DRAFT
REVISION A 15/05/2018

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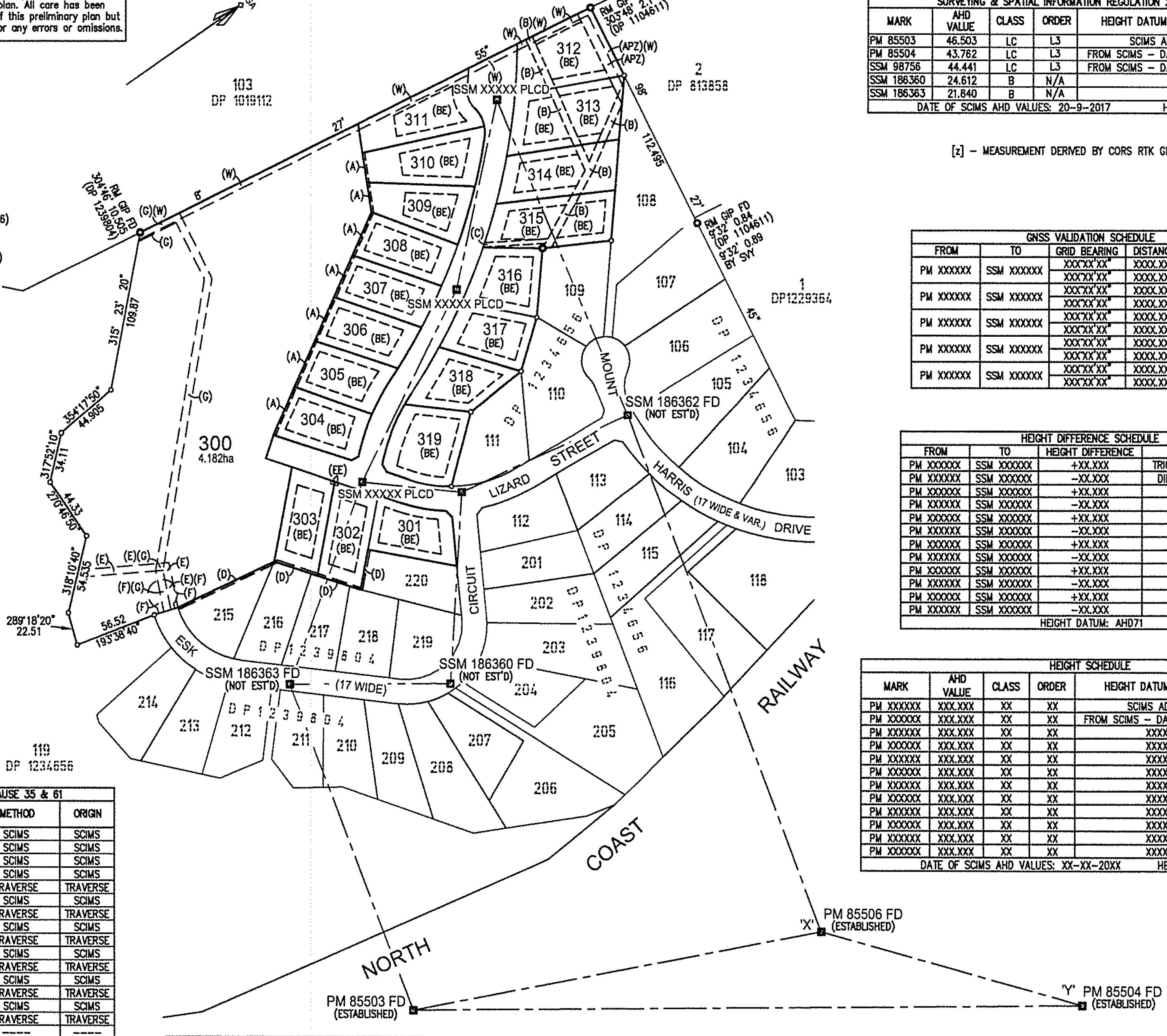
(A) EASEMENT TO DRAIN WATER 1.5 WIDE
(APZ) POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE)
(B) EASEMENT TO DRAIN WATER 5 WIDE
(BE) RESTRICTION ON THE USE OF LAND
(C) EASEMENT TO DRAIN WATER 3 WIDE
(D) EASEMENT TO DRAIN WATER 1.5 WIDE (DP 1239804)
(E) EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE (DP 1234656)
(EE) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE
(F) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP 1234656)
(G) RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH (DP 1234656)
(W) EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611)



PM & SSM TRAVERSE TABLE			
PERMANENT MARKS		BEARING	DISTANCE
PM 85506 'X'	PM 85504 'Y'	79°54'18"	154.086 SVY [z] 154.099 MGA GND
PM 85503	PM 85506	335°14'59" 335°14'43"	195.44 SVY [z] 195.445 MGA GND
PM 85504	PM 85503	198°51'56" 198°51'53"	216.104 SVY [z] 216.103 MGA GND
PM 85503	SSM 186363	284°07'13" 284°07'	639.439 SVY [z] 639.47 DP 1234656
SSM 186363	SSM 186360	34°41'53" 34°41'50"	110.169 SVY 110.19 DP 1234656
SSM 186360	SSM 186365	308°18'48" 308°18'45"	131.333 SVY 131.345 DP 1234656
SSM 186365	SSM 186362	10°16'39" 10°16'50"	125.356 SVY 125.365 DP 1234656
SSM 186362	SSM 186366	82°11'04" 82°11'05"	92.474 SVY 92.485 DP 1234656
SSM 186366	SSM 186364	35°05'39" 35°05'35"	111.635 SVY 111.65 DP 1234656
SSM 186364	PM 85506	133°19'46"	550.53 SVY [z]
SSM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXX.XXX
SSM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXX.XXX
SSM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXX.XXX
SSM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXX.XXX
SSM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXX.XXX

SURVEYING & SPATIAL INFORMATION REGULATION 2017: CLAUSE 35 & 61						
MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	ORIGIN
	EASTING	NORTHING				
PM 85503	366 742.025	6 381 989.333	B	2	SCIMS	SCIMS
PM 85504	366 811.885	6 382 193.789	B	2	SCIMS	SCIMS
PM 85506	366 660.201	6 382 166.784	B	2	SCIMS	SCIMS
SSM 186360	366 184	6 382 235	U	U	SCIMS	SCIMS
SSM 186360	366 184.712	6 382 235.857	--	--	TRAVERSE	TRAVERSE
SSM 186362	366 103	6 382 440	U	U	SCIMS	SCIMS
SSM 186362	366 104.045	6 382 440.584	--	--	TRAVERSE	TRAVERSE
SSM 186363	366 121	6 382 145	U	U	SCIMS	SCIMS
SSM 186363	366 122.010	6 382 145.298	--	--	TRAVERSE	TRAVERSE
SSM 186364	366 259	6 382 544	U	U	SCIMS	SCIMS
SSM 186364	366 259.811	6 382 544.480	--	--	TRAVERSE	TRAVERSE
SSM 186365	366 081	6 382 317	U	U	SCIMS	SCIMS
SSM 186365	366 081.684	6 382 317.263	--	--	TRAVERSE	TRAVERSE
SSM 186366	366 195	6 382 453	U	U	SCIMS	SCIMS
SSM 186366	366 195.642	6 382 453.157	--	--	TRAVERSE	TRAVERSE
SSM -----	--	--	--	--	-----	-----
SSM -----	--	--	--	--	-----	-----
SSM -----	--	--	--	--	-----	-----
COMBINED SEA LEVEL & SCALE FACTOR = 0.999807						
SOURCE: M.G.A. ZONE 56 CO-ORDINATES ADOPTED FROM S.C.I.M.S. AS AT XXTH XXXXXX 2018						

SURVEYING & SPATIAL INFORMATION REGULATION 2017: CLAUSE 13					
MARK	AHD VALUE	CLASS	ORDER	HEIGHT DATUM VALIDATION	STATE
PM 85503	46.503	LC	L3	SCIMS ADOPTED	FOUND
PM 85504	43.762	LC	L3	FROM SCIMS – DATUM VALIDATION	FOUND
SSM 98756	44.441	LC	L3	FROM SCIMS – DATUM VALIDATION	FOUND
SSM 186360	24.612	B	N/A		FOUND
SSM 186363	21.840	B	N/A		FOUND
DATE OF SCIMS AHD VALUES: 20-9-2017				HEIGHT DATUM: AHD71	

[z] – MEASUREMENT DERIVED BY CORS RTK GNSS OBSERVATIONS

GNSS VALIDATION SCHEDULE				
FROM	TO	GRID BEARING	DISTANCE	METHOD
PM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXXX.XXX	EDM TRAVERSE
		XXX°XX'XX"	XXXX.XXX	CORS RTK
PM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXXX.XXX	XXXXXX
		XXX°XX'XX"	XXXX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXXX.XXX	XXXXXX
		XXX°XX'XX"	XXXX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXXX.XXX	XXXXXX
		XXX°XX'XX"	XXXX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	XXX°XX'XX"	XXXX.XXX	XXXXXX
		XXX°XX'XX"	XXXX.XXX	XXXXXX

