

**City of Sydney**

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23 June 2009

Our Ref: 2009/139775

Dr Sacha Blumen  
President  
2011 Residents Association  
By email: 2011rai@gmail.com

Dear Dr Blumen,

**4-14 Roslyn Gardens, Rushcutters Bay**

I refer to your email regarding the change of use for 4-14 Roslyn Gardens, Rushcutters Bay.

Council officers inform me that the land was redeveloped in 1964 when a four storey residential flat building was approved by the former South Sydney Council. The premise was then leased out by the owner and used without lawful approval as a Motel. Recently, the premise has been sold and the new owner has indicated that he does not wish to continue the unauthorised use under 'existing use rights' and that he intends to comply with the original development consent of 1964.

Council's Solicitors have reviewed all relevant files and have advised me that the premise owner could continue the use as a Motel under 'existing use rights' if they chose to. Council cannot force the owner to do this, and as such, the owner is operating the premise within the prescribed development consent and attached conditions from 1964.

Should you wish to speak with a Council officer about the change of use, please contact Greg Stevens, Compliance Investigator by telephone on 9265 9333 or at [gstevens@cityofsydney.nsw.gov.au](mailto:gstevens@cityofsydney.nsw.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. M. Barone'.

**MONICA BARONE**  
Chief Executive Officer