



Preliminary Site Investigation

TCQ Construction

Jannali PSI

544-550 Box Road, Jannali NSW 2226

SCL230093.01

6 February 2024

CONTENTS

EXECUTIVE SUMMARY1

1 INTRODUCTION.....2

1.1 Background 2

1.2 Objectives 2

1.3 Scope of Work..... 2

1.4 Regulatory Framework 3

2 SITE CHARACTERISATION4

2.1 Site Identification..... 4

2.2 Geology and Soils..... 4

2.3 Topography..... 5

2.4 Hydrology..... 5

2.5 Hydrogeology..... 5

2.5.1 Registered Groundwater Bores 5

2.5.2 Groundwater Dependant Ecosystems 7

2.5.3 Groundwater Flow Direction 7

2.6 Acid Sulfate Soils..... 7

2.7 Sensitive Receptors..... 7

2.7.1 Human Health 7

2.7.2 Environment 7

2.8 Site Walkover..... 8

3 SITE HISTORY.....10

3.1 Historical Aerial Imagery..... 10

3.2 Historical Titles 11

3.3 Planning Certificates 12

3.4 Contaminated Land Records..... 12

3.4.1 NSW EPA CLM Act Register of Notified Sites 12

3.4.2 NSW EPA CLM Act Record of Notices 12

3.4.3 Protection of Environment Operations Act 1997 Public Register..... 13

3.4.4 NSW EPA PFAS Investigation Program..... 13

3.4.5 Unexploded Ordnance Database Search..... 13

3.5 Previous Environmental Investigations 13

3.6 Surrounding Business Records..... 13

3.7 Summary of Site History 13

4 PRELIMINARY CONCEPTUAL SITE MODEL.....15

4.1 Potential Receptors 15

4.2 Potentially Contaminating Activities..... 15

4.3 Preliminary Conceptual Site Model 16



5 CONCLUSION AND RECOMMENDATIONS.....18

6 REFERENCES.....19

7 ACRONYMS20

8 LIMITATIONS AND DISCLAIMER.....21

LIST OF FIGURES

Figure Section

Figure F1. Site Locality and Layout

LIST OF PLATES

Plate Section

- Plate P1. Front of 544-546 Box Road, facing west, potential ACM observed in eaves
- Plate P2. Lower level of 544-546 Box Road, facing north
- Plate P3. Bitumen car park in the south of 544-546 Box Road
- Plate P4. Evidence of cut/filling activities in the southern portion of 544-546 Box Road
- Plate P5. Fragment of suspected ACM in road verge adjacent 544-546 Box Road
- Plate P6. Front of 548-550 Box Road, facing south
- Plate P7. Suspected ACM and peeling paint in eaves of 548-550 Box Road
- Plate P8. Southern car park of 548-550 Box Road
- Plate P9. Building rubble observed within the southern portion of 548-550 Box Road
- Plate P10. Chemical storage drum in the southern portion of 548-550 Box Road
- Plate P11. Service Station east of Site (upgradient)
- Plate P12. Dry Cleaners located west of Site (downgradient)
- Plate P13. Potential ACM fibre cement sheeting in the southern portion of 548-550 Box Road
- Plate P14. Former petrol station east of site, now a childcare centre
- Plate P15. Transformer adjacent to the Site
- Plate P16. Small electrical box adjacent 544-546 Box Road

LIST OF TABLES

Body Report

Table 1. Site Identification 4

Table 2. Registered Groundwater Bores 5

Table 3. Site Walkover Observations..... 8

Table 4. Historical aerial photograph summary 10

Table 5. Historical title search summary 11

Table 6. Records of Notice..... 12

Table 7. Potentially contaminating activities..... 15

Table 8. Preliminary Conceptual Site Model 16

LIST OF APPENDICES

- APPENDIX A PROPOSED DEVELOPMENT PLANS**
- APPENDIX B HISTORICAL LAND TITLES**
- APPENDIX C PLANNING CERTIFICATES**



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EXECUTIVE SUMMARY

Epic Environmental Pty Ltd (Epic) was engaged by TCQ Construction (TCQ or the Client) to undertake a Preliminary Site Investigation (PSI) at the property 544-550 Box Road, Jannali NSW 2226 (hereafter referred to as the Site). The site locality and site layout are provided in **Figure F1**.

The Site currently operates as a mixed commercial/industrial complex with a veterinary clinic, restaurants, a post office, a clothing store, and associated vehicle parking in the south of the Site. Historically, the Site was comprised of residential dwellings prior to being developed into the present-day layout sometime between 1955 and 1972. It is understood that the Site is to be developed into a seven storey residential building, with commercial outlets on the first floor. A three storey basement is also proposed with associated parking. Development plans are provided in **Appendix A**.

The objective of this PSI is to:

- Provide a site history
- Identify past and present potentially contaminating activities that may have impacted the site
- Identify the type and nature of contamination within the site
- Provide an assessment of the current site conditions and areas of identified and/or potential contamination
- Document the current site environmental conditions
- Develop a preliminary conceptual site model
- Detail the potential requirements for further investigation (if any), or management of contamination that may be required for the protection and human health and the environment, in relation to the development

To deliver the PSI with the objectives above, the following scope of work was undertaken:

- Review of site environmental context information, including review of previous reports (if any)
- Review of publicly available site history, including previous site and regional land uses
- Detailed site inspection and review of current and surrounding site conditions
- Preparation of this PSI report

Following the completion of the above scope of work, the following was identified:

- The site was redeveloped from residential housing to a commercial lot some time prior to 1971 and has remained relatively unchanged
- The Site has not been notified under the CLM Act. Two sites within 500 m have been notified to the NSW EPA, but regulation was not required under the CLM Act; a former IGA 43 m north west (downgradient of the Site), and a former mobile service station 135 m north east of site (upgradient of the Site).
- The Site, or any properties within 500 m, have any licences, clean up, or penalty notices
- A dry cleaner is currently operating west of site (downgradient), and a Metro Petroleum petrol station 60 m east of site (upgradient)
- Evidence of cut and fill activities were observed across the Site
- Building rubble was observed within surface fill in the southern portion of 548-550 Box Road

Contamination may be present at the site at levels above health and environmental guidelines and would require further investigation. Should the planning proposal be successful, it is recommended that a Detailed Site Investigation (DSI) is undertaken at the site and should include:

- Soil sampling for appropriate contaminants of potential concern (COPC)
- Groundwater monitoring well installation and sampling
- Soil vapour assessment

1 INTRODUCTION

Epic Environmental Pty Ltd (Epic) was engaged by TCQ Construction (TCQ or the Client) to undertake a Preliminary Site Investigation (PSI) at the property 544-550 Box Road, Jannali NSW 2226 (hereafter referred to as the Site). The site locality and site layout are provided in **Figure F1**.

1.1 Background

The Site currently operates as a mixed commercial complex with a veterinary clinic, restaurants, a post office, a clothing store, and associated vehicle parking in the south of the Site. Historically, the Site was comprised of residential dwellings prior to being developed into the present-day layout sometime between 1955 and 1972. It is understood that the Site is to be developed into a seven-storey residential building, with commercial outlets on the first floor. A three-level basement is also proposed with associated parking. Development plans are provided in **Appendix A**.

This PSI is in response to a request for additional documentation from Southerland Shire Council (Council) (Ref: 2023/477178), which included the following:

“Council has referred the proposal to its Environmental Science Unit, which have requested a Detailed Site Investigation that includes a vapour assessment due to the possibility of contamination. Detailed investigation and reporting must be undertaken by an Environmental Consultant that is certified by one of the following certification schemes:

- *EIANZ ‘Certified Environmental Practitioner’ scheme (CEnvP SC)*
- *Soil Science Australia ‘Certified Professional Soil Scientist’ (CPSS CSAM)”*

Upon further correspondence with Council, the Client was informed that a PSI would suffice at the planning proposal stage which was communicated to Epic on 18 January 2024.

1.2 Objectives

The objective of this PSI is to:

- Provide a site history
- Identify past and present potentially contaminating activities that may have impacted the site
- Identify the type and nature of contamination within the site
- Provide an assessment of the current site conditions and areas of identified and/or potential contamination
- Document the current site environmental conditions
- Develop a preliminary conceptual site model
- Detail the potential requirements for further investigation (if any), or management of contamination that may be required for the protection and human health and the environment, in relation to the development

1.3 Scope of Work

To deliver the PSI with the objectives above, the following scope of work was undertaken:

- Review of site environmental context information
- Review of publicly available site history, including previous site and regional land uses from available sources
- Carry out a site inspection, including review of current and surrounding site conditions
- Preparation of this PSI report.

1.4 Regulatory Framework

This PSI was prepared in general accordance with the following legislative requirements and guidelines:

- National Environment Protection Council (NEPC), National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM) amended 2013 (NEPM 2013)
- NSW EPA (2020), Consultants Reporting on Contaminated Land
- State Environment Planning Policy (SEPP) Resilience and Hazards (2022)

2 SITE CHARACTERISATION

2.1 Site Identification

The site identification is summarised in **Table 1**.

Table 1. Site identification

Site Address	544-550 Box Road, Jannali NSW 2226
Lot & DP	Lot 2 of DP 202711 and Lot 2 of DP 209152
Site Area	Approximately 1,100m ²
Current Zoning	E1 – Local Centre under the Southerland Shire Local Environmental Plan (LEP) 2015
Planning Instrument	Southerland Shire Local Environmental Plan (2015) SEPP Resilience and Hazards (2022)
Local Government Authority	Southerland Shire Council
Geographical Coordinates (centre of site)	Easting: 321461.914 Northing: 6234315.249
Current Owners & Occupiers	The current occupiers of 544-546 Box Road are as follows: <ul style="list-style-type: none"> • Dose Cafe • Australia Post – Jannali LPO • Jannali Veterinary Clinic • Skeeta’s Southside bar/restaurant • Fore Studio Gifting Events & Services The current occupiers of 548-550 Box Road are as follows: <ul style="list-style-type: none"> • Topical Restaurant • Modu Sushi
Current Site Use	The Site is a two storey (544-546 Box Road) and a one storey (548-550 Box Road) mixed commercial complex with a veterinary clinic, restaurants, a post office, a clothing store, and associated parking in the south of the Site.
Proposed Site Use	Mixed seven storey residential and commercial development, with commercial outlets limited to the first floor. A three-level basement is proposed for associated parking.
Trigger for Assessment	Proposed redevelopment of the site, including the installation of a three-level basement carpark.
Surface and/or Groundwater	No evidence of surface or groundwater usage was observed onsite.
Surface Covering & Vegetation	The surface of the site was largely covered in concrete hardstand, with a bitumen carpark in the south of 544-546 Box Road. No hardstand was present in the south of 548-550 Box Road, with exposed soils, road base gravels, or grass covering the area (assumed to be utilised as a car park).
Legal Permission to Access Site	Yes
Surrounding Land Use	The surrounding land use is as follows: <ul style="list-style-type: none"> • North: Box Road, with mixed commercial, community centres, and low density residential further north • South: Leopold Lane, with community centres, white street, and low density residential further south • East: Roberts Street, with low density residential further east • West: mixed commercial and community centres, with Railway Crescent, Jannali train station and associated Illawarra train line further west

2.2 Geology and Soils

A review of the NSW seamless Geology Map indicates the site is underlain by the Middle Triassic aged Hawkesbury Sandstone which consists of medium to coarse grained Quartz sandstone with minor shale and laminate lenses.

A review of the Soil Landscapes Map from eSPADE accessed on 24 January 2024 indicates that the site consists of undulating to rolling rises and low hills on Hawkesbury Sandstone. Local relief 20-80 m; slopes 10-25%, rock

outcrop <25%. Broad convex crests are present, and moderately inclined side-slopes, with wide benches, localised outcrop on low broken scarps. Extensively cleared open-forest (dry sclerophyll forest) and eucalypt woodland. Soils consist of shallow to moderately deep (30-100 cm) Yellow Earths and Earthy Sands on crests and insides of benches; shallow (<20 cm) Siliceous Sands on leading edges of benches, with localised Gleyed Podzolic Soils and Yellow Podzolic Soils on shale lenses; shallow to moderately deep (<100 cm) Siliceous Sands and leached sands along drainage lines.

2.3 Topography

A review of the Elevation Foundation Spatial Data (ELVIS¹) indicates the site slopes down in a westerly direction from 82 meters Australian Height Datum (mAHD) in the eastern corner, to 79 mAHD in the western corner.

The Site was observed to be predominantly covered in asphalt or concrete hardstand, with a westerly slope towards Railway Crescent.

2.4 Hydrology

The site is surrounded by:

- Cairina Gully tributary approximately 485 m north to northwest of Site
- Unnamed tributary approximately 450 m east to southeast of Site
- Unnamed tributary approximately 585 m west of Site
- Oyster Gully tributary approximately 950 m to the east of Site
- Bonnet Bay approximately 1.2 km northwest of Site
- Oyster Bay 1.2 km to the northeast of Site
- Woronora River approximately 1.4 km to the west of Site

Surface water runoff at the site is expected to flow east towards Box Street and be collected by the stormwater system.

2.5 Hydrogeology

The following sections summarise the available hydrogeology information for the Site.

2.5.1 Registered Groundwater Bores

There are 12 registered groundwater bores within 500m of the Site, all located across the Little Achievers Childcare Centre approximately 130m northeast of Site. Details of the 12 bores are summarised in **Table 2**.

Table 2. Registered Groundwater Bores

Bore ID	Completion Date	Distance from Site	Type	SWL (mbgl)	Well Depth (mbgl)	Lithology (mbgl)
GW107903	21/01/2005	All groundwater bores are located at 121 Georges River Rd, 130m north east of Site	Monitoring bore	-	3.0	0.0-0.5: Clay, dry, brown, gravel 0.5-1.0: Sandstone, dry, brown, gravel 1.0-1.3: Sandstone, weathered, dry, clay 1.3-1.7: Sandstone, weathered, yellow 1.7-2.6: Sandstone, red/brown 2.6-3.0: Sandstone, grey, damp, clay
GW110316	15/06/2009		Monitoring bore	0.3	4.0	0.0-1.0: Fill, sandy, gravelly, red/grey/brown, fine to coarse gravel

¹ ELVIS: <https://elevation.fsdf.org.au/>, accessed 23 January 2024

Bore ID	Completion Date	Distance from Site	Type	SWL (mbgl)	Well Depth (mbgl)	Lithology (mbgl)
						1.0-2.9: Fill, sandy, clayey, brown/damp, soft, low plasticity 2.9-4.0: sand, brown, homogenous, wet, hydrocarbon odour at 3.0 mbgl
GW110315	15/06/2009	All groundwater bores are located at 121 Georges River Rd 130m north east of Site	Monitoring bore	0.4	4.0	0.0-1.4: Fill, sandy gravelly, grey/yellow 1.4-4.0: Sand, yellow with pink mottled
GW107902	21/01/2005		Monitoring bore	-	4.0	0.0-0.5: Concrete, sand 0.5-1.0: Sandstone, weathered, yellow 1.0-2.0: Sandstone, yellow, grey 2.0-2.5: Sandstone, weathered, grey, damp 2.5-3.0: Sandstone, grey, hard, no clay 3.0-4.0: Sandstone, grey, hard
GW107901	21/01/2005		Monitoring bore	-	3.0	0.0-0.5: Clay, dry, brown 0.5-1.0: Sandstone, weathered, dry 1.0-2.0: Sandstone, grey, wet, weathered 2.0-3.0: Sandstone, grey, red, wet, clay
GW110319	13/07/2009		Monitoring bore	2.3	10	0.0-0.1: Fill, sandy, clayey, grey/brown, gravel 0.1-3.2: Sand, light brown, dry, homogenous 3.2-8.0: Sandstone, light brown, saturated, well graded 8.0-10.0: Sandstone, as above, ironstone and fine gravel
GW110317	25/06/2009		Monitoring bore	1.0	4.0	0.0-2.0: Fill, sandy, gravelly, brown, damp 2.0-4.0: Sand, pink, grey, dry, loose to medium
GW110321	16/06/2009		Monitoring bore	1.4	4.0	0.0-1.5: Fill, sandy gravelly brown/grey/loose 1.5-4.0: Sand, grey, homogenous, saturated
GW107904	21/01/2005		Monitoring bore	-	2.6	0.0-0.5: Concrete, fill, gravelly, clay 0.5-1.0: Sandstone, weathered, clayey 1.0-2.0: Sandstone, weathered, grey, moist 2.0-2.6: Sandstone, hard, some clay, grey
GW110322	14/07/2009		Monitoring bore	1.2	4.0	0.0-0.4: Topsoil, sandy, dark brown, dry to damp, trace of gravel 0.4-4.0: Sand, dark brown, grey/orange, white, red
GW110320	16/06/2009		Monitoring bore	3.5	10.0	0.0-3.5: Fill, sandy, orange/brown, damp, loose/gravel 3.5-4.0: Sand, yellow/brown, homogenous, moist to wet

Bore ID	Completion Date	Distance from Site	Type	SWL (mbgl)	Well Depth (mbgl)	Lithology (mbgl)
						4.0-10.0: Sandstone, sandy, yellow/brown, fine gravel

2.5.2 Groundwater Dependant Ecosystems

A review of the Groundwater Dependent Ecosystem (GDE) NSW Seed Map identifies no GDEs on or within 500 m of the site. The following GDEs were identified within 2 km of the Site:

- One 740 m northwest, and one 745 m west of Site along an unnamed tributary which feeds into the Woronora River
- Various low to medium GDEs along the Woronora River approximately 1.4 km west of Site
- Low GDE along the Carina Gully approximately 1.2 km north of Site
- Low GDE along Oyster Gully approximately 1.1 km east of Site
- Medium GDE within Bonnet Bay approximately 1.2 km northwest of Site

2.5.3 Groundwater Flow Direction

Groundwater flow is suspected to follow the topography to the west, towards the unnamed tributary and the Woronora River.

2.6 Acid Sulfate Soils

The site currently has no classification for acid sulfate soils (ASS) under the Sutherland Shire LEP (2015). ASS is unlikely to be encountered at the site.

The site currently has no risk rating for ASS as per the acid sulfate soil risk map.

2.7 Sensitive Receptors

2.7.1 Human Health

The human health nearby sensitive receptors within 500 m of the Site include:

- Jannali Uniting Church approximately 20 m north
- Jannali Anglican Church approximately 115 m northeast
- Jannali Kinder Haven 1 approximately 120 m south
- Little Achievers childcare centre approximately 130 m northeast
- Jannali Community Centre approximately 190 m west
- Jannali Kinder Haven 2 approximately 285 m south
- Jannali Preschool approximately 300 m southwest
- Soldiers Road Early Education Centre, Jannali, approximately 405 m west
- Anglicare Mildren Symons House (retirement community) approximately 450 m south
- Jannali Public School approximately 460 m southwest
- Recreational users of Soldiers Road Oval approximately 460 m west
- Recreational users of Jannali Oval approximately 465 m southwest
- Kiran’s Family Day Care Oasis in Jannali approximately 475 m southeast

2.7.2 Environment

The environmental nearby sensitive receptors within 500m of the Site include:

- Unnamed tributary 450 m southeast
- Charles Orwin Reserve approximately 455 m northeast
- Carroll Avenue Reserve approximately 465 m west
- Carina Gully approximately 485 m north

2.8 Site Walkover

The Site walkover was conducted on 29 January 2024, with site observations summarised in **Table 3**. Reference is made to site photographs, which are included in the Plates section of this report.

Table 3. Site Walkover Observations

Category	Observation
Boundary Conditions (i.e., fencing)	The Site was predominately covered in hardstand/shop fronts that were accessible to the public. The carparks in the south of both lots were fully accessible to the public.
Built Structures	<p>544-546 Box Road The property consisted of a small, two storey industrial building with multiple businesses. Potential asbestos containing material (ACM) was observed in the eaves around the property (Plate P1).</p> <p>548-550 Box Road The property consisted of a small one-story building with two businesses. Potential ACM was observed in the eaves around the property, with peeling/damaged paint visible (Plate P7).</p>
Surface Covering	<p>544-546 Box Road The property was covered in asphalt/ concrete hardstand, with a small strip of exposed soil (approximately 0.2x0.8m long) along the eastern boundary, southern elevation. Suspected ACM fragments were not observed. Evidence of cut and fill activities were observed across the south of Site within the carpark area (Plate P4).</p> <p>548-550 Box Road The northern portion of the property consisted of hardstand/shop fronts, with a vacant area in the south which was covered in grass/bare soil/densely graded base (DGB) gravels. The vacant area in the south of the property is assumed to be used as a carpark for employees.</p>
Chemical Storage Areas	<p>544-546 Box Road Small scale chemical storage was assumed within the businesses on the property.</p> <p>548-550 Box Road Small scale chemical storage was assumed within the businesses on the property (access was not able to be attained as both restaurants were closed at the time of inspection). One large blue chemical drum was observed in the southern portion of the property (Plate P10). It is unclear what chemical was in the metal drum, or what it was used for.</p>
Evidence of Debris and Waste Disposal	<p>544-546 Box Road Cut and fill activity could be observed throughout the bitumen car park in the south of the property (Plate P4). Hardstand covered the property with only a small section of soil visible. No waste material was observed in this small section of exposed soil on the southeastern corner. General waste and recycling bins were observed in the southern portion of the property. A fragment of suspected ACM was observed on the road verge approximately 3m east of the property boundary (Plate P5).</p> <p>548-550 Box Road Construction waste (concrete, brick, terracotta pipe, and ceramic tiles) were observed across the exposed soil surface in the south of the property (Plate P9). Suspected ACM fibre cement sheeting was observed across the rear of the property (Plate P13). General waste and recycling bins were observed in the southern portion of the property.</p>
Service and Utilities	Telstra and stormwater pits were observed running along Box Road, north of the Site. A water main and electrical box was observed on the eastern portion of the property (Plate P16).
Electrical Transformers, Substations, or Capacitors	None observed on Site. One electrical transformer was observed approximately 2m east of site, adjacent to Roberts Street (Plate P15).
Staining/odours	None observed.
Obvious Signs of Plant Dieback	None observed.
Surface Water Bodies	None observed on Site.

