



27 July 2011

Gwynne Thompson  
Level 14, 323 Castlereagh Street  
Sydney  
NSW 2000

By post & email [gwynthom@ozemail.com.au](mailto:gwynthom@ozemail.com.au)

c/o Jon Ryan  
Henderson Horning Pty Limited, Property Consultants  
Level 18 Central Square  
323 Castlereagh Street  
Sydney NSW 2000

By post & email [jryan@hendersonhorning.com.au](mailto:jryan@hendersonhorning.com.au)

570 George Street  
Sydney NSW 2000  
All mail to GPO Box 4009  
Sydney NSW 2001  
T +61 2 131 525  
F +61 2 9269 2830  
[www.ausgrid.com.au](http://www.ausgrid.com.au)

Dear Sirs,

**Belmore Park Substation Development (Project) - Lot 2 in DP 1109323 (Land) – Easement Letter of Agreement in Principle**

Ausgrid and MKH have agreed to create a through site link that is publicly accessible having a width of 4 metres measured from the western boundary of the MKH property and within the area currently encumbered by a restriction on the use of land (being item 3 in DP 1109323). The remainder of the area the subject of the restriction on the use of land will be released by MKH. Any release of the restriction of use of the remainder of the area would relate only in stratum of not more than 3 metres. Accordingly, the Covenant would remain safe, except for the area within the 3 metre stratum. (Refer to sketches attached with this letter).

Ausgrid will request a modification to project approval number MP08\_0075 granted by the Minister for Planning (Project Approval) to enable the through site link to be provided.

The amendments to the restriction on the use of land referred to above are subject to:

- The grant of an approval to any modification request in relation to the Project Approval;
- Agreement from the City of Sydney Council to accept the dedication of the through site link on terms acceptable to the parties (and as referred to below); and
- Terms and conditions acceptable to the parties.

Ausgrid and MKH agree the following elements will be required in order to give effect to the agreed through site link:

1. Ausgrid would create a 3 metre high pre-cast screen within the Covenant. This would sit approximately 2 metres off the substation's eastern elevation to create a clear passage of 4 metres.
2. Ausgrid would require controlled vehicular access from time to time (subject to reasonable notice, excluding genuine emergencies) for maintenance, etc, to the louvers and other building elements on the substation's eastern elevation.
3. The land, to a stratum of 3 metres, comprised within the through site link would be transferred to the City of Sydney Council (Ausgrid and City of Sydney Council and MKH would develop acceptable terms in respect of the ongoing management of the through site link).
4. MKH agrees to amend the terms of the Covenant to reflect the arrangements proposed

would develop acceptable terms in respect of the ongoing management of the through site link).

4. MKH agrees to amend the terms of the Covenant to reflect the arrangements proposed in this letter (for example, to amend the width of the Covenant and to reflect any obligations as between Ausgrid and City of Sydney Council (if necessary), provided that Ausgrid, pays MKH's reasonable legal fees, survey fees, registration and other fees arising directly from the amendment of the covenant, as well as any stamp duty that may be payable from execution or registration of the Covenant.
5. MKH and Ausgrid agree to work together in good faith to achieve an outcome that does not substantially change any of the Part 3A Conditions of Approval for the Project, other than the creation of the through site link.
6. AusGrid will provide to MKH upon request, copies of correspondence and or applications necessary to achieve the objective set out in this letter (i.e. the granting of the through site link).

