



Trade & Investment Crown Lands

Reference: DOC14/093146

Mr Les Binkin
Managing Director
Marmong Marina Properties Pty Ltd
1 Nanda Street,
MARMONG POINT NSW 2284

Dear Mr Binkin,

Subject: Landowner's Consent for Lodgement of a Modification to Consent (MP10_0209 Koolewong Marina) for an approved 50 berth marina on Lot 1 in DP 1180719 Koolewong, Parish of

Thank you for your letter dated 16 May 2014 in which you requested the Minister's approval to enter into "Direct Dealing" negotiations.

The Crown Lands' assessment process resulted in a brief to the Executive General Manager. In this instance, the brief included a request for permission to undertake direct negotiations with Marmong Marina Properties Pty Ltd. Written notification will be provided after your application has been determined.

The second element of your letter cites the development approval (MP10_0209). With reference to the information you provided on 07 February 2014 and subsequent discussions, your intent to lodge a modification to consent is noted. Accordingly, you will need Land Owners Consent (LOC) to enable you to lodge a Modification to Consent with the Department of Planning and Infrastructure.

Consent is hereby granted to the lodging a Modification to Consent under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the modifications described below.

This consent is subject to the following:

- 1) This consent is given without prejudice so that consideration of the proposed development can proceed under the *Environmental Planning and Assessment Act 1979* and any other legislation
- 2) This consent does not imply the concurrence of the Minister for the proposed development, or the issue of any necessary lease, licence or other required approval under the *Crown Lands Act 1989* and does not prevent the Crown Lands Division of Department of Trade & Investment from making any submission commenting on the application.
- 3) This consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent can be sought.

- 4) The Minister reserves the right to issue landowner's consent for the lodgement of applications for any other development proposals on the subject land concurrent with this landowner's consent.
- 5) Irrespective of any development consent or any approval given by other public authorities, **any work or occupation of the Crown land cannot commence without a current tenure** from Lands authorising such work or occupation. Subsequently a Section 34A Lease under the *Crown Lands Act 1989* is required prior to any occupation or works taking place on the Crown land.

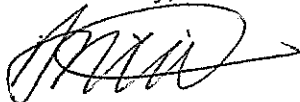
This letter should be submitted to the relevant consent or approval authority in conjunction with the Modification to Consent application and/or any other application.

You are required to forward to the Newcastle Crown Lands Office a copy of any development consent or other approval as soon as practical after that consent or approval is received.

If any modifications are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the modified development remains consistent with this landowner's consent.

If you wish to discuss this matter further Thomas Delgatto can be contacted on 02 4925 4183.

Yours sincerely,



Brett Phillips
Direct Strategic Projects
10 June 2014

Consent provided under Delegation Band 4
in accordance with Section 78(A) of the EP&A Act 1979

Information Provided Through
Aussearch
Ph. 02 9267 9728 Fax. 02 9267 9226

Title Search

InfoTrack
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/1180719

SEARCH DATE	TIME	EDITION NO	DATE
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20/8/2014	11:29 AM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 1 IN DEPOSITED PLAN 1180719
AT KOOLEWONG
LOCAL GOVERNMENT AREA GOSFORD
PARISH OF PATONGA COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP1180719

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND
CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000B
- * 2 EXCEPTING LAND BELOW A DEPTH FROM THE SURFACE OF 20 METRES
- * 3 AC536739 CROWN LEASE TO GEMSTED PTY LTD (LE 340330). EXPIRES:
9/8/2026.
- * AC536740 LEASE MAY NOT BE TRANSFERRED, MORTGAGED,
SUB-LEASED OR DEALT WITH IN ANY OTHER SPECIFIED
MANNER WITHOUT THE CONSENT OF THE MINISTER
ADMINISTERING THE CROWN LANDS ACT, 1989
- * AD40392 CAVEAT AFFECTING LEASE AC536739 CAVEAT BY THE
COUNCIL OF THE CITY OF GOSFORD
- * AH269679 LEASE OF CROWN LEASE TO W.E.L.D. PTY LIMITED OF
GROUND FLOOR RESTAURANT, BRISBANE WATER DRIVE,
KOOLEWONG. EXPIRES: 29/9/2016. OPTION OF RENEWAL:
5 YEARS WITH A FURTHER OPTION OF 4 YEARS, 10
MONTHS AND 9 DAYS.
- * AH269679 CAVEAT AD40392 CAVEATOR CONSENTED. SEE AH269679
- * AI483461 TRANSFER OF CROWN LEASE AC536739 LESSEE NOW
MARMONG MARINA PROPERTIES PTY LTD
- * AI483461 CAVEAT AD40392 CAVEATOR CONSENTED. SEE AI483461
- * AI483462 MORTGAGE OF LEASE AC536739 TO NATIONAL AUSTRALIA
BANK LIMITED
- * AI483462 CAVEAT AD40392 CAVEATOR CONSENTED. SEE AI483462