Category	Observation
Imported Fill/Filled Areas	Areas of cut and fill were observed across the southern portion of both properties, with construction waste observed within the southern portion of 548-550 Box Road.
Any currently known contamination at the site and how it was discovered	None reported.
Prior significant spills at the site and how it was discovered	None reported.

3 SITE HISTORY

3.1 Historical Aerial Imagery

A review of the historical aerial photographs is provided in **Table 4**. Historical aerial photographs were sourced from the NSW Government Spatial Portal – Historical Imagery² up to 2005, and from Nearmap (Nearmap.com) from 2009 onwards.

Table 4. Historical aerial photograph summary

Year	Onsite	Surrounding Area
1943	Only the northeastern corner of the Site is visible. Site appears vacant in what can be observed.	Box road has been established to the north, and Robert Street to the east. Residential housing can be observed sparsely dispersed to the north, north-east, and east of Site. Vast areas of vegetated land can be observed surrounding the Site. The Illawarra railway line has been established to the southwest.
1955	<p>544-546 Box Street A residential building can be observed in the south of the property, with the northern portion cleared of vegetation.</p> <p>548-550 Box Street A residential building can be observed in the north of the property, with a small structure in the southwest. The remainder of the property is cleared of vegetation except for a few trees.</p>	<p>The surrounding area has been heavily developed with low density residential housing surrounding the Site.</p> <p>A vegetated area can be observed to the north of Box Road, and to the southeast of Site. Soldiers Memorial Reserve and Carroll Avenue Reserve can be observed to the west of Site.</p>
1972	<p>Residential buildings have been demolished on both properties.</p> <p>544-546 Box Street A large commercial building/warehouse has been constructed in the north of the property, with a cleared area in the south (potentially hardstand/car park).</p> <p>548-550 Box Street A large commercial building/warehouse has been constructed in the north of the property. The south of the property has been cleared.</p>	<p>Additional development immediately north of Box Road, including a row of commercial/industrial developments and associated car park.</p> <p>Leonard Lane has been constructed to the south of site.</p> <p>No other significant changes.</p>
1975	No significant changes.	No significant changes
1979		Small upgrade to the Jannali train station. No other significant changes
1980		Construction of commercial warehouses to the north of site.
1983		No significant changes
1984		
1998		Commercial development at the corner of Wattle Road and Box Road (site of childcare centre)
2004		No significant changes
2005		
2009		
2010		
2011		
2012		
2013		
2014		
2017		

² NSW Government Spatial Portal - <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb> accessed 24 January 2024

Year	Onsite	Surrounding Area
2018	No significant changes	No significant changes
2019		
2020		
2021		
2022		
2023		
2024		

3.2 Historical Titles

A search of the historical titles for both lots of the Site were undertaken in January 2024 and are summarised in **Table 5**. Historical land title certificates are provided in **Appendix B**.

Table 5. Historical title search summary

Date	Landowner
Lot 2 of DP202711 – 544-546 Box Road	
1892 – 1919	The Intercolonial Investment Land and Building Company Limited
1919 – 1933	Alexander Rankin (Brass Founder) George Bond (Brass Founder)
1933 – 1951	Alexander Rankin (Brass Founder)
1951 – 1951	Kate Craig (Widow)
1951 – 1961	Church of England Property Trust Diocese of Sydney
1961 - 1967	Edmona Investments Pty Limited Peak Securities Pty Limited
1967 – 1973	Charities Apostolou (Retired) Evangelia Apostolou (Married Woman) Eftychia Prevedoros
1973 – 1978	Reginald Claud Kemister (Real Estate Agent) Karen Anne Kemister (Married Woman)
1978 – 2002	Hiwuga Pty Limited
2002 – 2005	Phillip Carl King Suzanne Maree King Brett Anthony Levings Kim Louise Levings
2005 - 2017	Phillip Carl King Brett Anthony Levings Kim Louise Levings
2017 – date	Jannali No. 1 Pty Ltd (registered proprietor)
Lot 2 of DP209152 – 548-550 Box Road	
1892 – 1919	The Intercolonial Investment Land and Building Company Limited
1919 – 1933	Alexander Rankin (Brass Founder) George Bond (Brass Founder)
1933 – 1951	Alexander Rankin (Brass Founder)
1951 – 1951	Kate Craig (Widow)
1951 – 1959	Walter Griffiths (Clerk)
1959 – 1960	Thomas Leslie Ambrose Russell (Newsagent) Halley Herbert George Cary (Butcher)
1960 – 1962	Edmona Investments Pty Limited Peak Securities Pty Limited
1962 – 1964	Edmona Investments Pty Limited
1964 – 1965	Michael Grinston (Solicitor) Joan Barrington Grinston (Married Woman)
1965 - 1996	Joan Barrington Grinston (Married Woman)
1996 – 1996	Ernest Omond Butler Thomas Eva Grinston (Executors of the Will of Joan Barrington Grinston)
1996 – 1997	Edna Seaman

Date	Landowner
1997 – 2003	Constantinos Perdikaris Lydia Perdikaris
2003 – 2017	Bechara Raad Lulu Raad Joseph Bou-Abdou Aid Buo-Abdou
2017 – date	Jannali No. 1 Pty Ltd (registered proprietor)

Various leases were found including the following:

- Fish monger
- Restaurants
- Butcher
- Shopkeeper
- Real Estate Agency
- Bank

One cross easement was identified within Lot 2 of DP209152 (548-550 Box Road).

3.3 Planning Certificates

A review of the Sutherland Shire Council planning certificates generated under Section 10.7 (2) and (5) of the NSW Environmental Planning and Assessment Act 1979 (issued 23 January 2024 for both lots) indicated that the site is subject to the Sutherland Shire Local Environmental Plan 2015. The planning certificates for both lots indicate that the Site is not affected by a policy that restricts development of the land due to the likelihood of a land slip, bushfire, tidal inundation, subsidence, ASS, contaminated land, aircraft noise, salinity, coastal hazards, or sea level rise. The planning certificates for both lots are provided in **Appendix C**.

3.4 Contaminated Land Records

3.4.1 NSW EPA CLM Act Register of Notified Sites

A search of the NSW Contaminated Sites Notified to the NSW EPA conducted on 24 January 2024 found no current or former records for the Site.

A petrol station located at 20 Cavers Road (approximately 1 km northeast of Site) has a former notification (21129) for exceedance of total petroleum hydrocarbons (TPH) and benzene, toluene, ethyl benzene, and xylenes (collectively known as BTEX) above applicable groundwater criteria. The contamination was identified as migrating offsite to neighbouring properties. The property underwent a Voluntary Management Proposal (VMP) which was approved in November 2017, with the former notification repealed in November 2022.

3.4.2 NSW EPA CLM Act Record of Notices

A search of the List of NSW EPA Contaminated Land Database under Section 58 of the Contaminated Land Management Act 1997 found no records for the Site.

Two properties were identified on the record of notices and are summarised in **Table 6**.

Table 6. Records of Notice

Suburb	Site Name	Address	Distance from Site	Contamination Activity Type	Management Class
Jannali	Former IGA	541 Box Road	43 m northwest	Other industry	Regulation under the CLM Act not required
	Former Mobile Service Station	121 Georges River Road	135 m northeast	Service Station	Regulation under the CLM Act not required

3.4.3 Protection of Environment Operations Act 1997 Public Register

A search conducted on 24 January 2024 of the public register established under Section 308 of the Protection of Environment Operations Act 1997 (POEO Act) identified that the Site or any site within the surrounding 1 km have no environment protection licences, clean up or penalty notices.

3.4.4 NSW EPA PFAS Investigation Program

A search of the NSW EPA per- and polyfluoroalkyl substances (PFAS) investigation program indicated that the site is not subject to the PFAS investigation program.

3.4.5 Unexploded Ordnance Database Search

A search of the Australian Department of Defence unexploded ordnance (UXO) map was undertaken on 24 January 2024. The map indicated that the Site was not located within a UXO impacted area.

3.5 Previous Environmental Investigations

As far as Epic is aware, there have been no environmental investigations completed on the Site to date.

3.6 Surrounding Business Records

A review of the current businesses registered on Google Maps was conducted for Site and the surrounding area on 24 January 2024. The businesses registered for the site include a post office, veterinary clinic, restaurant, and clothing store.

The businesses registered around the Site with potential contaminating activities include:

- Jannali Dry Cleaners is located at 554 Box Road, Jannali NSW, adjacent the western boundary of site. In conversation with the business owner, dry cleaning services are conducted onsite.
- A Metro Petroleum petrol station is located at 97-99 Wattle Road, Jannali NSW, approximately 60 m east of site.

The remaining businesses identified are not considered to have the potential to cause contamination to the Site or surrounding area.

3.7 Summary of Site History

The summary of the site history is as follows:

- The site was developed into two residential properties some time prior to 1955
- Both residential properties were demolished and replaced with the current commercial properties prior to 1972
- One petrol station located approximately 1 km northeast of Site was formerly registered on the NSW EPA CLM Register, although the notice was repealed in 2022. This site is considered to be hydraulically cross gradient to the Site
- Two properties were identified on the NSW EPA CLM Act Records of Notice register:
 - A former IGA (supermarket) approximately 43 m northwest of the Site, although it does not require regulation under the CLM Act. This is considered hydraulically downgradient to the Site
 - A former mobile petrol station approximately 135 m northeast of the Site, although it does not require regulation under the CLM Act. This property is considered hydraulically upgradient of the Site
- A dry cleaner business is located adjacent to the western Site boundary. In conversation with the business owner during the site walkover, dry cleaning services are conducted onsite. The dry cleaners is suspected to be hydraulically downgradient of the site
- A petrol station is located approximately 60 m east of site and is considered hydraulically upgradient of the Site
- The registered groundwater bore GW110316 from the WaterNSW interactive map indicated a hydrocarbon odour at 3.0 mbgl. This bore is located on the former site of the petrol station

registered on the NSW EPA Records of Notice. It is unclear if this property has since been remediated as it is currently a childcare centre. The site walkover did not identify any current monitoring wells in the visibly accessible areas around the childcare centre.

4 PRELIMINARY CONCEPTUAL SITE MODEL

4.1 Potential Receptors

To assess the risk from land contamination and suitability of the site for the proposed mixed commercial/residential development, an understanding of the receptor groups that interact with the land (along with potential exposure pathways for contamination) is required. Under the proposed land use, and during the construction of the development, the following receptor groups have been identified:

- Human:
 - Site users (current and future), including residents and onsite staff
 - Contractors and maintenance workers (current and future) that may need access to underground services
 - Construction workers are likely to come into contact with groundwater due to the excavation of a multilevel basement below the assumed standing water level
 - Workers onsite during construction, including trench workers
- Environmental:
 - The site is currently predominantly covered in hardstand, with a small area of bare soil with sparse grasses in the south of 548-550 Box Road. As such, current environmental receptors have not been considered
 - The proposed development will consist of hardstand across the site. As such, future environmental receptors have not been considered

Offsite receptors also require consideration to evaluate human health and environmental risks posed by site contamination. These include:

- Human:
 - Neighbouring residential and commercial staff
- Environmental
 - Neighbouring terrestrial ecology
 - Freshwater ecosystems of the unnamed tributary and Woronora River to the west of the Site

The following pathways were not considered:

- Groundwater use for drinking water or irrigation in the area is considered unlikely given the site is located in an urban environment with potable water mains and there are no registered bores for groundwater extraction within 1 km of the Site.
- The groundwater bores located at 121 Georges River Road northeast of site indicate that the standing water level (SWL) ranged from 0.3 – 3.5 mbgl. Given the proposed development contains a three-level basement, groundwater is likely to be encountered during construction. There is no evidence of groundwater onsite discharging to surface water.
- Collection of surface water for onsite use was not observed during the site walkover.
- It is assumed that there is no recreational use of the unnamed tributary 585 m west of Site.

4.2 Potentially Contaminating Activities

The Site inspection, historical review, and anecdotal information have indicated potentially contaminating activities that may have occurred over the Site’s history. The associated contaminants of potential concern (CoPC) and potential pathway the contaminants can contact the receptors is summarised in **Table 7**.

Table 7. Potentially contaminating activities

Potentially contaminating activities	Impacted Media	Mechanism	Associated CoPC	Pathway to Receptor
Improperly disposed construction waste from buildings	<ul style="list-style-type: none"> ● Soil 	Placement	<ul style="list-style-type: none"> ● ACM ● Heavy metals 	

Potentially contaminating activities	Impacted Media	Mechanism	Associated CoPC	Pathway to Receptor
constructed prior to 2003				<ul style="list-style-type: none"> • Dermal contact / incidental ingestion with impacted media • Inhalation • Inhalation of dust/vapours associated with impacted soils or groundwater • Ingestion/ dermal contact • Leaching of contaminants to groundwater • Migration of contaminants in groundwater
Importation of fill material of an unknown origin	<ul style="list-style-type: none"> • Soil • Groundwater • Surface water 	Placement	<ul style="list-style-type: none"> • TRH/BTEX • PAH • OCP/OPP • PCB • Heavy metals • ACM 	
Nearby former / current petrol station	<ul style="list-style-type: none"> • Soil • Groundwater • Vapour 	Cross gradient	<ul style="list-style-type: none"> • TRH/BTEX • PAH • Heavy metals 	

Note: TRH: total recoverable hydrocarbons; BTEX: benzene, toluene, ethylbenzene, xylene; PAH: polycyclic aromatic hydrocarbons; OCP/OPP: organochlorine and organophosphorus pesticides; PCB: polychlorinated biphenyls; heavy metals: arsenic, cadmium, chromium, copper, lead, mercury, nickel, and zinc; ACM: asbestos containing materials

4.3 Preliminary Conceptual Site Model

A summary of the preliminary Conceptual Site Model (CSM) is provided in **Table 8**.

Table 8. Preliminary Conceptual Site Model

Relevant Exposure Pathways	Receptors			
	Onsite users (current and future)	Onsite construction / maintenance workers (current and future)	Neighbouring site users	Other
Soil/groundwater ingestion / dermal contact / dust	✓	✓	--	Terrestrial ecology X
Indoor inhalation of vapours derived from soil	✓	--	--	--
Outdoor inhalation of vapours derived from soil	X ^(a)	X ^(a)	X ^(a)	Trench workers (including utility workers) ✓
Indoor inhalation of vapours derived from groundwater	✓	✓	✓	--
Outdoor inhalation of vapours derived from groundwater	X ^(a)	X ^(a)	X ^(a)	Trench workers (including utility workers) ✓
Soils leaching to groundwater	--	--	--	Groundwater Impact ✓
Plant uptake / use of impacted groundwater	--	--	--	Terrestrial / Aquatic ecosystem X
Groundwater discharge to surface water	--	--	Recreational users of tributary / Woronora River X	Aquatic ecosystem ✓

Relevant Exposure Pathways	Receptors			
	Onsite users (current and future)	Onsite construction / maintenance workers (current and future)	Neighbouring site users	Other
Ingestion/dermal contact of impacted surface waters	X	X	Recreational users of tributary / Woronora River X	Aquatic / terrestrial ecosystem X

Note: ✓ - exposure pathway potentially complete and requires investigation
 X - exposure pathway not considered to be complete
 -- - Not relevant
 (a) - Outdoor air dilution

5 CONCLUSION AND RECOMMENDATIONS

The PSI identified the following:

- The Site was developed into two residential properties some time prior to 1955
- The site was redeveloped from residential housing to commercial lots some time prior to 1972 and has remained relatively unchanged
- The Site has not been notified under the CLM Act. Two sites within 500 m have been notified to the NSW EPA, but regulation was not required under the CLM Act. These were a former IGA (supermarket) 43 m northwest (downgradient of the Site), and a former mobile service station 135 m northeast of site (upgradient of the Site).
- The Site, or any properties within 500 m, do not hold any current licences, clean up, or penalty notices
- A dry cleaner is currently operating west of the Site (downgradient), and a Metro Petroleum petrol station 60 m east of site (upgradient)
- Evidence of cut and fill activities were observed across the Site
- Building rubble was observed within surface fill in the southern portion of 548-550 Box Road.

Due to past onsite activities (improperly disposed building waste/rubble, uncontrolled fill), and surrounding activities (upgradient current and former petrol stations), contamination may be present onsite at levels above health and environmental guidelines and require further investigation. Should the planning proposal be successful, it is recommended that a Detailed Site Investigation (DSI) is undertaken at the site and should include:

- Soil sampling for appropriate COPC
- Groundwater monitoring well installation and sampling
- Soil vapour assessment

Given that reduction of the groundwater table will likely be required for the basement development, a groundwater assessment will also be required to inform a Groundwater Management Plan.

6 REFERENCES

NEPC. (2013). *National Environment Protection (Assessment of Site Contamination) Measure 1999. Amendment Measure 2013 (No. 1) National Environment Protection Council.*

NSW EPA. (2017). *Contaminated Land Management: Guidelines for the NSW Site Auditor Scheme (3rd Edition).*

NSW EPA. (2020). *Consultants Reporting on Contaminated Land. Contaminated Land Guidelines.*

NSW Government. (1997). *Protection of the Environment Operations Act 1997 no. 156.*

NSW Government (2022). *State Environmental Planning Policy (Resilience and Hazards).*

7 ACRONYMS

ACM	Asbestos Containing Material
AHD	Australian Height Datum
ASS	Acid Sulfate Soil
B(a)P	Benzo(a)pyrene
BGL	Below Ground Level
BTEXN	Benzene, toluene, ethylbenzene, xylenes, naphthalene
CLM Act	Contaminated Land Management Act 1997
COC	Chain of Custody
COPC	Contaminants of Potential Concern
CSM	Conceptual Site Model
DSI	Detailed Site Investigation
EPA	Environmental Protection Authority
GDE	Groundwater Dependent Ecosystem
Ha	Hectares
m	Meters
mAHD	Meters Australian Height Datum
mBGL	Meters Below Ground Level
NEPM	National Environment Protection Measure
OCP	Organochlorine Pesticides
OPP	Organophosphorus Pesticides
PAH	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
PFAS	Per- and polyfluoroalkyl Substances
PFOS	Perfluorooctanesulfonic Acid
POEO	Protection of the Environment Operations Act 1997
PSI	Preliminary Site Investigation
SVOCs	Semi-Volatile Organic Compounds
TRH	Total Recoverable Hydrocarbons
UCL	Upper Confidence Limit
VOCs	Volatile Organic Compounds

8 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared the following report for the exclusive benefit of TCQ Construction (Client) and for the singular purpose of a Preliminary Site Investigation[Purpose] at 544-550 Box Road, Jannali NSW 2226. All interpretations, finding or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

The following report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

- a. released to any other person, whether in whole or in part
- b. used or relied upon by any other party
- c. filed with any Governmental agency or other person or quoted or referred to in any public document

This report has been prepared based on information provided by the Client and other parties. In preparing this report Epic:

- a. presumed the accuracy of the information provided by the Client (including its representatives)
- b. has not undertaken any verification to the accuracy or reliability included in this information (with the exception where such verification formed part of the scope of works)
- c. has not undertaken any independent investigations or enquiries outside the scope of works with respect to information provided for this report
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In recognition of the limited use of this report, the Client agrees that, to the maximum extent permitted by law, Epic (including its representatives and related entities) is not liable for any losses, claims, costs, expenses, damages (whether pursuant to statute, in contract or tort, for negligence or otherwise) suffered or incurred by the Client or any third party as a result of the information, findings, opinions, estimates, recommendations and conclusions provided in this report.

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- a. for the use or reliance of this report for any purpose other than that for which it has been prepared
- b. for any use or reliance upon this report by any person other than the Client
- c. where another person has a different interpretation of the same information contained in the report
- d. for any consequential or indirect losses, or for loss of profit or goodwill or any loss or corruption of any data, database or software

If a section of this disclaimer is determined by any court or other competent authority to be unlawful and/or unenforceable, the other sections of this disclaimer continue in effect. Where further information becomes available, or additional assumptions need to be made, Epic reserves its right to amend this report, but is not obliged to do so.