HEIGHT DIFFERENCE SCHEDULE			
FROM	TO	HEIGHT DIFFERENCE	METHOD
PM XXXXXX	SSM XXXXXX	+XX.XXX	TRIGONOMETRIC LEVELLING
PM XXXXXX	SSM XXXXXX	–XX.XXX	DIFFERENTIAL LEVELLING
PM XXXXXX	SSM XXXXXX	+XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	–XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	+XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	–XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	+XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	–XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	+XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	–XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	+XX.XXX	XXXXXX
PM XXXXXX	SSM XXXXXX	–XX.XXX	XXXXXX
HEIGHT DATUM: AHD71			

HEIGHT SCHEDULE					
MARK	AHD VALUE	CLASS	ORDER	HEIGHT DATUM VALIDATION	STATE
PM XXXXXX	XXX.XXX	XX	XX	SCIMS ADOPTED	DISTURBED
PM XXXXXX	XXX.XXX	XX	XX	FROM SCIMS – DATUM VALIDATION	FOUND
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	PLACED
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
PM XXXXXX	XXX.XXX	XX	XX	XXXXXX	XXXXXX
DATE OF SCIMS AHD VALUES: XX-XX-20XX				HEIGHT DATUM: AHD71	

Surveyor: TROY DANIEL SUMNER Date of Survey: Surveyor's Ref: 16/202/3	PLAN OF SUDIVISION OF LOT 221 DP 1239804.	LGA: MAITLAND Locality: MAITLAND VALE Subdivision No: Lengths are in metres. Reduction Ratio 1:2000	Registered:

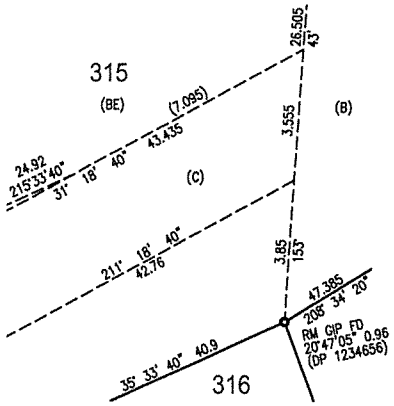


DIAGRAM 1
SCALE 1:100

DIAGRAM 2
NOT TO SCALE

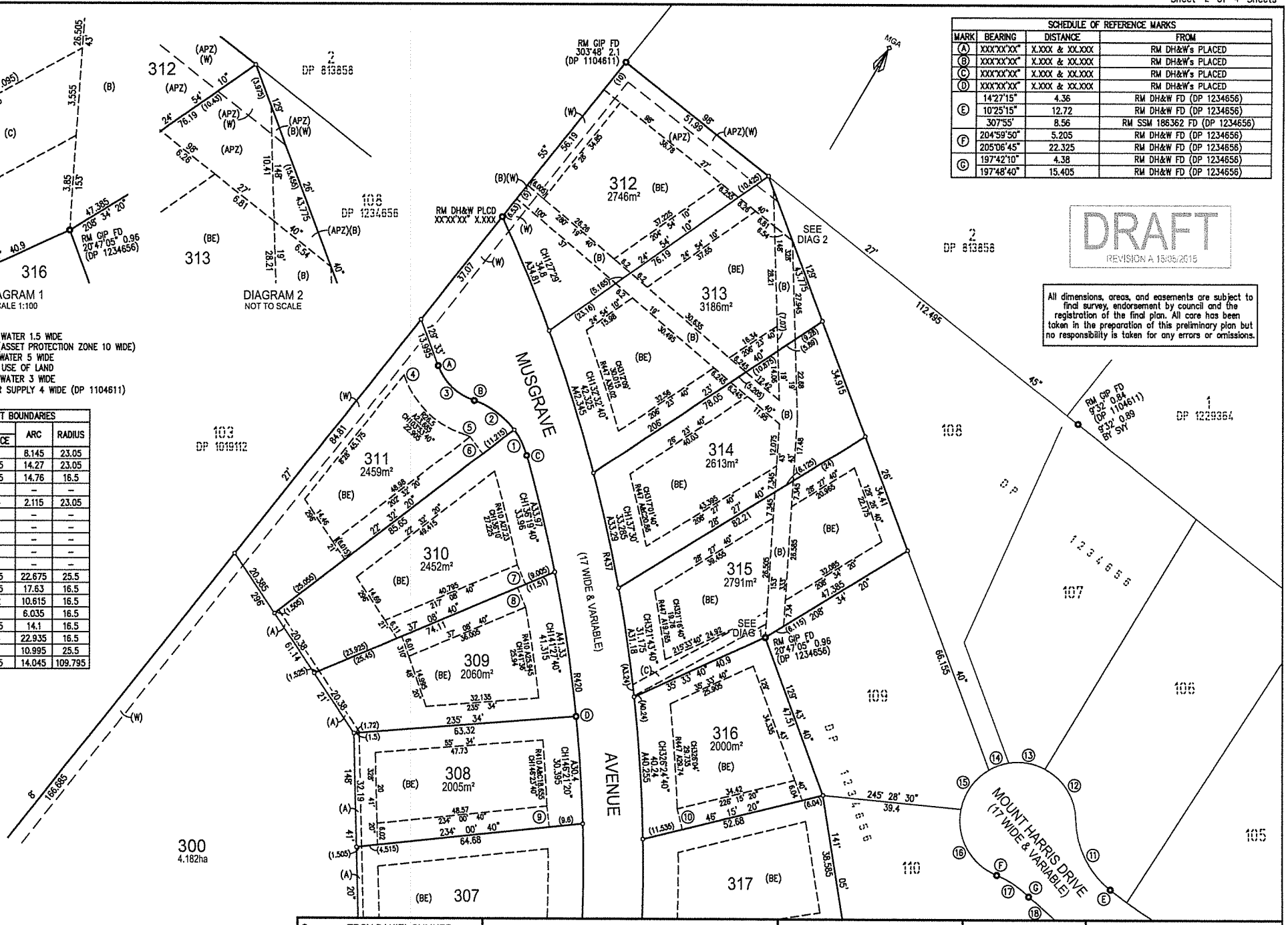
(A) EASEMENT TO DRAIN WATER 1.5 WIDE
(APZ) POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE)
(B) EASEMENT TO DRAIN WATER 5 WIDE
(BE) RESTRICTION ON THE USE OF LAND
(C) EASEMENT TO DRAIN WATER 3 WIDE
(W) EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611)

SCHEDULE OF SHORT BOUNDARIES

No.	CHORD BEARING	CHORD DISTANCE	ARC	RADIUS
1	123°53'	8.1	8.145	23.05
2	96°01'40"	14.045	14.27	23.05
3	103°53'20"	14.275	14.76	16.5
4	129°33'	0.98	–	–
5	82°56'	2.115	2.115	23.05
6	112°32'20"	6	–	–
7	127°08'40"	6	–	–
8	307°08'40"	6	–	–
9	144°00'40"	6	–	–
10	136°15'20"	6	–	–
11	303°38'50"	21.935	22.675	25.5
12	298°30'40"	16.805	17.63	16.5
13	249°15'40"	10.42	10.615	16.5
14	220°28'	6	6.035	16.5
15	5°43'20"	13.655	14.1	16.5
16	301°15'05"	21.13	22.935	16.5
17	273°47'05"	10.91	10.995	25.5
18	282°28'20"	14.035	14.045	109.795

SCHEDULE OF REFERENCE MARKS

MARK	BEARING	DISTANCE	FROM
(A)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(B)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(C)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(D)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(E)	14°27'15"	4.36	RM DH&W FD (DP 1234656)
	10°25'15"	12.72	RM DH&W FD (DP 1234656)
	307°55'	8.56	RM SSM 186362 FD (DP 1234656)
(F)	204°59'50"	5.205	RM DH&W FD (DP 1234656)
	205°06'45"	22.325	RM DH&W FD (DP 1234656)
(G)	197°42'10"	4.38	RM DH&W FD (DP 1234656)
	197°48'40"	15.405	RM DH&W FD (DP 1234656)



