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13.9	Number and Gender	11
Schedule 1	Schedule A – Plan of Subdivision	13
Schedule 2	Schedule B - Landscaping	14
Schedule 3	Schedule C - Specifications	15

Council means Canterbury City Council (ABN 55 150 306 339) of 137 Beamish Street, Campsie NSW 2194.

Dedicated Land means the public reserve in the Development substantially the same as Lot 23 in the Plan of Subdivision.

Dedicated Roads means the roads identified as "Proposed Road" in the Plan of Subdivision.

Development means the development on the Project Land substantially similar to the development proposed in the Concept Plan Approval Application.

Modification means a "modification" of the Concept Plan Approval within the meaning of section 75W of the *Environmental Planning & Assessment Act 1979*.

Plan of Subdivision means the draft plan of subdivision of Lot A in Deposited Plan 431356 and Lot 1 in Deposited Plan 721721, prepared by Dunlop Thorpe & Co Pty Ltd dated 2 October 2008, forming Schedule A of this Agreement.

Project Land means the land known as 60 Charlotte Street, Clemton Park, being Lot 1 in Deposited Plan 721721 and Lot A in Deposited Plan 431356.

Works mean those works encompassing landscaping of the Dedicated Land.

2. Application of agreement

- 2.1 The land to which this Agreement applies is the Project Land.
- 2.2 The development to which this Agreement applies is the Development.

3. Specific obligations of the developer

3.1 Dedicated Land

- 3.1.1 The Developer agrees to provide the Minister with the public reserve identified as the Dedicated Land. The public reserve must when provided:
- (a) be available for use as a public open space and a public park; and
 - (b) be improved by the landscaping set out in Schedule B.
- 3.1.2 The Developer must, within 21 days after registration of the Plan of Subdivision under the *Real Property Act 1900*, provide the Minister with the following:
- (a) transfer in registrable form for the Dedicated Land in favour of the Minister;
 - (b) the certificate of title for the Dedicated Land or a direction or authority to use the certificate of title for the transfer; and
 - (c) the discharge of any mortgage over the Dedicated Land in registrable form.

5.3 Developer's Obligations

The Developer must at the request of the Minister, sign any *Real Property Act* dealing, acknowledgement or document, provide all relevant consents (including the consent of any mortgagee or caveator) arrange for the production of the Certificates of Title for the Project Land and do all other things reasonably necessary to enable this Agreement to be registered pursuant to section 93H of the Act.

5.4 Release from Registration

The Minister will at the request of the Developer execute the relevant forms to remove the registration of this Agreement from the Certificates of Title for the Project Land on completion of the Developer's obligations under this Agreement

5.5 Registration Expenses

The Developer must pay the registration fees on the registration of this Agreement and the Minister must pay the registration fees on the subsequent removal of registration.

6. Section 94, 94A and 94EF of the Act

This Agreement excludes the application of section 94, section 94A and section 94EF of the Act from the Development.

7. Section 93F of the Act

7.1 Planning Agreement

The Minister and the Developer agree that this Agreement is made as a Planning Agreement pursuant to section 93F of the Act.

7.2 Offer by the Developer

It is acknowledged and agreed that this Agreement is in the terms of an offer made by the Developer in connection with the Concept Plan Approval Application.

7.3 No Fettering of Minister's Powers

Nothing in this Agreement is to be construed as requiring the Minister to do anything that would cause the Minister to be in breach of any of the Minister's obligations at law, and without limitation:

7.3.1 nothing in this Agreement is to be construed as limiting or fettering in any way the exercise of any statutory discretion or duty; and

7.3.2 nothing in this Agreement imposes any obligation on a Consent Authority to grant any consent or exercise any function or power under the Act.

8. Review

8.1 3 Year Review

The Minister and the Developer will review the operation of this Agreement in good faith:

- 8.1.1 on or before the date every 3 years after the date of this Agreement; and
- 8.1.2 at the request of either party if there is a change in circumstances that materially affects the operation of this Agreement.

8.2 Dispute Resolution

If a party fails to participate in the review or provide any information reasonably required by the other party, then this will be a dispute and the dispute resolution mechanism under this Agreement will apply.