FIGURES

Figure F1. Site Locality and Layout



Filepath: ~SCL\230093.01 TCQ Jannali PSI\Workspaces\1 - Preliminary Site Investigation\Figure F1 Site location.ggz

Legend

- Site boundary
- Lot boundary

TCQ Construction
544-550 Box Road Jannali
Preliminary Site Investigation

Figure F1
Site location

PLATES



Plate P1. Front of 544-546 Box Road, facing west, potential ACM observed in eaves



Plate P2. Lower level of 544-546 Box Road, facing north



Plate P3. Bitumen car park in the south of 544-546 Box Road



Plate P4. Evidence of cut/filling activities in the southern portion of 544-546 Box Road



Plate P5. Fragment of suspected ACM in road verge adjacent 544-546 Box Road



Plate P6. Front of 548-550 Box Road, facing south



Plate P7. Suspected ACM and peeling paint in eaves of 548-550 Box Road



Plate P8. Southern car park of 548-550 Box Road



Plate P9. Building rubble observed within the southern portion of 548-550 Box Road

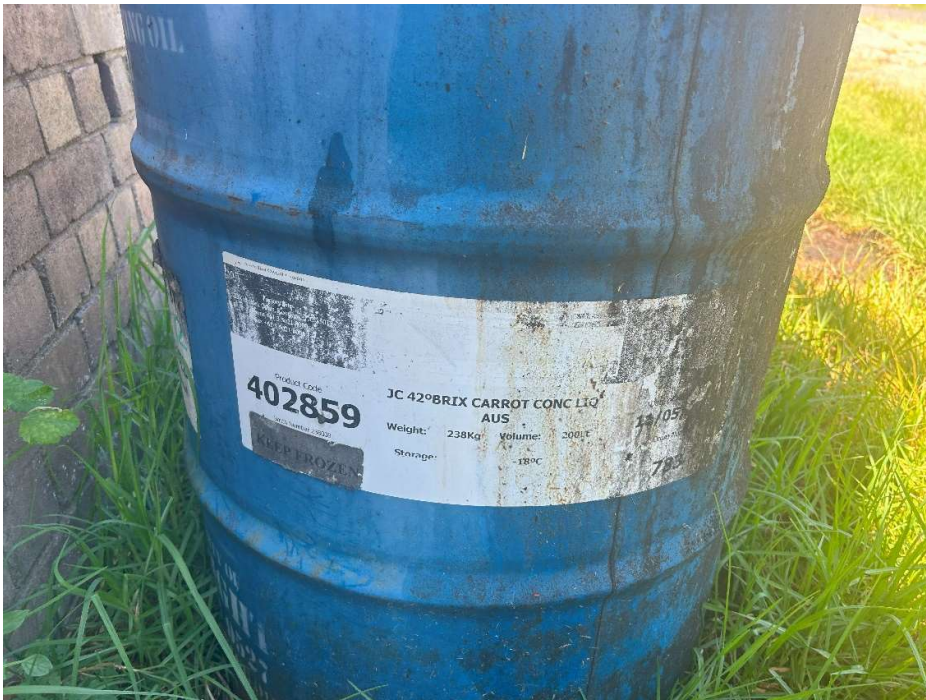


Plate P10. Chemical storage drum in the southern portion of 548-550 Box Road



Plate P11. Service Station east of Site (upgradient)



Plate P12. Dry Cleaners located west of Site (downgradient)



Plate P13. Potential ACM fibre cement sheeting in the southern portion of 548-550 Box Road



Plate P14. Former petrol station east of site, now a childcare centre



Plate P15. Transformer adjacent to the Site



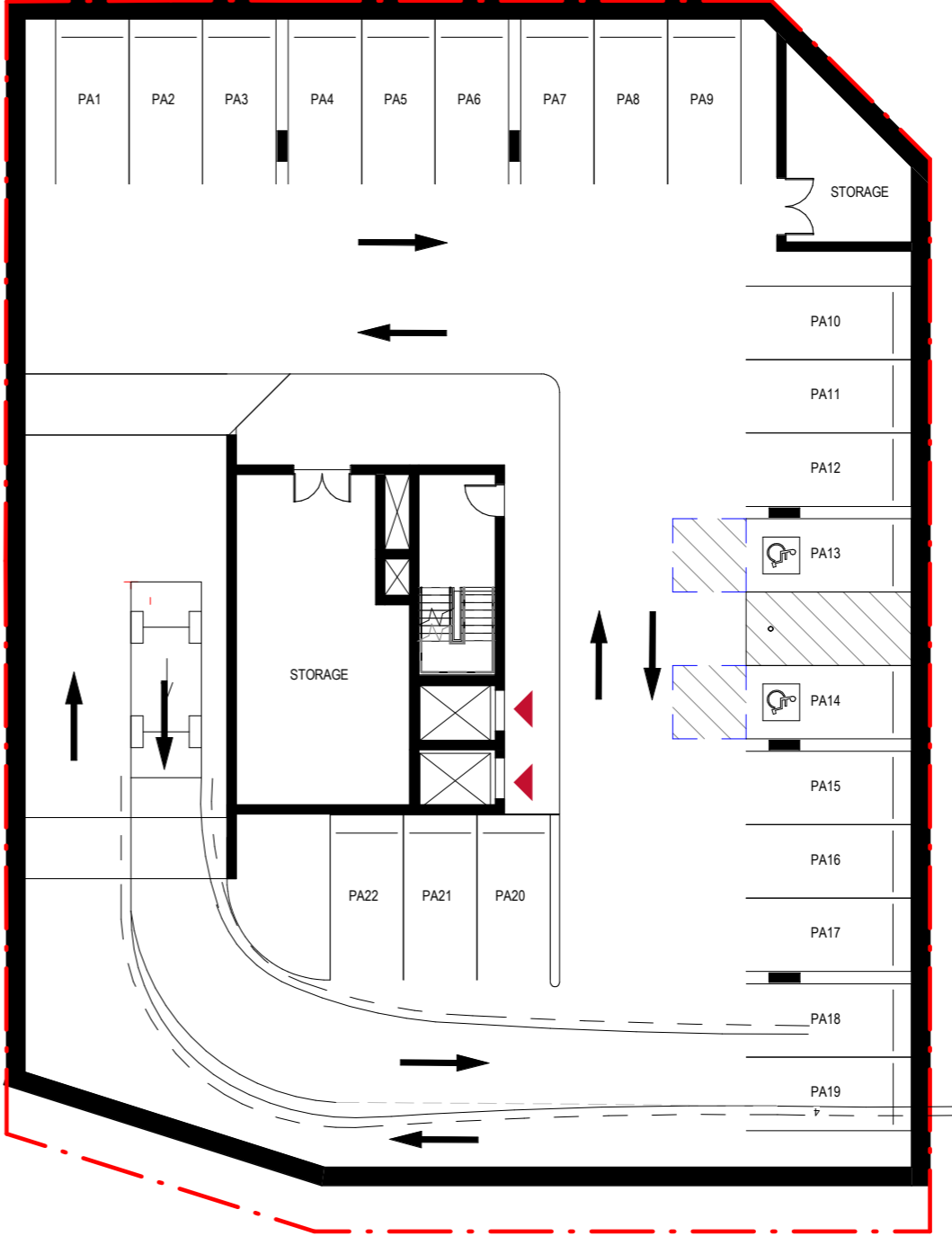
Plate P16. Small electrical box adjacent 544-546 Box Road

APPENDIX A PROPOSED DEVELOPMENT PLANS



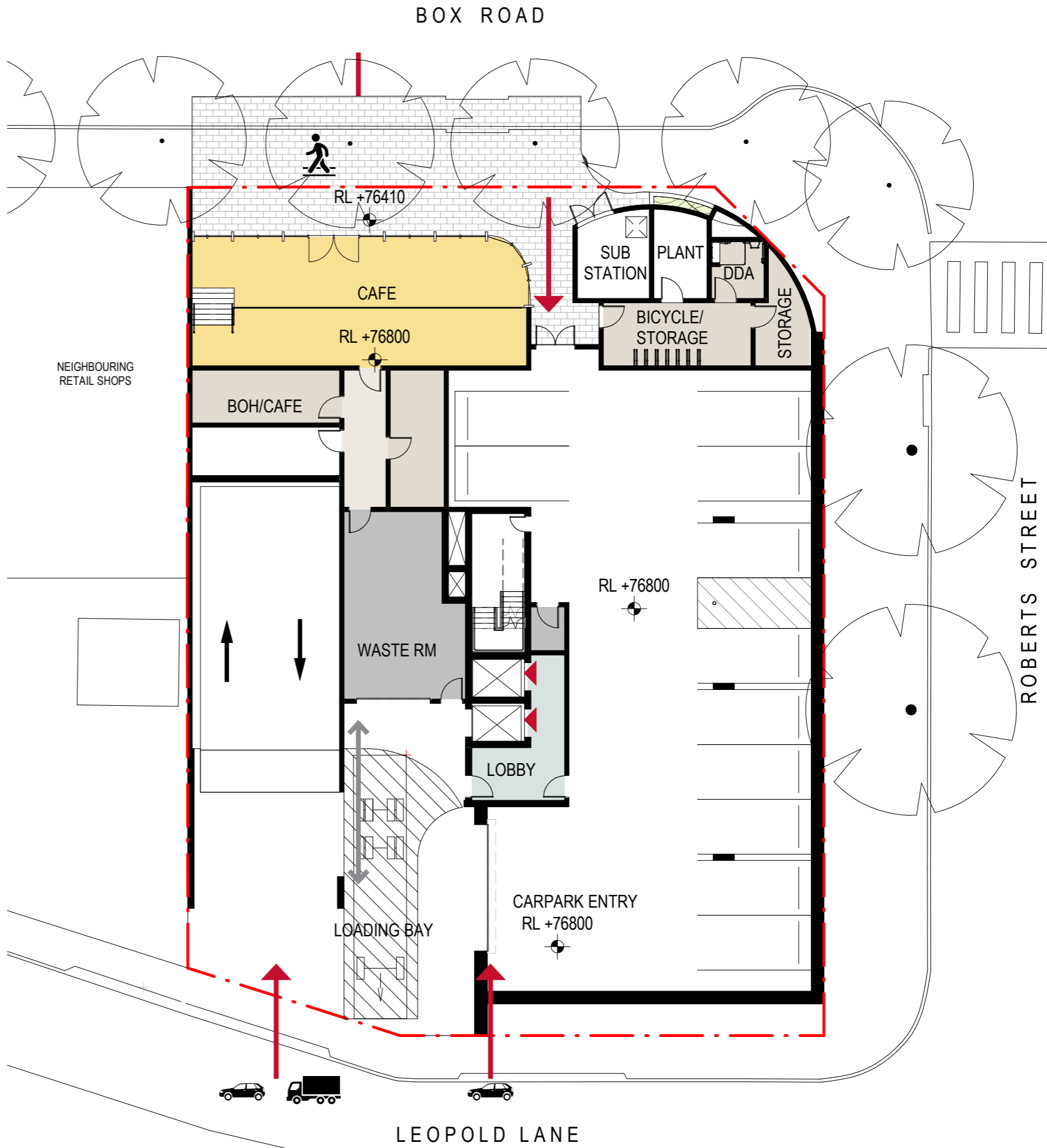
DEVELOPMENT STUDY

Basement 01-03 (Typical)



DEVELOPMENT STUDY

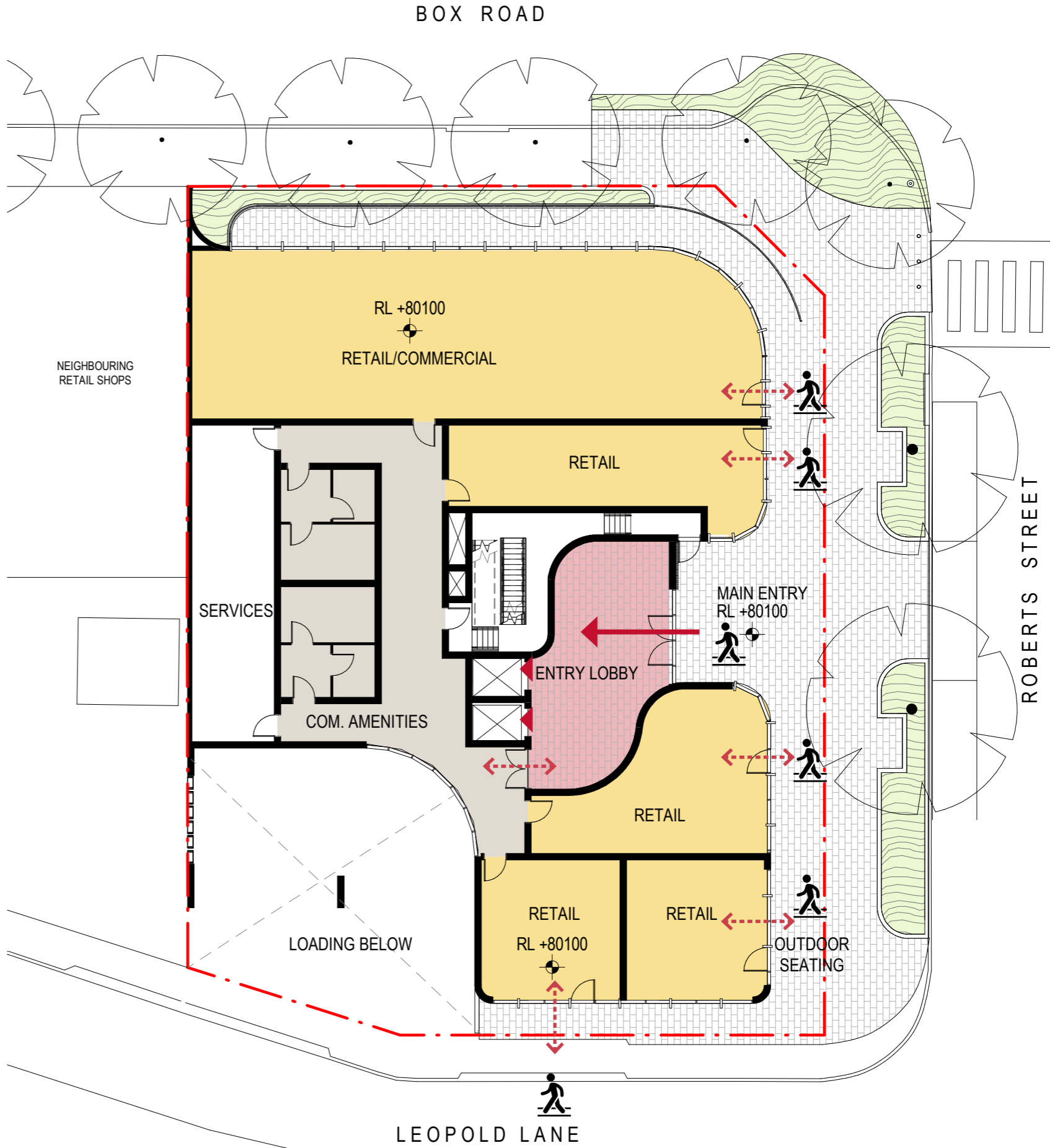
Lower Ground Floor



ALL AREAS SHOWN ARE PRELIMINARY AND SUBJECT TO FURTHER DETAILED DESIGN AND RELEVANT TOWN PLANNING AND BUILDING APPROVALS.

DEVELOPMENT STUDY

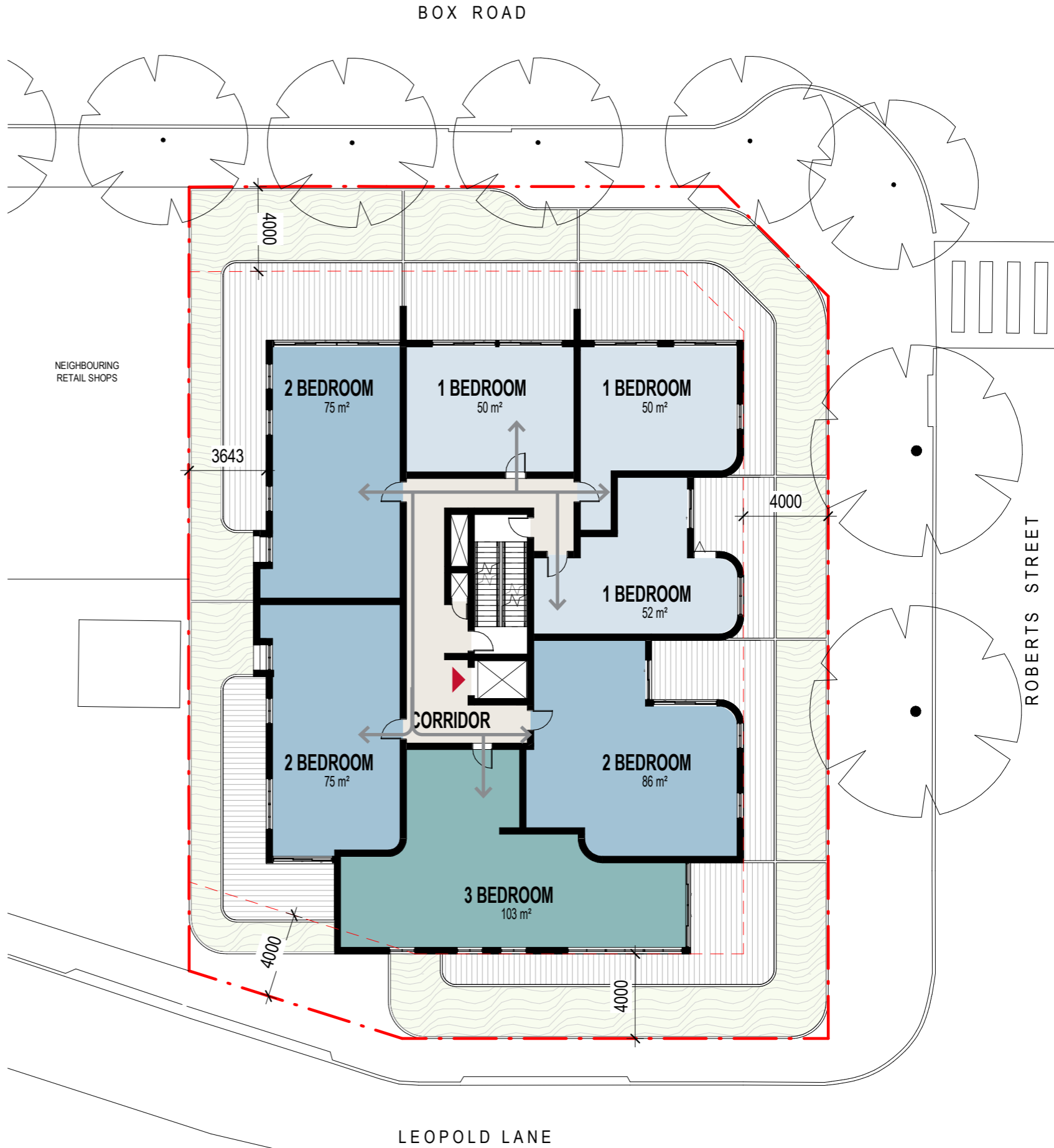
Ground Floor



ALL AREAS SHOWN ARE PRELIMINARY AND SUBJECT TO FURTHER DETAILED DESIGN AND RELEVANT TOWN PLANNING AND BUILDING APPROVALS.

DEVELOPMENT STUDY

Level 01

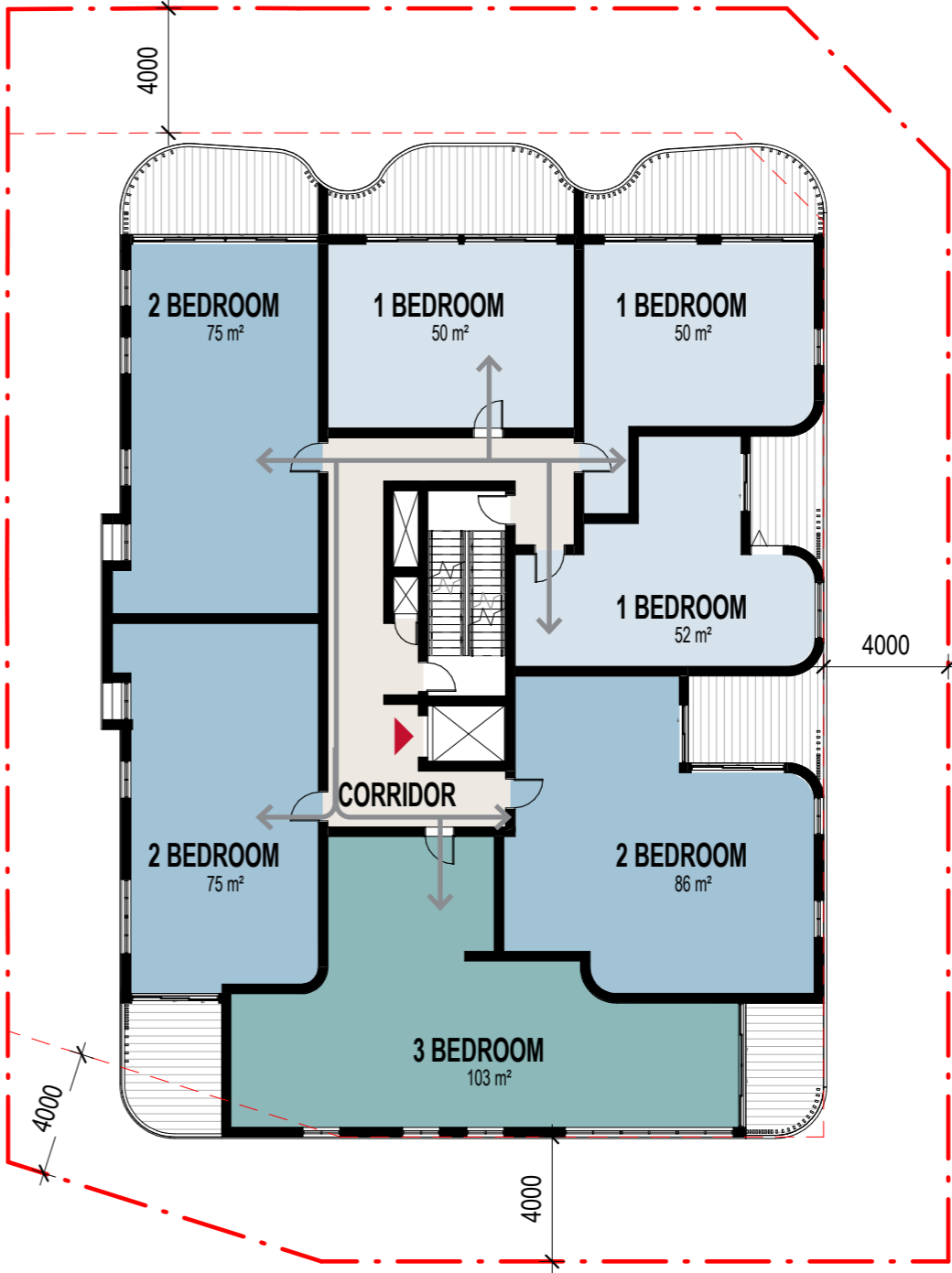


ALL AREAS SHOWN ARE PRELIMINARY AND SUBJECT TO FURTHER DETAILED DESIGN AND RELEVANT TOWN PLANNING AND BUILDING APPROVALS.