NOTATIONS

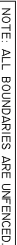
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

1/1180719

PRINTED ON 20/8/2014

* 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. InfoTrack 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.



'X' - 'Y'

PM 1954.3 - SSM 119717
159°34.54" ~ 2189.090 SURVEY
159°34.54" ~ 2189.132 MGA GND

PM 1954.3 - SSM 8061
162°46.04" ~ 2062.574 SURVEY
162°46.04" ~ 2062.622 MGA GND

SURVEYING & SPATIAL CO-ORDINATES		M G A CO-ORDINATES		ZONE		CLASS		ORDER	
NOTE	MARK	EASTING	NORTHING						
'X'	PM 1924.3	343,748.096	6 295 846.742	56	B	2			
'Y'	SM 1937.1	344,511.741	6 293 795.367	56	B	3			
'Z'	SM 8061	344,505.077	6 293 876.915	56	B	2			
SSN 8060		343,816	6 295 197	56	U				
SSN 54810		344,110	6 295 020	56	U				
SSN 70469		344,265	6 294 698	56	U				
DATE: 15/08/12		SCALE FACTOR: 0.9998985		SOURCE: S.C.I.M.S					

Surveyor: Anthony William George Clarke
Date of Survey: 28/08/12
Surveyor's Ref: Go.: 15030R

PLAN OF CONSOLIDATION OF LOT 519 IN DP 729020
& CROWN LAND BELOW HIGH WATER MARK OF
BRISBANE WATER.

LGA: GOSFORD
 Locality: KOOLEWONG
 Subdivision Number: —
 Lengths are in metres. Reduction Ratio 1:1000



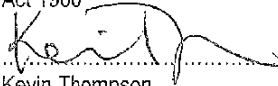
Registered
6.02.2013

DP1180719

* OFFICE USE ONLY

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

Certified correct for the purposes of the Real Property Act 1900


Kevin Thompson
Senior Surveyor, Crown Lands DPI

By delegation pursuant to section 180 of the Crown Lands Act 1989 and within the authority under section 13L of the Real Property Act 1900 from the Minister administering the Crown Lands Act 1989 on behalf of the state of New South Wales

Use PLAN FORM 6A
for additional certificates, signatures, seals and statements

Land and Property Management Authority

I, KEVIN THOMPSON.....in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature: 
Date: 12 OCTOBER 2012
File Number: 10/01505
Office: NAITLAND

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed..... set out herein
(insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
Date of Endorsement:
Accreditation no:
Subdivision Certificate no:
File no:

* Delete whichever is inapplicable.

DP1180719

Registered:  6.02.2013

Title System: TORRENS

Purpose: CONSOLIDATION

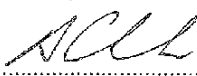
**PLAN OF CONSOLIDATION OF LOT 519 IN DP729020
AND CROWN LAND BELOW HIGH WATER MARK OF
BRISBANE WATER**

LGA: GOSFORD
Locality: KOOLEWONG
Parish: PATONGA
County: NORTHUMBERLAND

Survey Certificate

I, ANTHONY WILLIAM GEORGE CLARKE
of CLARKE DOWDLE & ASSOCIATES
PO BOX 3122 UMINA BEACH NSW 2257
a surveyor registered under the *Surveying and Spatial Information Act 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying and Spatial Information Regulation 2006* and was completed on:
28TH AUGUST 2012

The survey relates to Lot 1
(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature:  Dated: 30/09/2012
Surveyor registered under the *Surveying and Spatial Information Act, 2002*
Datum Line: 'X'-Y'
Type: Urban

Plans used in the preparation of survey
DP729020

(if insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE: 15030R