

Western Sydney Parklands Trust
Level 4, 10 Valentine Avenue
Parramatta NSW 2150

Sydney
WATER
25 March 2010

For the attention of Suellen Fitzgerald

Dear Miss Fitzgerald

Proposed Water Theme Park at Prospect Recreational Park

We refer to the proposed development by Prospect Aquatic Investments Pty Ltd (**Developer**) of Lot 1 of Deposited Plan 1045771 (**Site**) for a water theme park. We understand the Site is owned by Western Sydney Parklands Trust (**Trust**).

We confirm the following:

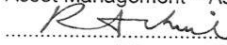
1. Sydney Water has the benefit of a proposed easement through the centre of the Site. The location of the proposed easement is shown in red on plan A attached to this letter and is labelled "Option 1". This is Sydney Water's preferred location of the easement for the 1200 mm diameter water pipeline. It is the shortest, most direct route for the pipeline and the proposed easement has existed for about 30 years; and
2. Sydney Water agrees to relocate the water pipeline route and the proposed easement to the indicative location shown by the red broken line on plan A attached to this letter and labelled "Option 2" (**Alternative Route**) at no cost to the Trust or the Developer, subject to compliance with the following conditions:
 - (a) the Developer, in obtaining at its own cost a Part 3A Project Approval, makes an allowance for the relocation of the water pipeline route and proposed easement to the Alternative Route, whether as part of the Developer's Part 3A Project Approval for the development of the Site or otherwise;
 - (b) the Developer obtains at its own cost specialist fauna and flora, and heritage studies of the Alternative Route as part of the overall environmental assessment of the Site;
 - (c) the Developer and Trust consult with Sydney Water (each party acting reasonably and in good faith) to finalise and agree the actual route alignment of the water pipeline and easement; and
 - (d) the Developer pays all survey and legal costs arising from, and in connection with, the extinguishment of the proposed easement as shown in red on plan A attached to this letter and labelled "Option 1" and the creation of the new easement for the benefit of Sydney Water along the actual route alignment of the water pipeline as agreed by Sydney Water, the Trust and the Developer.

Yours faithfully

Richard Schuil

Area Manager – Hawkesbury Nepean

Asset Management – Asset Planning



For and on behalf of Sydney Water

Sydney Water Corporation ABN 49 776 225 038

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