DEVELOPMENT STUDY

Level 02 - 06

Typical Apartment Floor

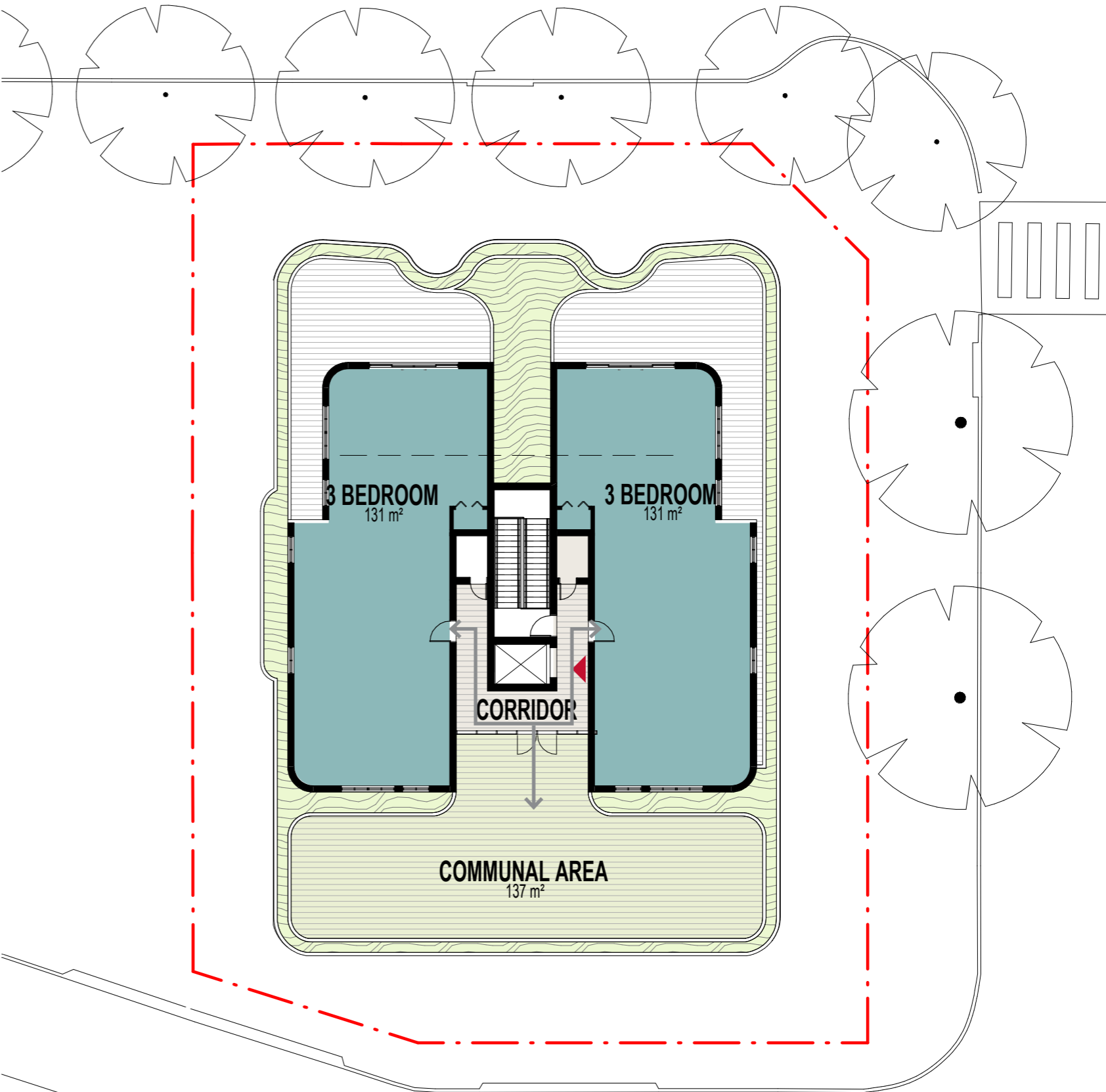


ALL AREAS SHOWN ARE PRELIMINARY AND SUBJECT TO FURTHER DETAILED DESIGN AND RELEVANT TOWN PLANNING AND BUILDING APPROVALS.



DEVELOPMENT STUDY

Level 07 Apartments & Communal Roof Terrace

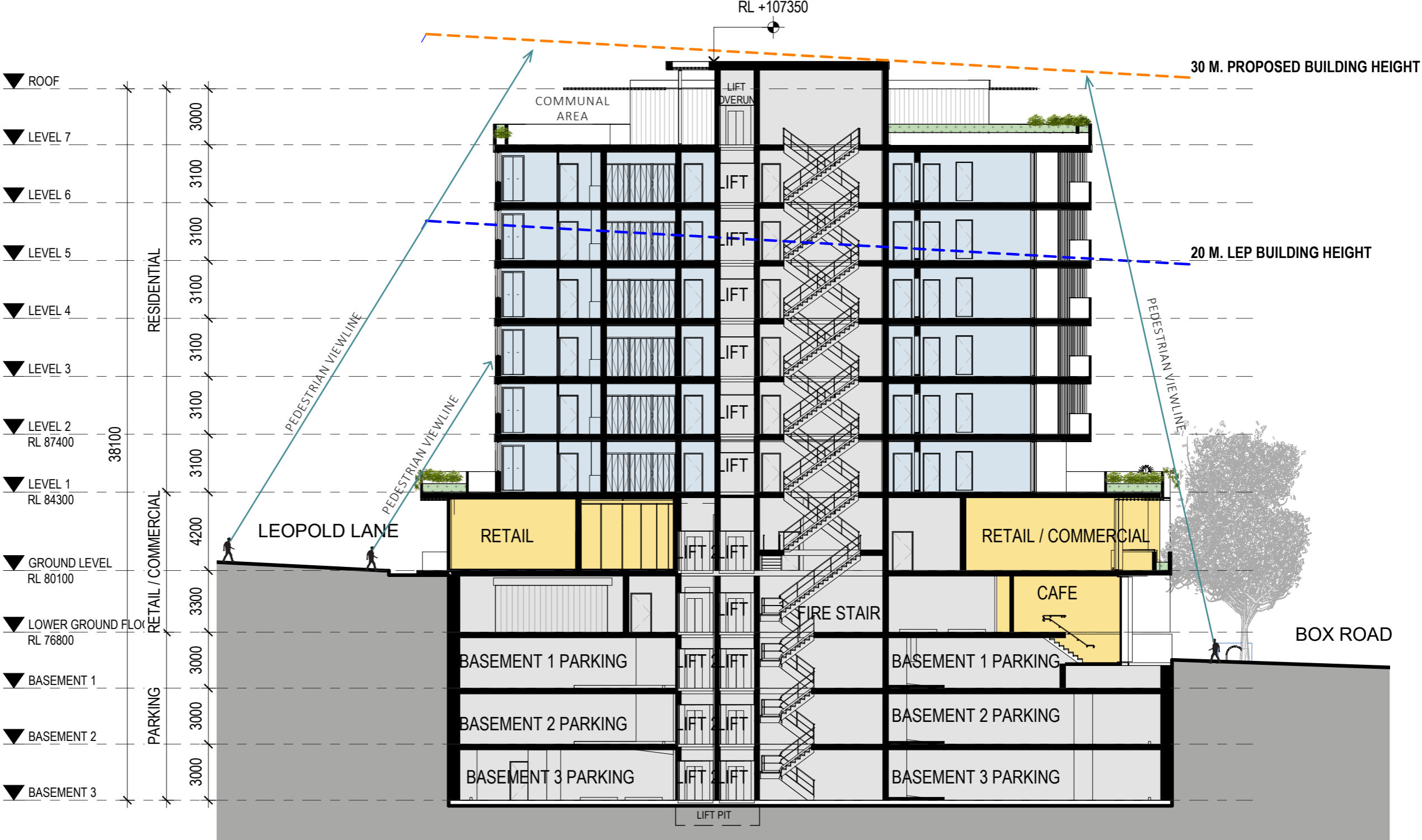


ALL AREAS SHOWN ARE PRELIMINARY AND SUBJECT TO FURTHER DETAILED DESIGN AND RELEVANT TOWN PLANNING AND BUILDING APPROVALS.



DEVELOPMENT STUDY

Section Diagram



DEVELOPMENT STUDY

Area Schedule

544-550 Box Road, Jannali				
Development Summary - Proposed				
Level - Use	GFA (m2)	No. Apts	No. Car	FFL to FFL (m)
Basement 03	-	-	26	3
Basement 02	-	-	22	3
Basement 01	-	-	16	3
Lower Ground Floor	237	-	11	3.3
Ground Floor	697	-	-	4.2
Level 01 - Apartments	545	7	-	3.1
Level 02 - Apartments	545	7	-	3.1
Level 03 - Apartments	545	7	-	3.1
Level 04 - Apartments	545	7	-	3.1
Level 05 - Apartments	545	7	-	3.1
Level 06 - Apartments	545	7	-	3.1
Rooftop Level	292	2	-	3.0
Subtotals	4496	44	75	38.1

Floor Space Ratio Calculations	
Site Area	1184
Total GFA (Measured to NSW Planning Scheme)	4496
Max GFA Available at ratio 2:1	2368
Difference (Actual GFA minus available)	2128
Actual FSR	3.8:1

DEVELOPMENT STUDY

Apartment Mix & Cars

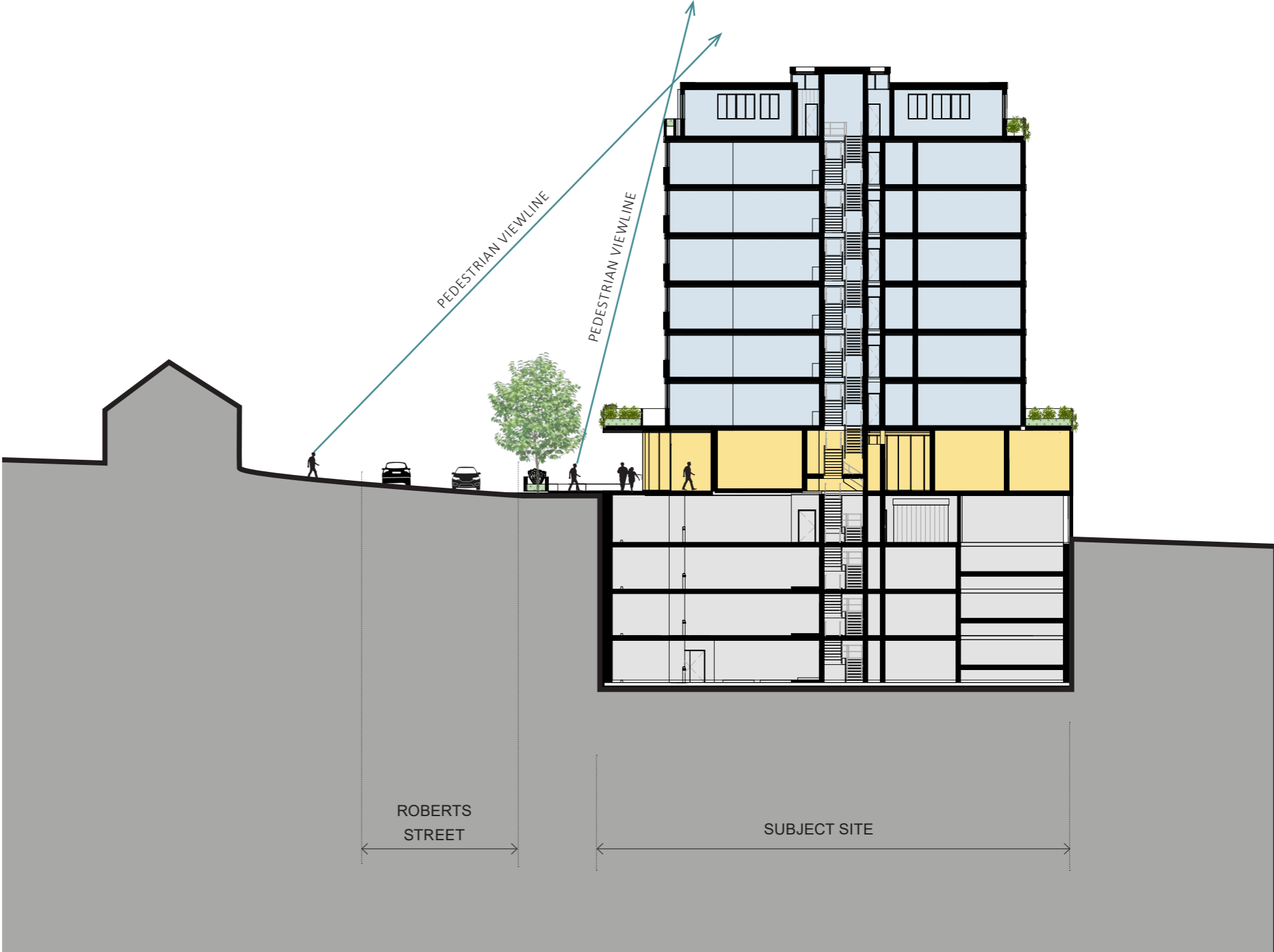
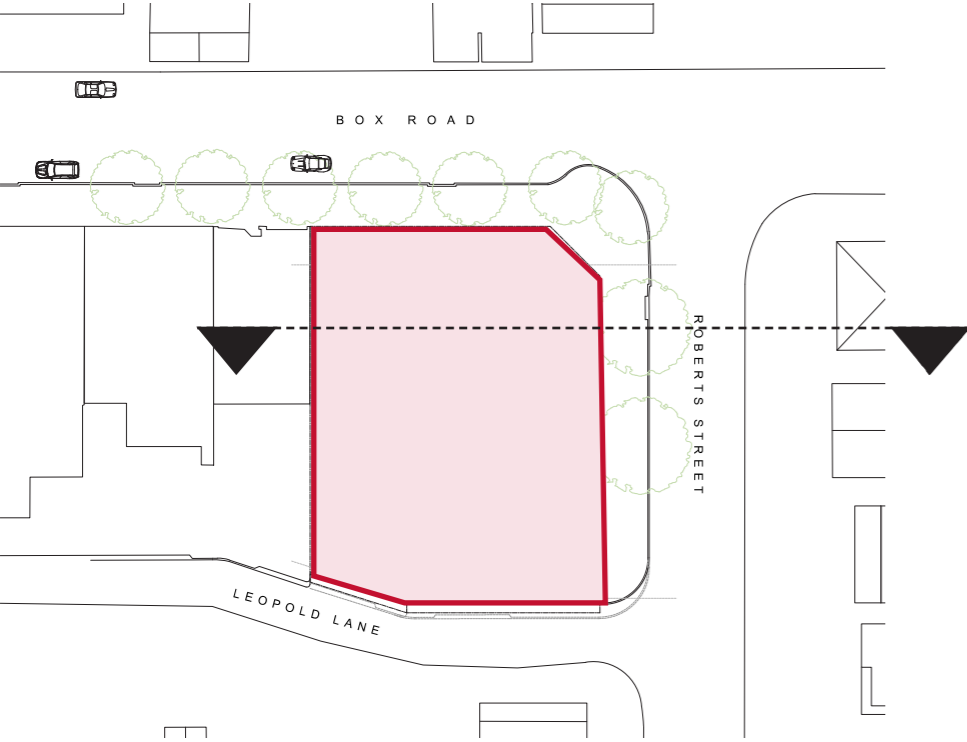
Apartment Mix and Care

Level - Use	1 Bed	2 Bed	3 Bed	Total
Basement 03	-	-	-	-
Basement 02	-	-	-	-
Basement 01	-	-	-	-
Lower Ground Floor	-	-	-	-
Ground Floor	-	-	-	-
Level 01 - Apartments	3	3	1	7
Level 02 - Apartments	3	3	1	7
Level 03 - Apartments	3	3	1	7
Level 04 - Apartments	3	3	1	7
Level 05 - Apartments	3	3	1	7
Level 06 - Apartments	3	3	1	7
Rooftop Level	0	0	2	2
Subtotals	18	18	8	44
Percentage	41%	41%	18%	100%

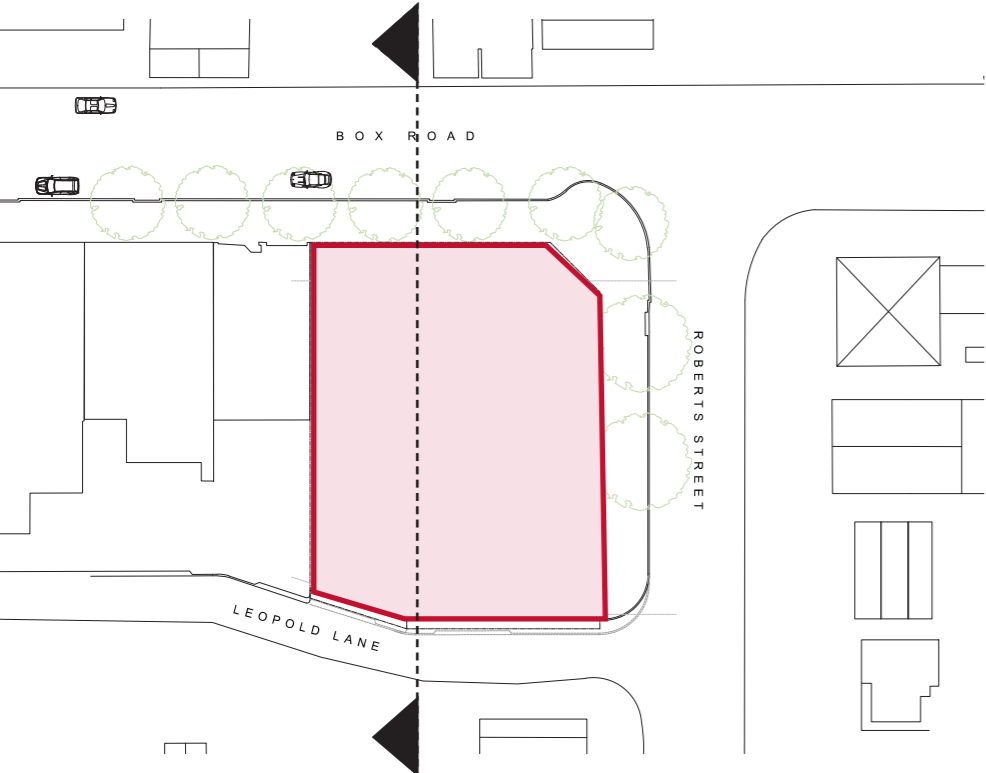
Commercial and Retail (Tenancy area only, excluding amenities, corridor and back of house areas)

