

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A PRENDRE
 INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE
 OF LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO
 SECTION 88B OF THE CONVEYANCING ACT 1919**

(Sheet 1 of 12 Sheets)

Plan: **DP1284562**

Plan of Subdivision of Lot 1 in DP 1284561,
 Lot 3 in DP 1268819 & Easements &
 Restrictions within Lots 2 & 4 in DP 1284561
 Covered by Subdivision Certificate No.156/2023/SC
 Dated 18/07/23

**Full name and address of the
 Proprietors of the Land**

LegPro 77A Pty Ltd
 (ACN 652 267 171)
 Suite 4502 Level 45
 19-29 Martin Place,
 SYDNEY NSW 2000

PART 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefitted lot(s), bodies or Prescribed Authorities:
1	Easement to Drain Water 1.5 wide (A)	109 108 107 106 117 116 115 114 148 146 145 142 141 158 159 132 134 135 136 137 138 131 144 180 181	106, 107, 108 and Part of Lot 2 in DP 1284561 designated (A1) 106, 107 and Part of Lot 2 in DP 1284561 designated (A1) 106 and Part of Lot 2 in DP 1284561 designated (A1) Part of Lot 2 in DP 1284561 designated (A1) 114, 115, 116 and Part of Lot 2 in DP 1285461 designated (A2) 114, 115 and Part of Lot 2 in DP 1285461 designated (A2) 114 and Part of Lot 2 in DP 1285461 designated (A2) Part of Lot 2 in DP 1285461 designated (A2) 140, 141, 142, 145 and 146 140, 141, 142 and 145 140, 141 and 142 140 and 141 140 159, 132, 134, 135, 136, 137, 138 & 139 132, 134, 135, 136, 137, 138 and 139 134, 135, 136, 137, 138 and 139 135, 136, 137, 138 and 139 136, 137, 138 and 139 137, 138 and 139 138 and 139 139 133 143 Part of Lot 100 designated A6, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Part of Lot 100 designated A6, 170, 171, 172, 173, 174, 175, 176, 177, 178 & 179

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23

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 Dated 18/07/23

PART 1 (Creation)(cont)

1	Easement to Drain Water 1.5 wide (A) (Continued)	179	Part of Lot 100 designated A6, 170, 171, 172, 173, 174, 175, 176, 177 and 178
		178	Part of Lot 100 designated A6, 170, 171, 172, 173, 174, 175, 176 and 177
		177	Part of Lot 100 designated A6, 170, 171, 172, 173, 174, 175 and 176
		176	Part of Lot 100 designated A6, 170, 171, 172, 173, 174 and 175
		175	Part of Lot 100 designated A6, 170, 171, 172, 173 and 174
		174	Part of Lot 100 designated A6, 170, 171, 172 and 173
		173	Part of Lot 100 designated A6, 170, 171 and 172
		172	Part of Lot 100 designated A6, 170 and 171
		171	Part of Lot 100 designated A6 and 170
		170	Part of Lot 100 designated A6
		191	189, 190 & Part of Lot 3 in DP 1284561 designated (A3)
		190	189 & Part of Lot 3 in DP 1284561 designated (A3)
		189	Part of Lot 3 in DP 1284561 designated (A3)
		196	193, 194 and 195 & Part of Lot 3 in DP 1284561 designated (A4),
		195	193, 194 & Part of Lot 3 in DP 1284561 designated (A4)
		194	193 & Part of Lot 3 in DP 1284561 designated (A4)
193	Part of Lot 3 in DP 1284561 designated (A4)		
199	198, Part of Lot 3 in DP 1284561 & Part of Lot 4 in DP 1244544 Designated (A5)		
198	Part of Lot 3 in DP 1284561 Designated (A5) & Part of Lot 4 in DP 1244544 Designated (A5)		
2	Easement for Repairs 0.9 wide (B)	102	103
		109	108
		110	111
		117	116
		118	119
		142	141
		144	143
		146	145
		147	148
		151	150
128	127		

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(Sheet 3 of 12 Sheets)

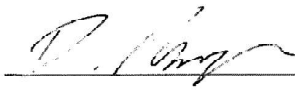
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PART 1 (Creation)(continued)

2	Easement for Repairs 0.9 Wide (B) (Continued)	130	129
		131	133
		134	135
		157	156
		159	132
		160	158
		161	163
		164	165
		165	166
		163	181
		181	182
		182	180
		178	177
		179	178
		199	198
		198	Part of Lot 3 in DP 1284561 designated (B1)
		196	197
		195	194
		194	192
		192	193
		193	Part of Lot 3 in DP 1284561 designated (B2)
		197	Part of Lot 3 in DP 1284561 designated (B3)
		191	190
		190	189
189	188		
186	185		
185	184		
184	183		

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Dated 18/07/23

PART 1 (Creation)(continued)

