

**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 9 Sheets)

Plan: **DP1284564**

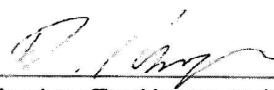
Plan of Subdivision of Lot 3 in DP 1284561
 Covered by Subdivision Certificate No. 159/2023/SC
 Dated 18/07/23

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

LegPro 77A Pty Ltd
 (ACN 652 267 171)
 MLC Centre, 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)	328 327 326 325 324 323 322 321 320 319 308 307 306 305 304 303 302 337 338 339 340 341 342	Part of 343 designated (A1), Part of 1 in DP 1281505 Designated (A1) and Part of 44 in DP 1288285 designated (A1) 318, 319, 320, 321, 322, 323, 324, 325, 326 318, 319, 320, 321, 322, 323, 324 and 325 318, 319, 320, 321, 322, 323 and 324 318, 319, 320, 321, 322 and 323 318, 319, 320, 321 and 322 318, 319, 320 and 321 318, 319 and 320 318 and 319 318 307, 306, 305, 304, 303, 302 and 301 306, 305, 304, 303, 302 and 301 305, 304, 303, 302 and 301 304, 303, 302 and 301 303, 302 and 301 302 and 301 301 338, 339, 340, 341, 342 and part of lots 343 & lot 4 in DP 1244544 designated (A2) 339, 340, 341, 342 and part of lots 343 & lot 4 in DP 1244544 designated (A2) 340, 341, 342 and part of lots 343 & lot 4 in DP 1244544 designated (A2) 341, 342 and part of lots 343 and Lot 4 in DP 1244544 designated (A2) 342 and part of lots 343 and Lot 4 in DP 1244544 designated (A2) Part of lots 343 & lot 4 in DP 1244544 designated (A2)



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(Sheet 2 of 9 Sheets)

Plan: **DP1284564**

Plan of Subdivision of Lot 3 in DP 1284561
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PART 1 (Creation) cont.

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:
2	Easement for Repairs 0.9 Wide (B)	328 329 324 325 326 327 315 314 312 311 310 309 302 303 304 305 306 307 308 336 335 334 332 331 342 341 340 339 338 337	329 330 323 324 325 326 316 315 313 312 311 310 301 302 303 304 305 306 307 Part of Lot 343 designated (B1) 336 335 333 332 Part of Lot 343 & Part of Lot 4 in DP 1244544 Designated (B2) 342 341 340 339 338



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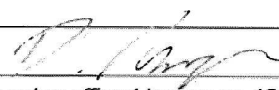
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PART 1 (Creation) cont.

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	Restriction on the Use of Land	301-342 inclusive	The Hills Shire Council
4	Restriction on the Use of Land	301-342 inclusive	Every other Lot
5	Right of Public Access Access Variable Width (H)	316, 317, 320 336, PT 343	The Hills Shire Council
6	Positive Covenant	301-342 inclusive	The Hills Shire Council
7	Restriction on the Use of Land (Z)	Part 301, Part 302, 317,318, Part 336 Part 343	The Hills Shire Council
8	Restriction on the Use of Land	305, 306, 307 332, 333, 334 337, 338, 339 340, 341 & 342	The Hills Shire Council
9	Restriction on the Use of Land	Part 343 designated (R1)	The Hills Shire Council
10	Restriction on the Use of Land	318 & 319	The Hills Shire Council

Approved by Hills Shire Council



Authorised Officer

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PART 2 (Terms)

1. TERMS OF EASEMENT TO DRAIN WATER NUMBERED ONE IN THE PLAN

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

Name of authority empowered to release, vary or modify the easement numbered 1 in the plan is:
The Hills Shire Council

2. TERMS OF EASEMENT FOR REPAIRS NUMBERED TWO 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 whose consent is required to release, vary or modify the easement numbered 2 in the plan is:
The Hills Shire Council

3. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED THREE 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 3 in the plan is:
The Hills Shire Council

4. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FOUR 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 Pty Ltd is the Registered Proprietor of that adjoining land.

Name of authority empowered to release, vary or modify the restriction numbered 4 is:
The registered proprietors of the lots benefited.

Approved by Hills Shire Council



Authorised Officer

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PART 2 (Terms)

5. TERMS OF RIGHT OF PUBLIC ACCESS NUMBERED FIVE IN THE PLAN

Terms of Right of access as per Part 11 Schedule 4A of the Conveyancing Act 1919 as amended together with the following addition:

1. The easement is a temporary extension of the adjoining public road and will function as a public road in accordance with the definition of "public road" included in the Roads Act 1993 for the purposes of providing access across the easement site.
2. The easement site is made accessible to the public.
3. The easement will be extinguished upon the extension of the adjoining public road to which it relates.

Name of Authority having the power to release vary or modify the easement numbered 5 in the plan is:
The Hills Shire Council

6. TERMS OF POSITIVE COVENANT NUMBERED SIX IN THE PLAN

The registered proprietor of the lot(s) hereby burdened must maintain at the sole expense of the registered proprietor(s) 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.

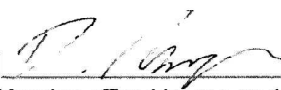
Name of authority empowered to release, vary or modify positive covenant numbered 6 in the Plan:
The Hills Shire Council.

7. TERMS OF RESTRICTION NUMBERED SEVEN DESIGNATED (Z) IN THE PLAN

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 restriction numbered 7 in the Plan:
The Hills Shire Council.

Approved by Hills Shire Council



Authorised Officer

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PART 2 (Terms) Cont.

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 plans prepared by Group Development Services, 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

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

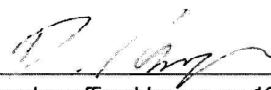
No development shall be permitted within the portion of the burdened lot denoted (R1) on the plan until it is re-subdivided complying with the requirements of The Hills Shire Council.

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 TEN IN THE PLAN

No development shall be permitted on the lot(s) hereby burdened until the widening or extension of Mangrove Way fronting the lot(s) is constructed and dedicated to the public as road, providing access to the lot(s) complying with the requirements of The Hills Shire Council.

Name of authority empowered to release, vary or modify the restriction numbered 10 in the plan is:
The Hills Shire Council



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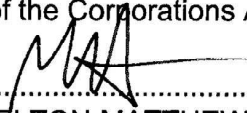
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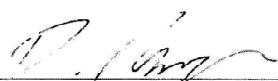
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Dated 18/07/23

**EXECUTED BY
LEGPRO 77A PTY LTD
Owner of Lot 3 in DP 1257802**

ACN 652 267 171

By the authorised persons whose signatures
appear below pursuant to the authority in
section 127 of the Corporations Act 2001


.....
Signature of ELTON MATTHEW HYDER IV
Sole Director & Secretary



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SIGNED SEALED AND DELIVERED

By **TIMOTHY ADDISON**

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

Book **4376** No. **410**

Dated **18th November 2022** in the presence
of:

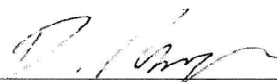
Signature of witness **ELIZABETH NGUYEN**



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

242 Pitt Street Sydney NSW 2000

Address of Witness



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**EXECUTED BY
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 & that the delegate signed in my presence.


.....

Signature of Witness

Electronically signed by me, Harleigh Haines affixed by me on 18/07/23

Harleigh Haines
.....

Name of Witness (BLOCK LETTERS)

.....
C/- The Hills Shire Council
3 Columbia Court, Norwest NSW 2153
.....

Address of Witness



