

Phase I Environmental Site Assessment

Barbary Coast Investments Pty Limited

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Waverley Council

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Robin Hood Hotel
203 Bronte Road
Waverley NSW

July 2016

Phase I Environmental Site Assessment Report

Report For:	Barbary Coast Pty Limited
Location:	203 Bronte Road Waverley NSW
Report Prepared By:	Ruth Heywood, RiskTech Pty Ltd
Date of Inspection:	8 August 2016
Inspection By:	Ruth Heywood, RiskTech Pty Ltd

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Document Revision Record

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1 Executive Summary

1.1 General

RiskTech Pty Limited was commissioned to form part of a team to undertake a Phase I Environmental Site Assessment of the Robin Hood Hotel and surrounding sites on the corner of Bronte Road and Carrington Road, Waverley Sydney. This report documents the findings of the assessment of the site conducted on 8 August 2016.

This assessment covers the Robin Hood Hotel (RHH) site, 94 Carrington Road (a set of apartments), the Legion Club located at 213 Bronte Rd and the retail shops located at 227, 225 and 223 Bronte Road underneath the apartments at 94 Carrington Road,

1.2 Key Findings

The key findings are as follows:

- The site represents a low environmental risk.
- Areas of environmental concern include a disused incinerator and a disused grease underground trap that has been filled in.
- Cleaning chemicals on site are not stored within secondary containment and are within close proximity to a drain.
- Current site activities are considered unlikely to give rise to significant soil or groundwater contamination and no visual evidence of contamination due to these activities was observed during the site inspection.
- No bulk underground fuel storage tanks were identified on site.
- No cooling towers were present on site.
- The main air conditioning chiller sets use R22 an ozone depleting substance and R410a refrigerant a non-ozone depleting substance.
- Asbestos containing materials have been identified on the site in old electrical backing boards, bituminous membranes and fibre cement sheeting. A fibre cement sheeting fragment was also identified within the exposed fill material at 94 Carrington Road.
- The site is not listed on the NSW EPA's *List of NSW contaminated sites notified to EPA*; or the *Contaminated Land: Record of Notices*.

1.3 Key Recommendations

The key recommendations are as follows:

- Install secondary containment for the cleaning and washing chemicals to contain potential leaks and prevent unintentional spillage to stormwater drains.
- Engage a suitably qualified person to remove visible fragments of bonded asbestos from the fill material and undertake an asbestos clearance.
- Asbestos materials are present on site, ensure that any renovations/removal of items containing asbestos are undertaken by a licenced asbestos contractor under controlled conditions.
- Consider lifecycle assessments and upgrade A/C systems to run on non-ozone depleting refrigerants.
- Ensure that a Trade waste agreement is in place for the grease trap and the sump pit.
- Consider undertaking a Phase 2 investigation (e.g. intrusive soil sampling) prior to future site redevelopments to identify historical contamination (e.g. from fill material) and to verify the site suitability for the intended use.

2 Introduction

RiskTech Pty Limited was engaged by Barbary Coast Pty Limited to complete a Phase I Environmental Site Assessment of the Robin Hood Hotel and surrounding sites located at the corner of Bronte Road and Carrington Road, Waverley Sydney. This consisted of a site inspection on 8 August 2016 as well as a documentation review.

2.1 Scope

The objective of the Phase I Environmental Assessment was to conduct a site inspection and collate historical information in order to establish weather activities have occurred on site that may have resulted in contamination of the land.

The assessment incorporated a review of available historical information and current site operations. The assessment methodology involved:

- Site inspection to verify reported information and visual examination of the facilities.
- Review of commentary with relevant personnel;
- Review of available statutory, maintenance, operational and environmental documentation;
- Undertaking relevant historical searches; and
- Preparation of a report outlining the findings of the assessment and recommendations.

2.2 Limitations

- The assessment is limited to those physical aspects that could be observed during inspections of accessible areas.
- Detailed testing/intrusive investigations were not included in this assessment.
- The assessment does not cover defects in inaccessible places or latent defects.
- We have generally used and relied upon information supplied as being regarded as authoritative and reliable. Review of reports and certification documentation is limited to those that were supplied as part of the Phase I Environmental Site Assessment and historical searches.

3 Environmental Issues

3.1 Property Location and Adjacent Land Uses

3.1.1 Location and Description

The subject site is a mixed use site that comprises 7 lots of land. The site contains the Robin Hood Hotel, a block of 6 apartments, 3 shop front and the Legion Club. The Robin Hood Hotel was originally constructed in 1938. Both the apartment block and the shop fronts share common land on which the buildings are two stories high and the Robin Hood Hotel is spread over three levels. The Legion Club was not accessible at the time of the inspection.

The Robin Hood Hotel (RHH), originally built in 1938, comprises three levels on a sloping block. The lowest level is the bottle shop and plant rooms on the southern portion of the site. The middle level is the main bars, pokies and restaurant levels. The top level of the RHH has a function room that is still in use in the southern portion of the level and the northern portion was previously hotel rooms that are now part way through renovations.

There are 6 apartments at 94 Carrington Road of which one is tenanted and the other 5 are vacant and disused. There are 3 one bedroom apartments on the ground level and 3 two bedroom apartments on the first level.

There are three retail shops located on Bronte Road to the south of the RHH. The shops are small, single room and a store room, and are located underneath the first level apartments at 94 Carrington Road.

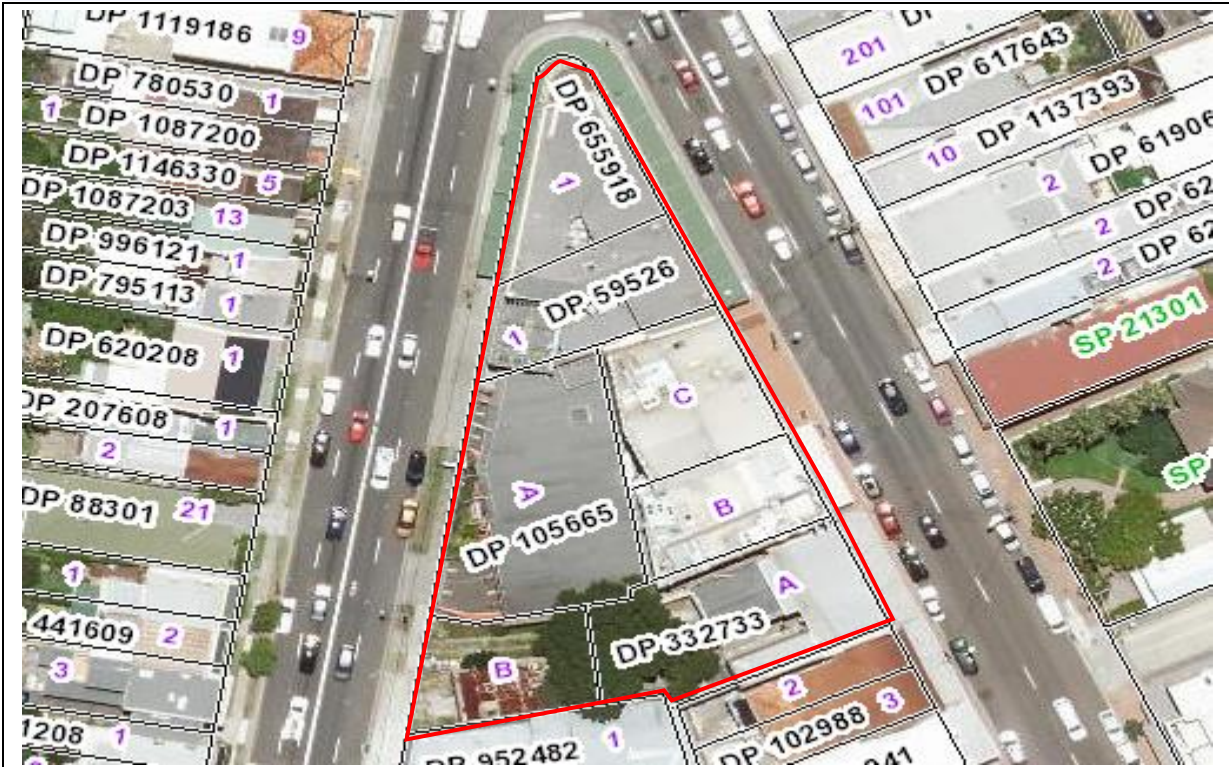
The Legion Club is located at 213 Bronte Road. Although the Legion Club is part of this assessment no access was granted to the site for a site inspection as part of this assessment.

Site Identification	
Item	Details
Site Owner	Barbary Coast Pty Limited
Address	203, 213, 223, 225 & 227 Bronte Road, Waverley NSW 94 Carrington Road, Waverley NSW
Title Details	Lot 1 DP 655918 (RHH) Lot 1 DP 59526 (RHH) Lots A DP 105665 (RHH) Lots B & C DP 105665 (Legion Club) Lots A & B DP332733 (94 Carrington Road)
Local Government Authority	Waverley Council Parish of Alexandria County of Cumberland
Land Area	~2, 176m ² area

Site Identification

Current Site User

Commercial/residential



Site Title Details: 203, 213, 223, 225 & 227 Bronte Road
& 94 Carrington Road Waverley NSW

Courtesy SixMaps, 2016

3.1.2 Surrounding Landuse

The site is situated in approximately 5.5 km south east of Sydney's CBD. The following provides a summary of surrounding land uses:

Direction	Landuse
North	Retail/commercial buildings
South	A Retail/commercial buildings
East	Retail/commercial buildings and Bronte Road
West	Retail/commercial buildings and Carrington Road

The nearest water body to the site is Bronte beach, approximately 1.5 km to the east of the site and Sydney Harbour approximately 3.3 km to the north of the site.



Site Location: 203 Bronte Road Waverley NSW

Courtesy SixMaps, 2016

3.2 Site History

3.2.1 Previous Environmental Reports

The following report was available for review as part of this assessment:

- **Hazardous Materials Survey Report and Register, 94 Carrington Road, 223 – 227 Bronte Road and Robin Hood Hotel Bottle Shop Waverley NSW; Environmental Monitoring Services December 2015.**

The findings of this report indicated that asbestos containing materials, standard Synthetic Mineral Fibre items and lead paint were present on site, however, no PCBs were identified. The items identified are summarised below:

94 Carrington Road

- ❑ Asbestos containing bituminous sealant membrane to roof flashing and some sections of adjacent concrete.
- ❑ Asbestos containing bituminous waterproofing membrane to 2nd Floor balcony.
- ❑ Asbestos containing bituminous sealant membrane to terracotta tiles on 1st Floor balcony.
- ❑ Asbestos containing fibre cement sheeting to rear of cupboards in bathrooms.
- ❑ External window frame paint was found to contain lead.
- ❑ SMF insulation batts on the roof of the garage.

