

## **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 the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

## **9A Biodiversity Certified Land**

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

The land is not biodiversity certified land within the meaning of the above Act.

## **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 Executive of the Office of Environment and Heritage).*

The land is not affected by a Bio-banking agreement under the Act.

## **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 located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

## **12. Property Vegetation Plans**

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

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

## **13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

#### 14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)

*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 are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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

(a) & (b) The land is not subject to a site compatibility certificate.

#### 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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

#### 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 of which the certificate is current, and*
  - (b) *that a copy may be obtained from the head office of the Department.*
- (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.*

(1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or 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 has been imposed as a condition of consent to a development application for the land.

## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*

(1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

## 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 certificated by the certificate, and*  
**Note.** A site verification certificate sets out the Director-General'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.*

(a), (b) & (c) There is no site verification certificate on the land.

## 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.*

The land is not included or affected within the meaning of the given act.

### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

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

- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.



**MALCOLM RYAN**  
**INTERIM GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Development Assessment

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.





CUMBERLAND  
COUNCIL

OUR REFERENCE  
CONTACT  
TELEPHONE

C/10-06/12  
DEVELOPMENT ASSESSMENT  
02 9735 1222

SAI Global Property  
PO Box 447  
SOUTH MELBOURNE VIC 3205

**PLANNING CERTIFICATE**

Issued under Section 149(2) of the  
*Environmental Planning and Assessment Act, 1979*

Certificate No: 27852  
Receipt No: 1149504  
Date: 26 February 2017  
Your Reference: 42393369:23158

**Property Details**

**Address:** 2 Mark Street, LIDCOMBE NSW 2141

**Legal Description:** Lot 7 Sec 2 DP 846, Lot 8 Sec 2 DP 846, Lot 9 Sec 2 DP 846

**Owner(s) Name (as recorded by Council):**

Marque Eight Pty Ltd  
PO Box 4421  
HOMEBUSH SOUTH NSW 2140

In accordance with the requirements of Section 149(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

**1. Names of Relevant Planning Instruments and DCPs**

*The name of:*

- (a) *each environmental planning instrument that applies to the carrying out of development on the land.*
- (b) *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).*
- (c) *each development control plan that applies to the carrying out of development on the land.*

*In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.*

- 1(a) Auburn Local Environmental Plan 2010 as amended.  
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.  
State Environmental Planning Policy No. 19 Bushland in Urban Areas.  
State Environmental Planning Policy No. 21 Caravan Parks.  
State Environmental Planning Policy No. 30 Intensive Agriculture.  
State Environmental Planning Policy No. 32 Urban Consolidation (Redevelopment of Urban Land).

State Environmental Planning Policy No. 33	Hazardous and Offensive Development.
State Environmental Planning Policy No. 50	Canal Estate Development.
State Environmental Planning Policy No. 55	Remediation of Land.
State Environmental Planning Policy No. 62	Sustainable Aquaculture.
State Environmental Planning Policy No. 64	Advertising and Signage.
State Environmental Planning Policy No. 65	Design Quality of Residential Flat Development (Amendment 3).
State Environmental Planning Policy No. 70	Affordable Housing (Revised Schemes).
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	Building Sustainability Index: BASIX 2004
State Environmental Planning Policy	(State Significant Precincts) 2005
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007.	
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy	(State and Regional Development) 2011

1(b) Draft State Environmental Planning Policy (Competition) 2010

1(c) Auburn Development Control Plan 2010.

## 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 purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*
- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (e) *whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

(a) Zone B4 - Mixed Use (Auburn Local Environmental Plan 2010)

(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.

- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

(d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

### 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.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

#### Housing Alterations Code and Industrial Alterations Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### General Development Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.



### Commercial and Industrial (New Buildings and Additions) Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### Subdivisions Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### Demolition Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### Fire Services Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

- (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.*

- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

## 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.*

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

### 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.*

**(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*
- (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.*

**(3) (Repealed)**

4a The land is currently not affected by provisions included under this part.

**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).*

*Note. “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.*

4b The land is currently not affected by provisions included under this part.

**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 located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

**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.*

- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
- (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
- (c) The land is not affected by any road widening or road realignment under a Council resolution.

**7. Council and other public authority policies on Hazard Risk Restriction**

*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) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.

- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:-
1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006).
  2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003.

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

## **7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

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

If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

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

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.

## **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 the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

## **9A Biodiversity Certified Land**

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

The land is not biodiversity certified land within the meaning of the above Act.

## **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 Executive of the Office of Environment and Heritage).*

The land is not affected by a Bio-banking agreement under the Act.

## **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 located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

## **12. Property Vegetation Plans**

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

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

## **13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

#### 14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)

*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 are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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

(a) & (b) The land is not subject to a site compatibility certificate.