DRAFT
REVISION A 18/05/2015

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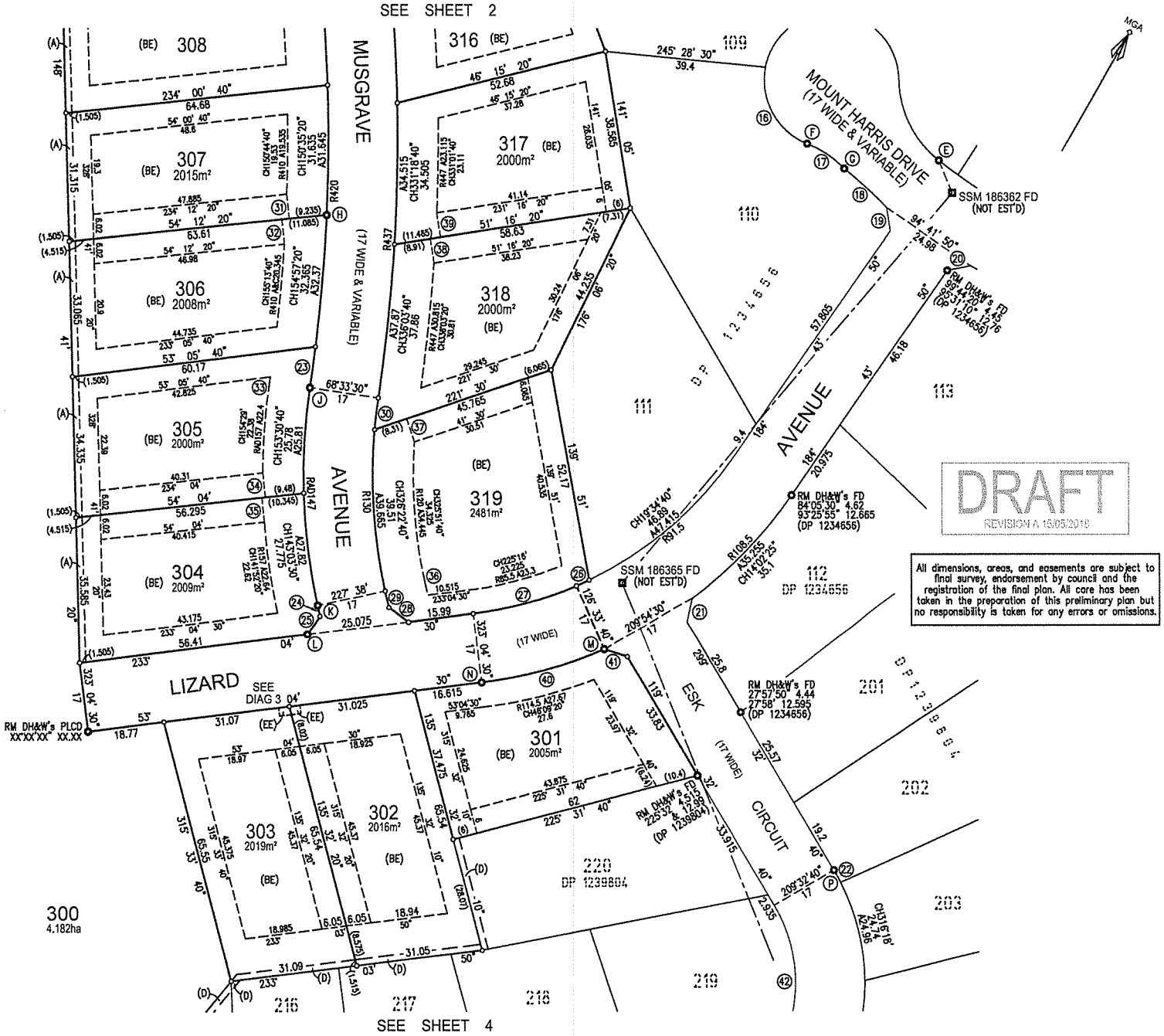
DIAGRAM 3
SCALE 1:100

(A) EASEMENT TO DRAIN WATER 1.5 WIDE
(BE) RESTRICTION ON THE USE OF LAND
(D) EASEMENT TO DRAIN WATER 1.5 WIDE (DP 1239804)

SCHEDULE OF SHORT BOUNDARIES				
No.	CHORD BEARING	CHORD DISTANCE	ARC	RADIUS
16	301°15'05"	21.13	22.935	16.5
17	273°47'05"	10.91	10.995	25.5
18	282°28'20"	14.035	14.045	109.795
19	321°14'50"	5.805	–	–
20	227°50'	5.84	–	–
21	161°58'30"	5.905	–	–
22	301°22'	3.455	3.455	54.5
23	157°51'	10.105	10.105	420
24	137°38'10"	2.69	–	–
25	185°21'20"	5.38	–	–
26	215°29'35"	3.415	3.415	91.5
27	224°49'	26.29	26.38	91.5
28	275°21'20"	5.92	–	–
29	317°38'	4.31	–	–
30	336°49'40"	7.76	7.76	130
31	144°12'30"	6	–	–
32	324°12'30"	6	–	–
33	158°27'30"	1.15	1.15	410
34	144°04'10"	6	–	–
35	324°04'10"	6	–	–
36	317°38'10"	3.235	–	–
37	311°30'10"	6	–	–
38	321°16'30"	6	–	–
39	141°16'30"	6	–	–
40	44°49'	31.175	31.28	108.5
41	77°31'25"	5.945	–	–
42	170°38'40"	58.36	66.88	37.5

SCHEDULE OF REFERENCE MARKS			
MARK	BEARING	DISTANCE	FROM
(E)	14°27'15"	4.36	RM DH&W FD (DP 1234656)
	10°25'15"	12.72	RM DH&W FD (DP 1234656)
	307°55'	8.56	RM SSM 186362 FD (DP 1234656)
(F)	204°59'50"	5.205	RM DH&W FD (DP 1234656)
	205°06'45"	22.325	RM DH&W FD (DP 1234656)
(G)	197°42'10"	4.38	RM DH&W FD (DP 1234656)
	197°48'40"	15.405	RM DH&W FD (DP 1234656)
(H)	XXX°XX'XX"		RM DH&W's PLACED
(J)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(K)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(L)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(M)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(N)	126°02'20"	4.435	RM DH&W FD (DP 1234656)
	126°26'15"	12.595	RM DH&W FD (DP 1234656)
	165°15'30"	16.91	RM SSM 186365 FD (DP 1234656)
(P)	29°48'20"	4.43	RM DH&W FD (DP 1234656)
	29°38'10"	12.645	RM DH&W FD (DP 1234656)



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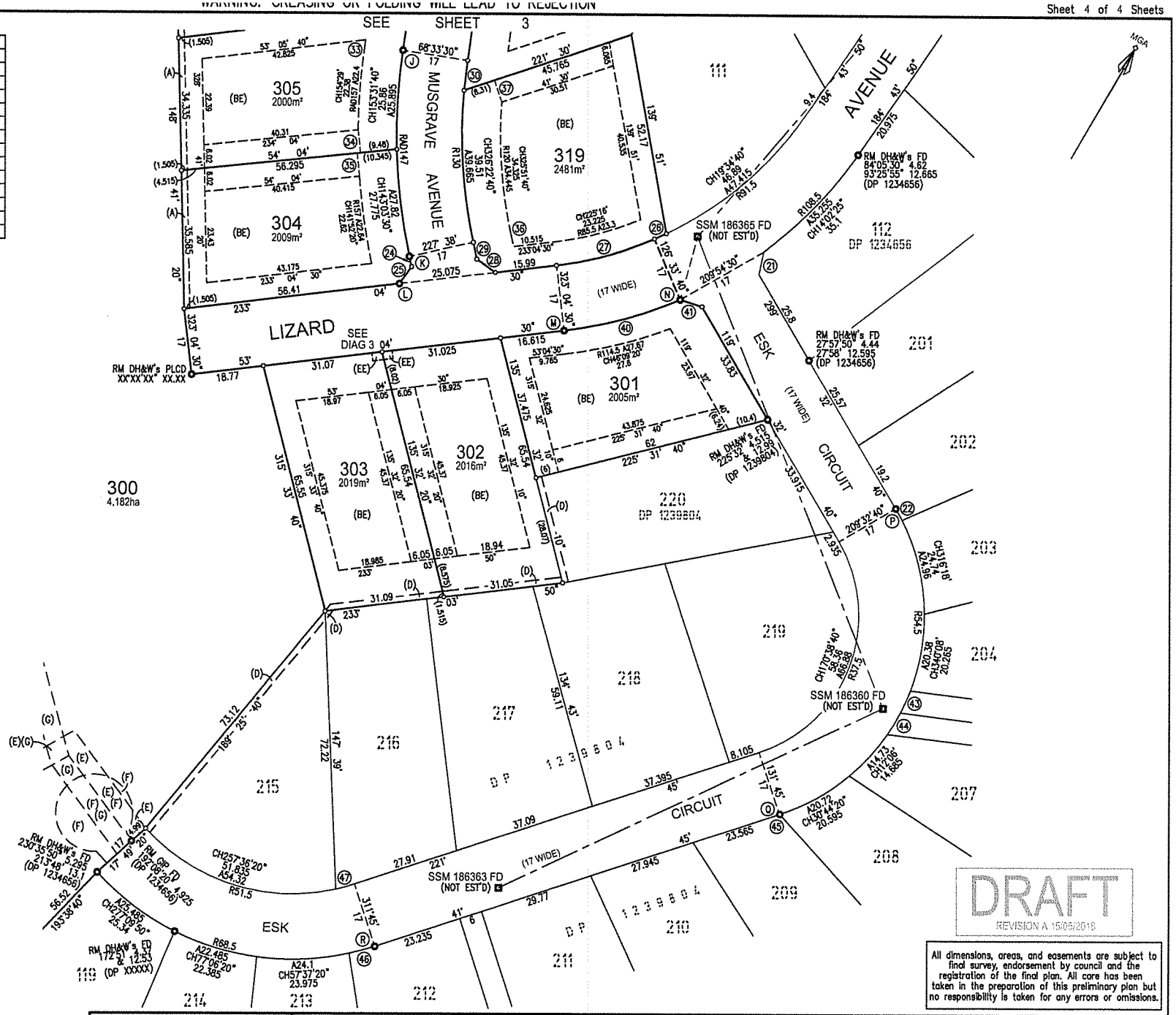
SCHEDULE OF REFERENCE MARKS			
MARK	BEARING	DISTANCE	FROM
(J)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(K)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(L)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(M)	XXX°XX'XX"	X.XXX & XX.XXX	RM DH&W's PLACED
(N)	126°02'20"	4.435	RM DH&W FD (DP 1234656)
	126°26'15"	12.595	RM DH&W FD (DP 1234656)
	165°15'30"	16.91	RM SSM 186365 FD (DP 1234656)
(P)	29°48'20"	4.43	RM DH&W FD (DP 1234656)
	29°38'10"	12.645	RM DH&W FD (DP 1234656)
(Q)	131°51'	4.35	RM DH&W FD (DP 1234656)
	131°33'30"	12.58	RM DH&W FD (DP 1234656)
(R)	131°10'40"	4.44	RM DH&W FD (DP 1234656)
	131°39'30"	12.635	RM DH&W FD (DP 1234656)