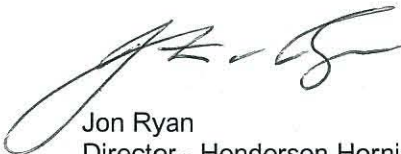
**For and on behalf of Ausgrid:**



Wilma Penrose  
Director - Area Development, CBD and Sydney East

Date 27/7/11

**For and on behalf of MKH:**



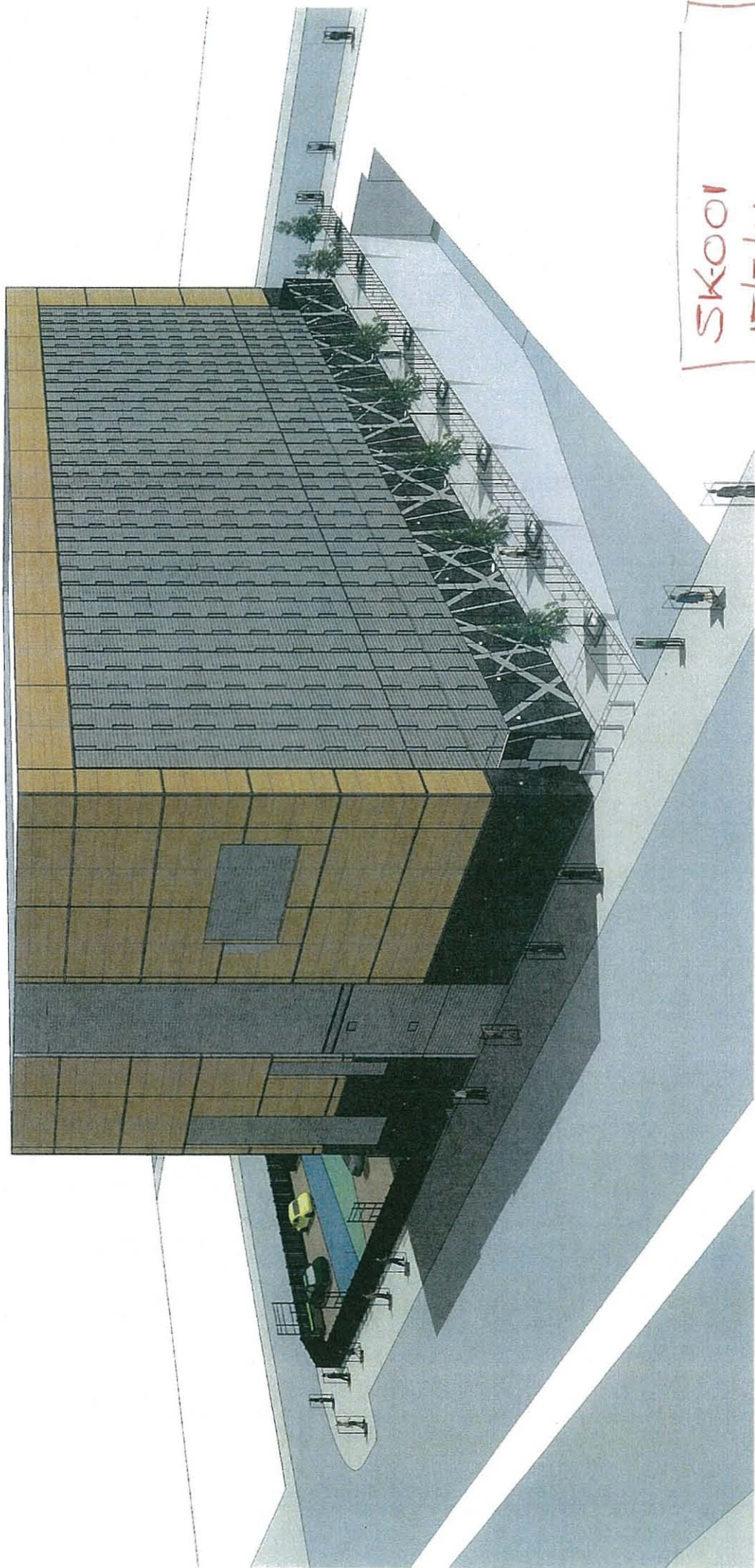
Jon Ryan  
Director - Henderson Horning Pty Limited

Date 2/8/11

**Attachments (indicative only – for further discussion):**

1. SK 001 - Impression of proposed through site link noting that the temporary treatments for the stand alone substation (as shown) may not go ahead as Ausgrid may move to full construction of the integrated development approved by the Minister for Planning. The artist's impression, however, is to be used in the context of showing the 3 metre high wall within Lot 2 DP 1109323 (land).
2. SK 002 – Plan view of the above.
3. SK 003 – Sketch showing proposed eastern elevation landscaping.