#### 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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

#### 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 of which the certificate is current, and*
  - (b) *that a copy may be obtained from the head office of the Department.*
- (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.*

(1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or 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 has been imposed as a condition of consent to a development application for the land.



## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*

(1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

## 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 certificated by the certificate, and*  
**Note.** A site verification certificate sets out the Director-General'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.*

(a), (b) & (c) There is no site verification certificate on the land.

## 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.*

The land is not included or affected within the meaning of the given act.

### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

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

- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.



**MALCOLM RYAN**  
**INTERIM GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Development Assessment

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.



CUMBERLAND  
COUNCIL

OUR REFERENCE  
CONTACT  
TELEPHONE

C/10-06/12  
DEVELOPMENT ASSESSMENT  
02 9735 1222

SAI Global Property  
PO Box 447  
SOUTH MELBOURNE VIC 3205

**PLANNING CERTIFICATE**

Issued under Section 149(2) of the  
*Environmental Planning and Assessment Act, 1979*

Certificate No: 27861  
Receipt No: 1149507  
Date: 27 February 2017  
Your Reference: 42393811:23161

**Property Details**

**Address:** 3 Marsden Street, LIDCOMBE NSW 2141

**Legal Description:** Lot 12 Sec 2 DP 846

**Owner(s) Name (as recorded by Council):**

Marque Eight Pty Ltd  
PO Box 4421  
HOMEBUSH SOUTH NSW 2140

In accordance with the requirements of Section 149(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

**1. Names of Relevant Planning Instruments and DCPs**

*The name of:*

- (a) each environmental planning instrument that applies to the carrying out of development on the land.
- (b) 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).
- (c) each development control plan that applies to the carrying out of development on the land.

*In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.*

- |      |  |  |
|------|--|--|
| 1(a) | State Environmental Planning Policy              | (Housing for Seniors or People with a Disability) 2004 |
|      | Auburn Local Environmental Plan 2010 as amended. |  |
|      | Sydney Regional Environmental Plan               | (Sydney Harbour Catchment) 2005.                       |
|      | State Environmental Planning Policy No. 19       | Bushland in Urban Areas.                               |
|      | State Environmental Planning Policy No. 21       | Caravan Parks.   |
|      | State Environmental Planning Policy No. 30       | Intensive Agriculture.                                 |



State Environmental Planning Policy No. 32	Urban Consolidation (Redevelopment of Urban Land).
State Environmental Planning Policy No. 33	Hazardous and Offensive Development.
State Environmental Planning Policy No. 50	Canal Estate Development.
State Environmental Planning Policy No. 55	Remediation of Land.
State Environmental Planning Policy No. 62	Sustainable Aquaculture.
State Environmental Planning Policy No. 64	Advertising and Signage.
State Environmental Planning Policy No. 65	Design Quality of Residential Flat Development (Amendment 3).
State Environmental Planning Policy No. 70	Affordable Housing (Revised Schemes).
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	Building Sustainability Index: BASIX 2004
State Environmental Planning Policy	(State Significant Precincts) 2005
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy (Miscellaneous Consent Provisions)	2007.
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011

1(b) Draft State Environmental Planning Policy (Competition) 2010

1(c) Auburn Development Control Plan 2010.

## 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 purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*
- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (e) *whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

(a) Zone B4 - Mixed Use (Auburn Local Environmental Plan 2010)

(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.

- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone B4 Mixed Use of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

(d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

### 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.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

#### Housing Alterations Code and Industrial Alterations Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### General Development Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Commercial and Industrial (New Buildings and Additions) Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Subdivisions Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Demolition Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Fire Services Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

- (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.*

- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

## **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.*

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

### **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.*

**(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*
- (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.*

**(3) (Repealed)**

4a The land is currently not affected by provisions included under this part.

**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).*

*Note. “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.*

4b The land is currently not affected by provisions included under this part.

**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 located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

**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.*

- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
- (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
- (c) The land is not affected by any road widening or road realignment under a Council resolution.

**7. Council and other public authority policies on Hazard Risk Restriction**

*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) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.

- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:-

1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006).
2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003.

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

## **7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

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

If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

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

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.



## **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 the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007.

## **9A Biodiversity Certified Land**

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

The land is not biodiversity certified land within the meaning of the above Act.

## **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 Executive of the Office of Environment and Heritage).*

The land is not affected by a Bio-banking agreement under the Act.

## **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 located within an area that is bush fire prone as defined by the Environmental Planning and Assessment Act, 1979.

## **12. Property Vegetation Plans**

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

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

## **13. Orders under the 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).*

The land is not affected by an order issued under the Trees (Disputes between Neighbours) Act 2006.

#### **14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)**

*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 are no ministerial directions in force under section 75P (2) (c1) of the Environmental Planning and Assessment Act 1979.

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

(a) & (b) The land is not subject to a site compatibility certificate.

#### **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.*

(a) & (b) There is no site compatibility certificate issued under the State Environmental Planning Policy (Infrastructure 2007) in respect of the land.