(BE) RESTRICTION ON THE USE OF LAND
(D) EASEMENT TO DRAIN WATER 1.5 WIDE (DP 1239804)
(E) EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE (DP 1234656)
(EE) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE
(F) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP 1234656)
(G) RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH (DP 1234656)

SCHEDULE OF SHORT BOUNDARIES				
No.	CHORD BEARING	CHORD DISTANCE	ARC	RADIUS
21	161°58'30"	5.905	–	–
22	301°22'	3.455	3.455	54.5
23	157°51'	10.105	10.105	420
24	137°38'10"	2.69	–	–
25	185°21'20"	5.38	–	–
26	215°29'35"	3.415	3.415	91.5
27	224°49'20"	26.275	26.37	91.5
28	275°21'20"	5.92	–	–
29	317°38'	4.31	–	–
30	336°49'40"	7.76	7.76	130
31	144°12'30"	6	–	–
32	324°12'30"	6	–	–
33	158°27'30"	1.15	1.15	410
34	144°04'10"	6	–	–
35	324°04'10"	6	–	–
36	317°38'10"	3.235	–	–
37	311°30'10"	6	–	–
38	321°16'30"	6	–	–
39	141°16'30"	6	–	–
40	44°49'	31.175	31.28	108.5
41	77°31'25"	5.945	–	–
42	170°38'40"	58.36	66.88	37.5
43	354°09'	6.28	6.285	54.5
44	0°54'20"	6.565	6.57	54.5
45	41°41'10"	0.105	0.105	54.5
46	44°38'40"	6.925	6.93	68.5
47	224°34'20"	5.075	5.075	51.5



DRAFT
REVISION A 15/06/2018

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

PLAN: Plan of Subdivision of Lot 221 DP 1239804 covered by Subdivision Certificate
No: Dated:

FULL NAME AND ADDRESS OF OWNER OF THE LAND: GRANGE ESTATES (NSW) PTY LIMITED
ACN 079 624 909
SUITE 20/19-21 CENTRAL ROAD
MIRANDA NSW 2228

FULL NAME AND ADDRESS OF THE MORTGAGEE OF THE LAND: GREATER BANK LIMITED
ACN 087 651 956
103 TUDOR STREET
HAMILTON 2303

PART 1 (CREATION)

Number of item shown in the intention panel on the plan	Identify of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement to drain water 1.5 wide shown as "A"	304 305 306 307 308 309 310	305 to 311 inclusive 306 to 311 inclusive 307 to 311 inclusive 308 to 311 inclusive 309 to 311 inclusive 310, 311 311
2	Easement to drain water 5 wide shown as "B"	312 313 314 315	103/1019112 2/813858, 103/1019112, 108/1234656, 312 2/813858, 103/1019112, 108/1234656, 312, 313 2/813858, 103/1019112, 108/1234656, 312 to 314 inclusive
3	Easement to drain water 3 wide shown as "C"	315	Maitland City Council
4	Easement for electricity & other purposes 5.3 wide shown as "EE"	302, 303	Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385
5	Restriction on the use of land shown as "BE"	Each part lot except lot 300	Maitland City Council
6	Restriction on the use of land	Each lot except lot 300	Every other lot except lot 300
7	Restriction on the use of land	Each lot except lot 300	Maitland City Council

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

PLAN:

Plan of Subdivision of Lot 221 DP 1239804
covered by Subdivision Certificate
No: Dated:

Number of item shown in the intention panel on the plan	Identify of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities
8	Restriction on the use of land	Each lot except lot 300	Maitland City Council
9	Positive Covenant	300	Maitland City Council

PART 2 (TERMS)

1 TERMS OF EASEMENT TO DRAIN WATER NUMBERED 1 AND 2 IN THE PLAN.

Notwithstanding the terms of Easement to Drain Water as set out in Part 3 Schedule 8 of the Conveyancing Act 1919, no alteration to surface levels of the site of the easement shall be permitted without the written consent of Maitland City Council being firstly obtained.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easements numbered 1 and 2 in the plan.

MAITLAND CITY COUNCIL

2 TERMS OF EASEMENT TO DRAIN WATER NUMBERED 3 IN THE PLAN.

Notwithstanding the terms of Easement to Drain Water as set out in Part 3 Schedule 4A of the Conveyancing Act 1919, no alteration to surface levels of the site of the easement shall be permitted without the written consent of Maitland City Council being firstly obtained.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 3 in the plan.

MAITLAND CITY COUNCIL

3 TERMS OF EASEMENT FOR ELECTRICITY & OTHER PURPOSES NUMBERED 4 IN THE PLAN.

An easement is created on the terms and conditions set out in memorandum registered number AK980903. In this easement, "easement for electricity and other purposes" is taken to have the same meaning as "easement for electricity works" in the memorandum.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 4 in the plan.

ALPHA DISTRIBUTION MINISITERIAL HOLDING CORPORATION ABN 67 505 337 385

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

PLAN:

Plan of Subdivision of Lot 221 DP 1239804
covered by Subdivision Certificate
No: Dated:

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

No building shall be erected or permitted to remain on any lot unless constructed within the approved building envelope as shown as "BE" on the Plan of Subdivision being:

i. Minimum 10m from the principle street frontage;
ii. Minimum 6m from a side street (for corner lots);
iii. Minimum 6m from the side boundary adjoining other proposed lots;
iv. Proposed lots 309 to 314 as detailed.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction numbered 5 in the plan.

MAITLAND CITY COUNCIL

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

(a) No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 180 m^2 exclusive of car accommodation, external landings and patios.

(b) No dwelling house may be erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass, concrete and fibre cement treated with painted texture render or weatherboard provided however feature panelling including fibre cement panelling and/or timber may be used on building being a dwelling or car accommodation in conjunction with the above materials.

(c) No dwelling house shall be erected or permitted to remain erected on any lot burdened having a roof of other than tiles (terracotta or cement) or Colorbond sheeting.

(d) No existing dwelling house or relocatable type dwelling shall be partially or wholly moved to, placed on, re-erected or permitted to remain on any lot burdened.

(e) No building, not being the main dwelling house, shall be erected or permitted to remain on a lot burdened unless:-

i. It is situated no closer to the street frontage than the dwelling house; and
ii. It has an internal floor area of less than 80m^2.

(f) No machinery shed, hay shed or other farm type building including stables or accommodation to be used for the purpose of horses shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanized iron or similar material provided that new Colorbond metal sheeting may be used in the external walls of a farm building where such Colorbond metal sheeting has a low reflective index and is of earth tone colours.

(g) No fence may be constructed within a lot burdened to divide it from the residue or another part of the lot burdened unless such fencing comprises rural post and rail, rural post and wire or rural fencing incorporating open wire meshing provided

however that fencing associated with the dwelling house or court yards associated with the dwelling house may incorporate brick, masonry, timber and brushwood. Fencing shall not generally comprise sheet material (such as Colorbond, fibro cement or paling fences). This covenant does not preclude safety fencing associated with swimming pools.

(h) No fence shall be erected on a lot burdened unless it is erected without expenses to Grange Estates (NSW) Pty Ltd, its successors and permitted assigns other than Purchasers on sale.

(i) No obnoxious, noisy or offensive occupation, trade or business shall be conducted or carried on any lot burdened.

(j) No boarding kennels or animal boarding facilities shall be constructed or permitted to remain on any lot burdened.

(k) No structure of a temporary character, basement, tent, shack, garage, trailer, camper, caravan or any other building may be used at any time as residential accommodation on the lot burdened.

