

Our ref: 4503-DP1

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Date: 20th December 2022

Attention: Peter Bettridge
Boyd Properties
Level 3, 161 Castlereagh Street
Sydney NSW 2000

Dear Peter,

**Draft Concept Plan of Subdivision for Discussion Purposes
DP1: Lot 31 in DP1231486, Lot 100 & Lot 103 in DP1231965, Lot 14 in DP213314, Lot 1 in DP108492 and Lot 1 in DP329283**

In accordance with your instructions, we have prepared a Draft Concept Plan of Subdivision of Cooks Cove – Northern Precinct being Lot 31 in DP1231486, Lot 100 & Lot 103 in DP1231965, Lot 14 in DP213314, Lot 1 in DP108492 and Lot 1 in DP329283. The Draft Concept Plan attached to this Report is for discussion purposes only and is subject to change as the Project advances.

Plan Purpose

The Draft Concept Plan at Cooks Cove in the Northern Precinct has been presumed to be a Plan of Subdivision. This will support the requirements of Boyd Properties for the development of the Northern Precinct.

As such, when the final plan is completed, it will require execution by the Landowner of both the Subdivision Plan and any related 88b Instrument (if required) together with execution of the Subdivision Certificate by an Authorised Person.

The purpose of this Plan is to Subdivide the Title for Cooks Cove – Northern Precinct known currently as Lot 31 in DP1231486, Lot 100 & Lot 103 in DP1231965, Lot 14 in DP213314, Lot 1 in DP108492 and Lot 1 in DP329283, to separate the land required for the Boyd Properties project and vest it separately from the land to be dedicated.

As part of the submission, RPS have conducted calculations and assumptions to facilitate the preparation of this Draft Concept Plan, we acknowledge the receipt and use of the following documents provided by Boyd Properties:

- 221116 Sketch plan of subdivision and consolidation.pdf
- Road Layout_recover-SKT(1).pdf
- 30112022143744-0001.pdf
- X-ARUP-CCPP-BDY.dwg
- Road Design_5.dwg
- Cadastre.dwg
- SK_3001-MASTERPLAN LINEWORK-1 2000.dwg

Preparation of Model

In calculating the proposed boundaries and preparing the aforementioned Draft Concept Plan of Subdivision, the following methodology has been adopted and the results contained herewith are open for discussion with Boyd Properties.

As part of the submission, we have:

1. Assessed the intent of the Subdivision with respect to Boyd Properties requirements.
2. Assessed the relevant available information including;
 - Boyd Properties supplied Drawings within the Cook Cove – Northern Precinct SharePoint
 - Survey Adjusted Cadastral Model (SACM) boundaries prepared by RPS
 - Previous Survey Plans Prepared by David Fairlie
 - Registered Plans, and Titles and other relevant Cadastral Search
 - Nearmap Aerial Imagery
3. Collated available information into one CAD model
4. Prepared the attached Draft Concept Plan of Subdivision for discussion purposes.

A model has been prepared by overlaying the provided documents in a digital form upon the Cadastre with a MGA2020 georeferenced aerial image for context. The Boundary model will be superseded moving forward once all field measurements are obtained.

Current Certificates of Title

Review of the current certificate of title for the affected lands.

Lot 1 in DP108492

First Schedule Notifications

The Council of The Municipality of Rockdale (T H19900)

Second Schedule Notifications

The Certificate of Title 1/108492 has the following Second Schedule Notifications:

1. Reservations and Conditions in the Crown Grant(s)
2. Land excludes minerals (s.141 Public Works Act, 1912) affecting the part(s) shown so burdened in the Title diagram.
3. Caveat by the Registrar General (H19901)
4. Proposed acquisition pursuant to Section 11 Land Acquisition (Just Terms Compensation) Act, 1991 Affecting the part described in Annexure F In 3828363. (3828363)

Regarding the Notifications listed on the Certificate of Title 1/108492, RPS provide the following comments.