#### **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 of which the certificate is current, and*
  - (b) *that a copy may be obtained from the head office of the Department.*
- (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.*

(1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or 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 has been imposed as a condition of consent to a development application for the land.

## 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.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*

(1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

## 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 certificated by the certificate, and*  
**Note.** A site verification certificate sets out the Director-General'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.*

(a), (b) & (c) There is no site verification certificate on the land.

## 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.*

The land is not included or affected within the meaning of the given act.

### Note:

*Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:*

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

- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.

- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is not subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.



**MALCOLM RYAN**  
**INTERIM GENERAL MANAGER**

**Per: Karl OKorn**  
Manager- Development Assessment

**Please Note:**

A Section 149(5) Certificate provides additional information relating to the subject land, including:

- Cumberland Plain Native Vegetation; and
- Other Information.

## APPENDIX D – HISTORICAL LAND TITLE EXTRACTS

# **SEARCH REPORT**

DATE: 8 March 2017

MATTER: Joanne: Our Ref: 21360/7970C

ORDER NUMBER: 42421361

SUBJECT LAND: 2 Mark Street & 1-3 Marsden Street, Lidcombe



**Disclaimer**

While all due skill and care has been taken in the preparation of this report, SAI Global Property Division Pty Ltd does not warrant that its contents (that have been obtained from publicly available resources at a particular point in time) are accurate, complete, up to date or fit for any particular purpose



# SEARCH REPORT

---

LPI

RECORDS BRANCH

SUBJECT PROPERTY: LOTS 7, 10, 11 & 12 SECTION 2 IN DP 846

2 MARK STREET & 1-3 MARSDEN STREET, LIDCOMBE

Re: Lot 7 Section 2 in DP 846

Ownership:

From 8/5/1930 to 1/8/1972 - Alan Henry Jay of Sydney, Engineer

From 1/8/1972 to 19/11/1974 - Rhoda Annie Jay of Burwood, Widow

From 19/11/1974 to 25/9/1978 - Lucy Carrie Jay of Cremorne, Widow (later Lucy Carrie Lester of Cremorne, Married Woman)

From 25/9/1978 to 6/6/1985 - Amalgamated Power Engineering (Aust) Ltd

From 6/6/1985 to 30/1/1990 - Lilyfield Printing Pty. Ltd.

From 30/1/1990 to date - Gicico Pty. Ltd.

Leases:

1977 to 1978 - Pullen Fluid Dynamics Pty. Ltd.

Re: Lot 10 Section 2 in DP 846

Ownership:

From 29/3/1934 to 2/5/1947 - Thomas Perkins of Lidcombe, Blacksmith & Sophia Jane Perkins his wife

From 2/5/1947 to 20/2/1976 - Thomas Henry Perkins of Lidcombe, Magazine Hand

From 20/2/1976 to 26/5/1976 - Lottie May Bray of Merrylands, Widow

CONT'D OVER

From 26/5/1976 to 13/4/1999 - David Sutherland Rankin of North Ryde, Panelbeater & Irene Elizabeth Rankin his wife

From 13/4/1999 to 23/10/2015 - Gicico Pty. Ltd.

From 23/10/2015 to date - Marque Eight Pty. Ltd.

Leases – NIL

Re: Lot 11 Section 2 in DP 846

Ownership:

From 29/3/1934 to 25/7/1984 - James Kerr of Lidcombe, Shop Assistant

From 25/7/1984 to 6/10/1987 - Elsie May Kerr

From 6/10/1987 to 13/11/1987 - Vivienne Anne Saul

From 13/11/1987 to 17/9/1999 - Thanh Phan & On Xao Phan

From 17/9/1999 to 23/10/2015 - Gicico Pty. Ltd.

From 23/10/2015 to date - Marque Eight Pty. Ltd.

Leases: NIL

Re: Lot 12 Section 2 in DP 846

Ownership:

From 10/8/1910 to 26/5/1941 - Francis Smith of Rookwood, Monumental Mason

From 26/5/1941 to 17/2/1950 - Alexander Clarence Jago of Lidcombe, Stone Fixer

From 17/2/1950 to 2/5/1950 - Keith William Downer of Lidcombe, Milk Vendor

From 2/5/1950 to 9/3/1951 - Samuel Burton of Woollahra, Public Servant & Norma Burton his wife

From 9/3/1951 to 9/8/1952 - William Maurice North of Manly, Public Servant

From 9/8/1952 to 14/12/1967 - John McGuire of Lidcombe, Master Monumental Mason

From 14/12/1967 to 7/3/1968 - Eric John McGuire of Lidcombe, Carrier

From 7/3/1968 to 28/12/1994 - Alexander Skelley & Nina Ellen Skelley

CONT'D OVER

From 28/12/1994 to 12/12/2016 - Qiu Hong Xuan

From 12/12/2016 to date - Marque Eight Pty. Ltd.