223 – 227 Bronte Road

- ❑ Asbestos containing electrical backing board in west cupboard on external north wall (presumed asbestos).
- ❑ Asbestos containing vinyl floor tiles underneath hot water heater in 225 Bronte Road (Hairdresser's).

Robin Hood Hotel Bottle Shop

- ❑ Asbestos containing bituminous waterproofing membrane to roof of driveway.

■ **The Robin Hood Hotel 203 Bronte Road Waverley NSW, Heritage Impact Statement; John Oultram Heritage & Design August 2011.**

This report outlines a detailed history of the site and the surrounding area. It highlights the significance of the heritage of the site in relation to the history of the area. For a detailed history of the site and surrounding area the full heritage report can be viewed on the Robin Hood Hotel website.

3.2.2 Historical Title Information

Historical title searches are typically undertaken to indicate possible sources of contamination based upon the likely operations carried out on the site by the owner/tenant of the property.

A limited historical title search was undertaken for this property. A summary of historical title information has been provided in the table below.

Historical Title Summary – 203 Bronte Road, Waverley NSW			
Title Reference	Registered Proprietors	Date	Status
Lot 1 DP 655918	Raymond Laurence Whitten, Daniel Maurice Whitten, Andrew John Whitten	16.09.2009	Current
Lot 1 DP 59526	Raymond Laurence Whitten, Daniel Maurice Whitten, Andrew John Whitten	16.09.2009	Current
Lot A DP 105665	Raymond Laurence Whitten, Daniel Maurice Whitten, Andrew John Whitten	16.09.2009	Current
V. 14152 F. 44	Tooth & Co Limited	24.06.1980	Historical
	Edward James Joseph Wales of Waverley, Licenced Publican	05.11.1956	Historical
V. 4168 F. 58	John Bruce Burgess of Sydney, an Optometrist	13.07.1928	Historical
V. 4168 F. 59	Stanley Gordon Burgess of Sydney, a Quantity Surveyor	13.07.1928	Historical
	Tooth & Co. Limited	11.09.1936	Historical
V. 4168 F. 60	Alan Leigh Burgess of Gerringong, a Farmer	13.07.1928	Historical
	Tooth & Co. Limited	11.09.1936	Historical
V. 2686 F. 105	Walter Scott Harkness of Woollahra	24.07.1918	Historical

Historical Title Summary – 203 Bronte Road, Waverley NSW

	Phillip William Rygate, Surveyor, and Arthur Muddle	26.07.1918	Historical
V. 1154 F. 69	David Stuart of Paddington, a Builder	12.02.1895	Historical
Lot C DP 150665	Australian Legion of Ex-servicemen and Women	-	Current
V. 8137 F. 249	Australian Legion of Ex-servicemen and Women	10.04.1961	Historical
	Bank of New South Wales	15.03.1962	Historical
	Commercial and General Insurance Limited	04.04.1962	Historical
V. 5614 F. 125	Helen Notaras, a retired Restaurant Proprietor	25.10.1946	Historical
V. 5614 F. 126	John Cassimatis of Sydney, a Milkbar Proprietor	25.10.1946	Historical
	Australian Legion of Ex-servicemen and Women	30.08.1960	Historical
V. 3274 F. 129	Bondi Land and Buildings Limited	21.01.1922	Historical
	Edward James Egan of Bondi Estate Agent & John Bourke of Woollahra Contractor	30.01.1922	Historical
Application 804010	Lewis Gordon from Crown Grant	15.06.1848	Historical
Lots A & B DP 332733	Barbary Coast Investments Pty Limited	20.04.2016	Current
V. 4832 F. 179	Angelo Mellitas of Sydney, a Confectioner	05.04.1937	Historical
	Charles West, Alexander Charles, Allistair Alexander & James Lord Milson	03.05.1937	Historical
	Coleman Products Pty Ltd	09.06.1975	Historical
V. 4759 F. 123	Angelo Mellitas of Sydney, a Confectioner	05.05.1936	Historical
V. 4759 F. 127	Angelo Mellitas of Sydney, a Confectioner	05.05.1936	Historical
	Claire Lloyd, Wife of Robert Lloyd, a Solicitor	15.05.1936	Historical

A detailed history of the site was undertaken for the Robin Hood Hotel in the Robin Hood Hotel Heritage Impact Statement prepared by John Oultram Heritage & Design in August 2011. For a detailed site history refer to this report.

In general the Robin Hood Hotel, 94 Carrington Road the retail shops and the Legion Club buildings have been present on site since the 1930s. From the time that the land was transferred from crown grant to a private owner in 1848 there have been a number of private and commercial owners. Tooth & Co. Pty Limited purchased the land on which the RHH stands today. Although the owners have changed the building has remained on the site.

Refer to **Appendix 2** for the copies of the title search information.

3.2.3 Historical Aerial Photographs

Historical aerial photographs may indicate possible sources of historical contamination based upon the activities carried out on the site/adjacent sites. Historical aerial photographs for the site were viewed from 1930 - 2016. A summary of findings from seven of these is provided in the table below:

Historical Aerial Photography		
Photo Year	Observation	
1930	Site	The majority of the site has small buildings on it with what appears to be an unsealed area in the northern portion of the site. The buildings appear to either be residential or commercial/retail.
	Surrounds	The area surrounding the site appears to be high density houses/shops of which the majority appear to be single level.
1943	Site	The original Robin Hood Hotel is now visible on the northern portion of the site. The central and southern portions of the site appear to have 6 buildings on them and a driveway in the south western corner of the site.
	Surrounds	The surrounding area appears similar to the 1930 photograph, a mixture of retail and residential.
1965	Site	The building in the central western portion of the site has changed from two buildings to one large building. The remainder of the site appears unchanged from the 1943 photograph.
	Surrounds	There are no discernible differences to the area surrounding the site from the 1943 aerial photograph.
1978	Site	There are no discernible differences to the site from the 1965 aerial photograph.
	Surrounds	There are no discernible differences to the area surrounding the site from the 1965 aerial photograph.
1991	Site	There are no discernible differences to the site from the 1978 aerial photograph.
	Surrounds	The surrounding area appears similar to the 1978 aerial photograph.
2001	Site	There are no discernible differences to the site from the 1991 aerial photograph.
	Surrounds	The surrounding area appears similar to the 1991 aerial photograph.
2016	Site	There are no discernible differences to the site from the 2001 aerial photograph.
	Surrounds	The surrounding area appears similar to the 2001 aerial photograph.

Historical aerial photograph of the site and surrounding area show that the buildings that are on the site have predominantly been present from between 1930 and 1943. Very little change is visible to the buildings on the site from 1943 to the present day. The area surrounding the site appears to have been a mixture of residential and retail/commercial since the 1930's. Few changes can be seen in the areas surrounding the site to the present day.

Copies of the aerial photographs can be found in **Appendix 1**.

3.2.4 NSW WorkCover

A WorkCover Storage of Hazardous Chemicals Search was undertaken for the part of the site located at 203 Bronte Road Waverley. The information from the search indicated that there is no known record of any licences issued for the storage of dangerous goods at the site e.g. fuel in underground storage tanks (refer to **Appendix 4** for the WorkCover Search Results).

3.2.5 Heritage Search

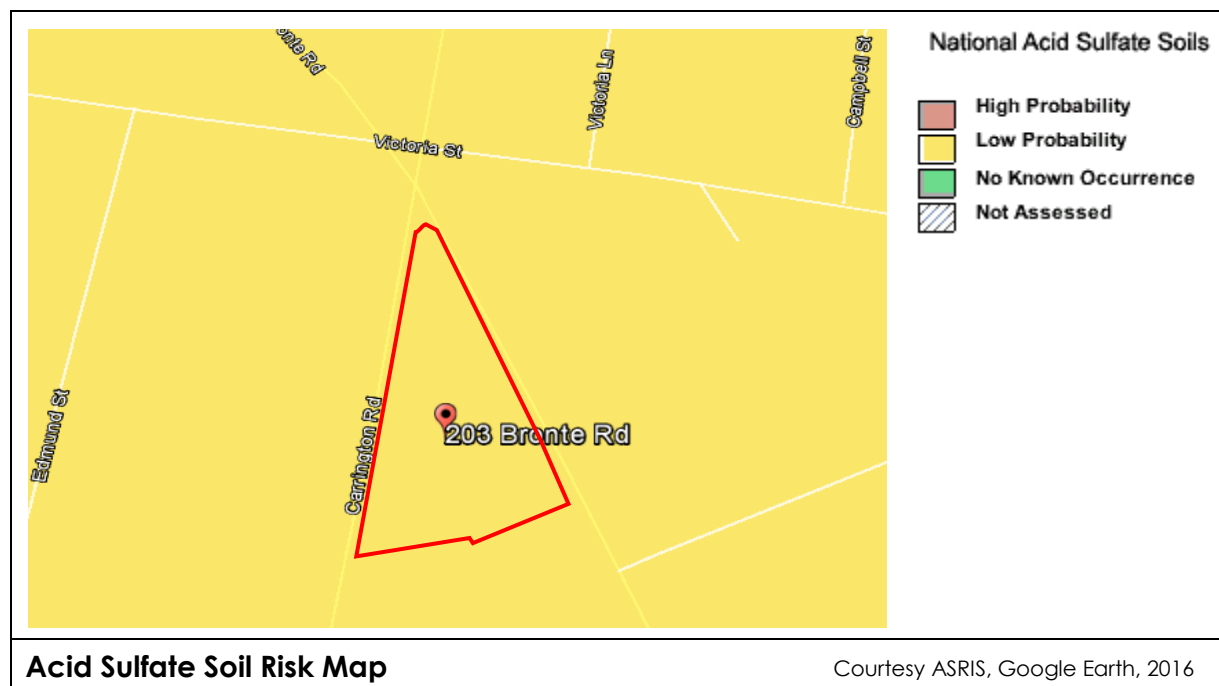
A search was undertaken on the NSW EPA website to assess the heritage status of the site. The site is not listed as a heritage. A Further search was undertaken on the NSW Heritage website and it lists the site as being of regional heritage value as a place demonstrating late 19th and early 20th century commercial buildings along a main street. The website then goes on to state that "on the available evidence, Charring Cross commercial centre does not meet any National Heritage Criteria".

The site was confirmed in the Section 149 as being in a heritage conservation area, however it is listed as containing a heritage item.

3.2.6 Planning Searches

3.2.6.1 Acid Sulfate Soils

Acid sulfate soils are naturally occurring soils or sediments that are formed under waterlogged conditions containing iron sulphide minerals, and when disturbed release sulphuric acid.