- Item 1 indicates the Land is subject to Reservations and Conditions in the Crown Grant. Investigation of the Crown Grant has not been made by RPS.
- Item 2 indicates the Land excludes Minerals. RPS have not investigated this.
- Item 3 indicates the Land is affected by a Caveat, placed on the Title by the Registrar General. The Caveat will prevent registration of any dealings with the land without Caveators consent to the Registration of the Plan. RPS have not investigated the Caveat. A copy of the Caveat has been provided with this report.
- Item 4 indicates the Land has been subject to an Acquisition as per Dealing 3828363 in February 1998. A copy of the Dealing has been provided with this report.

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Certificate of Title 1/108492 Notations

The following notations are listed on the Title:

- Note: Lease acquired for Roads Act, 1993 Gaz. 3/4/1998 Fol. 2420 Affecting the Part described in Annexure F In 3828363 (3981417)
- DP1224219 Plan of Acquisition (Roads Act, 1993)
- DP1276465 Plan of Acquisition (Roads Act 1993) (Subsurface Stratum)

Unregistered Dealings:

- PE DP1134928

Regarding the Notifications listed on the Certificate of Title 1/108492, RPS provide the following comments.

- Dealing 3828363 has been provided with this report.
- DP1224219 & DP1276465 indicate the land is affected by Plans of Acquisition which have been shown on the Draft Concept Plan.

RPS draw Boyd Properties attention to the Plans of Acquisition listed within the Notations on the Title. The Plans of Acquisition have not been Gazetted or have not had Titles Created.

Lot 1 in DP329283

First Schedule Notifications

The Commissioner for Main Roads

Second Schedule Notifications

The Certificate of Title 1/329283 has the following Second Schedule Notification:

1. Reservations and Conditions in the Crown Grant(s)

Regarding the Notifications listed on the Certificate of Title 1/329283, RPS provide the following comments.

- Item 1 indicates the Land is subject to Reservations and Conditions in the Crown Grant. Investigation of the Crown Grant has not been made by RPS.

Certificate of Title 1/329283 Notations

The following notations are listed on the Title:

- DP1224223 Plan of Acquisition (Roads Act, 1993)
- DP1276467 Plan of Acquisition (Roads Act, 1993) (Subsurface Stratum)

Unregistered Dealings:

- PE DP1134931

RPS draw Boyd Properties attention to the Plans of Acquisition listed within the Notations on the Title. The Plans of Acquisition have not been Gazetted or have not had Titles Created. The Unregistered Dealings PE DP1134931 is a Deposited Plan lodged by W M Walker Taylor Edwards in 2009.

Lot 14 in DP213314

First Schedule Notifications

Rockdale City Council

Second Schedule Notifications

The Certificate of Title 14/213314 has the following Second Schedule Notifications:

1. Qualified Title. Caution Pursuant to Section 28J of the Real Property Act, 1900. Entered 9.12.2008 Bk 2446 No 263

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2. Limited Title. Limitation Pursuant to Section 28t(4) of the Real Property Act, 1900. The boundaries of the land comprised herein have not been investigated by the Registrar General.
3. Bk 2446 No 263 Covenant

Regarding the Notifications listed on the Certificate of Title 14/213314, RPS provide the following comments.

- Item 1 indicates that the Title has a limitation in the form of a qualification. Qualified Title is given to a property that has been converted from the Old Systems Title to Torrens Title.
- Item 2 indicates that the Title has a limitation being that the land is not fully defined by survey in a deposited plan and that the boundaries have not been investigated by the Registrar General.
- Item 3 indicates the Land is affected by a Covenant. The Covenant has not been investigated by RPS.

Certificate of Title 14/213314 Notations

The following notations are listed on the Title:

- DP1224202 Note: Plan of Acquisition (Roads Act, 1993)
- DP1277775 Plan of Acquisition (Roads Act, 1993) (Subsurface Stratum)

Unregistered Dealings:

- PE DP1134928

RPS draw Boyd Properties attention to the Plans of Acquisition listed within the Notations on the Title. The Plans of Acquisition have not been Gazetted or have not had Titles Created. The Unregistered Dealings PE DP1134928 is a Deposited Plan lodged by W M Walker Taylor Edwards in 2009.