	GFA (m ²)
Lower Ground Floor	83
Ground Floor	487
Total GFA	570

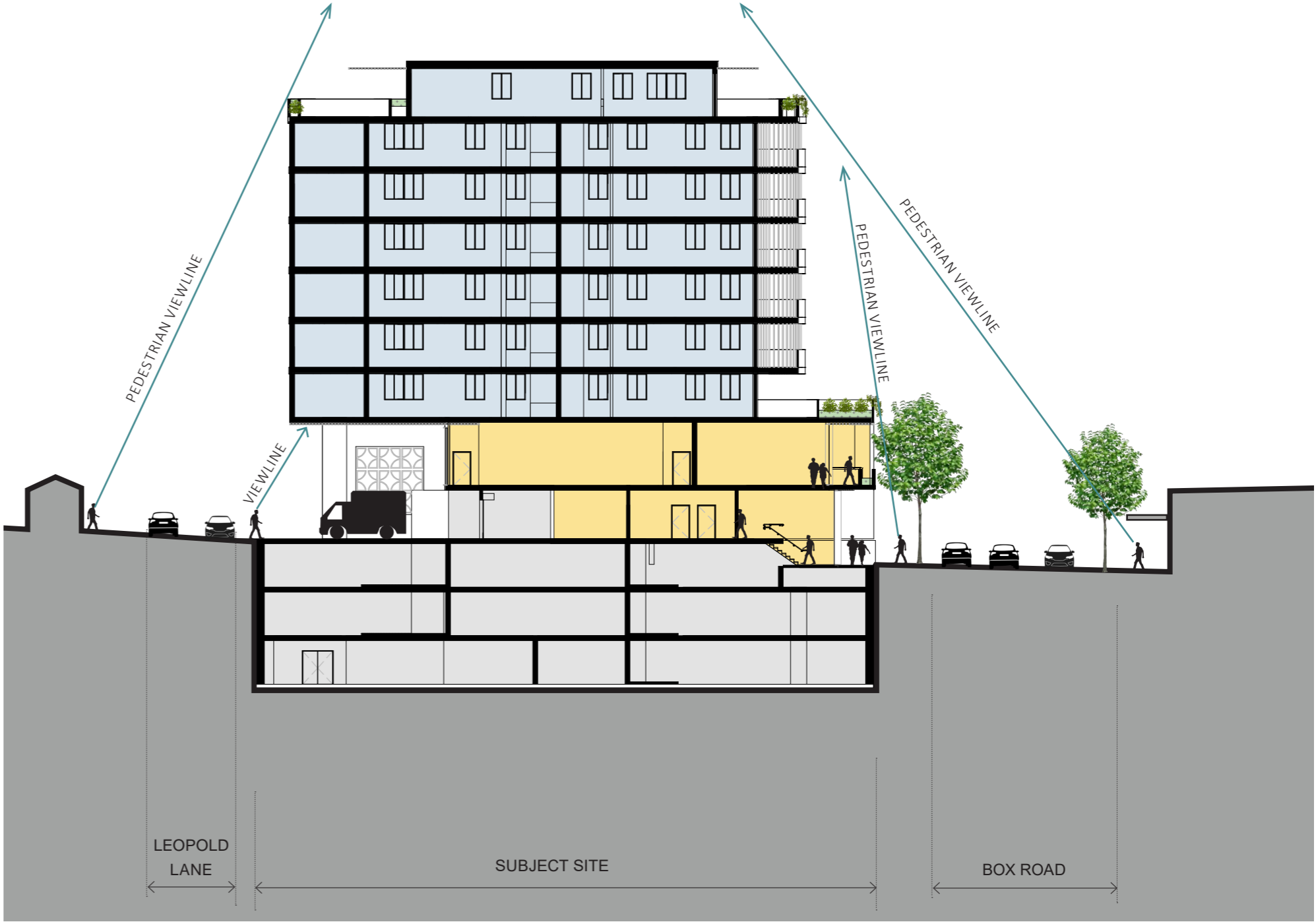
STREET SECTIONS



STREET SECTIONS



KEY PLAN



APPENDIX B HISTORICAL LAND TITLES



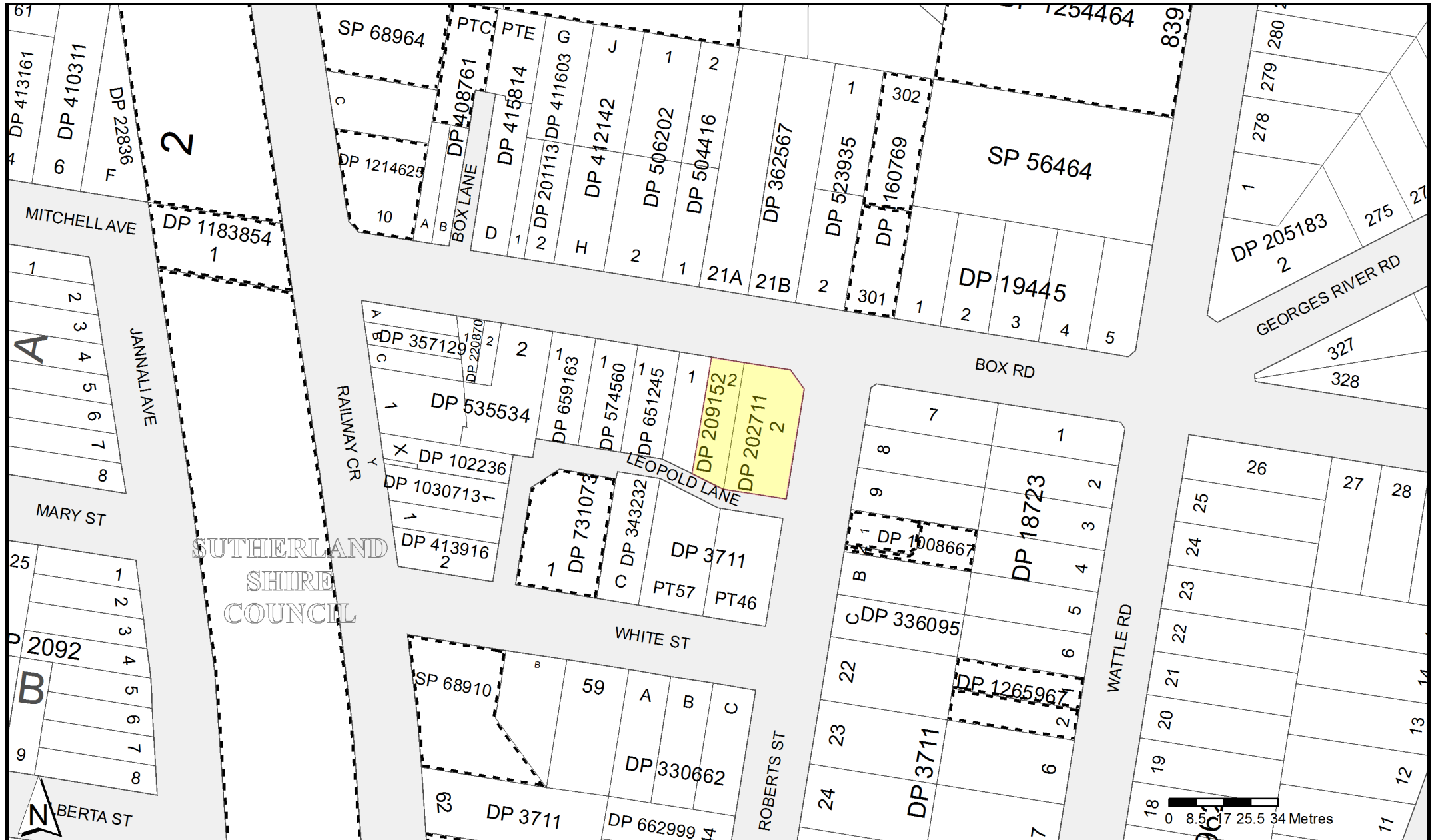
Cadastral Records Enquiry Report : Lot 2 DP 209152

Locality : JANNALI

Parish : SUTHERLAND

LGA : SUTHERLAND SHIRE

County : CUMBERLAND



Form 1 OFFICE USE ONLY

<p>PLAN OF</p> <p><i>subdivision of land in C's. T. Vol. 7947 fols. 5 and 6 being part of Lot 48, Sec. H, DP 3711</i></p> <p>Men. Shire/City of Sutherland</p> <p>Town or Locality of Jannali</p> <p>Parish of Sutherland</p> <p>County of Cumberland</p> <p style="text-align: right;">Scale, 30 Feet to an inch</p>	<p>DP209152 s</p> <p>Registered: 298/61 of 30/11/61</p> <p>C.A.: 298/61 of 30/11/61</p> <p>Title System: <i>Terrans</i></p> <p>Purpose: <i>Subdivision</i></p> <p>Ref. Map: <i>Sutherland Sh. 12</i></p> <p>Last Plan: <i>DP 3711</i></p>
--	---

BOX **RP.**

14 per. 15 1/4 per.

20 FEET WIDE

LANE WIDE

RAILWAY CRESCENT ROBERTS ST

Signatures, Seals and Statements of Dedications and Easements.

I, Anthony John Quinn
 of Bendal Junction, N.S.W.
 a Surveyor registered under the Surveyors Act, 1929, as amended,
 hereby certify that the survey represented in this plan is accurate and has been made * (1) by me ~~personally~~
 immediate assistance in accordance with the Survey Practice Regulations, 1933 and was completed on 1 22nd 30/11/61.

Signature: *A. J. Quinn*
 Surveyor registered under Surveyors Act, 1929 as amended.
 Datum line of Azimuth AB

Approved by Council, I hereby certify that the requirements of the Local Government Act, 1919 (other than the requirements for registration of plans), have been complied with by the applicant in relation to the proposed subdivision and/or new roads set out herein.

Subdivision No. **298/61** Date **30/11/61**

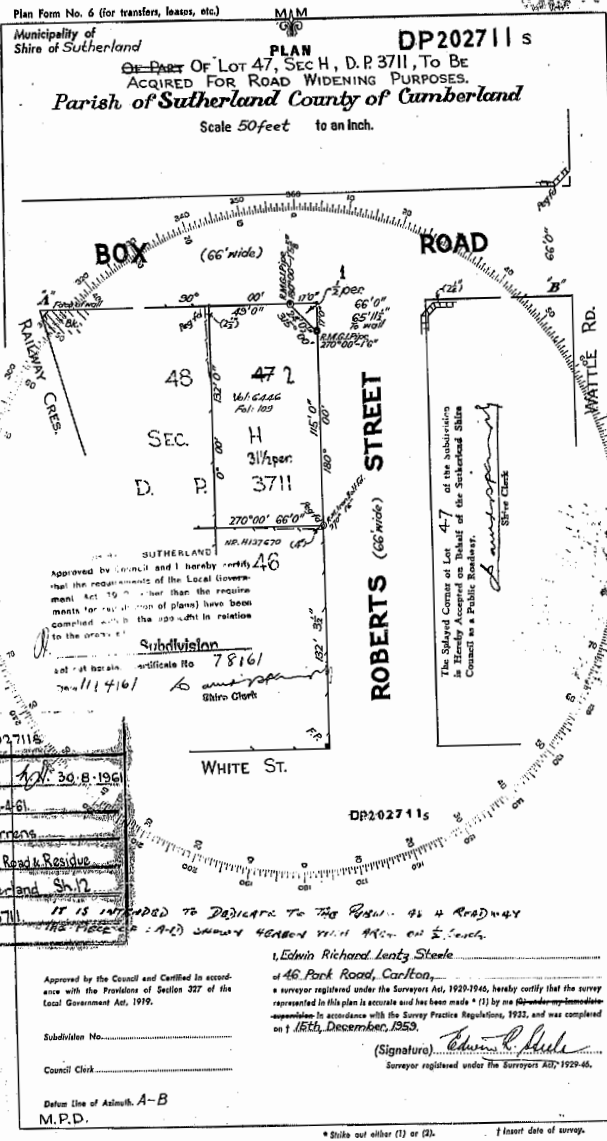
Council Clerk:

* Strike out either (1) or (2). † Insert date of survey.

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 209152	
FEET INCHES	METRES
- 0 5/8	0.016
- 1	0.025
- 1 1/4	0.032
- 1 3/8	0.035
- 1 3/4	0.044
- 2 1/4	0.057
- 2 1/2	0.064
- 3 1/4	0.083
- 6	0.152
1 5 5/8	0.448
1 6 1/4	0.464
3 1 1/4	0.946
10 8 1/4	3.250
11 6	3.505
17 -	5.182
20 -	6.096
51 4 1/2	9.563
33 -	10.058
34 7 1/2	10.554
49 -	14.935
60 1	18.313
61 5	18.720
66 -	20.117
88 -	26.822
112 -	34.138
132 -	40.234

AC RD P	SQ M
- - 14	354.1
- - 15 1/4	385.7

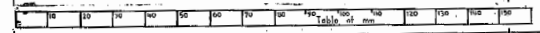


D P 202711s	
Registered	1st 30.8.1966
C.A.	78161 of 11-461
Title System	Torrens
Purpose	Proposed Road Reserve
Shire	Sutherland Shire
Lot	D.P. 3711

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 202711		
FEET INCHES		METRES
- 2 1/8		0.057
- 2 1/2		0.064
- 4		0.102
1 6		0.457
17 -		5.182
24 0 1/2		7.328
49 -		14.935
63 11 1/2		20.104
66 -		20.117
118 -		35.052
132 -		40.234
132 3 1/2		40.323
AC RD P	SQ M	
- - 1/2		12.6
- - 31 1/8		790.4
- - 31 1/2		796.7

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 21st day of February, 1977





09148031

M
NEW SOUTH WALES
(For Grant and title reference
prior to first edition see
Deposited Plan.)

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



Vol. 9148 Fol. 31

1st Edition issued 23-3-1962

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 **CANCELLED** Schedule.

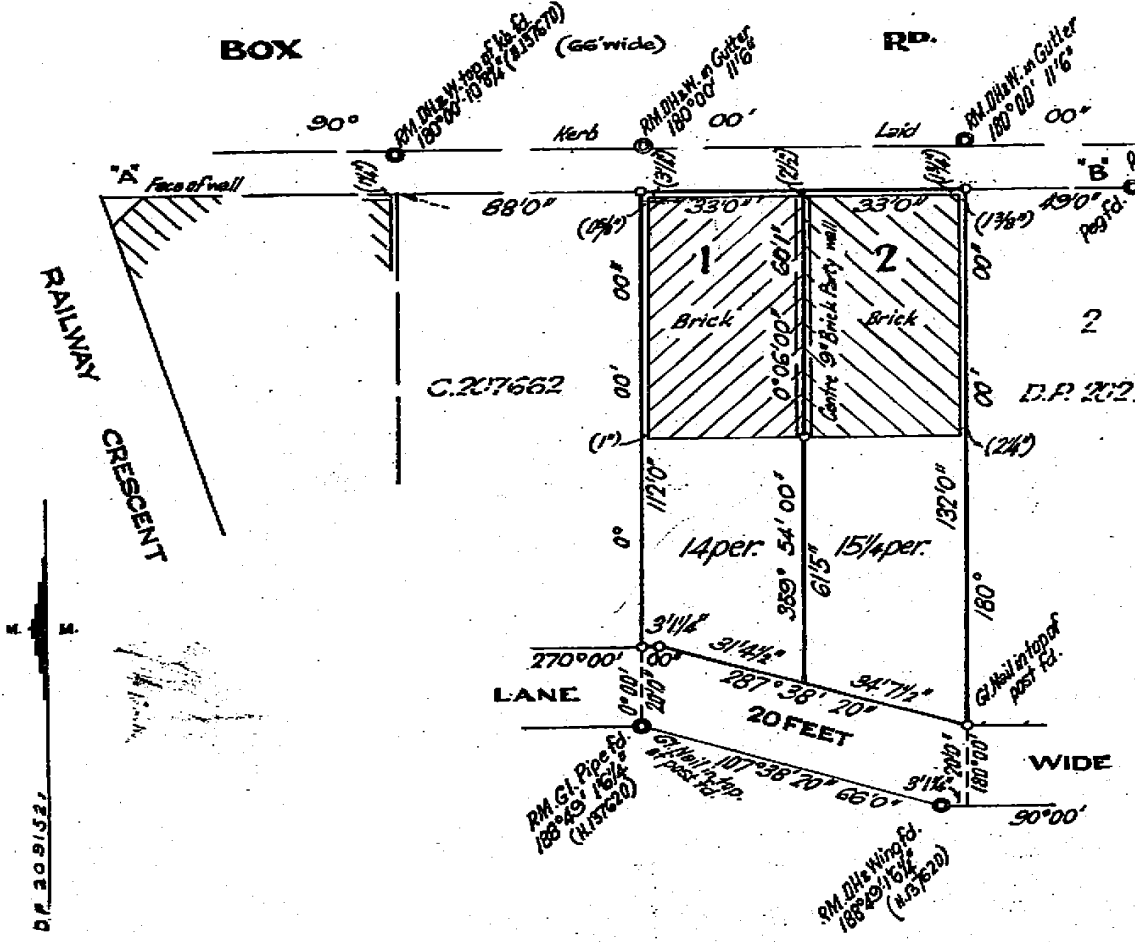
Witness

A Tenney

Registrar General
SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot 2 in Deposited Plan 209152s at Jannall in the Shire of Sutherland Parish of Sutherland and County of Cumberland.

FIRST SCHEDULE (Continued overleaf)

~~EDMONA INVESTMENTS PTY. LIMITED and PEAK SECURITIES PTY. LIMITED, as Tenants in Common in equal shares.~~

Jawatson
Registrar General.

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant(s) referred to in the said Deposited Plan.

Jawatson
Registrar General.

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

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

9148 Fol. 31

(Page 1) Vol.

GRY

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
Colman Investments Pty. Limited	Transfer	J207147	1.11.1962	4.12.1962	Jacobson
Michael Giverton of Neutral Bay, Solicitor and Joan Barrington Giverton, wife of John Giverton of Vaucluse Company Directors as joint tenants	Transfer	J536021	11.12.1963	7.1.1964	Jacobson
Joan Barrington Giverton wife of John Giverton of Vaucluse, Company Director	Transfer	K47603	12.7.1965	19.7.1965	Jacobson
<p>CANCELLED</p> <p>SEE AUTO FOLIO</p>					

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SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION
	NUMBER	DATE				
Transfer	H983840 P	26-1-1962	<p>Particulars (Sec. 13(1), Conveyancing Act, 1919)</p> <p>affecting party wall shown on the common boundary of Lots 1 and 2 in the plan known DP 20152.</p>	5-7-1962	Jacobson	
Lease	H985136	25-12-1961	<p>lock up shop known as No 550 Box Road, Jamral to Bill Jacobson Pty. Limited</p>	5-7-1962	Jacobson	Expired 20-12-1966
Lease	H985137	25-12-1961	<p>lock up shop known as No 550 Box Road, Jamral to Reginald Jacobson, Thomas Crombie, Leah Mayne</p>	5-7-1962	Jacobson	Expired 20-12-1966
Mortgage	J207148	13-11-1962	<p>to Eugene Gabriel Daygh, Margherita Alice Daygh and Maria Malouf as tenants in common</p>	4-12-1962	Jacobson	Discharged J536020
Mortgage	J536022	10-12-1963	to The Bank of Adelaide Savings Bank Limited	7-1-1964	Jacobson	Discharged K47602
Mortgage	K47604	12-7-1965	to The Bank of Adelaide Savings Bank Limited	19-2-1965	Jacobson	Discharged L166817
Lease	K537062	16-9-1966	<p>of lock up shop known as No 550 Box Road, Jamral to Ronald John Horsley of Oyster Bay Fishmonger and Marie Lucy Horsley his wife (with consent of mortgages)</p>	20-12-1966	Jacobson	Re-issued K620633
Lease	K620634	24-11-1967	<p>of lock up shop known as No 550 Box Road, Jamral to Ronald John Horsley and Marie Lucy Horsley his wife (with consent of mortgages)</p>	11-7-1967	Jacobson	Expired 20-3-1970
Lease	K896511	24-10-1967	<p>To Leo Joseph Ryan of Cronulla, gentleman and Josephine Mary Ryan his wife of lock up shop known as No 550 Box Rd, Jamral</p>	20-12-1967	Jacobson	Expired 2-12-1970

31
 Vol. 9148 Fol. 31
 Req: R233424 / Doc: CT 09148-031 CT / Rev: 07-Feb-2011 / NSW LRS / Pgs: ALL / Pgt: 29-Jan-2024 08:26 / Seq: 2 of 4
 Office of the Registrar-General / Src: InfoTrack / Ref: 544-550 Box Road
 Page 2 of 2 pages

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
Mortgage	L166815	27-8-1968	to The Bank of Adelaide Savings Bank Limited	23-9-1968	Jackson	Discharged	M544955 Jackson
Lease	L133502	10-11-1969	of premises being lock-up shop known as No. 548 Box Road, Jannali to Ronald John Howley of Outer Bay Fishmanga and Marie May Howley wife (with consent of mortgagee)	20-3-1970	Jackson	Expired	9-6-1976 Jackson 5508
Lease	M83236	20-10-1970	of premises being lock-up shop known as No. 550 Box Road, Jannali to Eric Butcher Pty Limited	8-12-1972	Jackson	Expired	5-4-1979
Caveat	N278270	25-5-1973	of part being lock-up shop known as No. 548 Box Road, Jannali	15-6-1973	Jackson	Withdrawn	P202142 Jackson
Lease	P755097		of premises being lock-up shop known as 548 Box Road, Jannali to Helmut Lehmaier of Kareela, Restaurant Proprietor.	9-6-1976	Jackson	Expired	5-4-1979
Lease	R163809		of premises being the lock-up shop known as 550 Box Road, Jannali, together with option of renewal to Eric Butcher Pty Limited. Expires 31-10-1982	5-4-1979	Jackson	Expired	18-10-1983
Lease	R320703		of premises being lock-up shop known as 548 Box Road, Jannali, to Hon Hing Lee of Belmore, Restaurateur, together with option of renewal. Expires 31-10-1982.	17-7-1979	Jackson	Expired	16-1-1986
Lease	R463909		Transfer. Lessee now Ronald Edward Mitcheil and Janice Clo Mitchell as joint tenants. Registered 23-4-1981		Jackson	Cancelled	18-10-1983
Lease	T778131		to Stephen Barry Wood of premises being lock-up shop known as 550 Box Road, Jannali. Expires 31-10-1985. Registered 18-10-1983		Jackson	Expired	16-1-1986
Lease	T778131		Lessees: Dean Cleland and Debra June Cleland as joint tenants by Transfer T778131. Registered 18-10-1983		Jackson	Cancelled	16-1-1986
Lease	W94612		Please to Macy Lee of lock-up Shop known as 548 Box Road, Jannali. Expires 31-10-1988. Option of renewal see W94612. Registered 16-1-1986		Jackson		
Lease	W94613		Please to Dean Cleland and Debra June Cleland as joint tenants of lock-up Shop known as 550 Box Road, Jannali. Expires 31-10-1988. Registered 16-1-1986		Jackson		
Lease	W94613		Transfer of lease to John Percival Flanagan and Shirley May Flanagan as joint tenants. Registered 4-6-1986		Jackson		
Caveat	W578047		by John Percival Flanagan and Shirley May Flanagan as regards premises being No. 550 Box Road, Jannali. Registered 4-11-1986		Jackson		