(l) No temporary structure, caravan, camper or detached ancillary building may be permitted to remain erected on a lot burdened prior to the issue of an Occupation Certificate for the dwelling house erected on the lot burdened.

(m) No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 4 tonnes shall be parked or permitted to remain on any lot burdened unless the same is being used in connection with the erection of a dwelling on the relevant lot burdened and only prior to occupation of the dwelling.

(n) No boat, trailer, caravan, camper or other vehicle intended to be towed may be placed, parked, stored or permitted to remain on the lot burdened unless same is located behind the dwelling house erected on the lot burdened.

(o) No shipping container may be placed, parked, stored or permitted to remain on any lot burdened.

Grange Estates (NSW) Pty Limited is the only party empowered to release vary or modify the restrictions on the use of land sixthly referred to in the abovementioned plan whilst ever Grange Estates (NSW) Pty Limited is a registered company (and is not under any external or internal insolvency actions) and own any lot or any part of a lot in the registered plan pursuant to which these restrictions were created and thereafter by the registered proprietor of the lots within this Plan of Subdivision that are contained within 50 metres of the lot seeking the release, variation or modification.

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

No fence shall be permitted to remain on any lot or boundary of any lot unless the fence of an open style rural design comprising timber posts with timber rails or plain wire.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 7 in the plan.

MAITLAND CITY COUNCIL

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

PLAN:

Plan of Subdivision of Lot 221 DP 1239804
covered by Subdivision Certificate
No: Dated:

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

No dwelling shall be permitted to remain on the lot burdened unless the dwelling is constructed to Category 2 Standard as prescribed in Department of Planning Development near rail corridors and busy roads – Appendix C.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 8 in the plan.

MAITLAND CITY COUNCIL

8 TERMS OF POSITIVE COVENANT NUMBERED 9 IN THE PLAN.

The area of land identified as Lot 300 on the plan shall be managed as a temporary asset protection zone (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' by the registered proprietor of the lot at the sole expense of the registered proprietor until such time as the land is further developed.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the positive covenant numbered 9 in the plan.

MAITLAND CITY COUNCIL

MAITLAND CITY COUNCIL by its)
authorised delegate pursuant to s.377)
Local Government Act 1993)

Signature of delegate

Name of delegate (BLOCK LETTERS)

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

---
Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

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

PLAN:

Plan of Subdivision of Lot 221 DP 1239804
covered by Subdivision Certificate
No: Dated:

EXECUTED by **GRANGE ESTATES (NSW) PTY LIMITED** ACN 079 624 909 in accordance with section 127 of the *Corporations Act* 2001 (Cth):)

.....
Signature of director/secretary

.....
Signature of director

.....
Name of director/secretary (please print)

.....
Name of director (please print)

Executed by **GREATER BANK LIMITED** (ACN 087 651 956):

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

PLAN:

Plan of Subdivision of Lot 221 DP 1239804
covered by Subdivision Certificate
No: Dated:

Signed, sealed and delivered for)
and on behalf of Alpha Distribution)
Ministerial Holding Corporation)
67 505 337 385 in the presence)
of:)

.....
Signature of Witness

.....
Signature of Agent for Michael Pratt, NSW Treasury Secretary (NSW Treasurer's delegate under delegation dated 24 November 2015), on behalf of Alpha Distribution Ministerial Holding Corporation

.....
Print name of Witness

52 Martin Place
Sydney NSW 2000

.....
Name of Agent in full

Appendix C – Acoustic Treatment of Residences

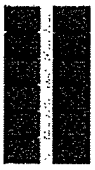
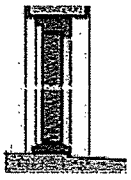
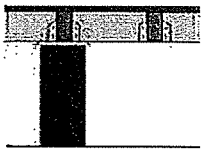
The following table sets out standard (or deemed-to-satisfy) constructions for each category of noise control treatment for the sleeping areas and other habitable areas of single / dual occupancy residential developments only. The assumptions made in the noise modelling are as follows:

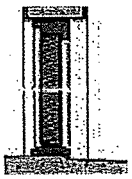
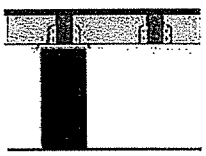
- Typical layout of a modern dwelling taken from a recent large residential development in an outer Sydney suburb
- Bedrooms and other habitable rooms are exposed to road noise

ACOUSTIC PERFORMANCE OF BUILDING ELEMENTS

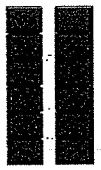
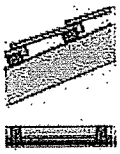
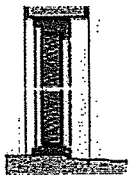
The acoustic performances assumed of each building element in deriving the Standard Constructions for each category of noise control treatment presented in the preceding Table, are presented below in terms of Weighted Sound Reduction Index (Rw) values, which can be used to find alternatives to the standard constructions presented in this Appendix:

Category of Noise Control Treatment	R_w of Building Elements (minimum assumed)				
	Windows/Sliding Doors	Frontage Facade	Roof	Entry Door	Floor
Category 1	24	38	40	28	29
Category 2	27	45	43	30	29
Category 3	32	52	48	33	50
Category 4	35	55	52	33	50
Category 5	43	55	55	40	50

Category No.	Building Element	Standard Constructions	sample
1	Windows/Sliding Doors	Openable with minimum 4mm monolithic glass and standard weather seals	
	Frontage Facade	**Timber Frame or Cladding:** 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally	
		Brick Veneer: 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally	
		Double Brick Cavity: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R1.5 insulation batts in roof cavity.	
	Entry Door	35mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	1 layer of 19mm structural floor boards, timber joist on piers	
		Concrete slab floor on ground	

Category No.	Building Element	Standard Constructions	sample
2	Windows/Sliding Doors	Openable with minimum 6mm monolithic glass and full perimeter acoustic seals	
	Frontage Facade	**Timber Frame or Cladding Construction:** 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity.	
		Brick Veneer Construction: 110mm brick, 90mm timber stud frame or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	40mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	1 layer of 19mm structural floor boards, timber joist on piers	
		Concrete slab floor on ground	

Category No.	Building Element	Standard Constructions	sample
3	Windows/Sliding Doors	Openable with minimum 6.38mm laminated glass and full perimeter acoustic seals	
	Frontage Facade	**Brick Veneer Construction:** 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 1 layer of 13mm sound-rated plasterboard fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	45mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	Concrete slab floor on ground	

Category No.	Building Element	Standard Constructions	sample
4	Windows/Sliding Doors	Openable with minimum 10.38mm laminated glass and full perimeter acoustic seals	
	Frontage Facade	**Brick Veneer Construction:** 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 2 layers of 10mm sound-rated plasterboard fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	45mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	Concrete slab floor on ground	

Category No.	Building Element	Standard Constructions	sample
5	Windows/Sliding Doors	Openable Double Glazing with separate panes: 6mm monolithic glass, 100mm air gap, 6mm monolithic glass with full perimeter acoustic seals.	
	Frontage Facade	**Double Brick Cavity Construction:** 2 leaves of 110mm brickwork separated by 50mm gap with cement render to the external face of the wall and cement render or 13mm plasterboard direct fixed to internal faces of the wall.	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 2 layers of 10mm sound-rated plasterboard fixed to ceiling joist using resilient mounts, R2 insulation batts in roof cavity	
	Entry Door	Special high performance acoustic door required - Consult an Acoustic Engineer	*Door to acoustic consultant's specifications*
	Floor	Concrete slab floor on ground	
6	All	Consult an Acoustic Engineer	

LAND REGISTRY SERVICES

Title Search

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 221/1239804

SEARCH DATE	TIME	EDITION NO	DATE
14/5/2018	12:21 PM	1	23/3/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY GREATER BANK LIMITED.