A search of the Australian Soil Resource information System (ASRIS) National Acid Sulfate Soils Risk Map was carried out for the site. The search revealed that the site is in an area with low probability of acid sulfate soils.

It is noted that the Acid Sulfate Soils Maps do not describe the actual severity of acid sulfate soils in a particular area, but provide an initial indication that acid sulfate soils could be present on the site. The drainage from acid sulfate soil lands can create conditions which are toxic to aquatic and terrestrial life and grazing animals. The best management option for the problem of acid sulfate soils is not to disturb the soil.

However, land development and agricultural activities in coastal areas will often interfere with acid sulfate soils. The presence of potential acid sulfate soil is an important consideration when developing a site with any structures that contain steel or concrete. The local government may require the submission of an Acid Sulfate Soil Management Plan prior to development consent.

3.2.6.2 Geology

A review of the Sydney 1 : 250,000 Geological Series Sheets S1 56-5 third edition (1966) indicates that the site is underlain by quaternary aged alluvium, sand, gravel silt and clay. This is then overlain by Triassic aged Hawkesbury sandstone and quartz with inclusions of some shale.

3.2.6.3 Section 149 Certificate

Section 149 Planning Certificates are issued in accordance with the Environmental Planning & Assessment Act 1979. They contain information on how a property may be used and the restrictions on development.

Information to be disclosed on a Section 149 (2) Planning Certificate is specified under the Environmental Planning and Assessment Regulation 2000 (Schedule 4) and shows the zoning of the property, its relevant state, regional and local planning controls and other property issues such as land contamination and road widening. A section 149(2) and 149(5) certificate provides the same information but also includes other factors such as advice from other authorities.

The Section 149(2&5) certificate for the site was reviewed (dated 18/5/16). A summary of relevant information is as follows:

- The land is zoned B4 Mixed Use
- The land is affected by State Environmental Planning Policies and Regional Environmental Plans.
- The lands does not comprise critical habitat
- The land is located within a heritage conservation area identified within the Waverley Local Environmental Plan 2012.
- The land is not subject to flood related development controls.
- The land is not in a bush fire prone area.
- The land is not affected by road widening or road realignment.
- The land is not in a coastal protection zone.
- Council has not been notified that the property contains loose fill asbestos ceiling insulation.
- The land is not noted as being significantly contaminated land.
- The land is not subject to a management order.
- The land is not identified as being affected by acid sulfate soils.

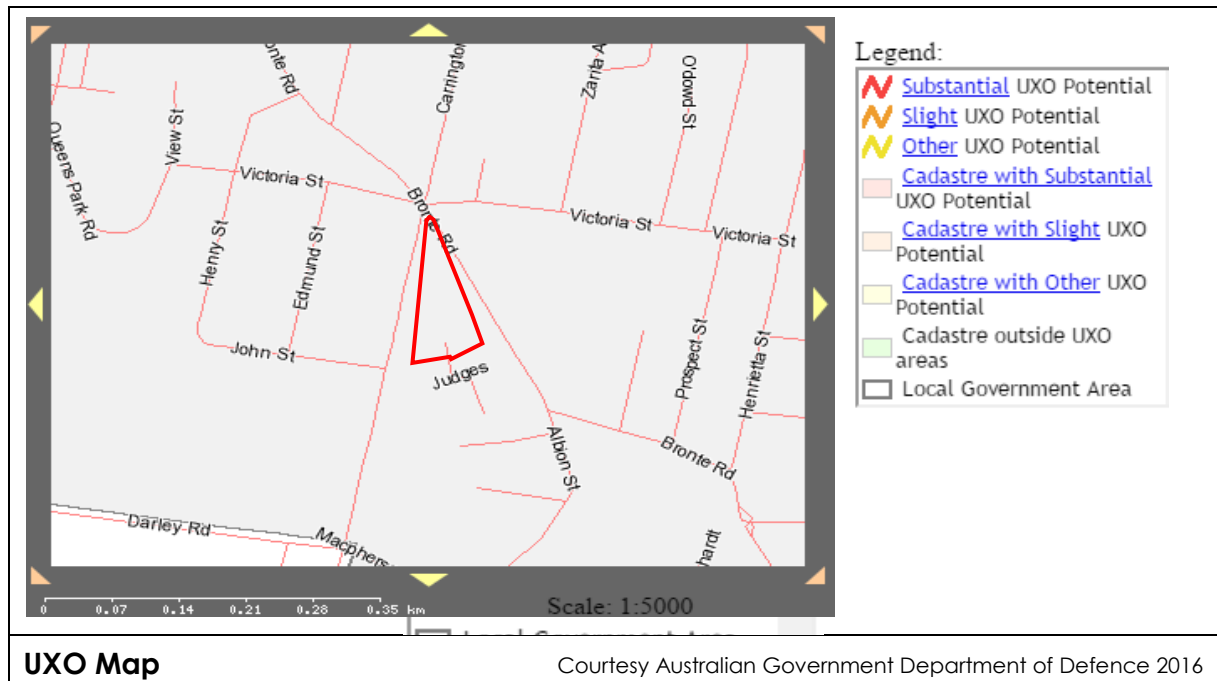
Refer to **Appendix 3** for the S149 Certificate.

3.2.7 UXO Site Search

As a result of military training and live firing undertaken by Australian and Allied forces there are many areas throughout Australia not controlled by the Commonwealth, which may be subject to residual unexploded ordnance (UXO) contamination. In accordance with Commonwealth policy, the Department of Defence has

undertaken to identify and record sites where there is potential for such contamination.

The site is not located in an area that poses a risk to UXO.



3.2.8 NSW EPA Search

In NSW the management of contaminated land is shared by the Environment Protection Authority (EPA), the Department of Planning and Infrastructure and planning consent authorities (usually local councils). Under the Contaminated Land Management Act 1997 (CLM Act), the EPA regulates contaminated sites where the contamination is significant enough to warrant regulation. Contaminated sites that are not regulated by the EPA are managed by local councils through land-use planning processes.

The EPA has 2 online lists and a public register:

- List of NSW contaminated sites notified to EPA;
- List of Contaminated Land: Record of Notices; &
- Protection of the Environment Operations Act 1997.

Subsequent to amendments to Section 60 of the CLM Act 'Duty to Report Contaminated Sites', the Environment Protection Authority (EPA) has received many notices from owners or occupiers of sites where they believe the sites are contaminated (i.e. 'List of NSW contaminated Sites notified to the EPA').

The sites appearing on this 'List of NSW contaminated sites notified to the EPA' indicate that the notifiers consider that the sites are contaminated and warrant reporting to EPA. However, the contamination may or may not be significant enough to warrant regulation by the EPA. A site will be on the 'Contaminated Land: Record of Notices' only if the EPA has issued a regulatory notice in relation to the site under the CLM Act.

3.2.8.1 Searches

An online search through the EPA contaminated land public records was completed for the current site being investigated. It is noted that an absence of a site from the list does not necessarily imply the site is not contaminated.

- The site is not listed on the 'List of NSW contaminated sites notified to EPA'.
- The site is not listed on the 'Contaminated Land: Record of Notices list'. There are no sites noted nearby to the site.

A search of the public register maintained by NSW EPA under the Protection of the Environment Operations Act 1997 (POEO Act) was undertaken and the search identified that, for the site, there were:

- No prevention, clean-up or prohibition notices; and
- No transfer, suspension, surrender or revocation of an environment protection licence.

3.2.9 Contamination from Past Uses

No industrial activities or storage of fuel has been identified on the site or adjacent sites through the historical site searches. Based upon the historical searches, review of the supplied report and site assessment the likelihood of sub-surface contamination from previous land uses is considered low.

3.3 Environmental Issues

3.3.1 Emissions to Atmosphere

Emissions to atmosphere from the site include:

- Building exhaust from toilet facilities throughout the building;
- Kitchen exhaust from the cafe within the building; and
- Air conditioning exhaust throughout the building.

None of the emissions listed above would require an Environment Protection Licence.

Recommendations

- Nil

3.3.2 Waste Water Management

The following wastewater is generated on site from:

- Kitchen;
- Bathrooms/toilets;
- Grease trap; and
- Stormwater.

3.3.2.1 Grease Trap

There is one above ground grease trap present on site that is now used instead of the decommissioned and now backfilled underground grease trap. RiskTech was advised that the grease trap is regularly serviced and maintained and reviewed documentation that confirmed this. RiskTech was advised that there is a current Trade Waste Agreement in place for the grease trap, however the current Trade Waste Agreement was not available for review at the time of the assessment.

Although the Legion Club was not inspected during this assessment it is highly likely that there is at least a second grease trap present on that site to service the Legion Clubs kitchen facilities.



Photo 1: Grease trap in the lower level back of house area of the Robin Hood Hotel

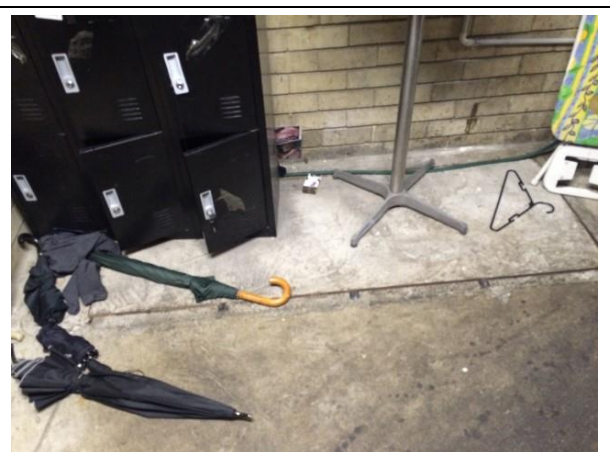


Photo 2: Disused grease trap adjacent to current grease trap

Recommendations

- Ensure a current Trade Waste Agreement is in place for the site.

- Undertake a site inspection on the Legion Club to confirm the presence/absence of a grease trap.

3.3.2.2 Stormwater

Stormwater is collected on site by gutters and drains on the exterior of the buildings. This is then fed directly to stormwater drainage systems associated with Bronte Road and Carrington Road.

Drainage is also located throughout the lower level of the RHH throughout the back of house storage areas. Cleaning chemicals, that are not currently stored in secondary containment, are being stored in close proximity to some of these drains. This has the potential to cause stormwater contamination in the event of accidental spillage or leaks in the storage containers.