Leases: NIL

SAI Global Property

7<sup>th</sup> March 2017

A handwritten signature in dark ink, appearing to be 'RW' or similar initials, written in a cursive style.

# CERTIFICATE OF TITLE.

(C)

New South Wales.

CANCELLED

[Reference to last Certificate.]

[Vol. 624 Folio 228.]



REGISTER BOOK,

Vol. 1288 Folio 111

*John Varson*

*of Rockwood*

TRANSFEREE under Instrument of Transfer from *John Clark, Robert Marley, and William James Campbell* numbered *293799* 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 *Rockwood*, Parish of *Liberty Plains*, and County of *Newcastle*, containing *one rood eight and one quarter perches*, or thereabouts, as shown on the Plan hereon, and therein edged red, being Lot *7.8 and 9 of Section 2.*

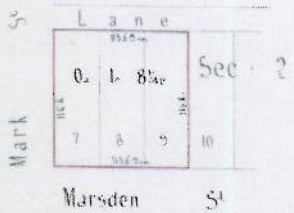
on a Plan deposited in the Land Titles Office, Sydney, numbered *846 and part of 847* (Section 2 of Parish) delineated in the public map of the said parish deposited in the office of the Survey General originally granted to George Lamberton by Letters Patent dated the thirtieth day of June one thousand eight hundred and twenty three.

In witness whereof, I have hereunto signed my name and affixed my Seal, this *twenty eighth* day of *July* one thousand eight hundred and ninety *nine*.

Signed the *28th* day of *July* 189*9*,  
in the presence of *John Clark*

Deputy Registrar General.

NOTIFICATION REFERRED TO.



No. 1 *50000* MORTGAGE dated *20th March 1912*  
from the said *John Varson* to the  
*Trustees of the New South Wales*  
*Government*  
Produced and entered *20th March 1912*  
at *10 o'clock* in the *1912* year.  
*Reliance*  
REGISTERED



No. A 1000 DISCHARGE of within Mortgage  
No. 1000 dated 10/10/70  
Produced 10/10/70 and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

No. B 959320 APPLICATION BY IRAN BROWN  
for the registration of a mortgage of the land within described.  
Produced 10/10/70 and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

No. B 959321 CAVEAT dated 10/10/70  
by the Registrar General. Produced 10/10/70 and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

The within Caveat No. 959321  
is hereby withdrawn.  
Dated 10/10/70  
Registrar General

No. B 959322 TRANSFER dated 8/5/1960  
from the said Irwin Brown to Alan Henry Jay of Sydney  
Produced 10/10/70 and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

No. C 20774 MORTGAGE dated 10/10/70  
from the said Alan Henry Jay to BANK OF NEW SOUTH WALES  
Produced and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

No. C 20774 MORTGAGE dated 10/10/70  
from the said Alan Henry Jay to BANK OF NEW SOUTH WALES  
Produced and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

Lucy Carrie Jay of Cressbrook, widow

now the registered proprietor of the land within described.  
See Section 77 Application No. 959320  
Entered 10/10/70 1970  
Registrar General

The name of the registered proprietor is Lucy  
Carrie Jay of Cressbrook, widow of Irwin Brown.  
Registered 10/10/70.

No. 1310267 MORTGAGE dated 10/10/70  
to Bank of New South Wales  
Produced 10/10/70 and entered 10/10/70  
at 10/10/70 o'clock in the 10/10/70 noon.  
Registrar General

LEASE NO. 973231 to Patten's Kellen Fluid Dynamics  
P17-118 of premises known as corner of Mark  
and Marsden Streets, Sydney  
Registered 21-2-1971 Date of expiry 30-6-1978  
Reg'd 21/2/77 Expiry 30-6-78  
Registrar General

Patten's Kellen Fluid Dynamics P/L

TRANSFER NO. 959322  
Lucy Carrie Jay of Cressbrook, married woman  
now the registered proprietor of the land within described  
Registered 23/3/77  
Registrar General

Lucy Carrie Jay of Cressbrook, married woman

TRANSFER NO. 959323  
Amalgamated Power Engineering  
(Aust) Ltd  
Registered 25/9/78  
Registrar General



NEW SOUTH WALES



# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



13728096

Vol. 13728 Fol. 96

Appln No 4455

Prior Title Vol. 1288 Fol. 111



EDITION ISSUED

25 10 1978

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.

*[Signature]*

Registrar General.