LAND

LOT 221 IN DEPOSITED PLAN 1239804
AT MAITLAND VALE
LOCAL GOVERNMENT AREA MAITLAND
PARISH OF MIDDLEHOPE COUNTY OF DURHAM
TITLE DIAGRAM DP1239804

FIRST SCHEDULE

GRANGE ESTATES (NSW) PTY LIMITED

SECOND SCHEDULE (16 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DP813858 EASEMENT FOR WATER SUPPLY 4 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
3 DP1104611 EASEMENT FOR WATER SUPPLY 4 METRE(S) WIDE REFERRED TO AND NUMBERED (1) IN THE S.88B INSTRUMENT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
4 DP1104611 EASEMENT FOR WATER SUPPLY 4 METRE(S) WIDE REFERRED TO AND NUMBERED (2) IN THE S.88B INSTRUMENT APPURTENANT TO THE LAND ABOVE DESCRIBED
5 AK930924 PLANNING AGREEMENT PURSUANT TO SECTION 7.6 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
6 AM147036 MORTGAGE TO GREATER BANK LIMITED
7 DP1234656 POSITIVE COVENANT REFERRED TO AND NUMBERED (7) IN THE S.88B INSTRUMENT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
8 DP1234656 EASEMENT TO DRAIN WATER 3 METRE(S) WIDE AND VARIABLE REFERRED TO AND NUMBERED (10) IN THE S.88B INSTRUMENT APPURTENANT TO THE LAND ABOVE DESCRIBED
9 DP1234656 EASEMENT TO DRAIN WATER 5 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
10 DP1234656 RIGHT OF FOOTWAY 5 METRE(S) WIDE AND VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
11 DP1234656 RIGHT OF FOOTWAY 5 METRE(S) WIDE AND VARIABLE WIDTH APPURTENANT TO THE LAND ABOVE DESCRIBED

END OF PAGE 1 - CONTINUED OVER

SECOND SCHEDULE (16 NOTIFICATIONS) (CONTINUED)

12 DP1234656 RIGHT OF CARRIAGEWAY VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

13 DP1234656 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (18) IN THE S.88B INSTRUMENT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

14 DP1239804 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

15 DP1239804 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED

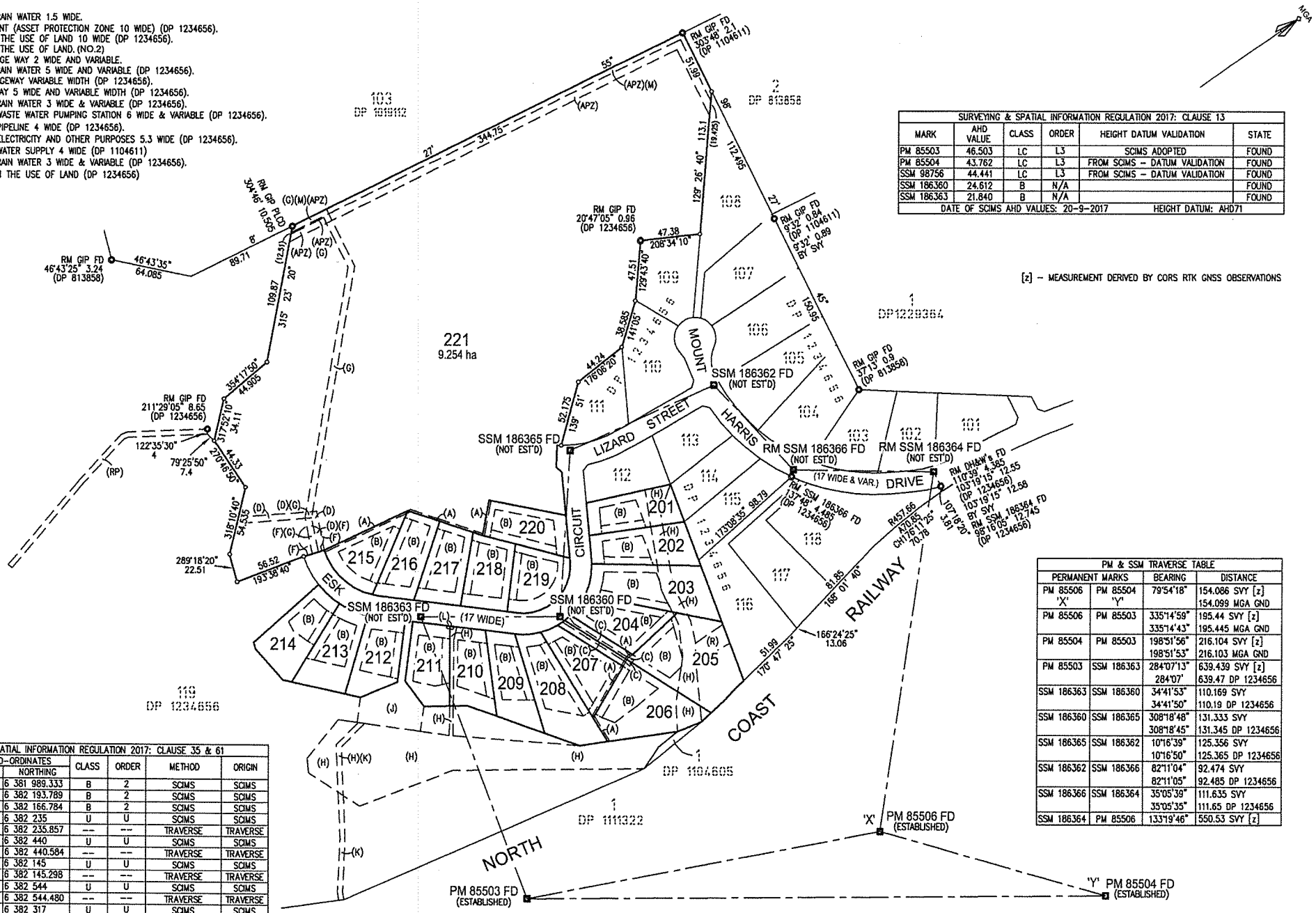
16 DP1239804 POSITIVE COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

(A) EASEMENT TO DRAIN WATER 1.5 WIDE.
(APZ) POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE) (DP 1234656).
RESTRICTION ON THE USE OF LAND 10 WIDE (DP 1234656).
(B) RESTRICTION ON THE USE OF LAND. (NO.2)
(C) RIGHT OF CARRIAGE WAY 2 WIDE AND VARIABLE.
(D) EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE (DP 1234656).
(F) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP 1234656).
(G) RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH (DP 1234656).
(H) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).
(J) EASEMENT FOR WASTE WATER PUMPING STATION 6 WIDE & VARIABLE (DP 1234656).
(K) EASEMENT FOR PIPELINE 4 WIDE (DP 1234656).
(L) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE (DP 1234656).
(M) EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611)
(R) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).
(RP) RESTRICTION ON THE USE OF LAND (DP 1234656)



SURVEYING & SPATIAL INFORMATION REGULATION 2017: CLAUSE 13					
MARK	AHD VALUE	CLASS	ORDER	HEIGHT DATUM VALIDATION	STATE
PM 85503	46.503	LC	L3	SCIMS ADOPTED	FOUND
PM 85504	43.762	LC	L3	FROM SCIMS – DATUM VALIDATION	FOUND
SSM 98756	44.441	LC	L3	FROM SCIMS – DATUM VALIDATION	FOUND
SSM 186360	24.612	B	N/A		FOUND
SSM 186363	21.840	B	N/A		FOUND
DATE OF SCIMS AHD VALUES: 20-9-2017				HEIGHT DATUM: AHD71	

PM & SSM TRAVERSE TABLE			
PERMANENT MARKS		BEARING	DISTANCE
PM 85506 'X'	PM 85504 'Y'	79°54'18"	154.086 SVY [z] 154.099 MGA GND
PM 85506	PM 85503	335°14'59" 335°14'43"	195.44 SVY [z] 195.445 MGA GND
PM 85504	PM 85503	198°51'56" 198°51'53"	216.104 SVY [z] 216.103 MGA GND
PM 85503	SSM 186363	284°07'13" 284°07'	639.439 SVY [z] 639.47 DP 1234656
SSM 186363	SSM 186360	34°41'53" 34°41'50"	110.169 SVY 110.19 DP 1234656
SSM 186360	SSM 186365	308°18'48" 308°18'45"	131.333 SVY 131.345 DP 1234656
SSM 186365	SSM 186362	10°16'39" 10°16'50"	125.356 SVY 125.365 DP 1234656
SSM 186362	SSM 186366	82°11'04" 82°11'05"	92.474 SVY 92.485 DP 1234656
SSM 186366	SSM 186364	35°05'39" 35°05'35"	111.635 SVY 111.65 DP 1234656
SSM 186364	PM 85506	133°19'46"	550.53 SVY [z]

SURVEYING & SPATIAL INFORMATION REGULATION 2017: CLAUSE 35 & 61						
MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	ORIGIN
	EASTING	NORTHING				
PM 85503	366 742.025	6 381 989.333	B	2	SCIMS	SCIMS
PM 85504	366 811.885	6 382 193.789	B	2	SCIMS	SCIMS
PM 85506	366 660.201	6 382 166.784	B	2	SCIMS	SCIMS
SSM 186360	366 184	6 382 235	U	U	SCIMS	SCIMS
SSM 186360	366 184.712	6 382 235.857	--	--	TRAVERSE	TRAVERSE
SSM 186362	366 103	6 382 440	U	U	SCIMS	SCIMS
SSM 186362	366 104.045	6 382 440.584	--	--	TRAVERSE	TRAVERSE
SSM 186363	366 121	6 382 145	U	U	SCIMS	SCIMS
SSM 186363	366 122.010	6 382 145.298	--	--	TRAVERSE	TRAVERSE
SSM 186364	366 259	6 382 544	U	U	SCIMS	SCIMS
SSM 186364	366 259.811	6 382 544.480	--	--	TRAVERSE	TRAVERSE
SSM 186365	366 081	6 382 317	U	U	SCIMS	SCIMS
SSM 186365	366 081.684	6 382 317.263	--	--	TRAVERSE	TRAVERSE
SSM 186366	366 195	6 382 453	U	U	SCIMS	SCIMS
SSM 186366	366 195.642	6 382 453.157	--	--	TRAVERSE	TRAVERSE
COMBINED SEA LEVEL & SCALE FACTOR = 0.999807						
SOURCE: M.G.A. ZONE 56 CO-ORDINATES ADOPTED FROM S.C.I.M.S. AS AT 20TH SEPTEMBER 2017						

Surveyor: TROY DANIEL SUMNER
Date of Survey: 21/09/2017
Surveyor's Ref: 16/202/2

PLAN OF SUDIVISION OF LOT 120 DP 1234656.