Photo 3: Stormwater drainage at the exit to the Robin Hood Hotel bottle shop

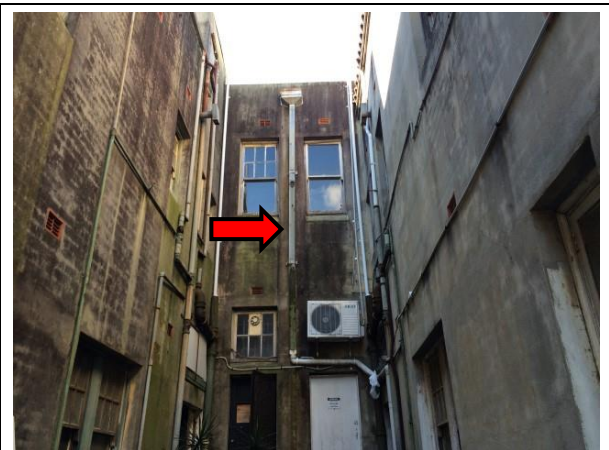


Photo 4: Stormwater drainage down pipes at 94 Carrington Road



Photo 5: Drainage within the lower level back of house area of the Robin Hood Hotel



Photo 6: Stormwater drain in the loading dock/rubbish area of the Robin Hood Hotel

Recommendations

- Refer to recommendation in section 3.3.5 Chemical Storage

3.3.2.3 Sump Pits

No sump pits were observed on the site at the time of the inspection.

3.3.3 Solid Waste Management

Waste management currently poses a low environmental risk at the site.

Solid waste streams generated at the subject site include:

- Standard organic wastes, co-mingled, glass, plastic and paper generated by general commercial activities.
- A disused incinerator was present on site with chutes on the upper and middle level of the RHH and the incinerator present on the lower level of the RHH.

RiskTech was advised that a current waste removal contract was in place for the site and service agreements with both Veolia and URM waste management services were available for review.

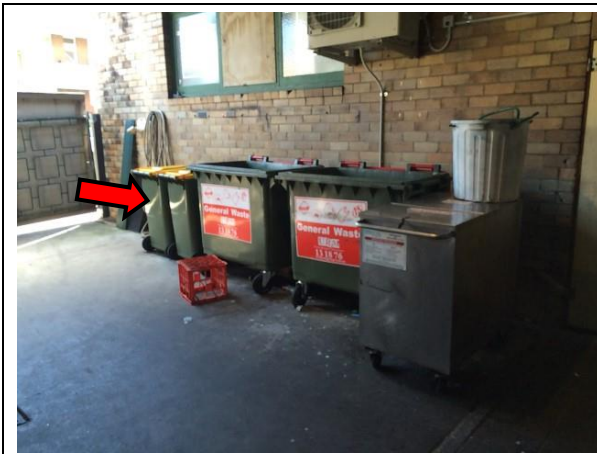


Photo 7: Waste disposal area

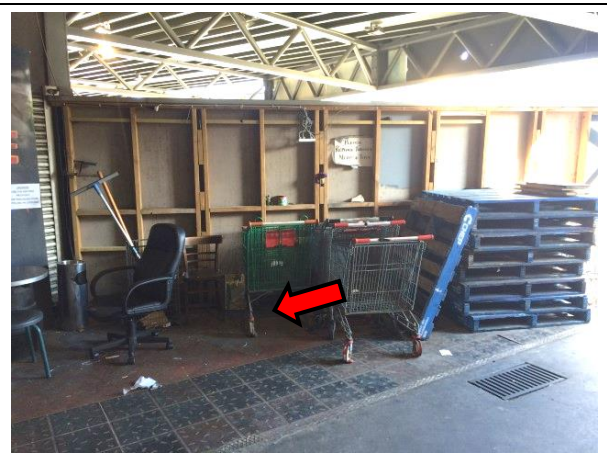


Photo 8: Waste disposal area



Photo 9: Chute for disused incinerator on the upper hotel level of the Robin Hood Hotel



Photo 10: Disused incinerator adjacent to the grease trap on the lower level of the Robin Hood Hotel

The disused incinerator is located in a boarded off area adjacent to the grease trap on the lower level of the RHH. Although the incinerator is no longer in use, it is likely to have historically been used to burn all types of rubbish that was generated on the site. This would have the potential to have produced burnt material that may have been disposed of on the site.

General housekeeping of waste storage areas throughout the site were kept in a neat and tidy state with the exception of pallets stored in the waste area.

Recommendations

- If demolition and/or major refurbishment are to be undertaken on the site, consider a phase 2 investigation to identify any historical contamination and verify the site suitability for the intended land use.
- Ensure good housekeeping is maintained throughout all storage areas of the site.

3.3.4 Bulk Fuel Storage

No underground storage tanks are present on site. The WorkCover Storage of Hazardous Chemicals Search did not identify any historically stored chemicals such as fuel in underground storage tanks.

3.3.5 Chemical Storage

Cleaning chemicals, washing chemicals and gas cylinders are stored on site.

Cleaning and washing chemicals are stored in the back of house/maintenance area on the lower level of the RHH. Cleaning and washing chemicals were not stored in secondary containment and visual evidence of leaks/spills were present on the floor. Cleaning chemicals are stored in close proximity to a drain in the floor.

A number of paint tins are stored in the upper hotel room area of the RHH. These paints are being temporarily stored for use during renovations of the hotel area of the RHH. The paints are not stored in secondary containment, however, are not near any stormwater drains.

Several sets of gas cylinders are stored on site on the lower level of the RHH. The gas cylinders are secured and segregated correctly.

No bulk quantities of chemicals are stored on site that would require a license.



Photo 11: Paints stored on Level 1 in a hotel room



Photo 12: Cleaning chemicals stored without secondary containment in close proximity to a drain in the floor



Photo 13: White marks on the floor show areas where cleaning chemicals have leaked



Photo 14: Washing chemicals stored without secondary containment in close proximity to a drain in the floor



Photo 15: Correctly secured and stored gas cylinders

Recommendations

- Ensure chemicals throughout the site are stored with secondary containers to contain any potential leaks and prevent accidental discharge to stormwater drains.

3.3.6 Hazardous Materials

A walkthrough asbestos/hazardous materials assessment has been undertaken as part of this due diligence. In summary:

3.3.6.1 Asbestos

A hazardous materials survey was undertaken for the site in December 2015. This survey identified asbestos containing materials at the RHH, the apartments and the retail shops. The asbestos items identified were all non-friable and comprised electrical backing boards, fibre cement sheeting and bituminous water proofing membrane.

Further to this a fragment of suspected asbestos containing fibre cement sheeting was identified on the surface of the exposed fill at 94 Carrington Road. Only a single fragment was observed during the site inspection.

During the site inspection the manager of the RHH, Daniel Whitten, mentioned that there is asbestos items identified within the roof cavity of the RHH. Daniel stated that

there had been previous assessments of this area however this assessment was not available for review at the time of the inspection.



Photo 16: Suspected asbestos fragment on the exposed fill at 94 Carrington Road



Photo 17: Exposed fill at 94 Carrington Road



Photo 18: Asbestos containing fibre cement sheeting at 94 Carrington Road



Photo 19: Asbestos containing bituminous membrane on the roof of the RHH

3.3.6.2 Synthetic Mineral Fibres

- Standard insulation materials are present on site, including air conditioning ductwork insulation in the ceiling spaces and plant internal insulation (e.g. hot water heaters). There was also discarded SMF insulation batts on the roof of the garage at 94 Carrington Road.



Photo 20: SMF insulation within hot water heater at the Robin Hood Hotel



Photo 21: Discarded SMF insulation batts on the garage roof at 94 Carrington Road

3.3.6.3 Polychlorinated BiPhenyls (PCBs)

- PCBs were commonly used in fluorescent light fittings and other electrical installations up until the 1970s. Although the original buildings were constructed prior to this time several refurbishments have been undertaken since then. No PCBs were identified in the 2015 Hazardous Materials Survey and not were identified or suspected during the site inspection. PCBs are therefore not suspected to be present on site.

3.3.6.4 Lead Paint

- Lead based paint was identified as being present on site in the 2015 Hazardous Materials Survey. It was confirmed as being present on the exterior window frames of 94 Carrington Road and within 225 Bronte Road (rear area ceiling). Many interior ceiling and wall paint samples were negative when tested for lead. Many areas of the site were inaccessible for lead paint testing.



Photo 22: Lead based paint on the exterior window frames of the apartments at 94 Carrington Road

Recommendations

- When demolition or refurbishment works are to involve the disturbance of confirmed lead-containing paint, dust suppression techniques should be utilised. Any works, which may disturb potential lead-based paint systems, should be conducted in accordance with the requirements of Australian Standard AS 4361.2 1998 Guide to lead paint management, Part 2: Residential and commercial buildings.

3.3.6.5 Ozone Depleting Substances (ODS)

Various air conditioning units and chillers are present on site. They appear to be R410a refrigerant, a non-ozone depleting substance, and R22 refrigerant, an ozone depleting substance.

Under the Montreal Protocol (Copenhagen Revision 1992), hydrochlorofluorocarbon (HCFC) refrigerants (such as R22) are to be phased out by 2030. The Commonwealth Government has introduced controls on the import and manufacture of HCFC refrigerants for both new and used equipment for the economic life of that equipment.

All fluorocarbons (CFCs, HCFC and HFCs) require contractors to have a refrigerant handling licence.

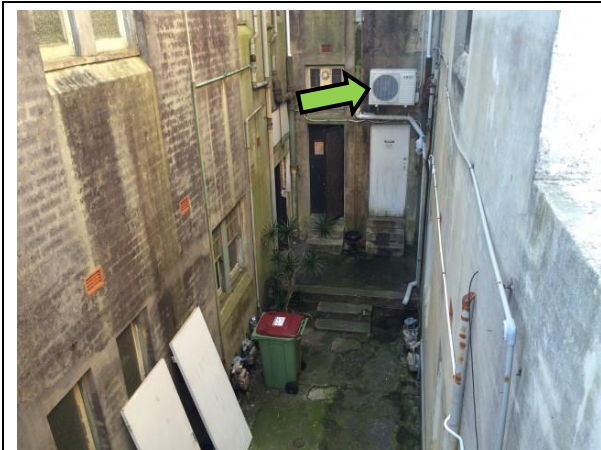


Photo 23: Air conditioning unit at the back of the Roller Door Shop contains the refrigerant R410a



Photo 24: Air conditioning unit on the roof of the Robin Hood Hotel contains the refrigerant R22

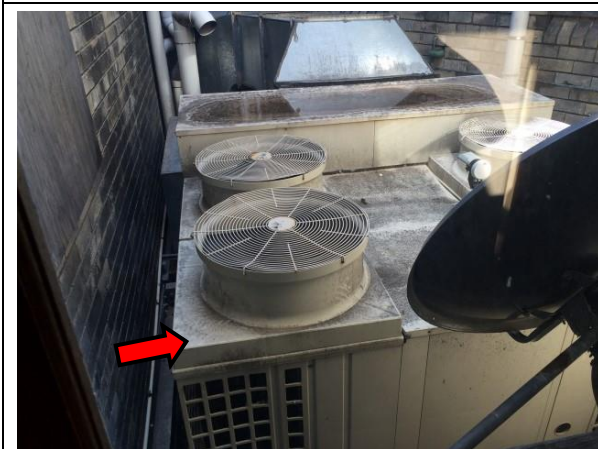


Photo 25: Air conditioning unit in the central portion of the Robin Hood Hotel contains the refrigerant R22, an ozone depleting substance