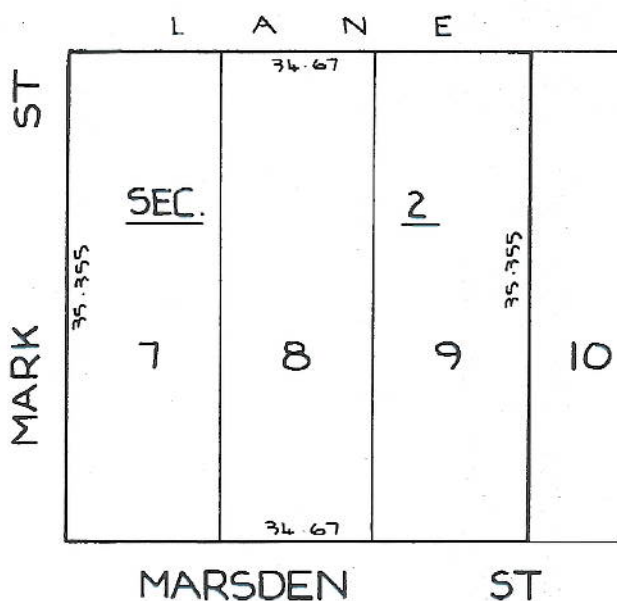


## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

**CANCELLED**

SEE AUTO FOLIO



Q874202 M.X.

AREA : 1220 m<sup>2</sup>  
REDUCTION RATIO 1:400

### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lots 7, 8 and 9 of Section 2 in Deposited Plan 846 in the Municipality of Auburn Parish of Liberty Plains and County of Cumberland being part of Portion 38 granted to George Sunderland on 30-6-1823.

### FIRST SCHEDULE

~~AMALGAMATED POWER ENGINEERS (AUST.) LIMITED~~

### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

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

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

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Lillyfield Printing Pty. Limited, 67, Mansfield V732497, Registered 6-6-1985.

Cicico Pty Limited by Transfer Y 794169. Registered

**CANCELLED**

~~SEE AUTO FOLIO~~

## SECOND SCHEDULE (continued)

[illegible]

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

R475584  
V398428Dn

V 732 497

956

1843766 M

Y7941658,

Q. 7

712



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/3/2017 5:16PM

FOLIO: 7/2/846

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 13728 FOL 96

Recorded	Number	Type of Instrument	C.T. Issue
8/8/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
6/12/1991		CONVERTED TO AUTO CONSOL 13728-96	CONSOL CREATED CT NOT ISSUED
15/6/2016	AK509587	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

Fibuve Pty Ltd

PRINTED ON 1/3/2017

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

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152 Appn. No. 2398 Reference to Last Particular Vol. 201 Fol. 109

New South Wales

(CERTIFICATE OF TITLE.)

Joint Tenancy

REGISTER BOOK. Vol. 4618 Fol. 77

**CANCELLED** 10/2/846

Thomas Perkins, of Lidcombe, Blacksmith

of Lidcombe, 237224 was given the possession of the estate in the simple as Joint Tenants 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 Lidcombe Parish of Liberty Plains, and County of Cumberland containing thirteen perches or thereabouts, as shown in the Plan hereon and therein edged red, being Lot 10 of Section 2 in Deposited Plan No. 846 and being part of 60 acres (Section 20 of Parish) originally granted to George Sandelwood by Governor Sandelwood the 30th day of June 1867

In witness whereof I have hereunto signed my name and affixed my Seal, this twenty ninth day of March 1936

Signed in the presence of

Registrar General.

Lottie May Bray of many lands, widow

Lane 20 ft. Wide		
Sec. 2	37.47	16 per
9	10	11
Marsden St		

Scale 80 ft. to one inch

Application for Transfer

No. 2398218 NOTICE OF DEATH. Proof having been furnished to me of the death of the late Thomas Perkins the surviving Joint Tenant Sophia Jane Perkins is now registered sole proprietor of the within-described land as entered 20th June 1936 at 4.00 PM. S. Wells

No. 2398219 TRANSFER dated 20th May 1936 from the said Sophia Jane Perkins to Thomas Henry Perkins of Lidcombe Magistrate's Court