9. Default

9.1 Notice of Default

The Developer will be in default under this Agreement if the Developer fails to comply with an obligation under this Agreement within 28 days after receiving a written request from the Minister.

10. Dispute resolution

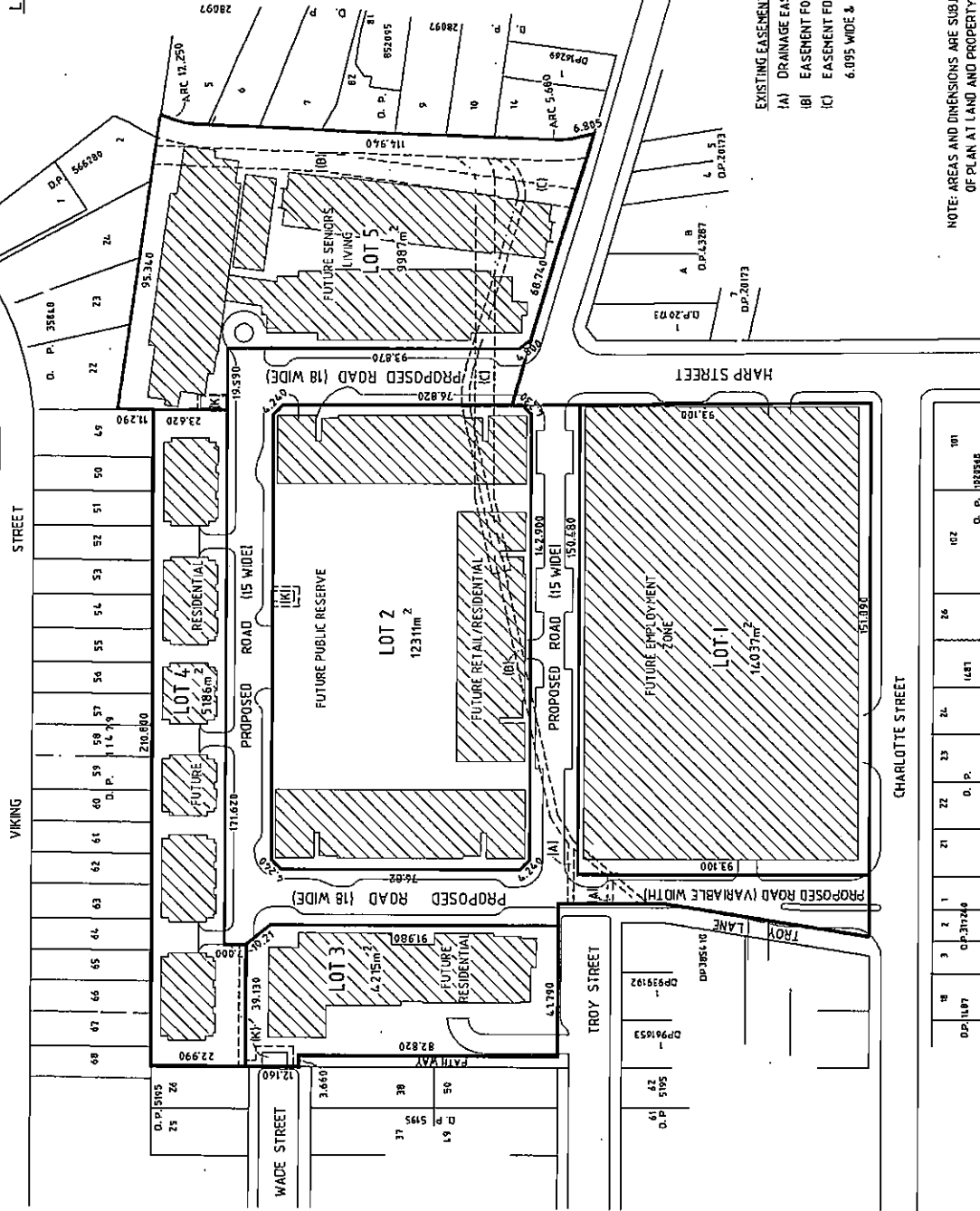
- 10.1 If a dispute between the Minister and the Developer arises out of or in any way connected with this Agreement, then either party may deliver by hand or send by certified mail to the other party a notice of dispute (**Notice of Dispute**) which must:
 - 10.1.1 identify and provide adequate details of the dispute so as to enable the other party to fully understand the nature of the dispute; and
 - 10.1.2 designate as a party's representative in negotiations a person with authority to settle the dispute.
- 10.2 Within 5 Business Days after a party receives a Notice of Dispute under this clause (**Recipient Party**) it must give a notice to the other party designating the Recipient Party's representative who will have authority to settle the dispute.
- 10.3 The designated representatives under clauses 10.1.2 and 10.2 will have 10 Business Days from the date of the Notice of Dispute within which to negotiate a resolution of the dispute.
- 10.4 The parties will ensure that the designated representatives use their best endeavours to settle the dispute by negotiation within that period.
- 10.5 In the event that the persons negotiating pursuant to clause 10.3 cannot resolve the dispute within the 10 Business Days of referral, either party may give notice of particulars of such dispute to the other party and require that such dispute be resolved by an expert acceptable to both parties.