Number of item shown in the intention panel on the plan	Identity of easement, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefitted lot(s), bodies or Prescribed Authorities:
3	Easement for Padmount Substation 2.75 wide (E)	100,110,130, Lot 4 DP 1284561	Epsilon Distribution Ministerial Holding Corporation
4	Restriction on the Use of Land (F)	Pt 100, Pt 109, Pt 110, Pt 130, Pt 170, Pt 199, Pt Lot 2 DP 1284561 Pt Lot 4 DP 1284561	Epsilon Distribution Ministerial Holding Corporation
5	Restriction on the Use of Land (G)	Pt 100, Pt 109, Pt 110, Pt 130, Pt 170, Pt 199, Pt Lot 2 DP 1284561 Pt Lot 4 DP 1284561	Epsilon Distribution Ministerial Holding Corporation
6	Restriction on the Use of Land	101-199 inclusive	The Hills Shire Council
7	Restriction on the Use of Land	101-199 inclusive	Every other Lot
8	Restriction on the Use of Land	102, 103, 131, 133, 143, 144, 147, 148, 158, 160, 161, 162, 180, 182, 188, 189, 190, 192, 194, 195, 196, 198	The Hills Shire Council

Approved by Hills Shire Council



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PART 1 (Creation)(continued)

Number of item shown in the intention panel on the plan	Identity of easement, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefitted lot(s), bodies or Prescribed Authorities:
9	Restriction on the Use of Land	100	The Hills Shire Council
10	Easement for Repairs 0.9 wide (BB)	102 147 160 161 196	101 146 159 162 195
11	Restriction on the Use of Land (Z)	101, PT104, PT105	The Hills Shire Council
12	Positive Covenant	101-199 inclusive	The Hills Shire Council

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Authorised Officer

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PART 2 (Terms)

1. TERMS OF EASEMENT NUMBERED ONE IN THE PLAN

Easement to Drain Water within the meaning of Schedule 8 Part 3 of the Conveyancing Act 1919 (as amended)

2. TERMS OF EASEMENT NUMBERED TWO and TEN IN THE PLAN

Easement for Repairs within the meaning of Schedule 8 Part 5 of the Conveyancing Act 1919 (as amended)
together with the following additions:

1. The grant of this easement is made subject to the existence of, and the right of the owner of the lot burdened to construct, eaves and guttering from the structure on the lot burdened, that overhang the site of the easement, or any permanent underground infrastructure associated with the structure on the lot burdened.
2. The grant of this easement is made subject to the right of the owner of the lot burdened to carry out repairs and maintenance or improvements to any landscaping within the site of the easement including installing a security gate at the entrance to the site of the easement from the front of the building structure on the lot burdened.

Name of authority empowered to release, vary or modify the easement numbered 2 & 11 in the plan is:

The Hills Shire Council

3. TERMS OF EASEMENT NUMBERED THREE IN THE PLAN

The terms set out in Section 1 of the Memorandum AR578978 are incorporated into this document.
Name of Authority having the power to release vary or modify the easement numbered 3 in the plan is:

Epsilon Distribution Ministerial Holding Corporation

4. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FOUR IN THE PLAN

The terms set out in Section 8 of the Memorandum AR578978 are incorporated into this document.

Name of Authority having the power to release vary or modify the restriction numbered 4 in the plans is:

Epsilon Distribution Ministerial Holding Corporation

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23

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(Sheet 7 of 12 Sheets)

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PART 2 (Terms)(Continued)

5. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FIVE IN THE PLAN

The terms set out in Section 9 of the Memorandum AR578978 are incorporated into this document.

Name of Authority having the power to release vary or modify the restriction numbered 5 in the plan is:

Epsilon Distribution Ministerial Holding Corporation

6. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED SIX IN THE PLAN

No dwelling shall be constructed on the lot(s) hereby burdened unless the registered proprietor has first constructed or has made provision for the construction of a rainwater tank with a minimum capacity of 3,000 litres in accordance with the requirements of The Hills Shire Council.

Name of authority empowered to release, vary or modify restriction numbered 6 in the plan is:

The Hills Shire Council

7. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED SEVEN IN THE PLAN

For so long as LegPro 77A Pty Ltd remains the registered proprietor of any benefited lot:

No fence shall be erected on the lot(s) hereby burdened to divide it from any adjoining land owned LegPro 77A Pty Ltd without its consent but such consent shall not be withheld if such fence is erected without expense to LegPro 77A Pty Ltd. This restriction shall remain in force only during such time as LegPro 77A is the Registered Proprietor of that adjoining land.

Name of person empowered to release, vary or modify the restriction numbered 7 in the plan is:

The registered proprietors of the lots benefited


8. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED EIGHT IN THE PLAN

No development shall be permitted on the lot(s) hereby burdened except for development in accordance with the building envelope plan prepared by Group Development Services Pty Ltd Drawing P00390 Revision C dated 18/05/2021 approved by The Hills Shire Council.

Name of authority empowered to release, vary or modify the restriction numbered 8 in the plan is:

The Hills Shire Council

Approved by Hills Shire Council



Authorised Officer

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PART 2 (Terms)(Continued)

9. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED NINE IN THE PLAN

No development shall be permitted on the lot(s) hereby burdened until it is re-subdivided complying with the requirements of The Hills Shire Council.