Produced and entered 20th June 1936 at 4.00 PM. S. Wells

REGISTRAR GENERAL

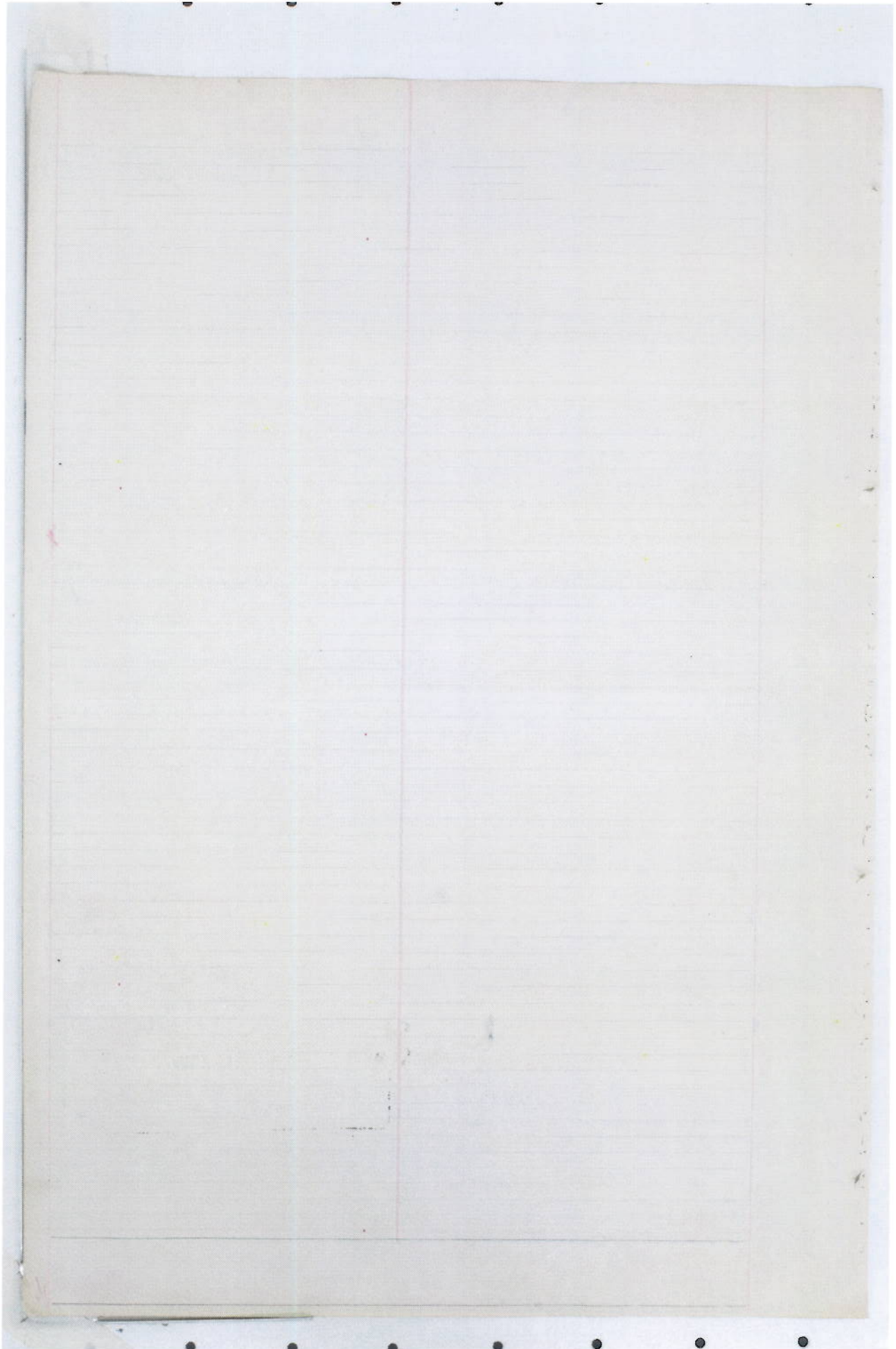
David Switzerland, Arthur of Lidcombe, Blacksmith and James Elizabeth Rankin his wife as joint tenants and now the registered proprietors of the land within described

No. 2398219 TRANSFER dated 7th May 1936 from the said David Switzerland and James Elizabeth Rankin to Lottie May Bray of many lands, widow

Entered 26th May 1936

REGISTRAR GENERAL

Thomas Henry Perkins of Lidcombe Magistrate's Court





Note: Information contained in this document is provided by GlobalX Information Pty Ltd (ABN 99 073 436 414) an approved Information Broker for LPI NSW, Office of State Revenue NSW, ASIC, NRE Victoria, NR&M QLD and Dun & Bradstreet.

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/3/2017 9:41AM

FOLIO: 10/2/846

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 4618 FOL 77

Recorded	Number	Type of Instrument	C.T. Issue
9/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
18/8/1993		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
13/4/1999	5743315	TRANSFER <i>to GICICO P/L</i>	EDITION 1
29/9/2010	AF788620	MORTGAGE	EDITION 2
5/3/2014	AI400952	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	
5/3/2014	AI400953	DISCHARGE OF MORTGAGE	EDITION 3
23/10/2015	AJ926065	TRANSFER <i>to Marquee Eight P/L</i>	EDITION 4
15/6/2016	AK509587	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

Fibuve Pty Ltd

PRINTED ON 1/3/2017

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Warning: Lands/LPI staff use only.