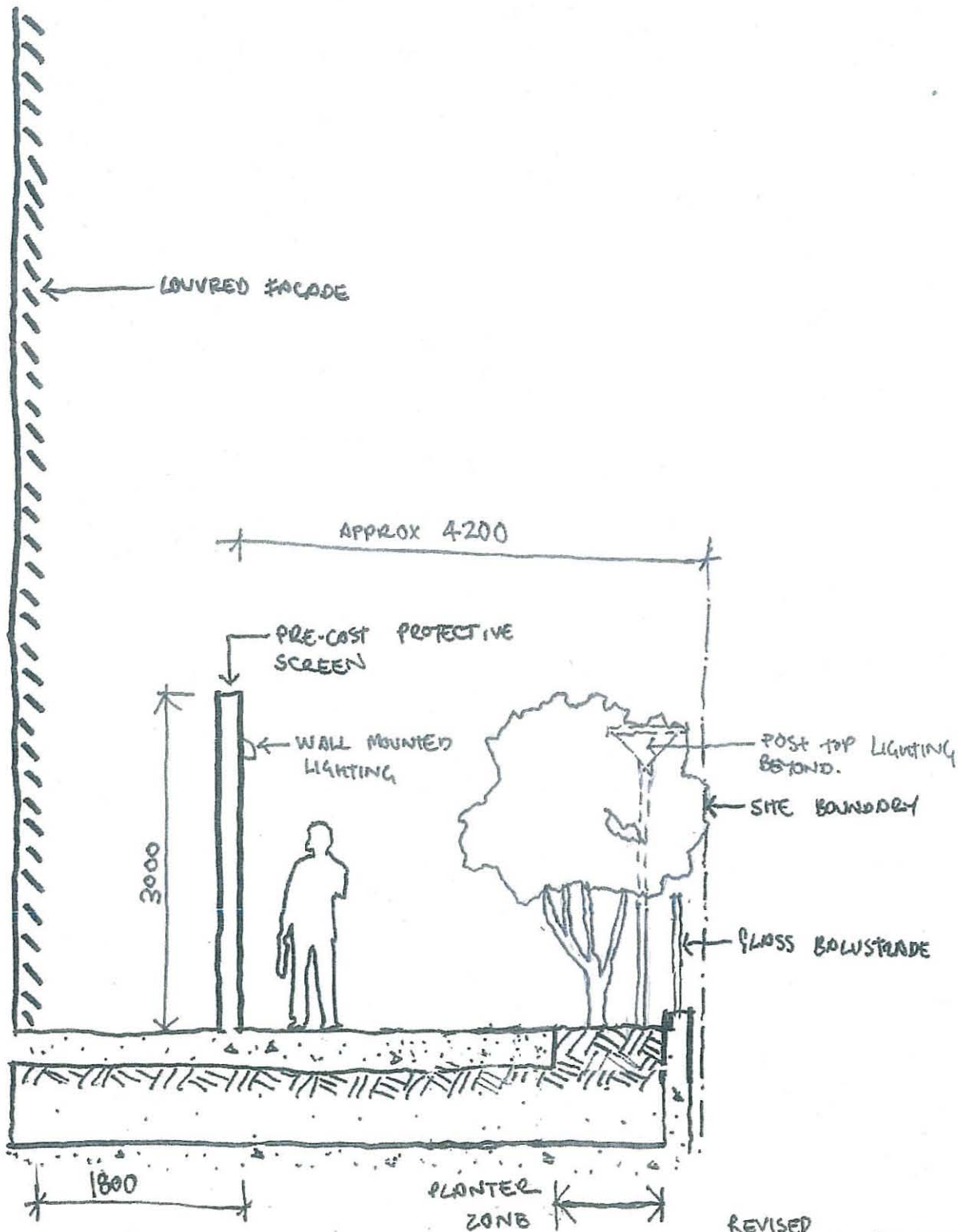




SK-001  
15/7/11  
AUSC.RID TO MKH







REVISED  
EASTERN LANDSCAPE  
OPTION

REF 06.07.11

SK-003.

15/7/11

AUSCRID TO MKH