Office of the Registrar General / Svc: InfoTrack / Ref: 54-550 Box Road / NSW IRS / Pgs: All / Prt: 29-Jan-2024 08:26 / Seq: 3 of 4

Exp/fer Page 333
K9776508
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P202142
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R163809
-13261
R320703
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T778131
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W94612
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W94613
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W325962
W578047
R



SEARCH DATE

25/1/2024 12:23PM

FOLIO: 2/209152

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

Prior Title(s): VOL 9148 FOL 31

Recorded	Number	Type of Instrument	C.T. Issue
4/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
1/7/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
7/11/1988	X968608	WITHDRAWAL OF CAVEAT	
7/11/1988	X968609	LEASE	
7/11/1988	X968610	LEASE	EDITION 1
25/9/1991	Z944719	LEASE	EDITION 2
25/10/1991	E12915	LEASE	EDITION 3
13/12/1994	U863892	LEASE	
13/12/1994	U863893	LEASE	EDITION 4
30/5/1996	2196821	TRANSMISSION APPLICATION	EDITION 5
24/7/1996	2327954	TRANSFER	EDITION 6
5/3/1997	2881188	DEPARTMENTAL DEALING	
23/4/1997	3005557	TRANSFER	
23/4/1997	3005558	MORTGAGE	EDITION 7
1/10/1997	3458076	TRANSFER OF LEASE	EDITION 8
2/3/2001	7450468	LEASE	EDITION 9
22/10/2001	8043842	LEASE	EDITION 10
23/8/2002	8893673	TRANSFER OF LEASE	
23/12/2003	AA280997	DISCHARGE OF MORTGAGE	
23/12/2003	AA280998	TRANSFER	
23/12/2003	AA280999	MORTGAGE	EDITION 11
1/3/2006	AC149129	LEASE	EDITION 12

END OF PAGE 1 - CONTINUED OVER

SEARCH DATE

25/1/2024 12:23PM

FOLIO: 2/209152

PAGE 2

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
18/10/2007	AD443715	DISCHARGE OF MORTGAGE	
18/10/2007	AD443716	CHANGE OF NAME	
18/10/2007	AD443717	CHANGE OF NAME	
18/10/2007	AD443718	MORTGAGE	EDITION 13
27/10/2009	AF72006	LEASE	EDITION 14
24/11/2009	AF140797	SURRENDER OF LEASE	
24/11/2009	AF140798	LEASE	EDITION 15
17/3/2010	AF377265	TRANSFER OF LEASE	
4/11/2011	AG598955	TRANSFER OF LEASE	
21/12/2012	AH453935	SURRENDER OF LEASE	
21/12/2012	AH453936	LEASE	EDITION 16
22/10/2013	AI105575	DISCHARGE OF MORTGAGE	
22/10/2013	AI105576	MORTGAGE	EDITION 17
3/11/2014	AI981518	LEASE	EDITION 18
24/3/2015	AJ353272	TRANSFER OF LEASE	
24/3/2015	AJ353273	VARIATION OF LEASE	
21/7/2017	AM582676	DISCHARGE OF MORTGAGE	
21/7/2017	AM582677	TRANSFER	
21/7/2017	AM582678	MORTGAGE	EDITION 19
6/12/2017	AM946362	LEASE	EDITION 20 CORD ISSUED
20/1/2021	AQ733356	DISCHARGE OF MORTGAGE	EDITION 21
19/4/2021	AQ972770	MORTGAGE	EDITION 22 CORD ISSUED

*** END OF SEARCH ***

97-03TA

LTO Licence No.
646W/0353/96

**TRANSMISS
APPLICATI**
Section 93 Real Property A



2196821 G

Office of State Revenue use only

(A) **LAND**
Show no more than 20 References to Title.

Folio Identifier 2/209152

(B) **REGISTERED DEALING**
If applicable.

(C) **LODGED BY**

L.T.O. Box 646W	Name, Address or DX and Telephone NORTON SMITH e Co
REFERENCE (max. 15 characters) ORT 952675	

(D) **DECEASED REGISTERED PROPRIETOR**

Joan Barrington Grinston

(E) **APPLICANT**

TA	Ernest Ormond Butler Thomas and Eva Grinston JT
-----------	--

(F) I, the Applicant, being entitled as Executors of the will/estate of the Deceased Registered died 16 December 1995) pursuant to Probate/Letters of Administration No. 10530196 granted on 19 April 1996 to Ernest Ormond Butler Thomas and Eva Grinston apply to be registered as proprietor of the estate or interest of the Deceased Registered Proprietor in the Land/Registered Dealing specified above.

(G) Certified correct for the purposes of the Real Property Act 1900.

DATE 24 May 1996

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

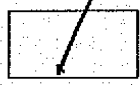
Kate Fitter
Signature of Witness

KATE FITTER
Name of Witness (BLOCK LETTERS)

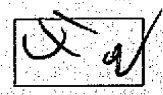
20 MARTIN PLACE SUNSHY
Address of Witness

Ernest Ormond Butler Thomas
E. Grinston
Signature of Applicant

EVIDENCE SIGHTED & RETURNED (office use only)



CHECKED BY (office use only)



97-01T

Licence No.
646W/0130/95

TRANSFE

Real Property Act 1900



2327954 L

Office of S

220796 4205 12 001974904/01
N.S.W. STAMP DUTY
\$10.00

(A) LAND TRANSFERRED

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

Folio Identifier 2/209152

(B) LODGED BY

L.T.O. Box 646W	Name, Address or DX and Telephone NORTON SMITH Co
REFERENCE (max 15 characters): ORBT 952675	

Ernest Ormond Butler Thomas and Eva Grinston

(C) TRANSFEROR

(D) acknowledges receipt of the consideration of \$1
and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following ENCUMBRANCES U863892 U863893

(F) TRANSFEE

T TS (s713 LGA) TW (Sheriff)	Edna Seaman
TENANCY:	

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

DATE 22 JULY 1996

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

[Signature]
Signature of Witness

KATE RITER
Name of Witness (BLOCK LETTERS)

20 MARTIN PLACE, MONEYP
Address of Witness

[Signature]
Signature of Transferor

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

[Signature]
Signature of Witness

CARYN TAMAR SEAMAN
Name of Witness (BLOCK LETTERS)

3 GUNDIMANE AVE, NEUTRAL BAY NSW
Address of Witness

[Signature]
Signature of Transferee

NB: if applicable, indicate that the signatory is the transferee's solicitor and show the solicitor's full name.

CHECKED BY (office use only)

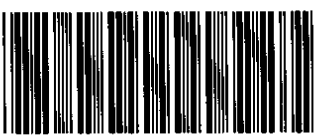
[Signature]



U

TRANSFER

Real Property Act, 1900



3005557 T

Off: _____
N.S.W. STAMP DUTY \$2.00
20/254643/02 9525 04 201254643/02

(A) LAND TRANSFERRED

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

FOLIO IDENTIFIER 2/209152

(B) LODGED BY

L.T.O. Box 247	Name, Address or DX and Telephone CTB
REFERENCE (max. 15 characters): 426128-TE97	

(C) TRANSFEROR

EDNA SEAMAN

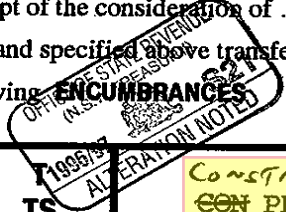
(D) acknowledges receipt of the consideration of **\$400,200.00**

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

(E) subject to the following ENCUMBRANCES 1. **347** 2. _____ 3. _____

(F) TRANSFEE

TS (s713 LGA) TW (Sheriff)	CONSTANTINOS
	CON PERDIKARIS and LYDIA PERDIKARIS
TENANCY:	JOINT TENANTS



(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATED 17 APRIL 1997**

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

Signed by the said Edna Seaman by her Attorney Barry Howard Mendel pursuant to Power of Attorney Registered No.756 Book 4158 and the said Barry Howard Mendel hereby declares that he has no notice of the revocation of the said Power of Attorney

Barry Mendel
Name of Witness (BLOCK LETTERS)
DIANE CANNELL 12 HANEY STREET
Address of Witness

Barry Mendel
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

Angelo D'Agata
Signature of Transferee's Solicitor
Angelo D'Agata
CHECKED BY (office use only)

Form: 01T
Release: 2
www.lpi.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



AA280998V

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 09-12-2003 0001746374-001 SECTION 10(2) DUTY \$ *****2.00

(A) TORRENS TITLE

2/209152

(B) LODGED BY

Delivery Box	Name, Address or DX and Telephone CITYLINK & LEGALITIES 48t REF <u>KS/JP/RAAD</u>	CODES T TW (Sheriff)
	Reference:	

(C) TRANSFEROR

CONSTANTINOS PERDIKARIS AND LYDIA PERDIKARIS
--

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 760,000.00 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

BECHARA RAAD and LULU RAAD as joint tenants in 50/100 share and JOSEPH BOU-ABDOU in 49/100 share and AIDA BOU-ABDOU in 1/100 share
TENANCY: Tenants in Common

(J) DATE 22 December 2003

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:

Signature of transferor:

Name of witness: Angelo D'Agata
Address of witness: Solicitor
Dulwich Hill

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

Signature:

Signatory's name: JOHN KARAVIAS
Signatory's capacity: transferees' solicitor



FOLIO: 2/209152

SEARCH DATE	TIME	EDITION NO	DATE
29/1/2024	8:25 AM	22	19/4/2021

LAND

LOT 2 IN DEPOSITED PLAN 209152
 AT JANNALI
 LOCAL GOVERNMENT AREA SUTHERLAND SHIRE
 PARISH OF SUTHERLAND COUNTY OF CUMBERLAND
 TITLE DIAGRAM DP209152

FIRST SCHEDULE

JANNALI NO. 1 PTY LTD

(T AM582677)

SECOND SCHEDULE (5 NOTIFICATIONS)

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- H983840 CROSS EASEMENTS (SEC 181B CONVEYANCING ACT 1919)
AFFECTING THE PARTY WALL SHOWN ON THE COMMON BOUNDARY
OF LOTS 1 & 2 IN DP209152
- AI981518 LEASE TO YANXING CHEN & YU YU OUYANG OF SHOP
PREMISES KNOWN AS 548 BOX ROAD, JANNALI. EXPIRES:
8/7/2019. OPTION OF RENEWAL: 5 YEARS.
- AM946362 LEASE TO MODU TRADING PTY LTD OF LOCK UP SHOP
PREMISES, 550 BOX ROAD, JANNALI. EXPIRES: 13/9/2022.
OPTION OF RENEWAL: 5 YEARS.
- AQ972770 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



09067113

(For Grant and title reference prior to first edition see Deposited Plan.)



Vol. 113A Fol. 9067

CANCELLED

1st Edition issued 16-11-1961.

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.

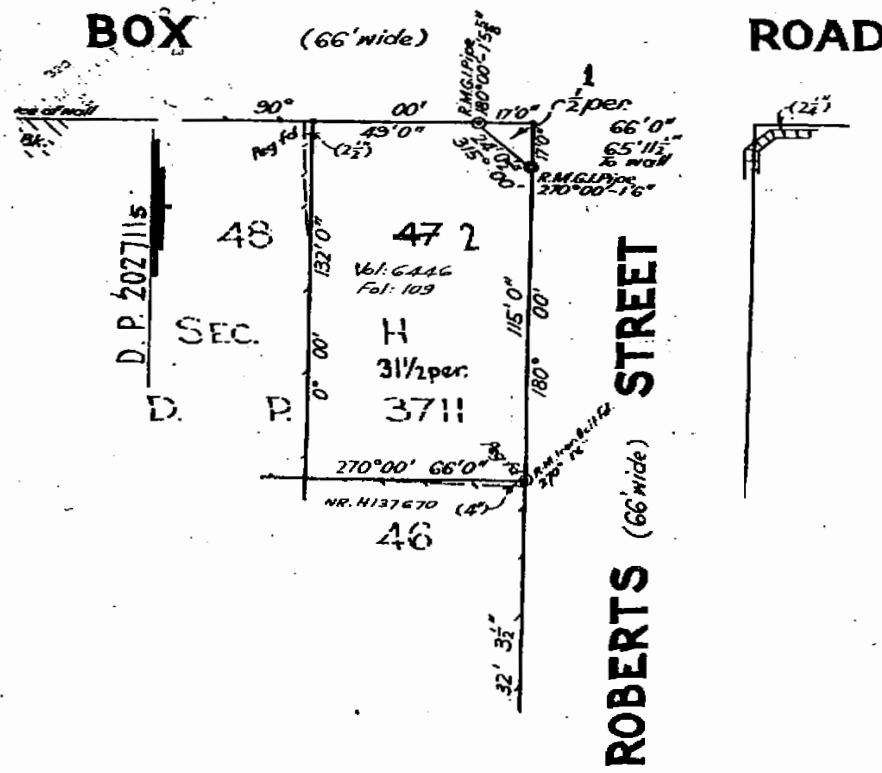
Witness

J. J. J.

Jouaton
Registrar-General.



PLAN SHOWING LOCATION OF LAND.



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in an undivided one half share in Firstly Lot 2 in Deposited Plan 202711s in the Shire of Sutherland Parish of Sutherland and County of Cumberland Secondly the mines and deposits specified in Section 536AA of the Local Government Act 1919 in Lot 1 shown in the plan hereon being part of a public road.

FIRST SCHEDULE (Continued overleaf)

EDMONA INVESTMENTS PTY. LIMITED.

Jouaton
Registrar General.

SECOND SCHEDULE (Continued overleaf)

Reservations and conditions, if any, contained in the Crown Grant(s) referred to in the said Deposited Plan.

Jouaton
Registrar General.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON (Page 1) Vol. 113A Fol. 9067

H913337M

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
Charitavos Apostolou of Miranda Retired and Evangelia Apostolou his wife as joint tenants	Transfer	K742122	14.7.1966	17.8.1966	Jankelson
Reginald-Claude Kemister of Caringbah, Real Estate Agent and Karen Anne Kemister his wife, as tenants in common in equal shares	Transfers	N542265 N542266	21.9.1973	11.12.1973	Jankelson
Hiwuga Pty. Limited	Transfer	Q771533	-----	28-7-1978	Jankelson

FOLIO CANCELLED - NEW FOLIO 2 / 202711
31.10.90

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75062
175459
5795865
K742122
K801533

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
	NUMBER	DATE					
Mortgage Lease	H913339 J666037	28-9-1966 5-7-1963	To Commonwealth Trading Bank of Australia of premises being Offices No. 1 and No. 6 of Urban Chambers 546 Box Road, Jannali (with consent of mortgagee) to Rodger Craig Knight of New South Wales, District Surgeon.	14-2-1962	Jankelson	Discharged	K742122
Lease	J452603	17-5-1963	To Frank Norman Morris of Jannali, gentleman of lockup shop premises known as 546 Box Road, (with consent of mortgagee)	5-6-1964	Jankelson	Expired	21-9-1967
Lease	J756459	15-8-1963	To Russell Peter Hogg of Mosman, Chemist of lockup shop premises known as 544 Box Road, Jannali, (with consent of mortgagee)	22-10-1964	Jankelson	Expired	13-8-1973
Lease	J493865	16-10-1963	as of premises known as offices nos. 2, 3, 4, and 5 of Urban Chambers situated at the corner of Box Road and Robert Street, Jannali, to Rodger Craig Knight	22-10-1964	Jankelson	Surrendered	K22458
Mortgage	K801523	14-6-1967	William Fisher ofyster Bay, Medical Practitioner to Commonwealth Trading Bank of Australia	21-9-1967	Jankelson	Expired	13-3-1975
Lease	K22458	1-2-1968	of the premises being lock-up shop known as 544 Box Road, Jannali with consent of Mortgagee to Reginald Claude Kemister of Brumella, Estate Agent	17-12-1968	Jankelson	Discharged	L769689
					Jankelson	Expired	13-3-1975

L122458
L769689
L769689
L805220
(L769689)

Vol. 9067 Fol. 113 A

(Page 2 of 4 pages)

Office of the Registrar-General / Str: InfoTrack / NSW IRS / Pps: All / Prr: 29-Jan-2024 08:27:11
Doc: CT 09067-113 CT / Rev: 22-Dec-2010 / Ref: 544-550 Box Road

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
T645829	Lease to Alban Francis Hunt	Francis Hunt	Marjorie Olive Hunt and David Alban Hayes Hunt as joint tenants of premises being lock-up shop known as 544B Box Road, Jannali with storeroom, together with option of renewal. Expires 14-9-1984. Registered 19-7-1983.		[Signature]	Expired	29-11-1984
T645831	Lease to Maxwell Robert Fielding	Robert Fielding	and Hazel Fielding as joint tenants of premises being lock-up shop known as Shop 2, 544 Box Road, Jannali together with option of renewal. Expires 31-5-1986. Registered 19-7-1983.		[Signature]	Expired	16-12-1986
V90467	Lease to Fasom Pty. Limited		of premises being lock-up shop known as 544A Box Road, Jannali together with and reserving rights and an option of renewal. Expires 28-2-1987. Registered 4-5-1984.		[Signature]	Z158655	21-8-90
V450700	Lease to Alban Francis Hunt	Alban Francis Hunt	Marjorie Olive Hunt and David Alban Hayes Hunt as joint tenants of lock-up shop, 544B Box Road, Jannali. Expires 14-9-1989. Registered 29-11-1984.		[Signature]	Y837141	7-3-1990
W255626	Lease to Robert Leslie Vassallo		of premises known as 546B Box Road, Jannali, and three car parking spaces. Expires 13-4-1988 with an option of renewal for 3 years. Registered 3-7-1986.		[Seal]		
W442014	Lease to Paul David Real Estate Pty Ltd		of premises being lock-up shop known as shop 1 544 Box Road Jannali together with rights Expires 10-3-1992. Registered 16-12-1986.		[Seal]		
W442016	Lease to William Rardon and Valerie Mary Rardon		as joint tenants of premises being lock-up shop No 2 544 Box Road, Jannali. Expires 31-5-1991. Registered 16-12-1986.		[Seal]		
X126612	Lease to Warnjoda Pty. Limited		of shop premises known as 546A Box Road, Jannali. Expires 31-7-1992. Registered 23-10-1987.		[Seal]		
Y837141	Lease to Alban Francis Hunt		of premises being lock-up shop known as 544B Box Road, Jannali together with storeroom at the rear of the building 544 Box Road, Jannali. Expires 14-9-1995. Registered 7-3-1990.		[Seal]		
X126612	Lease 23066 Transfer to Tovedz Pty. Ltd.		Registered 14-5-1990.		[Seal]		
Z158655	Lease to Fasom Pty. Limited		of premises being Lock-up shop known as 544A Box Road, Jannali. Expires 28.2.1996. Registered 21-8-1990		[Seal]		
Z225067	Lease to Julian Clive Smith.		Of premises being known as shop 3. 544 Box Road Jannali together with one (1) car parking space. Expires 13-7-1991. Option of renewal 5 yrs. Registered 17-9-1990		[Seal]		

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Fol. 1/58
 Vol. 9067
 Page 108/109 pages

G. 1
NEW SOUTH WALES

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900, as amended.

TORRENS TITLE
Register Book

Vol. **9067** Fol. **113 B**

(For Grant and title reference prior to first edition see Deposited Plan.)



CANCELLED

1st Edition issued 16-11-1961.

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.

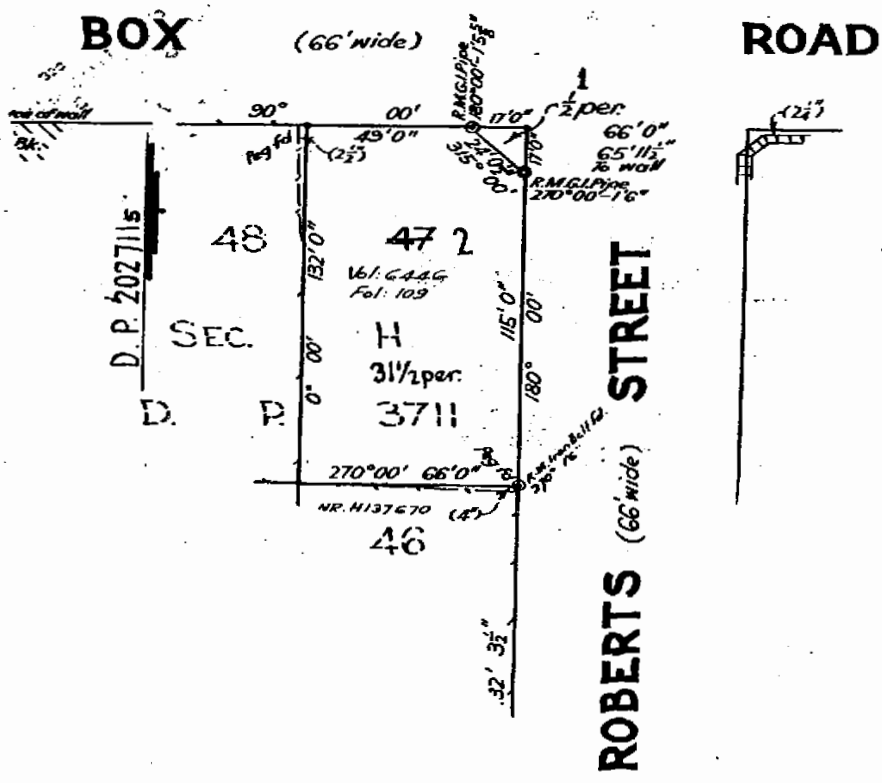
Witness

J. Jona

Jouaton
Registrar-General.