LOCALITY: CLENTON PARK
L.G.A.: CANTERBURY

STAGE 1
PLAN

OF PROPOSED SUBDIVISION OF

LOT A D.P. 431356 & LOT 1 D.P. 721721



DIAGONAL HATCHING DENOTES PROPOSED BUILDING

AREA OF PROPOSED ROADS 94.5m²

PROPOSED EASEMENTS

IKI EASEMENT FOR ELECTRICITY PURPOSES

EXISTING EASEMENTS

- (A) DRAINAGE EASEMENT 183 WIDE & VARIABLE WIDTH #1288961
- (B) EASEMENT FOR STORMWATER CHANNEL 2.44 WIDE (C697264)
- (C) EASEMENT FOR SEWERAGE & STORMWATER PURPOSES 6.095 WIDE & VARIABLE WIDTH (J328130)

NOTE: AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY AND REGISTRATION OF PLAN AT LAND AND PROPERTY INFORMATION OFFICE

101	102	103	104	105	106	107	108	109	110
D.P. 11497	D.P. 317244	D.P. 1487	D.P. 23	D.P. 24	D.P. 25	D.P. 26	D.P. 27	D.P. 28	D.P. 29

AMENDMENTS:

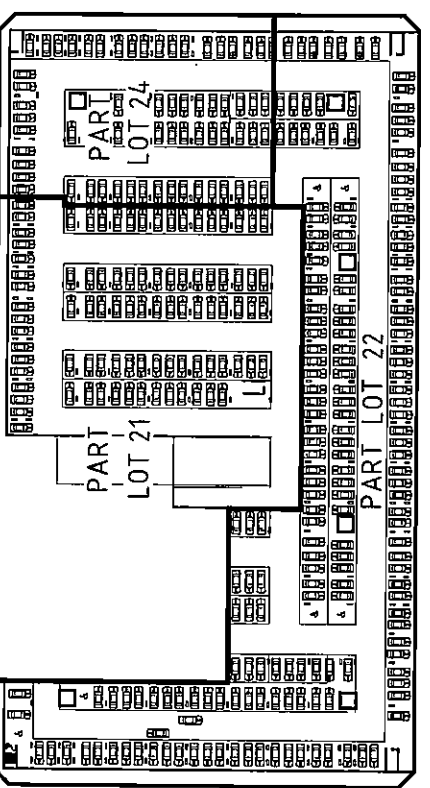
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SURVEYED: D.G.W.
DESIGNED:

CLIENT: PARKVIEW SYDNEY DEVELOPMENTS PTY. LTD.