LGA: MAITLAND
Locality: MAITLAND VALE
Subdivision No: 160745
Lengths are in metres. Reduction Ratio 1:2000

Registered: 23.03.2018

DP1239804

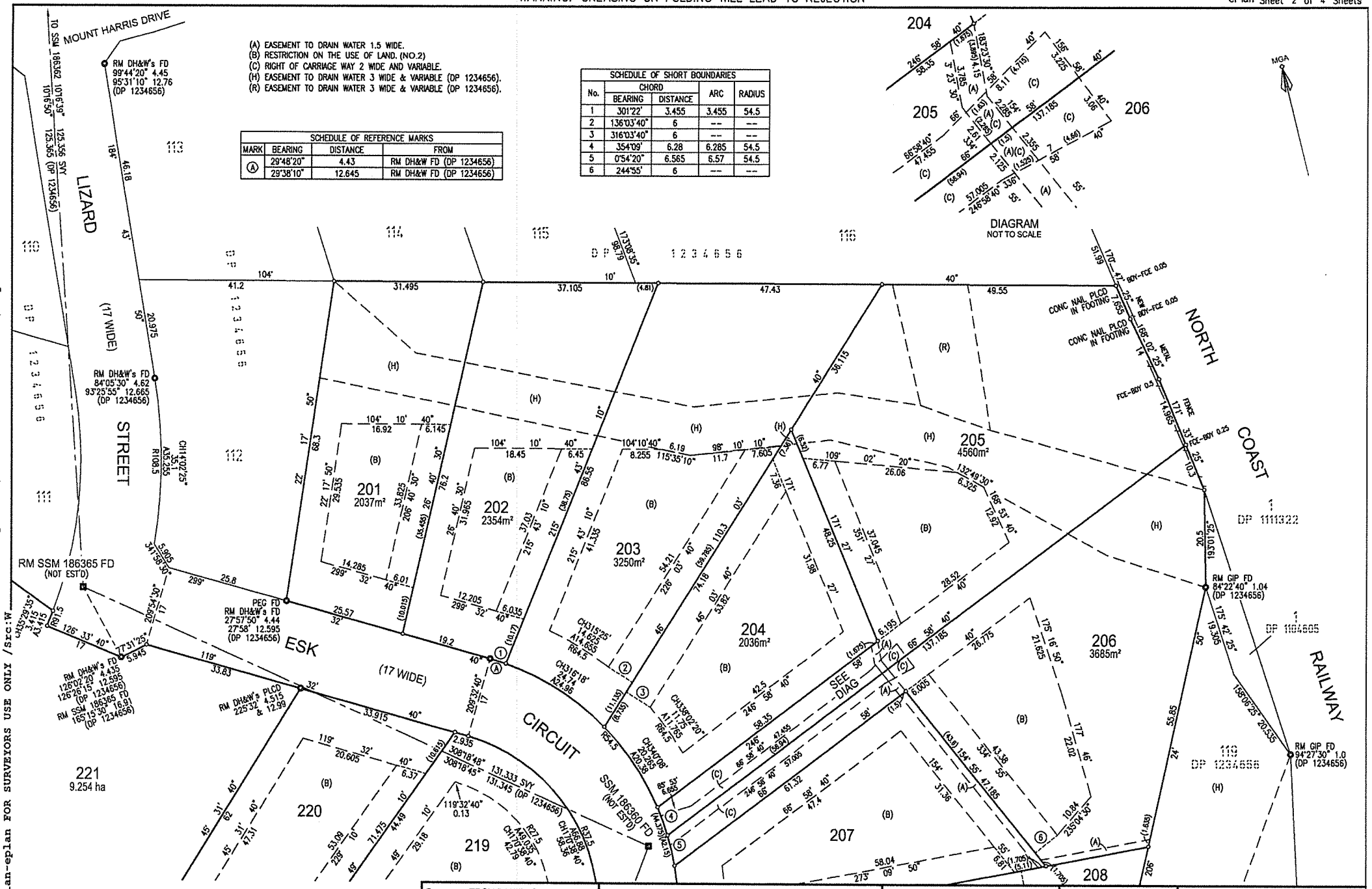
(A) EASEMENT TO DRAIN WATER 1.5 WIDE.
(B) RESTRICTION ON THE USE OF LAND. (NO.2)
(C) RIGHT OF CARRIAGE WAY 2 WIDE AND VARIABLE.
(H) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).
(R) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).

SCHEDULE OF REFERENCE MARKS

MARK	BEARING	DISTANCE	FROM
(A)	29°48'20"	4.43	RM DH&W FD (DP 1234656)
	29°38'10"	12.645	RM DH&W FD (DP 1234656)

SCHEDULE OF SHORT BOUNDARIES

No.	CHORD BEARING	CHORD DISTANCE	ARC	RADIUS
1	301°22'	3.455	3.455	54.5
2	136°03'40"	6	---	---
3	316°03'40"	6	---	---
4	354°09'	6.28	6.285	54.5
5	0°54'20"	6.565	6.57	54.5
6	244°55'	6	---	---



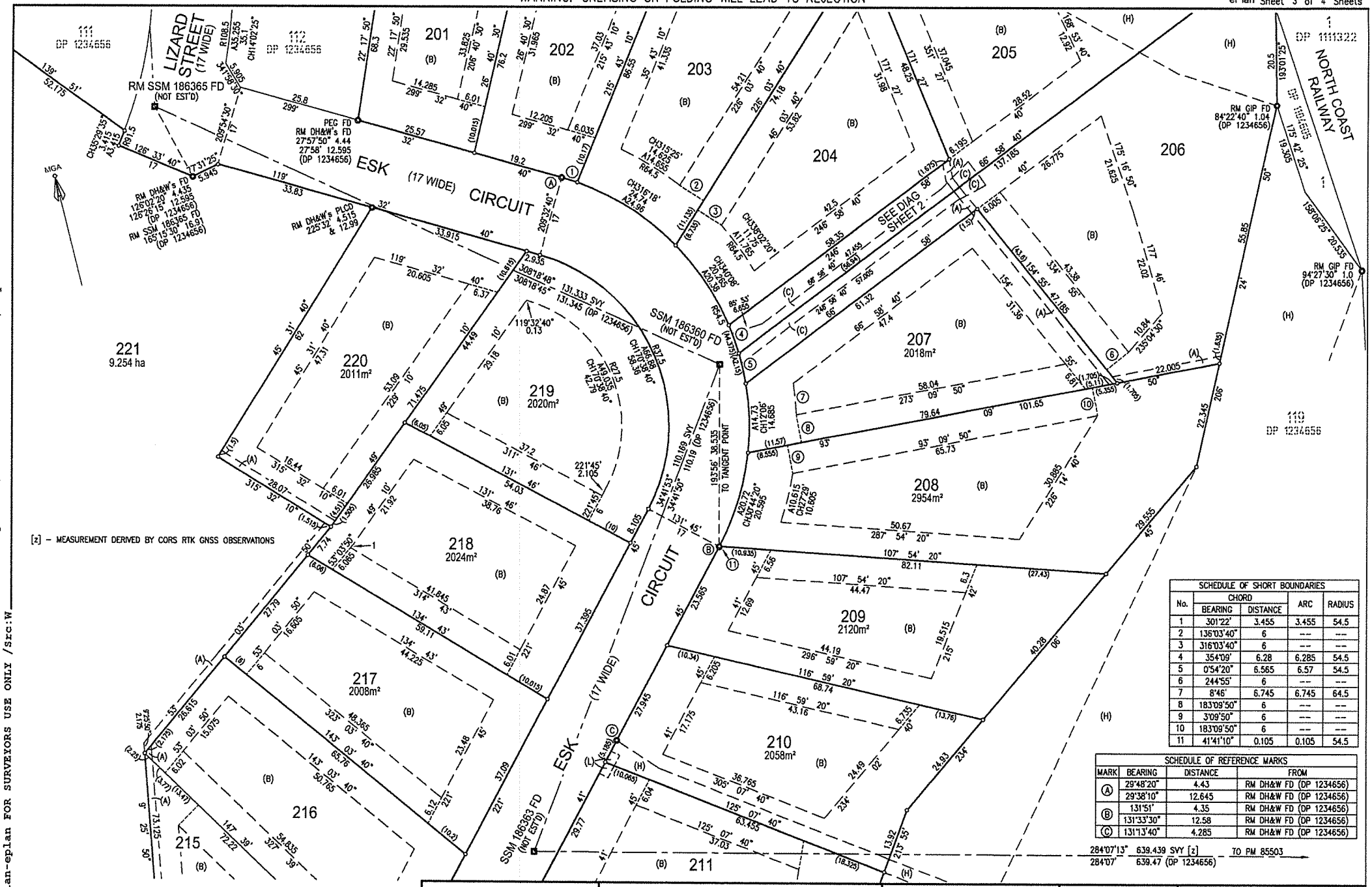
Surveyor: TROY DANIEL SUMNER
Date of Survey: 21/09/2017
Surveyor's Ref: 16/202/2

PLAN OF SUDIVISION OF LOT 120 DP 1234656.