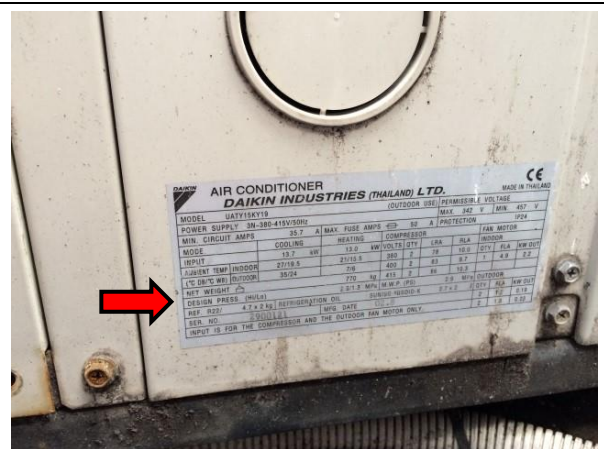


Photo 26: Air conditioning unit in the central portion of the Robin Hood Hotel contains the refrigerant R22, an ozone depleting substance

All fluorocarbons (CFCs, HCFC and HFCs) require contractors to have a refrigerant handling licence.

Recommendations:

- There is consequently no environmental liability associated with the continued, effective use of air-conditioning units using HCFC refrigerants. However, should any air-conditioning plant currently utilising R22 refrigerant require upgrade or replacement in the future, consideration should be given to selecting plant that utilises a refrigerant gas with a lower ozone depleting potential.

3.3.7 Cooling Towers

There are no cooling towers present on the site.

3.3.8 Potential for Contamination

3.3.8.1 Visible Contamination

No visible signs of staining or unusual residues were observed on the driveway area of the RHH Bottle Shop, the driveway/garage area of 94 Carrington Road, ancillary structures or surrounding areas.

No odours were apparent during the site inspection.

3.3.8.2 On Site Sources of Contamination

Based on the historical aerial photographs, the structures on the site have remained predominantly the same since 1943, with the exception of one building changing in the central western portion of the site in the 1965 photograph. During this time it is possible that the ash that was produced by the incinerator may have been disposed of in the exposed ground surface areas of the site.

A disused grease trap was identified on the lower level of the RHH. RiskTech was advised that the disused grease trap had been filled in previously.

The driveway area of 94 Carrington Road appears, from the historical aerial photographs, to have remained unsealed since 1930, the earliest available photograph. Given that this area comprises a driveway and a garage there is potential for historical use/storage of minor quantities of fuel and other household garage chemicals, however, no visible evidence of this was observed during the site inspection.

Fill was identified within the driveway area of 94 Carrington Road. A fragment of suspected asbestos fibre cement sheeting was identified on the surface of this fill.

Further to this minor amounts of lead paint were identified on the exterior of the windows at 94 Carrington Road. Given the age of the other buildings on the wider site it is likely that lead containing paint would be present underneath the new layer of paint on the other buildings.

The Legion Club was not accessible for inspection at the time of this report.

3.3.8.3 Off Site Sources of Contamination

The historic surrounding landuse of mixed residential and retail/commercial uses did not indicate any potential sources of contamination that would affect the site.

3.3.8.4 Summary

Based on information obtained for this site, review of available historical information and assessment of potential environmental issues at the site, the potential for contamination can be summarised:

- Historical site activities are considered to be unlikely to have given rise to soil or groundwater contamination.
- Current site activities are considered to have a low potential of giving rise to significant soil or groundwater contamination.
- Adjacent sites are not considered to have potential to have given rise to soil or groundwater contamination.
- Asbestos materials are present on site, ensure that any renovations/removal of items containing asbestos are undertaken by a licenced asbestos contractor or competent person under controlled conditions.

- The site is considered suitable for the current commercial land use and represents a **low** environmental risk, however it is recommended that a phase 2 investigation be undertaken prior to any future site redevelopments to identify any historical contamination, such as use of fill on the site, ash from the incinerator or lead leaching from paint, and verify the site suitability for the intended land use.

Appendix 1 – Historical Aerial Photos



Aerial Photo: 1930

Courtesy NSW LPI



Aerial Photo: 1943

Courtesy Sixmaps



Aerial Photo: 1965

Courtesy NSW LPI



Aerial Photo: 1978

Courtesy NSW LPI



Aerial Photo: 1991

Courtesy NSW LPI



Aerial Photo: 2001

Courtesy Google Earth



Aerial Photo: 2016

Courtesy Google Earth

Appendix 2 – Historical Titles

Title Search



LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/59526

SEARCH DATE	TIME	EDITION NO	DATE
27/11/2015	6:16 PM	4	16/9/2009

LAND

LOT 1 IN DEPOSITED PLAN 59526
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP59526

FIRST SCHEDULE

RAYMOND LAURENCE WHITTEN
IN 1/2 SHARE
DANIEL MAURICE WHITTEN
IN 1/4 SHARE
ANDREW JOHN WHITTEN
IN 1/4 SHARE
AS TENANTS IN COMMON (TA AE981622)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE981623 MORTGAGE TO WESTPAC BANKING CORPORATION
- 3 AE981624 MORTGAGE TO BARBARY COAST INVESTMENTS PTY LTD
- 4 AE981625 CHARGE TO MAXWELL SERNACK

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/655918

SEARCH DATE	TIME	EDITION NO	DATE
27/11/2015	6:16 PM	2	16/9/2009

LAND

LOT 1 IN DEPOSITED PLAN 655918
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP655918

FIRST SCHEDULE

RAYMOND LAURENCE WHITTEN
IN 1/2 SHARE
DANIEL MAURICE WHITTEN
IN 1/4 SHARE
ANDREW JOHN WHITTEN
IN 1/4 SHARE
AS TENANTS IN COMMON (TA AE981622)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE981623 MORTGAGE TO WESTPAC BANKING CORPORATION
- 3 AE981624 MORTGAGE TO BARBARY COAST INVESTMENTS PTY LTD
- 4 AE981625 CHARGE TO MAXWELL SERNACK

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Title Search



LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/105665

SEARCH DATE	TIME	EDITION NO	DATE
27/11/2015	6:17 PM	4	16/9/2009

LAND

LOT A IN DEPOSITED PLAN 105665
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP105665

FIRST SCHEDULE

RAYMOND LAURENCE WHITTEN
IN 1/2 SHARE
DANIEL MAURICE WHITTEN
IN 1/4 SHARE
ANDREW JOHN WHITTEN
IN 1/4 SHARE
AS TENANTS IN COMMON

(TA AE981622)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE981623 MORTGAGE TO WESTPAC BANKING CORPORATION
- 3 AE981624 MORTGAGE TO BARBARY COAST INVESTMENTS PTY LTD
- 4 AE981625 CHARGE TO MAXWELL SERNACK

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



New South Wales Land & Property > Street Address Listing

NSW: Street Address Enquiry - 94 Carrington Waverley

The following list matches your search criteria. To order a search, tick on the check box and click 'Order'.

Address	Title Ref	Documents				Fee
94 CARRINGTON RD, WAVERLEY 2024	A/332733	<input checked="" type="checkbox"/> Title	<input type="checkbox"/> Historical	<input type="checkbox"/> CT Enquiry	<input type="checkbox"/> Prior Title	\$17.75
94 CARRINGTON RD, WAVERLEY 2024	B/332733	<input checked="" type="checkbox"/> Title	<input type="checkbox"/> Historical	<input type="checkbox"/> CT Enquiry	<input type="checkbox"/> Prior Title	\$17.75
Total:						\$35.50

This information is provided as a searching aid only. The Registrar General does not guarantee the information provided.

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 20002-28

SEARCH DATE	TIME	EDITION NO	DATE
27/6/2016	12:03 PM	1	20/4/2016

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
AT WAVERLY
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP332733

FIRST SCHEDULE

BARBARY COAST INVESTMENTS PTY LIMITED

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 A694135 RIGHT OF WAY 0.915 METRE(S) WIDE APPURTENANT TO THE PART(S) OF LOT A IN DP332733 AFFECTING THE PART SHOWN SO BURDENED IN DP978682
- 3 C405215 RIGHT OF WAY VARIABLE WIDTH APPURTENANT TO THE PART(S) OF LOT A IN DP332733 AFFECTING THE PART SHOWN SO BURDENED IN DP186706
- 4 AK315124 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOT A IN DP332733
LOT B IN DP332733.

*** END OF SEARCH ***

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 20002-28

SEARCH DATE	TIME	EDITION NO	DATE
27/6/2016	12:03 PM	1	20/4/2016

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
AT WAVERLY
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP332733

FIRST SCHEDULE

BARBARY COAST INVESTMENTS PTY LIMITED

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 A694135 RIGHT OF WAY 0.915 METRE(S) WIDE APPURTENANT TO THE PART(S) OF LOT A IN DP332733 AFFECTING THE PART SHOWN SO BURDENED IN DP978682
- 3 C405215 RIGHT OF WAY VARIABLE WIDTH APPURTENANT TO THE PART(S) OF LOT A IN DP332733 AFFECTING THE PART SHOWN SO BURDENED IN DP186706
- 4 AK315124 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOT A IN DP332733
LOT B IN DP332733.

*** END OF SEARCH ***

Title Search

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: B/105665

SEARCH DATE	TIME	EDITION NO	DATE
6/6/2016	4:42 PM	3	27/10/1997

LAND

LOT B IN DEPOSITED PLAN 105665
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP105665

FIRST SCHEDULE

EASTERN SUBURBS LEGION CLUB LIMITED (T 3527265)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C405215 RIGHT OF WAY AFFECTING THE LAND OF VARIABLE WIDTH SHOWN IN THE DP186706
- 3 2486601 LEASE TO OPTUS MOBILE PTY LIMITED OF PREMISES SHOWN HATCHED IN PLAN WITH 2486601. EXPIRES 21-7-2001
- 4 2486602 LEASE TO OPTUS MOBILE PTY LIMITED OF PREMISES SHOWN HATCHED IN PLAN WITH 2486602. COMMENCING 22-7-2001. EXPIRES 21-7-2006
- 5 2486603 LEASE TO OPTUS MOBILE PTY LIMITED OF PREMISES SHOWN HATCHED IN PLAN WITH 2486603. COMMENCING 22-7-2006. EXPIRES 21-7-2011
- 6 2486604 LEASE TO OPTUS MOBILE PTY LIMITED OF PREMISES SHOWN HATCHED IN PLAN WITH 2486604. COMMENCING 22-7-2011. EXPIRES 21-7-2016

NOTATIONS

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

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Title Search



LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: C/105665

SEARCH DATE	TIME	EDITION NO	DATE
6/6/2016	4:42 PM	2	27/10/1997

LAND

LOT C IN DEPOSITED PLAN 105665
LOCAL GOVERNMENT AREA WAVERLEY
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP105665

FIRST SCHEDULE

EASTERN SUBURBS LEGION CLUB LIMITED (T 3527265)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

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

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

201.