06-Mar-17 6:22 PM



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/3/2017 5:16PM

FOLIO: 11/2/846

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 4618 FOL 76

Recorded	Number	Type of Instrument	C.T. Issue
9/9/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
18/8/1993		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
17/9/1999	6205692	DISCHARGE OF MORTGAGE	
17/9/1999	6205693	TRANSFER <i>to GIKICO P/L</i>	EDITION 1
29/9/2010	AF788631	MORTGAGE	EDITION 2
5/3/2014	AI400978	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	
5/3/2014	AI400979	DISCHARGE OF MORTGAGE	EDITION 3
23/10/2015	AJ926065	TRANSFER <i>to Marquee Eight P/L</i>	EDITION 4
15/6/2016	AK509587	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

Fibuve Pty Ltd

PRINTED ON 1/3/2017

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**WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.**

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71140

## CERTIFICATE OF TITLE.

(C.)

New South Wales.

[App. No. 4465]

[Reference to *Indemnity*]

[Vol. 194 Folio 136]



REGISTER BOOK,

Vol. 2077 Folio 25

CANCELLED ☒

Francis Smith

of Rockwood, Monumental Mason, Transfer under Instrument of Transfer from *John Burnett & Co. 1878* now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified herein, in *that* piece of land situated in the *Municipality of Rockwood*, Parish of *Liberty Plains*, and County of *Lambton* containing *section 10*, or thereabouts as shown on the Plan hereon, and therein edged red, being *Lot 10 of Section 2 on a plan deposited in the Land Office Sydney 1876 and part of 10th acre (Portion 1 of said) situated in the further strip of the said land deposited in the Department of Lands originally granted to George Lindhurst by Crown Grant dated the third day of June one thousand eight hundred and twenty three*

In witness whereof, I have hereunto signed my name and affixed my Seal, this *5th* day of *August* one thousand nine hundred and *ten*

Signed the *10th* day of *August* 19*10*

in the presence of

Deputy Registrar General



NOTIFICATION REFERRED TO

No. 0.151728 MORTGAGE dated 11 November 1892 from the said <i>Francis Smith</i>	
to BANK OF NEW SOUTH WALES	
Produced and entered <i>24th November 1892</i> at <i>11.10 a'clock</i> in the <i>noon</i>	
<i>R. W. Ainslie</i> REGISTRAR GENERAL	
No. <i>151728</i> DISCHARGE of within mortgage	
dated <i>2nd June</i> 18 <i>97</i>	
Produced <i>24th June</i> 18 <i>97</i> and entered <i>24th June</i> 18 <i>97</i>	
at <i>11</i> o'clock in the <i>noon</i>	
<i>R. W. Ainslie</i> REGISTRAR GENERAL	





No. 226/51 Application under Section 14 of the Real Property (Amendment) Act 1921, dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 TRANSFER dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 TRANSFER dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 MORTGAGE dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 MORTGAGE dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

MORTGAGE No. 226/51 has been discharged. Entered 22/6/51.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 DISCHARGE of within mortgage dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

See TRANSFER No. 226/51 dated 22/6/51. Entered 22/6/51.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 TRANSFER dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

See TRANSFER No. 226/51 dated 22/6/51. Entered 22/6/51.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 TRANSFER dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

See TRANSFER No. 226/51 dated 22/6/51. Entered 22/6/51.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 MORTGAGE dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

The within Caveat No. 226/51 is hereby withdrawn. Dated 22/6/51.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 DISCHARGE of within mortgage dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL

No. 226/51 TRANSFER dated 22/6/51 from the said William Maurice North of Manly, Public Servant to William Maurice North of Manly, Public Servant of the land within described. Produced and entered 22/6/51 at 12 o'clock in the noon.

J. H. Pells  
REGISTRAR GENERAL



CERTIFICATE OF TITLE

PROPERTY ACT, 1900, as amended.



10825-238

NEW SOUTH WALES

Appln. No.4455

Prior Title Vol.2077 Fol. 25

Vol. 10825 Fol. 238

Edition issued 26-6-1968

AS L61472



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

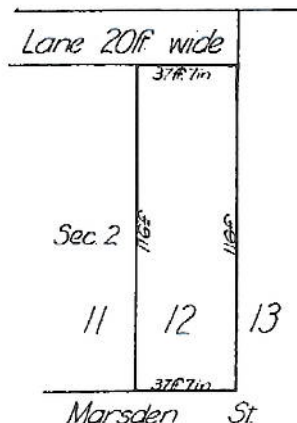
*J. Josa*

*J. Watson*  
Registrar General.



SEE AUTO FOLIO

PLAN SHOWING LOCATION OF LAND



L61472 *KP*

Scale 50 feet to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 12 of Section 2 in Deposited Plan 846 in the Municipality of Auburn Parish of Liberty Plains and County of Cumberland being part of Portion 38 granted to George Sunderland on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

ALEXANDER SKELLEY of Lidcombe, Secretary and NINA ELLEN SKELLEY, his wife as Joint Tenants.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

*J. Watson*  
Registrar General



W. C. N. B. L. G. H. Government Printer

**FIRST SCHEDULE.** (continued)

**REGISTERED PROPRIETOR**

REGISTERED PROPRIETOR		INSTRUMENT			ENTERED	Signature of Registrar-General
		MATURE	NUMBER	DATE		
<p>CHARTERED</p> <p>SEA AUTO FIELD</p>						

**SECOND SCHEDULE (continued)**[illegible]

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

Note: Information contained in this document is provided by GlobalX Information Pty Ltd (ABN 99 073 436 414) an approved Information Broker for LPI NSW, Office of State Revenue NSW, ASIC, NRE Victoria, NR&M QLD and Dun & Bradstreet.

• LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/3/2017 5:16PM

FOLIO: 12/2/846

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 10825 FOL 238

Recorded	Number	Type of Instrument	C.T. Issue
5/8/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
24/8/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
8/11/1994	U771637	NOTICE OF DEATH	EDITION 1
28/12/1994	U897848	TRANSFER <i>to Qiu Hong Xuan</i>	
28/12/1994	U897849	MORTGAGE	EDITION 2
28/7/1999	6037431	DEPARTMENTAL DEALING	
2/9/2005	AB740687	DISCHARGE OF MORTGAGE	EDITION 3
15/6/2016	AK509587	DEPARTMENTAL DEALING	
12/12/2016	AK994402	TRANSFER <i>to Marquee Eight P/L</i>	EDITION 4

\*\*\* END OF SEARCH \*\*\*

Fibuve Pty Ltd

PRINTED ON 1/3/2017

GlobalX Information Services Pty Ltd (ABN 99 073 436 414) an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.  
\* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE  
**WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.**

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Form: 01T  
Licence: 01-05-025  
Licensee: LEAP Legal Software Pty Limited  
Firm name: Sterling Legal

**TRANSFER**

New South Wales  
Real Property Act 1900



**AJ926065E**

**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 30B 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 (NSW) Client No: 1411509 Duty: 40.00 Trans No: 8369078 Asst details: 16/10/15	Office of State Revenue (NSW) Client No: 1411509 Duty: 4175 Trans No: 8369078 Asst details: 16/10/15
--	--

**(A) TORRENS TITLE**

7/2/846, 8/2/846, 9/2/846 (now being Auto Consol. 13728-96), 10/2/846 and 11/2/846

**(B) LODGED BY**

Document Collection Box W	Name, Address or DX, Telephone, and Customer Account Number if any Sterling Legal PO Box 815 Auburn NSW 1835 Reference:	CODES T TW
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Gicico Pty Ltd ABN 31 787 722 006 ACN 001 408 055



The transferor acknowledges receipt of the consideration of \$6,000,000.00 and as regards the abovementioned land transfers to the transferee an estate in fee simple.

**(F) SHARE TRANSFERRED**

100%

**(G) ENCUMBRANCES (if applicable):**

**(H) TRANSFEREE**

Marque Eight Pty Ltd ABN 31 167 212 697

**(I) TENANCY:**

**DATE**

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

Corporation: Gicico Pty Ltd  
Authority: section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person: JOHN ALBERT PHILLIPS  
Office held: Sole Director and Secretary

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

Signature:

Signatory's name: Tom Zreika  
Signatory's capacity: Solicitor for the Transferee

**(K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. Full name: Signature:**

Form: 01T  
Licence: 01-05-025  
Licence: LEAP Legal Software Pty Limited  
Firm name: Sterling Legal

## TRANSFER

New South Wales  
Real Property Act 1900



AK994402D

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Act Register. 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

Section 90B RP Act requires stamp duty	
Client No: 1350664	214
Date: 1/10/10	Trans No: 8551634-001
Assessment:	

### (A) TORRENS TITLE

12/2/846

### (B) LODGED BY

Document  
Collection  
Box

Name, Address or DX, Telephone, and Customer Account Number if any

Sterling Legal PO Box 815

Auburn NSW 1835

92237774

Reference: 25026

CODES

T  
TW

### (C) TRANSFEROR

GB

### (D) CONSIDERATION

### (E) ESTATE

### (F) SHARE

TRANSFERRED

### (G)

Qui Hong XUAN  
Qiu

The transferor acknowledges receipt of the consideration of \$3,100,000.00 and as regards the abovementioned land transfers to the transferee an estate in fee simple.

Encumbrances (if applicable):

### (H) TRANSFEREE

Marque Eight Pty Ltd ACN 167 212 697

### (I)

TENANCY:

### DATE

(J) I certify that I am an eligible witness and that the transferor signed this dealing in my presence.  
[See note\* below]

Signature of witness:

Name of witness:

PAUL MARTIN ETHERINGTON  
GROUND FLOOR, 153 WALKER STREET  
NORTH SYDNEY, SOLICITOR

Address of witness:

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

Signature of transferor:

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

Signature:

Signatory's name: Tom Zreika

Signatory's capacity: Solicitor for the Transferee

(K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under

eNOS ID No. 1212310

Full name: Tom Zreika

Signature: