 94	73	2484

References, Internet links & Images

None

Note: Internet links may be to web pages, documents or images.

Data Source

The information for this entry comes from the following source:

Name: Local Government

Database Number: 1810097

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to the [Database Manager](#).

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Search Results

3 results found.

Hurstville Friendly Societies Dispensary 17 MacMahon St	Hurstville, NSW, Australia	(Indicative Place) Register of the National Estate
O Briens Estate Urban Conservation Area	Hurstville, NSW, Australia	(Indicative Place) Register of the National Estate
War Memorial Monument Hurstville Boulevard	Hurstville, NSW, Australia	(Indicative Place) Register of the National Estate

Report Produced: Tue Oct 26 13:55:50 2010

Appendix G

Workcover Dangerous Goods Licences

Our Ref: D10/149030
Your Ref: Danielle Ord

5 November 2010

Attention: Danielle Ord
JBS Environmental Pty Ltd
128 O'Riordan St
Mascot NSW 2020

Dear Mr Danielle Ord,

RE SITE: 37 Gloucester Rd Hurstville NSW 2220

I refer to your site search request received by WorkCover NSW on 1 November 2010 requesting information on licences to keep dangerous goods for the above site.

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

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

Yours Sincerely



Brent Jones


Senior Licensing Officer
Dangerous Goods Team

WorkCover. **Watching out for you.**

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Document Status

Rev No.	Author	Reviewer	Approved for Issue		
		Name	Name	Signature	Date
A	Danielle Ord (draft for internal review)	B.C.Furr			22/11/2010
0	Danielle Ord	B.C. Furr	B. C. Furr		24/11/2010



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