Lot 31 in DP1231486

First Schedule Notifications

Kogarah Golf Club Limited

Second Schedule Notifications

The Certificate of Title 31/1231486 has the following Second Schedule Notifications:

1. Reservations and Conditions in the Crown Grant(s)
2. The Land above described Is limited in Stratum in the manner described in DP1231486
3. Covenant (M592019)
4. Covenant (P18237)
5. Easement for Pipeline 5 Wide, 10 Wide & 2 Wide Affecting the Part(S) shown so Burdened in DP499060 (Sheet 1 & 2) (2375528)
6. Proposed Acquisition pursuant to Section 11 Land Acquisition (Just Terms Compensation) Act, 1991 Affecting the land above described (G238259)
7. Easement for Water Supply purposes 6 Wide Affecting the Part designated (A) In DP1152790 (AG398588),

Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)

Easement now vested In SDP Australia No. 3 Pty Ltd (AH25478)

Easement now vested In Ministerial Holding Corporation (AH25480)

Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)

Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)

Mortgage of Lease AH25481 to State of New South Wales (Minister for Finance And Services) (AH25486)

Mortgage Of Lease AH25481 to Westpac Banking Corporation (AH25587)

Mortgage Of Lease AH25484 to Westpac Banking Corporation (AH143424)

8. Easement for Water Supply purposes 8 Wide affecting the Part Designated (B) In DP1152790 (AG398588)

Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)

Easement now vested In SDP Australia NO. 3 Pty Ltd (AH25478)

Easement now vested In Ministerial Holding Corporation (AH25480)

Lease to SDP Australia NO. 3 PTY LTD. EXPIRES: 30/6/2062 (AH25481)

Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)

Mortgage of Lease AH25481 to State of New South Wales (Minister For Finance And Services) (AH25486)

Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)

Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)

9. Caveat by Cook Cove Inlet Pty Ltd (AQ375698)

Regarding the Notifications listed on the Certificate of Title 31/1231486, RPS provide the following comments.

- Item 1 indicates the Land is subject to Reservations and Conditions in the Crown Grant. Investigation of the Crown Grant has not been made by RPS.
- Item 2 indicates the Land is Limited in Stratum.
- Item 3 indicates the Land is affected by a Covenant. RPS have not investigated the Covenant on the Title.
- Item 4 indicates the Land is affected by a Covenant. RPS have not investigated the Covenant on the Title.
- Item 5 indicates the Land is affected by an Easement for Pipeline shown as (F) on the Draft Concept Plan.
- Item 6 indicates the Land is affected by a Land Acquisition. A copy of the Dealing has been provided with this report.
- Item 7 indicates the Land is affected by an Easement for Water Supply purposes shown as (A) on the Draft Concept Plan.
- Item 8 indicates the Land is affected by an Easement for Water Supply purposes shown as (B) on the Draft Concept Plan.
- Item 9 indicates the Land is affected by Caveat by Cook Cove Inlet Pty Ltd. RPS have not investigated the Caveat. A copy of the Caveat has been provided with this report.

Lot 100 in DP1231954

First Schedule Notifications

Kogarah Golf Club Limited

Second Schedule Notifications

The Certificate of Title 100/1231954 has the following Second Schedule Notifications:

1. Reservations and Conditions in the Crown Grant(s)

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2. Covenant (M592019)
3. Covenant (P18237)
4. Easement for Pipeline 1, 2, 5, 10 Wide & variable width Affecting the Part(s) shown so Burdened in DP499060 (Sheet 2) (2375528)
Easement released in so far as it Affects the Part shown in DP499069 (3104128)
5. Easement for Pipeline 5 Wide Affecting the Part shown so Burdened in DP499069 (Sheet 2) (2375530)
6. Proposed Acquisition Pursuant to Section 11 Land Acquisition (Just Terms Compensation) Act, 1991 affecting the Land above described (AG238259)
7. Easement for water supply purposes 6 Wide Affecting the Part designated (A) in DP1152790 (AG398588)
Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)
Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)
Easement now vested in Ministerial Holding Corporation (AH25480)
Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)
Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)
Mortgage of Lease AH25481 to State of New South Wales (Minister for Finance and Services) (AH25486)
Mortgage of Lease AH25481 to Westpac Banking (AH25587)
Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)
8. Easement for water supply purposes 9 Wide Affecting the Part designated (C) in DP1152790 (AG398588)
Easement now Vested In Sydney Desalination Plant Pty Limited (AG862837)
Easement now Vested in SDP Australia No. 3 Pty Ltd (AH25478)
Easement now Vested in Ministerial Holding Corporation (AH25480)
Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)
Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)
Mortgage of Lease AH25481 to State of New South Wales (Minister for Finance And Services) (AH25486)
Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)
Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)
9. Easement for water supply purposes 8 Wide Affecting the part designated (D) IN DP1152790 (AG398588)
Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)
Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)
Easement now vested in Ministerial Holding Corporation (AH25480)
Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)

Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)

Mortgage of Lease AH25481 to State of New South Wales (Minister For Finance And Services) (AH25486)

Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)

Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)

10. Easement for water supply Purposes 8 Wide Affecting the Part designated (E) in DP1152790 (AG398588)

Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)

Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)

Easement now vested in Ministerial Holding Corporation (AH25480)

Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)

Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)

Mortgage of Lease AH25481 to State of New South Wales (Minister For Finance And Services) (AH25486)

Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)

Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)

11. Easement for water supply purposes 9 Wide affecting the part designated (J) IN DP1152790 (AG398588)

Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)

Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)

Easement now vested in Ministerial Holding Corporation (AH25480)

Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)

Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)

Mortgage of Lease AH25481 to State of New South Wales (Minister For Finance And Services) (AH25486)

Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)

Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)

12. Proposed Acquisition Pursuant to Section 11 Land Acquisition (Just Terms Compensation) Act, 1991 (AK853067)

13. Caveat by Cook Cove Inlet Pty Ltd (AQ375698)

Regarding the Notifications listed on the Certificate of Title 100/1231954, RPS provide the following comments.

- Item 1 indicates the Land is subject to Reservations and Conditions in the Crown Grant. Investigation of the Crown Grant has not been made by RPS.
- Item 2 indicates the Land is affected by a Covenant. RPS have not investigated the Covenant on the Title.
- Item 3 indicates the Land is affected by a Covenant. RPS have not investigated the Covenant on the Title.

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- Item 4 indicates the Land is affected by an Easement for Pipeline shown as (F) on the Draft Concept Plan.
- Item 5 indicates the Land is affected by an Easement for Pipeline shown as (G) on the Draft Concept Plan.
- Item 6 indicates the Land is affected by a Land Acquisition. A copy of the Dealing has been provided with this report.
- Item 7 indicates the Land is affected by an Easement for Water Supply purposes shown as (A) on the Draft Concept Plan.
- Item 8 indicates the Land is affected by an Easement for Water Supply purposes shown as (C) on the Draft Concept Plan.
- Item 9 indicates the Land is affected by an Easement for Water Supply purposes shown as (D) on the Draft Concept Plan.
- Item 10 indicates the Land is affected by an Easement for Water Supply purposes shown as (E) on the Draft Concept Plan.
- Item 11 indicates the Land is affected by an Easement for Water Supply purposes shown as (H) on the Draft Concept Plan.
- Item 12 indicates the Land is affected by a Land Acquisition.
- Item 13 indicates the Land is affected by Caveat by Cook Cove Inlet Pty Ltd. RPS have not investigated the Caveat. A copy of the Caveat has been provided with this report.

Lot 102 in DP1231954

First Schedule Notifications

Roads and Maritime Services

Second Schedule Notifications

The Certificate of Title 102/1231954 has the following Second Schedule Notifications:

1. Easement for water supply purposes 6 Wide Affecting the part designated (A) in DP1152790 (AG398588)
 - Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)
 - Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)
 - Easement now vested in Ministerial Holding Corporation (AH25480)
 - Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)
 - Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)
 - Mortgage of Lease AH25481 to State of New South Wales (Minister for Finance and Services) (AH25486)
 - Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)
 - Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)
2. Land is required for road purposes (AM504879)

Regarding the Notifications listed on the Certificate of Title 102/1231954, RPS provide the following comments.