Appn. No. 32435

Reference to last certificate

Vol. 4786 Fol. 10

New South Wales.



[CERTIFICATE OF TITLE.]

ORDER NO. C704551

CANCELLED

REGISTER BOOK.

Vol. 5000 Fol. 150

TOOTH & CO. LIMITED, by virtue of Certificate of Title Volume 4786 Folio 10, now surrendered is now the proprietor of an Estate in Fee Simple, _____ subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That _____ piece of land situated _____ in the Municipality of Waverley _____ Parish of Alexandria _____, and County of Cumberland _____ containing Eleven perches or thereabouts as shown in the plan hereon and therein edged red being part of 4 acres 3 roods 8 perches originally granted to Lewis Gordon by Crown Grant dated the 15th day of June 1848.

In witness whereof I have hereunto signed my name and affixed my Seal, this Fifteenth day of December 1938.

Signed in the presence of

Whitford

Reg. W. Miles

Registrar General.



Lease dated the 23rd day of September 1935 Registered Book 1732 No. 154 from Tooth & Co. Limited to Charles Boyce Beeton of Waverley Hotelkeeper of the land above described on which is erected premises known as "Robin Hood" Hotel for the term of 5 years from the 9th day of September 1935.

Reg. W. Miles

Registrar General.



The within mentioned LEASE No. Book 1732 Fol. 154 has expired by effluxion of time.

Dated 17th December 1940 Vide C971661

Reg. W. Miles

REGISTRAR GENERAL.



No. C971662 Lease dated 18th December 1940 from the said Tooth & Co. Limited to James Joseph White of Sydney Licensed Publican

Produced 17th December 1940 and entered 17th December 1940 at 10.10 o'clock in the fore noon.

Reg. W. Miles

REGISTRAR GENERAL.

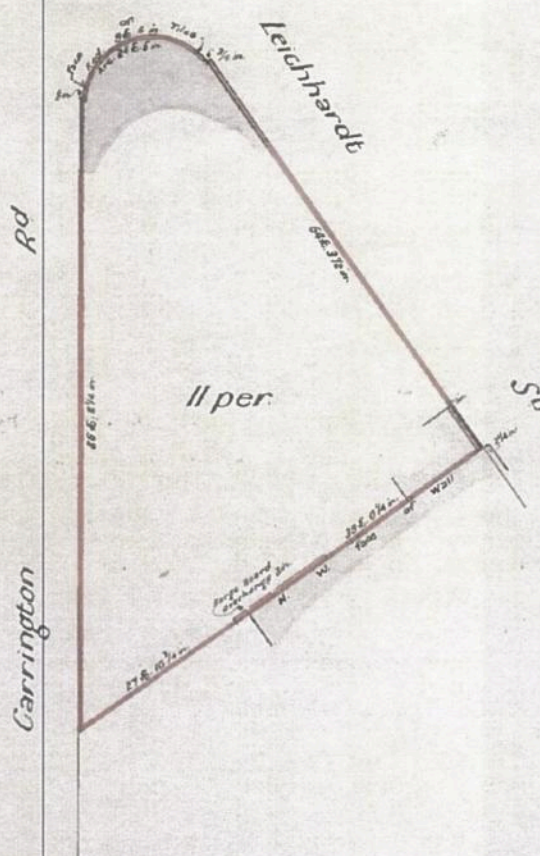


The within mentioned LEASE No. C971662 has expired by effluxion of time.

Dated 6th March 1946 Vide D467114

J. W. Pells

REGISTRAR GENERAL.



Scale: 206. to one inch.

NOTIFICATION REFERRED TO

Easement (if any) in respect of the barge board of a building which overhangs part of the south eastern boundary to the extent of 3 inches.

Reg. W. Miles

Registrar General.



Dep. Reg. Gen.
16. 1. 1939

Dep. Reg. Gen.
16. 1. 1935

C704551

No. D467115 Lease dated 10th December 1945
from the said Loth & Co Limited to Edward James Joseph Walesey
Sydney Licensed Publican

Produced 10 and entered 8th March 1946
at 3.00 p.m. o'clock in the after noon.

J. Wells
REGISTRAR GENERAL.

The within mentioned LEASE No. D467115
has expired by effluxion of time.
Dated 8th October 1948 Vide D903731

J. Wells
REGISTRAR GENERAL.

No. D903732 Lease dated 6th September 1948
from the said Loth & Co Limited to Edward James Joseph Walesey
as the "Robin Hood" Hotel, Leichhardt
at Carrington Rd Waverley
Produced 8th October 1948 and entered 8th October 1948
at 4.45 p.m. o'clock in the after noon.

J. Wells
REGISTRAR GENERAL.

The within mentioned LEASE No. D903732
has expired by effluxion of time.
Dated 23rd October 1951 Vide F559514

J. Wells
REGISTRAR GENERAL.

No. F559515 Lease dated 14th September 1951
from the said Loth & Co Limited to Edward James Joseph Walesey
Sydney Licensed Publican

Produced 26th October 1951 and entered 26th October 1951
at 10.45 a.m. o'clock in the after noon.

J. Wells
REGISTRAR GENERAL.

LEASE No. F559515 has expired by effluxion of time.
See B602277 Entered 24th November 1956.

J. Wells
REGISTRAR GENERAL.

No. B602278 Lease dated 2nd October 1956
from the said Loth & Co Limited to Edward James Joseph Walesey
Walesey of Waverley, Licensed Publican

Entered 24th November 1956.

J. Wells
REGISTRAR GENERAL.

LEASE No. G602278 has expired by effluxion of time.
See H334694 Entered 2nd November 1959.

J. Walesey
REGISTRAR GENERAL.

No. H334695 Lease dated 1st September 1959
from the said Loth & Co Limited to Edward James Joseph Walesey
Walesey of Waverley, Licensed Publican

Entered 2nd November 1959.

J. Walesey
REGISTRAR GENERAL.

LEASE No. H334695 has expired by effluxion of time.
See F334694 Entered 26th November 1962.

J. Walesey
REGISTRAR GENERAL.

No. J199517 Lease dated 11th October 1962
to Edward James Joseph Walesey of Waverley
Licensed Publican

Entered 26th November 1962.

J. Walesey
REGISTRAR GENERAL.

LEASE No. J199517 has expired by effluxion of time.
See 17th December 1965

J. Walesey
REGISTRAR GENERAL.

No. K193076 LEASE dated 21st October 1965
to Edward James Joseph Walesey of Waverley
Licensed Publican

Entered 17th December 1965

J. Walesey
REGISTRAR GENERAL.

LEASE No. K193076 has expired by effluxion of time.
See 26th January 1971

J. Walesey
REGISTRAR GENERAL.

No. M129765 Lease dated 13th October 1970
to Edward James Joseph Walesey of Waverley
Licensed Publican

Entered 26th January 1971

Expired 22.3.1976
J. Walesey
REGISTRAR GENERAL.

No. D142466 LEASE dated 13th February 1976
to Edward James Joseph Walesey of Waverley
Licensed Publican of premises being the "Robin Hood" Hotel

Entered 22nd March 1976.

As to land in this this is cancelled and new Certificate issued Vol. 13027 Fol. 150

J. Walesey
REGISTRAR GENERAL.

See K193076

See M129765

See (304) (premises) B42466

Placed in 467 m

NEW SOUTH WALES



CERTIFICATE OF TITLE

PROPERTY ACT, 1900



14152044

Vol. 14152 Fol. 44

Appln No 9526

Prior Title Vol. 4792 Fol. 53



EDITION ISSUED

24 6 1980

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.

CANCELLED



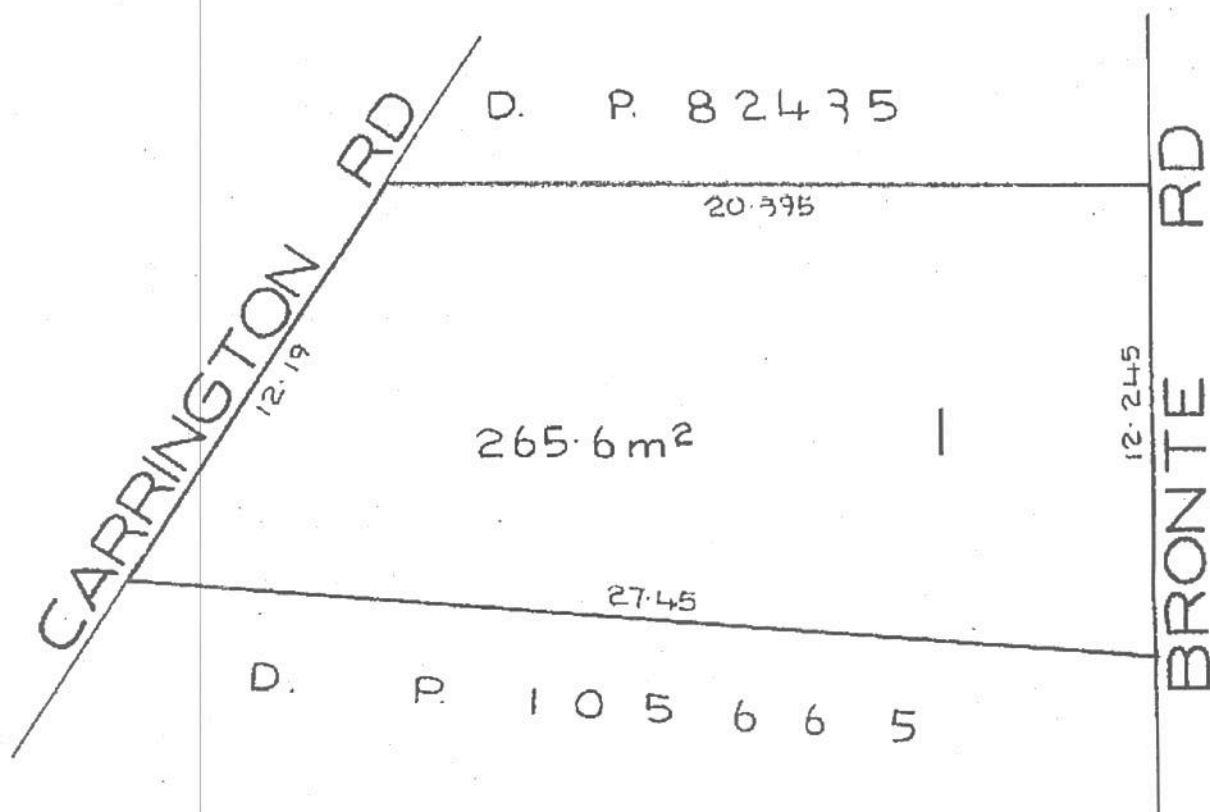
Registrar General.

SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



R 756407 *gnt.*

5

REDUCTION RATIO 1:200

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 59526 in the Municipality of Waverley Parish of Alexandria County of Cumberland being part of 1.943 hectares granted to Lewis Gordon on 15-6-1848.

FIRST SCHEDULE

TOOTH & CO. LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown grant above referred to.
2. ~~R756406 Lease to Lorraine Paula Hain of Waverley, Licensed Publican of premises known as "Robin Hood" Hotel, Waverley. Expires 27-10-1980. EXPIRED 28/10/04 6-10-1988~~
3. ~~R756406 Lease affected by R756407 Mortgage to Tooth & Co. Limited. CANCELLED 28/10/04 6-10-1988~~

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

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

14152 Fol. 44
(Page 1) Vol.

REGISTERED PROPRIETOR

[illegible]

CONFIDENTIAL

SEE AUTO FOLD

SECOND SCHEDULE (continued)

[illegible]

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

No. A 739278 MORTGAGE dated 30 August 1921
from the said Bondi Land and Buildings Limited
To Edward James Egan of Bondi Estate Agent and
John Burke of Woolahra Contractor
Produced and entered 30 January 1922
at 2 o'clock in the afternoon.
D. A. Cleaves
REGISTRAR GENERAL

No. A 772704 CAVEAT dated 10 January 1922
by the Registrar General.
Produced and entered 31 January 1922
at 12 o'clock in the afternoon.
D. A. Cleaves
REGISTRAR GENERAL

No. A 788926 TRANSFER dated 10th February 1922
from the said Bondi Land and Buildings Limited
(with consent of mortgagees) To Lily Amy
Gardiner of part
Produced and entered 2nd March 1922, 1st March 1922
at 12 o'clock in the afternoon.
Cancelled & Certificate of Title issued
Vol. 296 Fol. 139
D. A. Cleaves
REGISTRAR GENERAL

No. A 804010 TRANSFER dated 3rd April 1922
from the said Bondi Land and Buildings Limited
(with consent of mortgagees) To Samuel Williams
of part
Produced and entered 8th June 1922
at 3 o'clock in the afternoon.
Cancelled & Certificate of Title issued
Vol. 3327 Fol. 255
D. A. Cleaves
REGISTRAR GENERAL

No. A 917790 TRANSFER dated 24th February 1923
from the said Bondi Land and Buildings Limited
(with consent of mortgagees) To
William Walshy of part
Produced and entered 6th April 1923
at 11 o'clock in the forenoon.
Cancelled & Certificate of Title issued
Vol. 3438 Fol. 79
D. A. Cleaves
REGISTRAR GENERAL

No. A 957321 DISCHARGE of within Mortgage
A 739278 dated 9 June 1923
Produced 18 June 1923 and entered
3 July 1923
at 12 o'clock in the afternoon.
D. A. Cleaves
REGISTRAR GENERAL

The within Caveat No. A 772704
is hereby withdrawn. Vol. A 957322
Dated 30 July 1923
D. A. Cleaves
REGISTRAR GENERAL

No. A 957323 TRANSFER dated 15 June 1923
from the said Bondi Land and Buildings Limited
to Abraham Weston
the residue
Produced and entered 3rd July 1923
at 12 o'clock in the afternoon.
Cancelled & Certificate of Title issued
Vol. 3444 Fol. 238
D. A. Cleaves
REGISTRAR GENERAL

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



13057180

NEW SOUTH WALES

Vol. **13057** Fol. **180**

Appln. No. 32435

CANCELLED

EDITION ISSUED

Prior Title Vol. 5000 Fol. 150



2 6 1976

SEE AUTO FOLIO

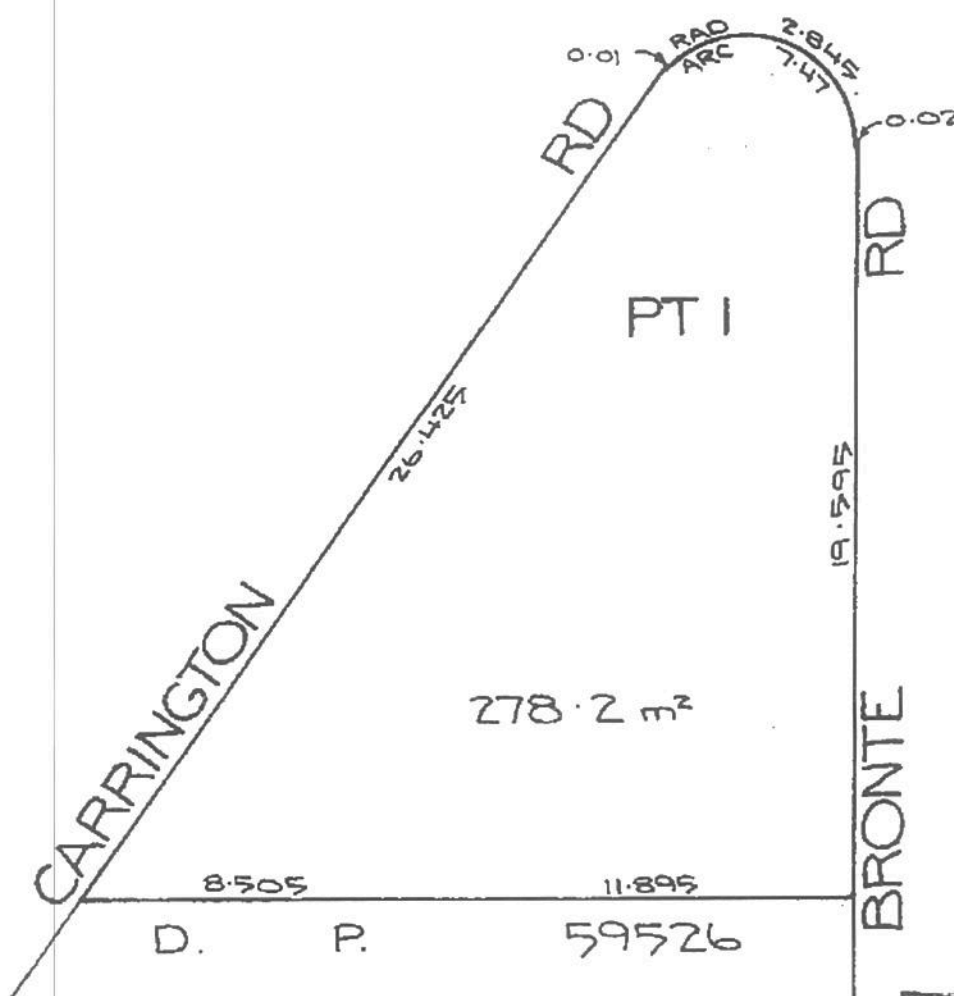
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



THE LAND WITHIN
DESCRIBED IS
LOT 1 IN DP655918

P 642466

REDUCTION RATIO 1 : 200

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in the part of Lot 1 in Deposited Plan 82435 shown in the plan hereon in the Municipality of Waverley Parish of Alexandria and County of Cumberland being part of 1.942 hectares granted to Lewis Gordon on 15-6-1848.

FIRST SCHEDULE

~~TOOTH & CO. LIMITED.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. ~~Lease No. P642466 of premises being the "Robin Hood" Hotel to Edward James Joseph Wales of Waverley, Licensed Publican. Registered 22-3-1976. Surrendered R756405.~~

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.

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

REGISTERED PROPRIETOR

Lorraine Paula Havin by Transfer Z132733. Registered 9-8-1990

SECRET

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

[illegible]

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

Q 187683 2/1
84 7/1
95 m/L
on Lee Pearl 466

PSHIA8 o/m. (b)
(Pcmanu)

97/ha

$$K = 130.4 \text{ M}^2/\text{H}^2$$

— 59/6

67-17M

X881404L

-405 m

3T
 -45
 L13273204

Z412904L

2466920 kg

2505908
ML

NEW SOUTH WALES

Appln. No. 23485

Prior Title Vol. 3327 Fol. 205

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



Vol. 10494 Fol. 204

Edition issued 13-2-1967

AS K537754

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.

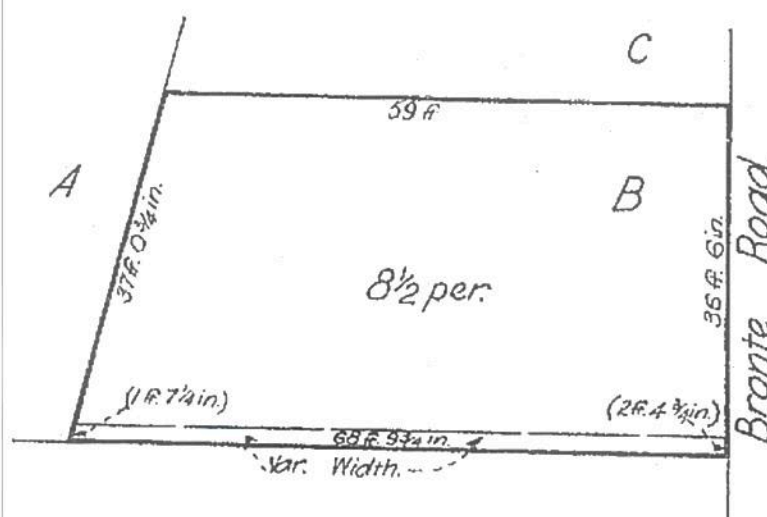
Witness

S. Vandine

J. Watson
Registrar General.



PLAN SHOWING LOCATION OF LAND



~~CANCELLED~~

SEE AUTO FOLD

K 537754

Scale: 20 feet to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot B in plan lodged with Transfer No. A804010 (Filed as F.P. 105665) in the Municipality of Waverley Parish of Alexandria and County of Cumberland being part of 4 acres 3 rods 8 perches granted to Lewis Gordon on 15-6-1848.

FIRST SCHEDULE (continued overleaf)

AUSTRALIAN LEGION OF EX-SERVICEMEN AND WOMEN.