PLAN SHOWING LOCATION OF LAND.



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in an undivided one half share in Firstly Lot 2 in Deposited Plan 202711s in the Shire of Sutherland Parish of Sutherland and County of Cumberland Secondly the mines and deposits specified in Section 536AA of the Local Government Act 1919 in Lot 1 shown in the plan hereon being part of a public road.

FIRST SCHEDULE (Continued overleaf)

PEAK SECURITIES PTY. LIMITED.

Jouaton
Registrar General.

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant(s) referred to in the said Deposited Plan.

Jouaton
Registrar General.

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

9067 Vol. 113 B

(Page 1) Vol.

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

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
<i>Eptychia Prevedoras of Miraneta Married Woman</i>	TRANSFER	K742124	11.7.1967	11.7.1967	<i>Jawakom</i>
Reginald Claude Kemister of Caringbah, Real Estate Agent and Karen Anne Kemister his wife, tenants in common in equal shares	Transfers	N542265 N542266	21.9.1973	11.12.1973	<i>Jawakom</i>
Hiwuga Pty. Limited	Transfer	Q771533	-----	28-7-1978	<i>Jawakom</i>

FOLIO CANCELLED - NEW FOLIO 2 / 202711
31.10.90

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SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
	NUMBER	DATE					
<i>Mortgage</i>	<i>H913339</i>	<i>28-9-1967</i>	<i>To Commonwealth Trading Bank of Australia</i>	<i>11-2-1968</i>	<i>Jawakom</i>	<i>Discharged</i>	<i>K742123</i>
<i>Lease</i>	<i>J466887</i>	<i>5-7-1963</i>	<i>of premises being Offices No. 1 and No. 2 of Urban Chambers 546 Box Road, Jannali (with consent of mortgagee) Rodger Larry Lighters up New South, Dental Surgeon.</i>	<i>5-6-1964</i>	<i>Jawakom</i>	<i>Expired</i>	<i>21-9-1967</i>
<i>Lease</i>	<i>J752603</i>	<i>17-5-1963</i>	<i>to Frank Herman Morris of Jannali, gentleman of lock up shop premises known as 546 Box Road, (with consent of mortgagee)</i>	<i>22-10-1964</i>	<i>Jawakom</i>	<i>Expired</i>	<i>13-8-1973</i>
<i>Lease</i>	<i>J756459</i>	<i>15-8-1963</i>	<i>to Russell Peter Rogge of Womamba, Chemist of lock up shop premises known as 544 Box Road, Jannali (with consent of mortgagee)</i>	<i>22-10-1964</i>	<i>Jawakom</i>	<i>Surrendered</i>	<i>L122458</i>
<i>Lease</i>	<i>J775265</i>	<i>16-10-1963</i>	<i>to of premises known as offices 1, 2, 3, 4 of Urban Chambers situated at corner of Box Road and Robert Street, Jannali (with consent of Mortgagee) to Rodrick William Fisher of Oyster Bay, Medical Practitioner</i>	<i>24-3-1965</i>	<i>Jawakom</i>	<i>Expired</i>	<i>13-3-1975</i>
<i>Mortgage</i>	<i>K801523</i>	<i>11-6-1967</i>	<i>to Commonwealth Trading Bank of Australia</i>	<i>21-9-1967</i>	<i>Jawakom</i>	<i>Discharged</i>	<i>L769689</i>
<i>Lease</i>	<i>L122459</i>	<i>1-1-1968</i>	<i>of the premises being lock up shop known as 544 Box Road, Jannali with consent of Mortgagee to Reginald Claude Kemister of Cronulla, Estate Agent</i>	<i>11-12-1968</i>	<i>Jawakom</i>	<i>Expired</i>	<i>13-3-1975</i>

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SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
Lease	L765059	11-10-1969	Of the premises being lock up shop premises known as 544 B Box Road, Jannali together with store-room facing Robert Street Jannali together with consent of Robert Hunt, Shopkeeper and Marjorie Olive Hunt his wife	10-6-1970	Jackson	Expired	13-3-1975 Jackson
Lease	L436066	16-5-1970	of the premises being 545 Box Road, Jannali together with Douglas Forsdike of Dolans Bay, Shopkeeper and Edna Agnes Forsdike his wife	5-8-1970	Jackson	Expired	11-12-1973 Jackson
Lease	N361130	13-2-1973	Of the premises being lock up shop premises known as 544A Box Road, Jannali to Ronald Douglas Forsdike of Dolans Bay, Shopkeeper and Edna Agnes Forsdike his wife	30-7-1973	Jackson	Expired	28-7-1978 Bennett
Lease	N365602	16-7-1973	of premises being lock up shop premises known as 546A Box Road to Neta Green	13-5-1973	Jackson	Expired	13-3-1975 Jackson
Lease	N466055	8-5-1973	of premises being known as 544 Box Road Jannali to Robert Harry Leighton of Opotiki Bay, Rental Surgeon	2-9-1973	Jackson	Expired	12-9-1975 Jackson
Mortgage	N542267	21-9-1973	to Custom Credit Corporation Limited	11-12-1973	Jackson	Cancelled	Q771533 Jackson
Mortgage	P104114	27-2-1975	to Barry John Rooney of Kensington, Manager.	13-3-1975	Jackson	Discharged	P884922 Jackson
Lease	P164947		of lock up shop premises known as 544B Box Road, Jannali, together with store-room at the rear of the building to Alban Francis Hunt, Shopkeeper, Marjorie Olive Hunt wife and David Alban Hayes Hunt, Salesman, all of Jannali.	13-8-1975	Jackson	Cancelled	Q771533 Bennett
Lease	P379567		of shop premises known as 544 Box Road, Jannali to David Alan Toone of Gynea, Real Estate Agent, Margaret Toone his wife and Paul Stewart Wilson of Caringbah, Real Estate Agent and Maureen Dorothy Wilson his wife	12-9-1975	Jackson	Expired	28-7-1978 Bennett
Mortgage	P884923		to Herman Deitz and Bernard Deitz both of Bondi Beach Company Directors.	8-10-1976	Jackson	Cancelled	Q771533 Bennett
Caveat	Q729628		by Geoffrey James Kemister	16-6-1978	Jackson	Withdrawn	Q771532 Bennett

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SECOND SCHEDULE (continued)

INSTRUMENT			PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
NATURE	NUMBER	DATE						
	7645829		Lease to Alban Francis Hunt, Marjorie Olive Hunt and David Alban Hayes Hunt as joint tenants of premises being lock up shop known as 544B Box Road, Jannali with storeroom, together with option of renewal. Expires 14-9-1984. Registered 19-7-1983.		[Signature]	Expired	29-11-1984	[Seal]
	7645831		Lease to Maxwell Robert Fielding and Hazel Fielding as joint tenants of premises being lock-up shop known as Shop 2, 544 Box Road, Jannali together with option of renewal. Expires 31-5-1986. Registered 19-7-1983.		[Signature]	Expired	5-2-1986	[Seal]
	V90467		Lease to Fason Pty. Limited of premises being lock-up shop known as 544A Box Road, Jannali together with and reserving rights and an option of renewal. Expires 28-2-1987. Registered 4-5-1984.		[Signature]	Z158655	21-8-90	[Seal]
	W450700		Lease to Alban Francis Hunt, Marjorie Olive Hunt and David Alban Hayes Hunt as joint tenants of lock up shop, 544B Box Road, Jannali. Expires 14-9-1989. Registered 29-11-1984.		[Signature]	Y837141	7-3-1990	[Seal]
	W255626		Lease to Robert Leslie Vassallo of premises known as 596 B Box Road, Jannali and three car parking spaces. Expires 13-7-1988 with an option of renewal for 3 years. Registered 3-7-1986.		[Seal]			
	W442014		Lease to Paul David Real Estate Pty. Ltd. of shop premises known as Shop 2, 544 Box Road, Jannali together with rights. Expires 10-3-1992. Registered 20-11-1986.		[Seal]			
	W442016		Lease to William Purdon and Valerie Mary Purdon as joint tenants of lock-up shop No. 2, 544 Box Road, Jannali. Expires 31-5-1991. Registered 20-11-1986.		[Seal]			
	W442014		Lease to Paul David Real Estate Pty. Limited of premises being lock-up shop premises known as Shop 1, 544 Box Road, Jannali together with rights. Expires 10-3-1992. Registered 16-12-1986.		[Seal]			
	W442016		Lease to William Purdon and Valerie Mary Purdon as joint tenants of premises being lock-up shop No. 2, 544 Box Road, Jannali. Expires 31-5-1991. Registered 16-12-1986.		[Seal]			
	X126612		Lease to Warnjoda Pty. Limited of shop premises known as 546A Box Road, Jannali. Expires 31-7-1992. Registered 23-10-1987.		[Seal]			
	Y837141		Lease to Alban Francis Hunt and Marjorie Olive Hunt as joint tenants of premises being lock-up shop known as 544B Box Road, Jannali together with storeroom at the rear of the building 544 Box Road, Jannali. Expires 14-9-1995. Registered 7-3-1990.		[Seal]			
	X126612		Lease Z3066 Transfer to Toveoz Pty. Ltd. Registered 14-5-1990.		[Seal]			
	Z158655		Lease to Fason Pty. Limited of premises being lock-up shop known as 544A Box Road, Jannali. Expires 28-2-1996. Registered 21-8-1990.		[Seal]			
	Z225067		Lease to Julian Olive Smith. Of premises being known as shop 3, 544 Box Road Jannali together with one (1) car parking space. Expires 13-7-1991. Option of renewal 5 yrs. Registered 17-9-1990.		[Seal]			

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Fol. 113
 Vol. 9067
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SEARCH DATE

25/1/2024 12:23PM

FOLIO: 2/202711

First Title(s): VOL 591 FOL 103

Prior Title(s): VOL 9067 FOL 113

Recorded	Number	Type of Instrument	C.T. Issue
4/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
5/11/1990	Z225067	LEASE	FOLIO CREATED EDITION 1
25/5/1992	E479462	LEASE	EDITION 2
21/7/1992	E623817	TRANSFER OF LEASE	EDITION 3
24/8/1992	E708678	LEASE	EDITION 4
10/2/1993	I109573	LEASE	EDITION 5
14/9/1994	U617874	LEASE	EDITION 6
19/2/1997	2848732	LEASE	EDITION 7
6/3/1998	3841185	LEASE	EDITION 8
27/7/1999	6029574	TRANSFER OF LEASE	
7/3/2000	6434874	LEASE	EDITION 9
27/6/2000	6894411	LEASE	EDITION 10
28/8/2000	7050494	LEASE	EDITION 11
24/8/2001	7882545	SURRENDER OF LEASE	
24/8/2001	7882546	LEASE	EDITION 12
22/1/2002	8291867	TRANSFER	
22/1/2002	8291868	MORTGAGE	EDITION 13
24/2/2003	9401592	DISCHARGE OF MORTGAGE	
24/2/2003	9401593	MORTGAGE	EDITION 14
30/3/2004	AA531396	LEASE	
30/3/2004	AA531397	LEASE	EDITION 15

END OF PAGE 1 - CONTINUED OVER

SEARCH DATE

25/1/2024 12:23PM

FOLIO: 2/202711

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
6/12/2005	AB965291	TRANSFER	EDITION 16
30/6/2006	AC423647	LEASE	EDITION 17
3/10/2006	AC558104	LEASE	EDITION 18
2/11/2006	AC713441	LEASE	EDITION 19
16/11/2006	AC745541	LEASE	EDITION 20
20/10/2007	AD506129	DISCHARGE OF MORTGAGE	
20/10/2007	AD506130	MORTGAGE	EDITION 21
18/4/2008	AD899178	LEASE	EDITION 22
9/8/2010	AF679513	LEASE	EDITION 23
10/9/2012	AH228366	DISCHARGE OF MORTGAGE	
10/9/2012	AH228367	MORTGAGE	EDITION 24
16/10/2013	AH887454	LEASE	
16/10/2013	AH887455	LEASE	
16/10/2013	AH887456	LEASE	EDITION 25
21/3/2014	AI441015	MORTGAGE	EDITION 26
2/5/2016	AK397296	DEPARTMENTAL DEALING	
26/7/2016	AK621104	LEASE	EDITION 27
18/5/2017	AM392775	REQUEST	
18/5/2017	AM33730	LEASE	
18/5/2017	AM33731	LEASE	EDITION 28
21/7/2017	AM582625	DISCHARGE OF MORTGAGE	
21/7/2017	AM582626	TRANSFER	
21/7/2017	AM582627	MORTGAGE	EDITION 29
8/9/2018	AN695391	DEPARTMENTAL DEALING	EDITION 30 CORD ISSUED
27/5/2019	AP278180	LEASE	
27/5/2019	AP278181	LEASE	EDITION 31

END OF PAGE 2 - CONTINUED OVER

SEARCH DATE

25/1/2024 12:23PM

FOLIO: 2/202711

PAGE 3

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
			CORD ISSUED
20/1/2021	AQ733355	DISCHARGE OF MORTGAGE	EDITION 32
15/4/2021	AQ877183	WITHDRAWN - LEASE	
19/4/2021	AQ972766	MORTGAGE	EDITION 33 CORD ISSUED
18/6/2021	AR155649	LEASE	
18/6/2021	AR155650	LEASE	EDITION 34 CORD ISSUED
14/8/2021	AR291448	REQUEST	EDITION 35 CORD ISSUED
3/11/2021	AR580177	LEASE	EDITION 36
11/5/2023	AT72676	LEASE	EDITION 37

*** END OF SEARCH ***

Form: U11
Licence: 01-08-067
Licensee: Midware Systems
MACEDONÉ CHRISTIE WILLIS

①

TRANSFER
New South Wales
Real Property Act 1900



PRIVACY NOTE: this information is legally required and will becom

STAMP DUTY

Office of State Revenue use only	NSW DUTY
	13-12-2001 0000840564-001
	SECTION 18(2)
	DUTY \$ *****2.00

(A) TORRENS TITLE If appropriate, specify the part transferred
Folio Identifier 2/202711

(B) LODGED BY	Delivery Box 377	Name, Address or DX and Telephone WBC Reference (optional): 82737054/R2	CODE T TW (Sheriff)
---------------	---------------------	---	------------------------------

(C) TRANSFEROR
HIWUGA PTY LTD ACN 001 582 609

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 1,265,000.00 and as regards
(E) ESTATE the land specified above transfers to the transferee an estate in fee simple.

(F) SHARE TRANSFERRED

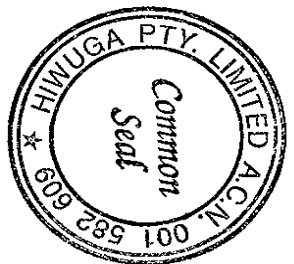
(G) Encumbrances (if applicable):

(H) TRANSFEREE
PHILLIP CARL KING, SUZANNE MAREE KING, BRETT ANTHONY LEVINGS and KIM LOUISE LEVINGS

(I) TENANCY: Tenants in Common in equal shares

(J) DATE 13 / 12 / 07

Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.
Corporation: HIWUGA PTY LTD
Authority: Section 127 of the Corporations Law



Signature of authorised person:
Ahan Scarra
Name of authorised person:
AHAN SCARRA
Office held:
DIRECTOR

Kenneth Scarra
Signature of authorised person:
KENNETH SCARRA
Name of authorised person:
Office held:
DIRECTOR

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

Signature:
Cathy Hart
Signatory's name: CATHY HART
Signatory's capacity: Solicitor for the transferee
Licensed Conveyancer

RCU



Form: 01T
Release: 3.0
www.lands.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900

AB965291Y

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required 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.

STAMP DUTY

Office of State Revenue use only	Office of State Revenue NSW Treasury Client No: 80860285 Duty: <u>Account</u> Trans No: <u>2997100</u> Asst details: <u>S68</u>
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(A) TORRENS TITLE

2/202711

(B) LODGED BY

Document Classification Box 40X	Name, Address or DX and Telephone LLPN: 123832N LAWPOINT GALLOWAYS	CODES T TW (Sheriff)
Reference: <u>2546123 ACS</u>		

(C) TRANSFEROR

SUZANNE MAREE KING

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of as per Family Court Orders dated 30/9/05 and as regards

(E) ESTATE

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

(F) SHARE TRANSFERRED

25%

(G)

Encumbrances (if applicable):

(H) TRANSFEREE

PHILLIP CARL KING

TENANCY:

(I)

DATE 24/11/2005

(J) 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:

+

Signature of transferor:

+

Name of witness:

Address of witness:
+ IAN CONNOR
SOLICITOR
40 RAILWAY CRESCENT
JANNALI NSW 2226

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:

JANICE LUCILLE LINDOP
transferee's solicitor



FOLIO: 2/202711

SEARCH DATE	TIME	EDITION NO	DATE
29/1/2024	8:27 AM	37	11/5/2023

LAND

LOT 2 IN DEPOSITED PLAN 202711
 AT JANNALI
 LOCAL GOVERNMENT AREA SUTHERLAND SHIRE
 PARISH OF SUTHERLAND COUNTY OF CUMBERLAND
 TITLE DIAGRAM DP202711

FIRST SCHEDULE

JANNALI NO. 1 PTY LTD

(T AM582626)

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AP278181 LEASE TO SKEETA'S SOUTH SIDE PTY LTD OF SHOP 7, 544 BOX ROAD, JANNALI. EXPIRES: 28/3/2024. OPTION OF RENEWAL: 5 YEARS.
- 3 AQ972766 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA
- 4 AR155649 LEASE TO JANNALI POST PTY LTD OF SHOPS 1 AND 2 TOGETHER WITH FOUR (4) CARSPACES NUMBERED 1, 2, 3 AND 4 SITUATED AT 544-546 BOX ROAD, JANNALI. EXPIRES: 16/6/2026.
- 5 AR155650 LEASE TO JCS HOLDINGS PTY LTD OF SHOP 3 AND 4, TOGETHER WITH CAR PARKING SPACES 8, 9 AND 10, 544-546 BOX ROAD, JANNALI. EXPIRES: 13/7/2026. OPTION OF RENEWAL: 5 YEARS.
- 6 AR580177 LEASE TO CHONTHICHA SRILUNCHANG & WONGDUAN TECHACHINNARAK OF SHOP 6, 544-546 BOX ROAD, JANNALI NSW 2226. EXPIRES: 30/9/2023. OPTION OF RENEWAL: 3 YEARS.
- 7 AT72676 LEASE TO LIDIA SOULAINÉ OF SHOP 5, AND CAR PARKING SPACES NUMBERED 11 AND 12, 544-546 BOX ROAD, JANNALI. EXPIRES: 14/9/2024.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

APPENDIX C PLANNING CERTIFICATES





Applicant:

Miss Sarah Bolton
189 Kent Street
SYDNEY NSW 2000

Planning Certificate – Section 10.7 (2)(5) Certificate Environmental Planning and Assessment Act, 1979

Certificate no:	ePC:24/0327	Delivery option:	
Certificate date:	23/01/2024	Your reference:	SCL230093.01

Property:

Lot 2 DP 202711
544-546 Box Road JANNALI NSW 2226

Zone:

- * Sutherland Shire Local Environmental Plan 2015
Zone E1 Local Centre

Notes:

- The information in this certificate only relates to the real property Identifier associated with the property and not to any licence or permissive occupancy that may be attached to and included in the property details contained in the description of the land.*
- The Environmental Planning and Assessment Act 1979 will be referred to in this Certificate as 'the Act'.*

Disclaimer:

- This certificate contains information provided to Council by third parties and is as current as the latest information available to Council at the time of production of this document. Council does not warrant the accuracy of the information contained within the information provided by third parties and has not independently verified the information. It is strongly recommended that you contact the relevant third parties to confirm the accuracy of the information.*

**INFORMATION PURSUANT TO SECTION 10.7(2),
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

1. Names of relevant instruments and DCPs

1. The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:

Environmental Planning Instruments

- * Sutherland Shire Local Environmental Plan 2015
- * SEPP (Exempt and Complying Development Codes) 2008
- * SEPP (Housing) 2021
- * SEPP (Biodiversity and Conservation) 2021
- * SEPP (Industry and Employment) 2021
- * SEPP (Planning Systems) 2021
- * SEPP (Primary Production) 2021
- * SEPP (Resources and Energy) 2021
- * SEPP (Resilience and Hazards) 2021
- * SEPP (Transport and Infrastructure) 2021
- * SEPP (Sustainable Buildings) 2022

Development Control Plans

Sutherland Shire Development Control Plan 2015

2. The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land:

Draft Environmental Planning Instruments

The following Draft State Environmental Planning Policies

(SEPP) apply: Amendments to SEPP (Transport and Infrastructure) 2021 (formerly SEPP (Infrastructure) 2007), SEPP (Housing) 2021, SEPP (Exempt and Complying Development Codes) 2008, and SEPP (Planning Systems) 2021.

Draft Development Control Plans

No draft Development Control Plans apply.

3. Subsection (2.) does not apply in relation to a proposed environmental planning instrument or draft development control plan if—
- a. it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or
 - b. for a proposed environmental planning instrument—the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.

4. In this section—

proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.

2. Zoning and land use under relevant LEPs

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—

- (a) The identity of the zone, whether by reference to-
 - (i) a name, such as “Residential Zone” or “Heritage Area” or
 - (ii) a number, such as “Zone No 2 (a)”,
- (b) the purposes for which development in the zone—
 - (i) may be carried out without development consent, and
 - (ii) may not be carried out except with development consent, and
 - (iii) is prohibited,

Sutherland Shire Local Environmental Plan 2015 Zone E1 Local Centre

(i) Permitted without consent:

Home occupations

(ii) Permitted with consent:

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals;

Any other development not specified in item (i) or (iii)

(iii) Prohibited:

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Open cut mining; Resource recovery facilities; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water supply systems; Wholesale supplies

(c) whether additional permitted uses apply to the land,

No Additional Permitted Uses apply to this land.