- Item 1 indicates the Land is affected by an Easement for Water Supply purposes shown as (A) on the Draft Concept Plan.
- Item 2 indicates the Land is required for road purposes.

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Lot 103 in DP1231954

First Schedule Notifications

Roads and Maritime Services

Second Schedule Notifications

The Certificate of Title 103/1231954 has the following Second Schedule Notifications:

1. Easement for water supply purposes 6 Wide affecting the part Designated (A) in DP1152790 (AG398588)
 - Easement now vested in Sydney Desalination Plant Pty Limited (AG862837)
 - Easement now vested in SDP Australia No. 3 Pty Ltd (AH25478)
 - Easement now vested in Ministerial Holding Corporation (AH25480)
 - Lease to SDP Australia No. 3 Pty Ltd. Expires: 30/6/2062 (AH25481)
 - Lease of Lease AH25481 to Sydney Desalination Plant Pty Limited. Expires: 28/6/2062 (AH25484)
 - Mortgage of Lease AH25481 to State of New South Wales (Minister for Finance and Services) (AH25486)
 - Mortgage of Lease AH25481 to Westpac Banking Corporation (AH25587)
 - Mortgage of Lease AH25484 to Westpac Banking Corporation (AH143424)
2. Land is required for road purposes (AM504879)

Regarding the Notifications listed on the Certificate of Title 103/1231954, RPS provide the following comments.

- Item 1 indicates the Land is affected by an Easement for Water Supply purposes shown as (A) on the Draft Concept Plan.
- Item 2 indicates the Land is required for road purposes.

Certificate of Title 103/1231954 Notations

The following notations are listed on the Title:

- DP1231486 Plan of Acquisition (Roads Act, 1993)

RPS draw Boyd Properties attention to the Plans of Acquisition listed within the Notations on the Title. The Plans of Acquisition have not been Gazetted or have not had Titles Created.

RPS requests Boyd Properties indicate if any Easements are intended to be released or altered on the Final Plan.

Determination of Subdivision Extents

RPS have adopted previous Boundary Models for the existing external boundary of work conducted by David Fairlie in the preparation of the Draft Concept Plan of Subdivision. The Mean High Water Mark Boundary abutting Cooks River has adopted the Crown Lands approved Boundary of RL 0.555 as per Unregistered Plan by David Fairlie for this plan.

RPS draws Boyd Properties attention to the Mean High Water Mark Definition Approval from Crown Lands with was approved in 2008. As significant time has passed since this approval, subsequent survey may need to be conducted and approvals may need to be furnished.

Lot 1 – Proposed Boyd Properties Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan. The proposed Lot is to be a 20m wide corridor from the Mean High Water Mark Boundary.

Lot 2 – Proposed Boyd Properties Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 3 – Proposed State Road Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 4 – Proposed Open Space is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 5 – Proposed Rockdale City Council Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 6 – Proposed Open Space is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 7 – Proposed Rockdale City Council Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 8 – Proposed Open Space is intended to be unlimited in height and depth.

Lot 9 – Proposed Rockdale City Council Lot is intended to be Unlimited in Height and Depth.

Lot 10 – Proposed Arncliffe Motorway Operations Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 11 – Proposed Arncliffe Motorway Operations Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 12 – Proposed Open Space is intended to be Unlimited in Height and Depth.

Lot 13 – Proposed Open Space is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 14 – Proposed Open Space is intended to be Unlimited in Height and Depth.

Lot 15 – Proposed Arncliffe Motorway Operations Lot is intended to be unlimited in height and limited in depth to a horizontal plane at RL 0 as shown on the Draft Concept Plan.

Lot 16 – Proposed Boyd Properties Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan. The proposed Lot is to be a 20m wide corridor from the Mean High Water Mark Boundary.

Lot 17 – Proposed Rockdale City Council Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 18 – Proposed Rockdale City Council Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 19 – Proposed Boyd Properties Lot is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 20 – Proposed Open Space is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan.