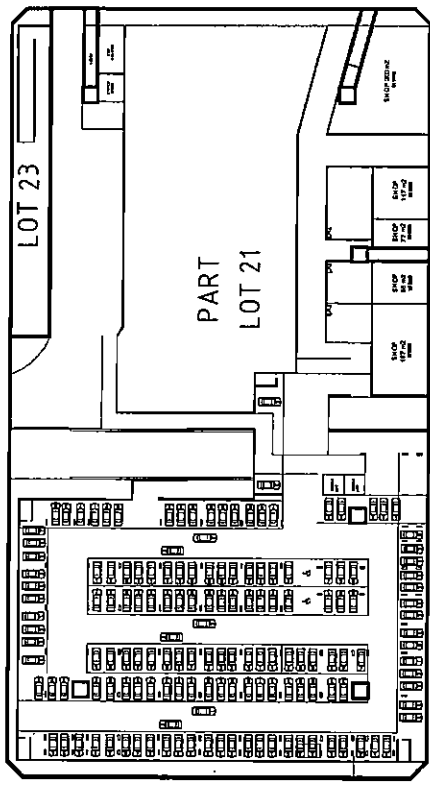
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447 KENT STREET
SYDNEY 2000
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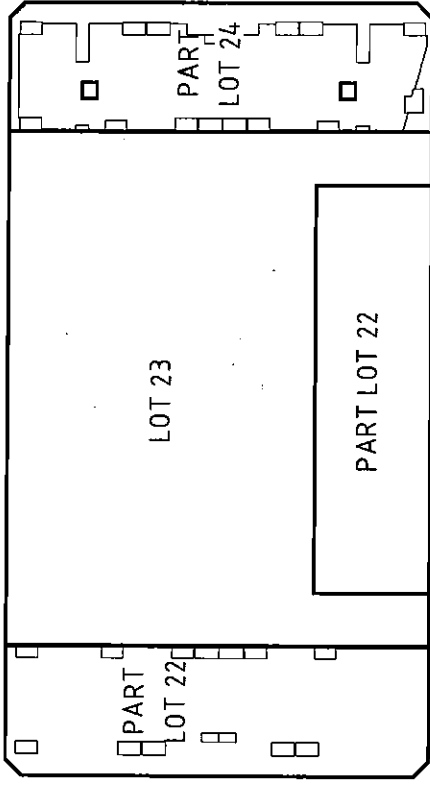
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LEVEL DATUM			
DATE	2 OCTOBER 2008		
SHEET	1 OF 1	SHEETS	
REFERENCE No.	14200 ST 1		



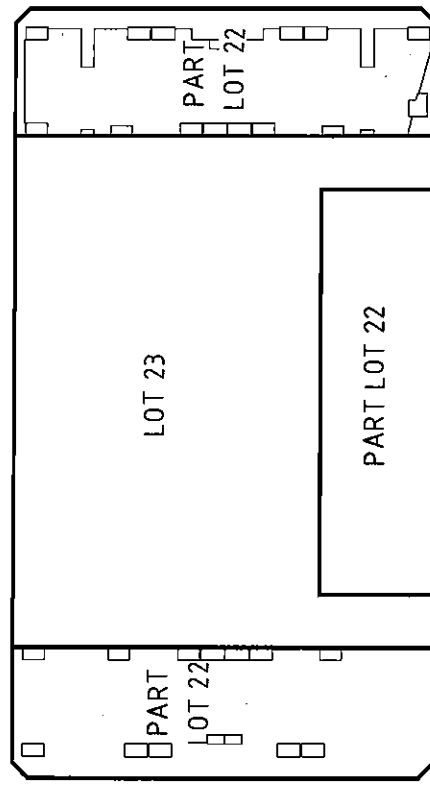
BASEMENT



LEVEL 1



LEVELS 3 & 4



LEVEL 5 & ABOVE

AMENDMENTS:

DRAWN: D.H.
 SURVEYED: D.G.W.
 DESIGNED:

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 ABN 74 003 612 150
 PHONE 9283 6877
 FAX 9283 6633
 Email: dumphor@ozemail.com.au

REDUCTION RATIO	1:1000	SIZE	A3
LEVEL DATUM	A.H.D.	DATE	2 OCTOBER 2008
SHEET	2 OF 2 SHEETS	REFERENCE	No. 14,200 ST 2

SEE NOTES SHEET 1

Schedule 2 Schedule B - Landscaping

habitation

KEY

	Street trees and tree pit with mass planting
	Feature trees. Refer to Indicative Plant Schedule
	Screening planting
	Mass planting. Refer to Indicative Plant Schedule
	Boundary buffer planting. Refer to Indicative Plant Schedule
	Turf
	Cast in situ concrete paving Type 1
	Cast in situ concrete paving Type 2
	Cast in situ concrete paving Type 3
	Stone (in) paving
	Timber decking
	Soft fall (dry) surfaces
	Astro turf
	Rendered and painted blockwork and timber framing wall
	Rendered and skanked blockwork planter wall
	Bench seat and Bin
	Bin and gallery seating table
	Rainwater tank