SECOND SCHEDULE (continued overleaf)

- GRY
RW
1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
 2. Right of Way created by Transfer No. C405215^P affecting the piece of land of variable width shown in the plan hereon. DP 186706
 3. Mortgage No. K533148 to The Commonwealth Trading Bank of Australia. Entered 23-12-1966. Discharged R 275228

J. Watson
Registrar General

PT), 17 V.C.N. Blight, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

[illegible]

SECRET

SEE YOU FOLD

SECOND SCHEDULE (continued)

[illegible]

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

Appendix 3 – Section 149

PLANNING CERTIFICATE UNDER SECTION 149 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



W A V E R L E Y
COUNCIL

Ruth Heywood
RiskTech, Level 5, 3 Rider Boulevard

Cert. No.35297
Date: 21 July 2016
Receipt No. 1701416
Your reference: KF ROBIN HOOD HOTE:17009

Property location **ROBIN HOOD HOTEL, 203-209 Bronte Road,
WAVERLEY NSW 2024**

Parcel description: **Lot 1 DP 655918, Lot A DP 105665, Lot 1 DP 59526**

Owner: **Mr R L Whitten and Mr D M Whitten and Mr A J Whitten**
C/- Robin Hood Hotel
203 Bronte Rd
WAVERLEY NSW 2024

[The next page is page 2]

In accordance with the requirements of section 149 of the Environmental Planning and Assessment Act 1979 (as amended), the following prescribed matters relate to the land at the date of this certificate.

ITEM 1

Names of relevant planning instruments and DCPs

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

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

Waverley LEP 2012 (Amendment No. 9) - Gazetted: 30 January 2015

- SEPP No. 4 Development Without Consent and Miscellaneous Complying Development
- SEPP No. 6 Number of Storeys in a Building
- SEPP No. 14 Coastal Wetlands
- SEPP No. 19 Bushland in Urban Areas
- SEPP No. 22 Shops and Commercial Premises
- SEPP No. 32 Urban Consolidation (Redevelopment of Urban Land)
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 50 Canal Estates
- SEPP No. 55 Remediation of Land
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP No. 70 Affordable Housing (Revised Schemes)
- SEPP No. 71 Coastal Protection
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Major Development) 2005
- SEPP (Temporary Structures) 2007
- SREP (Sydney Harbour Catchment)

Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **(02) 9228 6333** or <http://www.planning.nsw.gov.au>

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

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

- Planning Proposal No 1/2016 to amend Waverley Local Environmental Plan 2012 in relation to design excellence considerations, heritage corrections and other minor amendments.

- Proposed Competition SEPP

Note: Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **(02) 9228 6333** or <http://www.planning.nsw.gov.au>

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

The following development control plan (DCP) applies to the land:

- Waverley DCP 2012 Amendment No. 4

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

ITEM 2

Zoning and land use under relevant LEPs

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

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”);
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Waverley LEP 2012 (Amendment No. 9) - Gazetted: 30 January 2015

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres;

Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.

- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

The land is **not** subject to any development standards that fix minimum land dimensions for the erection of a dwelling house.

- (f) whether the land includes or comprises critical habitat,

The land does **not** comprise critical habitat.

- (g) whether the land is in a conservation area (however described),

The land **is** within a Heritage Conservation Area.

- The land is located within a Heritage Conservation Area - General identified in Waverley Local Environmental Plan 2012.

- (h) whether an item of environmental heritage (however described) is situated on the land.

The land **contains** an Item of Environmental Heritage.

- The land contains a Heritage Item - General identified in Waverley Local Environmental Plan 2012.

ITEM 2A

Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (**the 2006 SEPP**), or
 - (b) A Precinct Plan (within the meaning of the 2006 SEPP), or
 - (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,
- the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is **not** subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

ITEM 3

Complying development

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

General Housing Code

Complying development under the General Housing Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land contains a Heritage Item.
- land is located within a Heritage Conservation Area - development is excluded from SEPP (Exempt and Complying Development) 2008, unless the development is for a detached outbuilding or swimming pool.

Rural Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Housing Alterations Code

Complying development under the Housing Alterations Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land contains a Heritage Item.

General Development Code

Complying development under the General Development Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land contains a Heritage Item.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alteration Code **may not** be carried out on the land. The land is affected by specific land exemptions:

- land contains a Heritage Item.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Building and Additions) Code **may not** be carried out on the land. The land is affected by specific land exemptions:

- land contains a Heritage Item.
- land is located within a Heritage Conservation Area.

Subdivisions Code

Complying development under the Subdivisions Code **may not** be carried out on the land. The land is affected by specific land exemptions:

- land contains a Heritage Item.

Demolition Code

Complying development under the Demolition Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land contains a Heritage Item.

Fire Safety Code

Complying development under the Fire Safety Code **may not** be carried out on the land. The land is affected by specific land exemptions:

- land contains a Heritage Item.

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Complying development may be able to be carried out on the land provided it meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

ITEM 4

Coastal protection

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

The land is **not** affected by Sections 38 or 39 of the Coastal Protection Act 1979.

ITEM 4A

Certain information relating to beaches and coasts

- (1) In relation to a coastal council - whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

No.

- (2) In relation to a coastal council:

- (a) Whether the council has been notified under section 55x of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and

No.

- (b) If works have been so placed-whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Not applicable.

- (3) (Repealed)

ITEM 4B

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

In relation to a coastal council - whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

No.

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 the commencement of section 553B of the Local Government Act 1993.

ITEM 5

Mine subsidence

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

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

ITEM 6

Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land is **not** affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, or any environmental planning instrument or any resolution of the Council.

ITEM 7

Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

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

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

- (a) The land is **not** affected by a policy adopted by Council that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).
- (b) The land is **not** affected by a policy adopted by another public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

ITEM 7A

Flood related development controls information

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

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

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

The land is **not** subject to flood related development controls.

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

ITEM 8

Land reserved for acquisition

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

The land is **not** affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

ITEM 9

Contributions plans

The name of each contributions plan applying to the land.

Waverley Council Development Contribution Plan 2006 (Amendment No.7).

ITEM 9A

Biodiversity certified land

If the land is biodiversity certified land (within the meaning of *Part 7AA of the Threatened Species Conservation Act 1995*), a statement to that effect.

The land is **not** biodiversity certified land under Part 7AA of the *Threatened Species Conservation Act 1995*.

ITEM 10

Biobanking agreements

If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Office of Environment and Heritage).

Council has **not** been notified of any biobanking agreement under Part 7A of the Threatened Species Conservations Act 1995 relating to the land.

ITEM 11

Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

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

The land is **not** bush fire prone land (as defined in the Act).

ITEM 12

Property vegetation plans

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

Council has **not** been notified of any property vegetation plans under the Native Vegetation Act 2003 applying to the land.

ITEM 13

Orders under Trees (Disputes Between Neighbours) Act 2006

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

No.

ITEM 14

Directions under Part 3A

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

There is **no** direction under Part 3A.

ITEM 15

Site compatibility certificates and conditions for seniors housing

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

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department, andCouncil has **not** been notified of any site compatibility certificate and conditions for seniors housing.
- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.
Council has **not** been notified of any site compatibility certificate and conditions for seniors housing.

ITEM 16

Site compatibility certificates for infrastructure

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

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

Council has **not** been notified of any site compatibility certificate for infrastructure.

ITEM 17

Site compatibility certificates and conditions for affordable rental housing.

- (1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.
- (2) A statement setting out any terms of a kind referred to in clause 17(1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that

have been imposed as a condition of consent to a development application in respect of the land.

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

ITEM 18

Paper subdivision information

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

Council is **not** aware of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

- (2) The date of any subdivision order that applies to the land.

There is **no** subdivision order applying to the land.

- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

ITEM 19

Site verification certificates

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- (a) the matter certified by the certificate, and

Note. A site verification certificate sets out the Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

- (b) the date on which the certificate ceases to be current (if any), and

- (c) that a copy may be obtained from the head office of the Department.

Council has **not** been notified of any site verification certificates.

ITEM 20

Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect

Council has **not** been notified of a residential dwelling erected on this land containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

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) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,

No.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,

No.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

Information provided under S.149 (2) is in accordance with the matters prescribed under Schedule 4 of the *Environmental Planning and Assessment Regulation 2000* and is provided only to the extent that the Council has been notified by the Department of Public Works or Department of Planning and Environment.

For the purpose of s.149 (5) of the *Environmental Planning and Assessment Act, 1979*, the following additional information is provided with relation to development applications which have been determined.

When information pursuant to Section 149 (5) is requested, the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section.

DA-434/2008/B	Approved	26-Jul-2011	Modification of internal layout of Hotel and increase in number of persons on the lower outdoor deck from 15 to 21 (Condition 6).
DA-6/2012	Approved -	31-Mar-2014	Alterations and

	Land & Environment Court		conversion of first floor of Hotel to a restaurant and public area (including smokers area) for an additional 150 patrons.
DA-473/2015	Approved	15-Apr-2016	To install food and beverage caravan in bottle shop at Robin Hood Hotel
DA-6/2012/A	Approved	06-Apr-2016	Modifications to internal layout and conditions of consent (Robin Hood Hotel)

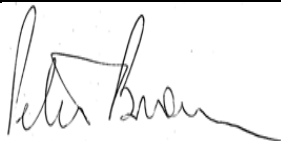
Additional Information Section 149 (5)

- The land has a frontage to an Arterial Road.

Council draws your attention to Section 149 (6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5).

The absence of any reference to any matters affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

Please contact the Council's Duty Planner for further information about any instruments or affectations referred to in the Certificate.



.....
PETER BROWN
GENERAL MANAGER

Appendix 4 – Dangerous Goods Search



SafeWork NSW

SafeWork NSW

92-100 Donnison Street, Gosford, NSW, 2250

Locked Bag 2906, Lisarow, NSW, 2252 |

Customer Service Centre 13 10 50

licensing@safework.nsw.gov.au | www.safework.nsw.gov.au

Our Ref: D16/628649
Your ref: Ruth Heywood

15 July 2016

Attention: Ruth Heywood
Risk Tech
Level 5
3 Rider Blvd
Rhodes NSW 2138

Dear Ms Heywood,

RE SITE: 203 Bronte Rd Waverley NSW

I refer to your site search request received by SafeWork NSW on 11 July 2016 requesting information on Storage of Hazardous Chemicals for the above site.

A search of the records held by SafeWork NSW has not located any records pertaining to the above mentioned premises.

For further information or if you have any questions, please call our Customer Service Centre on 13 10 50 or email licensing@safework.nsw.gov.au

Yours sincerely,


Brent Jones
Customer Service Officer
Customer Service Centre - Operations
SafeWork NSW