Name of authority empowered to release, vary or modify the restriction numbered 9 in the plan is:

The Hills Shire Council

10. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED ELEVEN IN THE PLAN (Z)

1. No building or other structure (other than class 10 structures) may be constructed or allowed to remain within the asset protection zone identified on the Asset Protection Zone Overlay Plan prepared by Building Code and Bushfire Hazard Solutions 210432 Issue 3, dated 30/11/2021 as per condition 2 of the Bushfire Safety Authority issued by the Rural Fire Service Reference DA20210122000260-CL55-1 dated 09/12/2021 (Council Reference 854/2021/ZB)
2. This restriction will no longer apply once the grassland/ bushfire threat to the south-east is removed by the development of that adjoining land.

Name of authority empowered to release, vary or modify the Restriction numbered 11 in the plan is:

The Hills Shire Council

11. TERMS OF POSITIVE COVENANT ON THE USE OF LAND NUMBERED TWELVE IN THE PLAN

The registered proprietor of the lot(s) hereby burdened will maintain at the sole expense of the registered proprietor the whole of their lot as an asset protection zone (inner protection area), including, but not limited to, the removal of vegetation in accordance with fuel load requirements and restricting the placement of combustible materials, buildings or improvements, complying with the requirements of The Hills Shire Council and the NSW Rural Fire Service relevant and applicable at the time.

Name of authority empowered to release, vary or modify the Positive Covenant numbered 12 in the plan is:

The Hills Shire Council

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23

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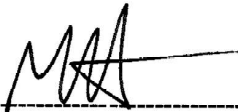
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Dated 18/07/23

**EXECUTION BY REGISTERED PROPRIETOR
OF LOT 1 DP 1284561**

EXECUTED BY THE REGISTERED PROPRIETOR LOT 1 IN DP 1284561
LEGPRO 77A PTY LTD (ACN 652 267 171)
BY THE AUTHORISED PERSON(S) WHOSE SIGNATURE(S)
APPEAR BELOW PURSUANT TO THE AUTHORITY IN SECTION
127 OF THE CORPORATIONS ACT 2001



SIGNATURE OF ELTON MATTHEW HYDER IV
SOLE DIRECTOR AND SECRETARY

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23

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Dated 18/07/23

EXECUTION BY MORTGAGEE

SIGNED SEALED AND DELIVERED

By *TIMOTHY ADDISON*

As attorney for **AUSTRALIA AND NEW
ZEALAND BANKING GROUP LIMITED
(ACN 005 357 522)** as mortgagee under
registered Mortgage No. **AS16522** under
registered power of attorney

Book *4376* No. *410*
Dated *19th Nov 2002* in the presence
of:

[Signature]
.....
Signature of witness ELIZABETH NGUYEN

242 Pitt Street Sydney NSW 2000
.....

Address of Witness

By executing this instrument the attorney
states that the attorney has received no
notice of revocation of the power of attorney

Approved by Hills Shire Council

[Signature]

Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23

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Dated 18/07/23

I certify that the attorney signed this instrument in my presence.

Signed by the attorney named below who signed this instrument pursuant to the power of attorney specified for **Endeavour Energy Network Asset Partnership (ABN 30 586 412 717)** on behalf of **Epsilon Distribution Ministerial Holding Corporation (ABN 59 253 130 878)** pursuant to section 36 of the *Electricity Network Assets (Authorised Transactions) Act 2015 (NSW)*

Signature of witness:



Digitally signed by
Natasha Issac
Date: 2023.05.24
09:47:06 +10'00'

Name of witness:

Natasha Issac

Address of witness:
c/- Endeavour Energy
51 Huntingwood Drive
Huntingwood NSW 2148

This document was signed in counterpart and witnessed over audio visual link in accordance with Section 14G of the Electronic Transactions Act 2000.

Signature of attorney:



Digitally signed by
Simon Lawton
Date: 2023.05.24
09:26:03 +10'00'

Name and position of attorney:

Simon Lawton
Strategic Property Manager

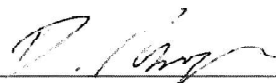
Power of attorney:
Book 4806 No 961

Signing on behalf of:
Endeavour Energy Network Asset
Partnership ABN 30 586 412 717

Endeavour Energy reference:

URS26352

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23


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The Hills Shire Council by its authorised delegate
pursuant to s.377 Local Government Act 1993


.....
Signature of delegate

Electronically signed by me, David Munday affixed by me on 18/07/23

David Munday.....
Name of delegate

I certify that I am an eligible witness
and that the delegate signed in my
presence.

Approved by

David Munday.....
Name of delegate
on behalf of
The Hills Shire Council

Signature: 
.....

Name: Harleigh Haines.....

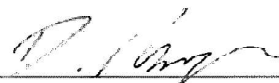
Electronically signed by me, Harleigh Haines affixed by me on 18/07/23
3 Columbia Court
Norwest NSW 2153

REGISTERED:



07/08/2023

Approved by Hills Shire Council



Authorised Officer

Electronically signed by me, David Munday affixed by me on 18/07/23