Ornamental furniture - Street and Play - Refer to Indicative Plant Schedule
 Rainwater tank
 Planted mounds
 Soft fall surfaces
 Cast in situ concrete with aggregate finish
 Cast in situ concrete walls and tree pits
 Cast in situ concrete retaining walls
 Ornamental furniture to park

PARK CONCEPT PLAN

CLIENT	DAVIDSGROUP
PROJECT ADDRESS	CHARLES ST CLETON PARK, NSW
DRAWING TITLE	Park Concept Plan Application
DRAWING NO.	1-030
DATE	20/08/2018
SCALE	1:200
STATUS	CONCEPT PLAN

1:20 Reference section through the site showing the proposed building footprint, landscaping, and parking areas. The plan shows the building footprint, landscaping, and parking areas. The plan shows the building footprint, landscaping, and parking areas. The plan shows the building footprint, landscaping, and parking areas.

Private courtyard for adjacent apartments. This space is only to be used for private use. This space is only to be used for private use. This space is only to be used for private use.

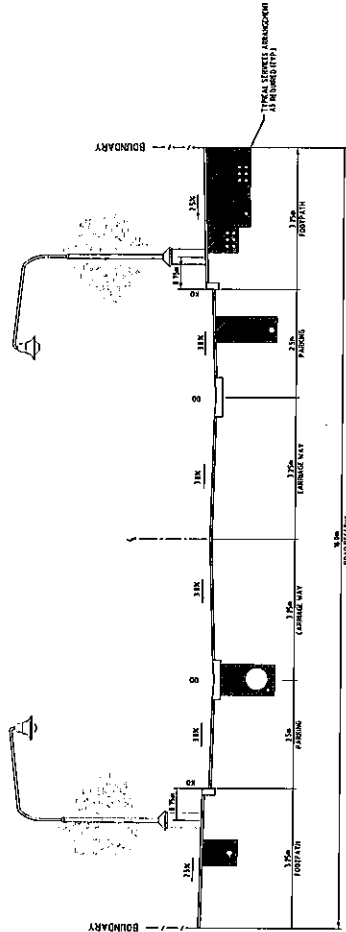
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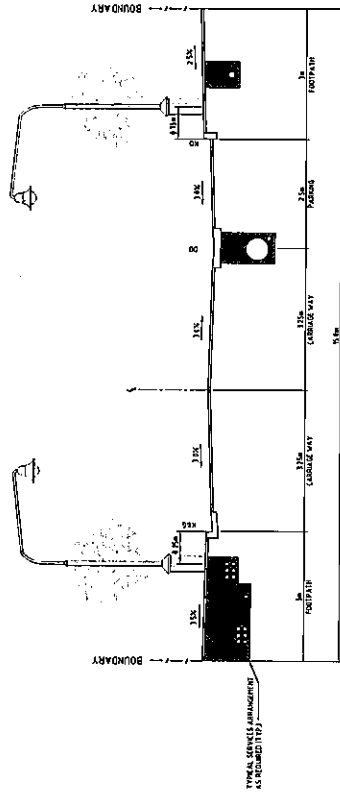
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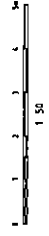
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18m ROAD RESERVE TYPICAL CROSS SECTION
SCALE 1:50



15m ROAD RESERVE TYPICAL CROSS SECTION
SCALE 1:50



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CLENTON PARK VILLAGE

TYPICAL ROAD CROSS SECTIONS

PRELIMINARY ONLY
NOT TO BE USED FOR CONSTRUCTION

Hyder
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Level 4
100 Victoria Street
Melbourne VIC 3000
Australia
PH: +61 (0)3 9412 9999
FAX: +61 (0)3 9412 9991

Project Code: AA001075
Drawing No: C005
Revision: 02