Lot 21 – Proposed Open Space is intended to be unlimited in height and depth excluding the part to be limited in part in stratum shown on the Draft Concept Plan

RPS draws Boyd Properties attention to the Sub-Stratum Acquisitions listed on the Notations on the various Original Titles. DP1224202, DP1231486, DP1277775, DP1224219, DP1276465, DP1224223 & DP1276467 are all Registered Deposited Plans shown within the Notations of existing Titles 1/108492, 1/329283, 14/213314 & 103/1231954. No Title Creation has taken place.

Due to the actions being taken by Transport for New South Wales, RPS ask that Boyd Properties grant permission for RPS to approach the Registered Surveyor for TfNSW to discuss the timing of Gazettals and future Acquisitions that may affect the Subdivision.

In this initial stage we request that Boyd Properties review the intention of the attached Draft Concept Plan and review to provide specific instructions to indicate the desired position for each boundary relative to site features. Proposed Boundaries have been created using 'X-ARUP-CCPP-BDY.dwg' and 'SK_3001-MASTERPLAN LINEWORK-1 2000.dwg'

RPS recommends Boyd Properties seek Legal advice regarding the intended use of Covenant P18237. It appears Covenant P18237 will only benefit Lots 1, 2, 16 & 19 on the Draft Concept Plan.

As per Email from Peter Bettridge (15/12/2022), updates to Draft Concept Plan are as follows and to be confirmed by Boyd Properties.

- Lot 12/570900 has been removed from the Proposed Subdivision and is now shown as adjoining information.
- Previous Lot 1 (MHWM Lot) has been split into Lots 1 and 16 on the North and South of Lot 12/570900.
- Lots 17 and 18 have been split into Lots 17, 18, 20 & 21 to allow for Public Open Space on the Western Side of Marsh Street. The dividing boundary of these are utilizing existing boundary corners until further direction provided.
- Updated Dedications for the Lots to be dedicated for Public Open Space, Council Public Road, State Road, and Arncliffe Motorway Operations.

Proposed Easements

RPS request that Boyd Properties provide guidance on whether Easements will need to be created to support the Subdivision.

RPS request confirmation that an 88b Instrument will be used to create the required easements accompanying the subdivision certificate. Prior to lodgment of the Plan at LRS for Registration execution of the Administration Sheets and 88b Instrument will be required by various stakeholders. RPS understand the following parties may be required to execute their respective components of the Administration Sheets and 88b prior to Plan lodgment at LRS

- The Commissioner for Main Roads
- Rockdale City Council
- Kogarah Gold Club Limited

RPS advise that Boyd Properties confirm that the stakeholders are limited to the abovementioned and no additional consent to easements are required to execute, sign or approve the 88b instrument, administration sheets or Deposited Plan.

Any Easements required by Public Authorities or Stakeholders over any of the Lots shown on this Plan should be identified by Boyd Properties prior to RPS undertaking the Final Survey of the Plan.

Plan Review

RPS has been advised that this land dealing will be a Subdivision. Registered Proprietors of the subject land will be required to provide consent to the Subdivision. As such this constitutes the preparation of:

- A Plan of Subdivision of Lot 31 in DP1231486, Lot 100 & Lot 103 in DP1231965, Lot 14 in DP213314, Lot 1 in DP108492 and Lot 1 in DP329283.
- Administration Sheets
- 88b Instrument for Creating and/or Releasing Easements. (if required)

RPS ask that Boyd Properties advise on the following;

- ***The Consenting Authority signing the Subdivision Certificate.***
- ***The Registered Proprietor signing on behalf of "The Commissioner for Main Roads" as consent to the subdivision.***
- ***The Registered Proprietor signing on behalf of "Rockdale City Council" as consent to the subdivision.***

RPS ask that Boyd Properties grant permission for RPS to apply on their behalf for Consent to Mean High Water Mark Definition for this project.

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***We request that Boyd Properties review the approach outlined above to the preparation of this plan.
The Draft Concept Plan included herewith has been created for stakeholder engagement and review.
All boundaries, dimensions, areas, and intentions, shown on the Draft Concept Plan are subject to
confirmation by onsite measurements to verify the position of assets intended to be wholly within
each Lot prior to lodgement for registration.***

Yours sincerely,
for RPS AAP Consulting Pty Ltd

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