- (d) Do development standards apply to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the fixed minimum land dimensions?

Under Sutherland Shire Local Environmental Plan 2015 there are no relevant development standards for the erection of a dwelling house due to site dimensions.

- (e) Is the land in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*?

No

- (f) Is the land in a conservation area, however described?

No

- (g) Is an item of environmental heritage situated on the land, however described?

There is no item of environmental heritage situated on the property.

3. Contribution Plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.

- * The 2016 Section 7.12 Development Contributions Plan applies to this property (Effective 01/01/17).
- * The 2016 Section 7.11 Development Contributions Plan applies to this property (Effective 01/01/17).

State Housing and Productivity Contribution applies to this property
(Effective 01/10/23).

(2) If the land is in a special contributions area under the Act, Division 7.1,
the name of the area.

No areas within Sutherland Shire are currently part of a special
contributions area.

4. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the complying development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.
- (2) If complying development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that—
 - a. a restriction applies to the land, but it may not apply to all of the land, and
 - b. the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.
- (4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.

Housing Code

Complying development may be carried out on the land under the Housing Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones R1, R2, R3, R4 or RU5. Check the zoning on the front of this certificate.)

Housing Alterations Code

Complying development may be carried out on the land under the Housing Alterations Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Industrial and Business Alterations Code

Complying development may be carried out on the land under the Industrial and Business Alterations Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Industrial and Business Buildings Code

Complying development may be carried out on the land under the Industrial and Business Buildings Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones E1, E2, E3, MU1, E4, E5, W4, SP1, SP2, SP3 or SP5. Check the zoning on the front of this certificate.)

Container Recycling Facilities Code

Complying development may be carried out on the land under the Container Recycling Facilities Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Subdivisions Code

Complying development may be carried out on the land under the Subdivisions Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Rural Housing Code

Complying development may be carried out on the land under the Rural Housing Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones RU1, RU2, RU3, RU4, RU6 or R5. Check the zoning on the front of this certificate.)

Low Rise Housing Diversity Code

Complying development may be carried out on the land under the Low Rise Housing Diversity Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones RU5, R1, R2 or R3. Check the zoning on the front of this certificate.)

Green Field Housing Code

Complying development under the Greenfield Housing Code may be carried out on the land.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: This code applies to land within the Greenfield Housing Code Area as mapped in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.)

General Development Code

Complying development may be carried out on the land under the General Development Code.

The code is varied under Clause 1.12 of *State Environmental*

Planning Policy (Exempt and Complying Development Codes) 2008.

Demolition Code

Complying development may be carried out on the land under the Demolition Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

Fire Safety Code

Complying development may be carried out on the land under the Fire Safety Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

Inland Code

Complying development may be carried out on the land under the Inland Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(Note: This code only applies to local government areas specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. At this time it does not apply to Sutherland Shire.)

Agritourism and Farm Stay Accommodation Code

Complying development under the Agritourism and Farm Stay Accommodation Code may be carried out on the land.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(Note: this code applies only to land within the following zones RU1, RU2, or RU4. Check the zoning on the front of this certificate.)

5. Exempt Development

- (1) The extent to which the land is land on which exempt development may be carried out under each of the exempt development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.
- (2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—
 - a. a restriction applies to the land, but it may not apply to all of the land, and
 - b. the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.
- (4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

General Exempt Development Code

Exempt development may be carried out on the land under the General Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Advertising and Signage Exempt Development Code

Exempt development may be carried out on the land under the Advertising and Signage Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Temporary Uses and Structures Exempt Development Code

Exempt development may be carried out on the land under the Temporary Uses and Structures Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

6. Affected building notices and building product rectification orders

(1) Is council is aware that—

(a) an affected building notice is in force in relation to the land, or
No

(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or
No

(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.
No

(2) In this section—

affected building notice has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

building product rectification order has the same meaning as in the Building Products (Safety) Act 2017.

7. Land Reserved for Acquisition

Does any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 of this certificate make provision in relation to the acquisition of the land by an authority of the State, as referred to in section 3.15 of the Act?

No

8. Road Widening and Road Realignment

- (a) Is the land affected by a road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*?

No

- (b) Is the land affected by any road widening or road realignment under any environmental planning instrument?

No

- (c) Is the land affected by any road widening or road realignment under any resolution of the Council?

A portion of the land is required for road widening or road realignment purposes. More information is available from Sutherland Shire Council's Customer Service Centre.

Resolved at the Meeting of Council held on 9 May 2005, Minute No. 1170, Report No. WKS188-05.

9. Flood related development controls information

- (1) Is the land or part of the land within the flood planning area and subject to flood related development controls?

No

- (2) Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls?

No

- (3) In this clause—

flood planning area has the same meaning as in the Floodplain Development Manual.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

probable maximum flood has the same meaning as in the Floodplain Development Manual.

10. Council and other public authority policies on hazard risk restrictions

(1) Is any of the land affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.

No

(2) In this section—

adopted policy means a policy adopted—

- (a) by the council, or
- (b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.

11. Bush fire prone land

(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or some of the land is bush fire prone land.

(2) If none of the land is bush fire prone land, a statement to that effect.

Is the land bush fire prone?

None of the land is bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

12. Loose-fill asbestos insulation

Does the land includes residential premises, within the meaning of the *Home Building Act 1989*, Part 8, Division 1A, that are listed on the Register kept under that Division?

No

13. Mine Subsidence

Is the land declared to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*?

No

14. Paper subdivision information

(1) Is the land subject to any development plan adopted by a relevant authority that—

- (a) applies to the land?, or
- (b) is proposed to be subject to a ballot?

No

(2) Is the land subject to a subdivision order that applies to the land, and if so what is the date of the order?

No

(3) Words and expressions used in this section have the same meaning as in this Regulation, Part 10 and the Act, Schedule 7.

15. Property Vegetation Plans

Has Council been notified that the land is subject to a property vegetation plan which is approved and in force under the *Native Vegetation Act 2003*, Part 4?

No

16. Biodiversity stewardship sites

Has Council been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

No

Note. Biodiversity stewardship agreements include biobanking agreements under the *Threatened Species Conservation Act 1995*, Part 7A that are taken to be biodiversity stewardship agreements under the *Biodiversity Conservation Act 2016*, Part 5.

17. Biodiversity Certified Land

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

No

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

18. Orders Under Trees (Disputes Between Neighbours) Act 2006

Has Council been notified of an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land?

No.

19. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

(1) If the *Coastal Management Act 2016* applies to the council, has the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the *Local Government Act 1993*, section 496B, for coastal protection services that relate to existing coastal protection works?

The Coastal Management Act 2016 does apply to Sutherland Shire. However, in the LGA there are no properties subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services.

(2) In this section—

existing coastal protection works has the same meaning as in the *Local Government Act 1993*, section 553B.

Note. Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1 January 2011.

20. Western Sydney Aerotropolis

Under *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 4 is the land—

(a) in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17?, or

No

(b) shown on the Lighting Intensity and Wind Shear Map?, or

No

(c) shown on the Obstacle Limitation Surface Map?, or

No

(d) in the “public safety area” on the Public Safety Area Map?, or

No

(e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map?

No

Note: *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* does not apply to any land in Sutherland Shire.

21. Development Consent Conditions for Seniors Housing

If *State Environmental Planning Policy (Housing) 2021*, chapter 3, part 5 applies to the land, are there any conditions of a development consent granted after 11 October 2007 in relation to the land that are of a kind set out in clause 88 (2) of that Policy?

No

22. Site Compatibility Certificates and Development Consent Conditions for Affordable Rental Housing

- (1) Is there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there is a certificate—
- (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the Department.

None found.

- (2) If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).

None found.

- (3) Any conditions of a development consent in relation to land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1).

None found.

- (4) In this section—
former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.

Any Other Prescribed Matter

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

- (a) Is the land significantly contaminated land within the meaning of that Act?
No
- (b) Is the land subject to a management order within the meaning of that Act?
No
- (c) Is the land the subject of an approved voluntary management proposal within the meaning of that Act?
No
- (d) Is the land subject to an ongoing maintenance order within the meaning of that Act?
No
- (e) Is the land subject of a site audit statement within the meaning of that Act?
No

Additional Information

Council's records indicate that there is no other relevant information in accordance with Section 10.7(5) of the Environmental Planning and Assessment Act, 1979 related to this property. Advice regarding demolition orders should be sought by application for a Division 6.7 Building information certificates.

**ADDITIONAL INFORMATION PURSUANT TO SECTION 10.7(5),
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

The following additional information relating to the land is provided in good faith. The information is not exhaustive of matters likely to affect the land. Section 10.7(6) states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5).

Council's records indicate that there is no other relevant information in accordance with Section 10.7(5) of the Environmental Planning and Assessment Act, 1979 related to this property. Advice regarding demolition orders should be sought by application for a Division 6.7 Building information certificates.

For further information please telephone [02] 9710 0333.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Carlon', with a long horizontal line extending to the right.

Mark Carlon
Manager Strategic Planning



Applicant:

Miss Sarah Bolton
189 Kent Street
SYDNEY NSW 2000

Planning Certificate – Section 10.7 (2)(5) Certificate Environmental Planning and Assessment Act, 1979

Certificate no:	ePC:24/0328	Delivery option:
Certificate date:	23/01/2024	Your reference:

Property:

Lot 2 DP 209152
548-550 Box Road JANNALI NSW 2226

Zone:

- * Sutherland Shire Local Environmental Plan 2015
Zone E1 Local Centre

Notes:

- The information in this certificate only relates to the real property Identifier associated with the property and not to any licence or permissive occupancy that may be attached to and included in the property details contained in the description of the land.*
- The Environmental Planning and Assessment Act 1979 will be referred to in this Certificate as 'the Act'.*

Disclaimer:

- This certificate contains information provided to Council by third parties and is as current as the latest information available to Council at the time of production of this document. Council does not warrant the accuracy of the information contained within the information provided by third parties and has not independently verified the information. It is strongly recommended that you contact the relevant third parties to confirm the accuracy of the information.*

**INFORMATION PURSUANT TO SECTION 10.7(2),
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

1. Names of relevant instruments and DCPs

1. The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:

Environmental Planning Instruments

- * Sutherland Shire Local Environmental Plan 2015
- * SEPP (Exempt and Complying Development Codes) 2008
- * SEPP (Housing) 2021
- * SEPP (Biodiversity and Conservation) 2021
- * SEPP (Industry and Employment) 2021
- * SEPP (Planning Systems) 2021
- * SEPP (Primary Production) 2021
- * SEPP (Resources and Energy) 2021
- * SEPP (Resilience and Hazards) 2021
- * SEPP (Transport and Infrastructure) 2021
- * SEPP (Sustainable Buildings) 2022

Development Control Plans

Sutherland Shire Development Control Plan 2015

2. The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land:

Draft Environmental Planning Instruments

The following Draft State Environmental Planning Policies

(SEPP) apply: Amendments to SEPP (Transport and Infrastructure) 2021 (formerly SEPP (Infrastructure) 2007), SEPP (Housing) 2021, SEPP (Exempt and Complying Development Codes) 2008, and SEPP (Planning Systems) 2021.

Draft Development Control Plans

No draft Development Control Plans apply.

3. Subsection (2.) does not apply in relation to a proposed environmental planning instrument or draft development control plan if—
- a. it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or
 - b. for a proposed environmental planning instrument—the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.

4. In this section—

proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.

2. Zoning and land use under relevant LEPs

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—

- (a) The identity of the zone, whether by reference to-
 - (i) a name, such as “Residential Zone” or “Heritage Area” or
 - (ii) a number, such as “Zone No 2 (a)”,
- (b) the purposes for which development in the zone—
 - (i) may be carried out without development consent, and
 - (ii) may not be carried out except with development consent, and
 - (iii) is prohibited,

Sutherland Shire Local Environmental Plan 2015 Zone E1 Local Centre

(i) Permitted without consent:

Home occupations

(ii) Permitted with consent:

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals;

Any other development not specified in item (i) or (iii)

(iii) Prohibited:

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Open cut mining; Resource recovery facilities; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water supply systems; Wholesale supplies

(c) whether additional permitted uses apply to the land,

No Additional Permitted Uses apply to this land.

- (d) Do development standards apply to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the fixed minimum land dimensions?

Under Sutherland Shire Local Environmental Plan 2015 there are no relevant development standards for the erection of a dwelling house due to site dimensions.

- (e) Is the land in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*?

No

- (f) Is the land in a conservation area, however described?

No

- (g) Is an item of environmental heritage situated on the land, however described?

There is no item of environmental heritage situated on the property.

3. Contribution Plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.

- * The 2016 Section 7.12 Development Contributions Plan applies to this property (Effective 01/01/17).
- * The 2016 Section 7.11 Development Contributions Plan applies to this property (Effective 01/01/17).

State Housing and Productivity Contribution applies to this property
(Effective 01/10/23).

(2) If the land is in a special contributions area under the Act, Division 7.1,
the name of the area.

No areas within Sutherland Shire are currently part of a special
contributions area.

4. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the complying development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.
- (2) If complying development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that—
 - a. a restriction applies to the land, but it may not apply to all of the land, and
 - b. the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.
- (4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.

Housing Code

Complying development may be carried out on the land under the Housing Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones R1, R2, R3, R4 or RU5. Check the zoning on the front of this certificate.)

Housing Alterations Code

Complying development may be carried out on the land under the Housing Alterations Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Industrial and Business Alterations Code

Complying development may be carried out on the land under the Industrial and Business Alterations Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Industrial and Business Buildings Code

Complying development may be carried out on the land under the Industrial and Business Buildings Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones E1, E2, E3, MU1, E4, E5, W4, SP1, SP2, SP3 or SP5. Check the zoning on the front of this certificate.)

Container Recycling Facilities Code

Complying development may be carried out on the land under the Container Recycling Facilities Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Subdivisions Code

Complying development may be carried out on the land under the Subdivisions Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Rural Housing Code

Complying development may be carried out on the land under the Rural Housing Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones RU1, RU2, RU3, RU4, RU6 or R5. Check the zoning on the front of this certificate.)

Low Rise Housing Diversity Code

Complying development may be carried out on the land under the Low Rise Housing Diversity Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: this code applies only to land within, or proposed to be within, the following zones RU5, R1, R2 or R3. Check the zoning on the front of this certificate.)

Green Field Housing Code

Complying development under the Greenfield Housing Code may be carried out on the land.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(Note: This code applies to land within the Greenfield Housing Code Area as mapped in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.)

General Development Code

Complying development may be carried out on the land under the General Development Code.

The code is varied under Clause 1.12 of *State Environmental*

Planning Policy (Exempt and Complying Development Codes) 2008.

Demolition Code

Complying development may be carried out on the land under the Demolition Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

Fire Safety Code

Complying development may be carried out on the land under the Fire Safety Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

Inland Code

Complying development may be carried out on the land under the Inland Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(Note: This code only applies to local government areas specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. At this time it does not apply to Sutherland Shire.)

Agritourism and Farm Stay Accommodation Code

Complying development under the Agritourism and Farm Stay Accommodation Code may be carried out on the land.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(Note: this code applies only to land within the following zones RU1, RU2, or RU4. Check the zoning on the front of this certificate.)

5. Exempt Development

- (1) The extent to which the land is land on which exempt development may be carried out under each of the exempt development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.
- (2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that—
 - a. a restriction applies to the land, but it may not apply to all of the land, and
 - b. the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.
- (4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

General Exempt Development Code

Exempt development may be carried out on the land under the General Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Advertising and Signage Exempt Development Code

Exempt development may be carried out on the land under the Advertising and Signage Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Temporary Uses and Structures Exempt Development Code

Exempt development may be carried out on the land under the Temporary Uses and Structures Exempt Development Code.

The code is varied under Clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

6. Affected building notices and building product rectification orders

(1) Is council is aware that—

(a) an affected building notice is in force in relation to the land, or

No

(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or

No

(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.

No

(2) In this section—

affected building notice has the same meaning as in the Building Products (Safety) Act 2017, Part 4.

building product rectification order has the same meaning as in the Building Products (Safety) Act 2017.

7. Land Reserved for Acquisition

Does any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 of this certificate make provision in relation to the acquisition of the land by an authority of the State, as referred to in section 3.15 of the Act?

No

8. Road Widening and Road Realignment

- (a) Is the land affected by a road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*?

No

- (b) Is the land affected by any road widening or road realignment under any environmental planning instrument?

No

- (c) Is the land affected by any road widening or road realignment under any resolution of the Council?

A portion of the land is required for road widening or road realignment purposes. More information is available from Sutherland Shire Council's Customer Service Centre.

Resolved at the Meeting of Council held on 9 May 2005, Minute No. 1170, Report No. WKS188-05.

9. Flood related development controls information

- (1) Is the land or part of the land within the flood planning area and subject to flood related development controls?

No

- (2) Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls?

No

- (3) In this clause—

flood planning area has the same meaning as in the Floodplain Development Manual.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

probable maximum flood has the same meaning as in the Floodplain Development Manual.

10. Council and other public authority policies on hazard risk restrictions

(1) Is any of the land affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.

No

(2) In this section—

adopted policy means a policy adopted—

(a) by the council, or

(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.

11. Bush fire prone land

(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or some of the land is bush fire prone land.

(2) If none of the land is bush fire prone land, a statement to that effect.

Is the land bush fire prone?

None of the land is bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

12. Loose-fill asbestos insulation

Does the land includes residential premises, within the meaning of the *Home Building Act 1989*, Part 8, Division 1A, that are listed on the Register kept under that Division?

No

13. Mine Subsidence

Is the land declared to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*?

No

14. Paper subdivision information

(1) Is the land subject to any development plan adopted by a relevant authority that—

- (a) applies to the land?, or
- (b) is proposed to be subject to a ballot?

No

(2) Is the land subject to a subdivision order that applies to the land, and if so what is the date of the order?

No

(3) Words and expressions used in this section have the same meaning as in this Regulation, Part 10 and the Act, Schedule 7.

15. Property Vegetation Plans

Has Council been notified that the land is subject to a property vegetation plan which is approved and in force under the *Native Vegetation Act 2003*, Part 4?

No

16. Biodiversity stewardship sites

Has Council been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

No

Note. Biodiversity stewardship agreements include biobanking agreements under the *Threatened Species Conservation Act 1995*, Part 7A that are taken to be biodiversity stewardship agreements under the *Biodiversity Conservation Act 2016*, Part 5.

17. Biodiversity Certified Land

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

No

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

18. Orders Under Trees (Disputes Between Neighbours) Act 2006

Has Council been notified of an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land?

No.

19. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

(1) If the *Coastal Management Act 2016* applies to the council, has the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the *Local Government Act 1993*, section 496B, for coastal protection services that relate to existing coastal protection works?

The Coastal Management Act 2016 does apply to Sutherland Shire. However, in the LGA there are no properties subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services.

(2) In this section—

existing coastal protection works has the same meaning as in the *Local Government Act 1993*, section 553B.

Note. Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1 January 2011.

20. Western Sydney Aerotropolis

Under *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 4 is the land—

(a) in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17?, or

No

(b) shown on the Lighting Intensity and Wind Shear Map?, or

No

(c) shown on the Obstacle Limitation Surface Map?, or

No

(d) in the “public safety area” on the Public Safety Area Map?, or

No

(e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map?

No

Note: *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* does not apply to any land in Sutherland Shire.

21. Development Consent Conditions for Seniors Housing

If *State Environmental Planning Policy (Housing) 2021*, chapter 3, part 5 applies to the land, are there any conditions of a development consent granted after 11 October 2007 in relation to the land that are of a kind set out in clause 88 (2) of that Policy?

No

22. Site Compatibility Certificates and Development Consent Conditions for Affordable Rental Housing

- (1) Is there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there is a certificate—
- (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the Department.

None found.

- (2) If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).

None found.

- (3) Any conditions of a development consent in relation to land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1).

None found.

- (4) In this section—
former site compatibility certificate means a site compatibility certificate issued under State Environmental Planning Policy (Affordable Rental Housing) 2009.

Any Other Prescribed Matter

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

- (a) Is the land significantly contaminated land within the meaning of that Act?
No
- (b) Is the land subject to a management order within the meaning of that Act?
No
- (c) Is the land the subject of an approved voluntary management proposal within the meaning of that Act?
No
- (d) Is the land subject to an ongoing maintenance order within the meaning of that Act?
No
- (e) Is the land subject of a site audit statement within the meaning of that Act?
No

Additional Information

Council's records indicate that there is no other relevant information in accordance with Section 10.7(5) of the Environmental Planning and Assessment Act, 1979 related to this property. Advice regarding demolition orders should be sought by application for a Division 6.7 Building information certificates.

**ADDITIONAL INFORMATION PURSUANT TO SECTION 10.7(5),
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

The following additional information relating to the land is provided in good faith. The information is not exhaustive of matters likely to affect the land. Section 10.7(6) states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5).

Council's records indicate that there is no other relevant information in accordance with Section 10.7(5) of the Environmental Planning and Assessment Act, 1979 related to this property. Advice regarding demolition orders should be sought by application for a Division 6.7 Building information certificates.

For further information please telephone [02] 9710 0333.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Carlon', with a long horizontal line extending to the right.

Mark Carlon
Manager Strategic Planning



CONTACT US

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