LGA: MAITLAND
Locality: MAITLAND VALE
Subdivision No: 160745
Lengths are in metres. Reduction Ratio 1:500

Registered: 23.03.2018

DP1239804



SCHEDULE OF SHORT BOUNDARIES				
No.	CHORD BEARING	CHORD DISTANCE	ARC	RADIUS
1	301°22'	3.455	3.455	54.5
2	136°03'40"	6	---	---
3	316°03'40"	6	---	---
4	354°09'	6.28	6.285	54.5
5	0°54'20"	6.565	6.57	54.5
6	244°55'	6	---	---
7	8°46'	6.745	6.745	64.5
8	183°09'50"	6	---	---
9	3°09'50"	6	---	---
10	183°09'50"	6	---	---
11	41°41'10"	0.105	0.105	54.5

SCHEDULE OF REFERENCE MARKS			
MARK	BEARING	DISTANCE	FROM
(A)	29°48'20"	4.43	RM DH&W FD (DP 1234656)
	29°38'10"	12.645	RM DH&W FD (DP 1234656)
(B)	131°51'	4.35	RM DH&W FD (DP 1234656)
	131°33'30"	12.58	RM DH&W FD (DP 1234656)
(C)	131°13'40"	4.285	RM DH&W FD (DP 1234656)

284°07'13" 639.439 SVY [z] TO PM 85503
284°07' 639.47 (DP 1234656)

(A) EASEMENT TO DRAIN WATER 1.5 WIDE.
(B) RESTRICTION ON THE USE OF LAND. (NO.2)
(C) RIGHT OF CARRIAGE WAY 2 WIDE AND VARIABLE.
(H) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).
(L) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE (DP 1234656).

Surveyor: TROY DANIEL SUMNER
Date of Survey: 21/09/2017
Surveyor's Ref: 16/202/2

PLAN OF SUDIVISION OF LOT 120 DP 1234656.

LGA: MAITLAND
Locality: MAITLAND VALE
Subdivision No: 160745
Lengths are in metres. Reduction Ratio 1:500

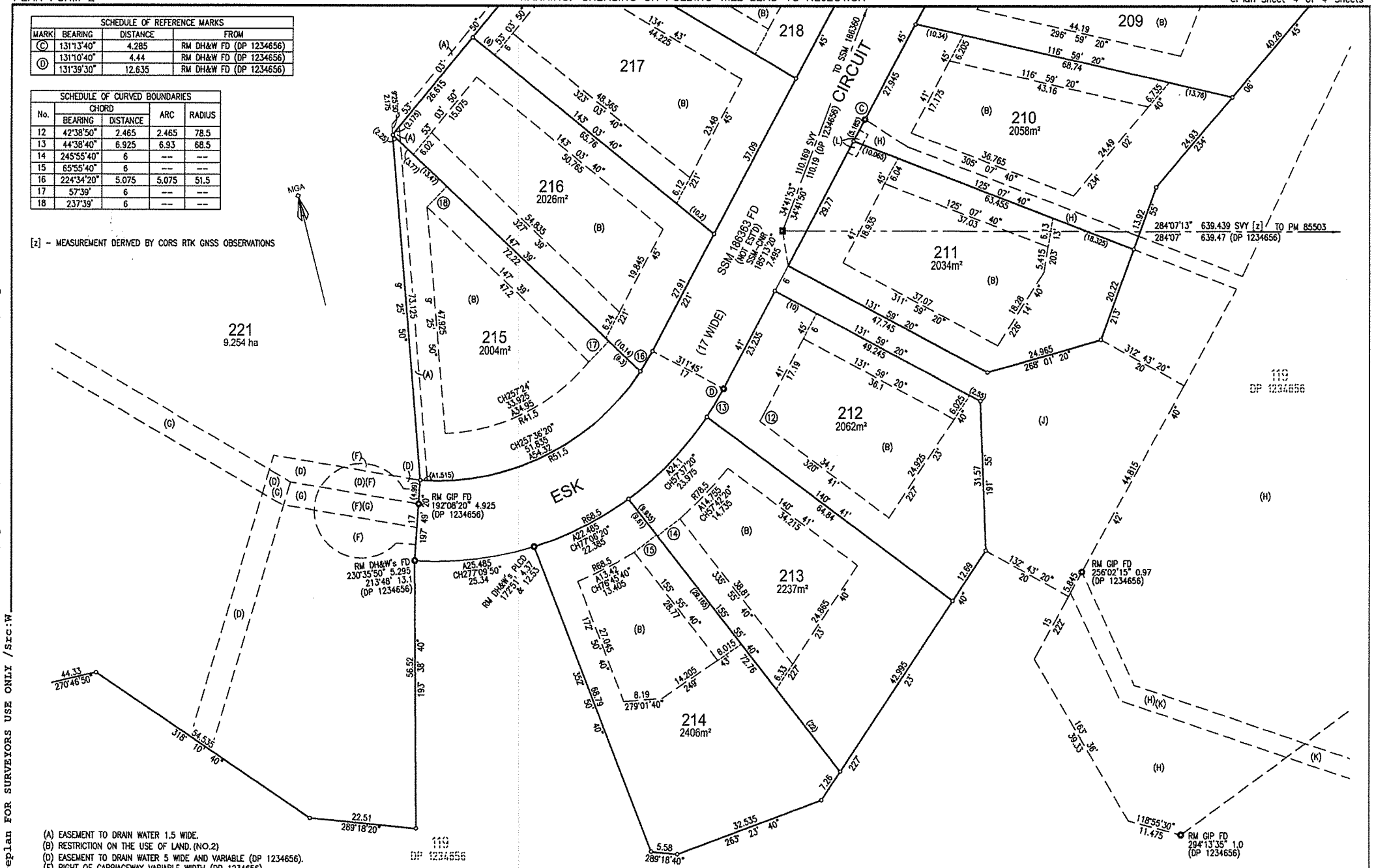
Registered: 23.03.2018

DP1239804

SCHEDULE OF REFERENCE MARKS			
MARK	BEARING	DISTANCE	FROM
Ⓒ	131°13'40"	4.285	RM DH&W FD (DP 1234656)
Ⓓ	131°10'40"	4.44	RM DH&W FD (DP 1234656)
	131°39'30"	12.635	RM DH&W FD (DP 1234656)

SCHEDULE OF CURVED BOUNDARIES				
No.	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
12	42°38'50"	2.465	2.465	78.5
13	44°38'40"	6.925	6.93	68.5
14	245°55'40"	6	--	--
15	65°55'40"	6	--	--
16	224°34'20"	5.075	5.075	51.5
17	57°39'	6	--	--
18	237°39'	6	--	--

[z] - MEASUREMENT DERIVED BY CORS RTK GNSS OBSERVATIONS



(A) EASEMENT TO DRAIN WATER 1.5 WIDE.
(B) RESTRICTION ON THE USE OF LAND. (NO.2)
(D) EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE (DP 1234656).
(F) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP 1234656).
(G) RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH (DP 1234656).
(H) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE (DP 1234656).
(J) EASEMENT FOR WASTE WATER PUMPING STATION 6 WIDE WIDE & VARIABLE (DP 1234656).
(K) EASEMENT FOR PIPELINE 4 WIDE (DP 1234656).
(L) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE (DP 1234656).

Surveyor: TROY DANIEL SUMNER Date of Survey: 21/09/2017 Surveyor's Ref: 16/202/2	PLAN OF SUDIVISION OF LOT 120 DP 1234656.	LGA: MAITLAND Locality: MAITLAND VALE Subdivision No: 160745 Lengths are in metres. Reduction Ratio 1:500	Registered: 23.03.2018	DP1239804

ePlan

PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 4 sheet(s)

Office Use Only

Registered: 23.03.2018

Title System: TORRENS

Office Use Only

DP1239804

PLAN OF SUBDIVISION OF LOT 120 DP 1234656.

LGA: MAITLAND

Locality: MAITLAND VALE

Parish: MIDDLEHOPE

County: DURHAM

Survey Certificate

I, Troy Daniel Sumner – PULVER, COOPER & BLACKLEY PTY LTD of 98 LAWES STREET, EAST MAITLAND 2323.

a surveyor registered under the *Surveying and Spatial Information Act 2002*, certify that:

*(a) The land shown in the plan was surveyed in accordance with the *Surveying and Spatial Information Regulation 2017*, is accurate and the survey was completed on 21/09/2017, or

~~*(b) The part of the land shown in the plan (*being/excluding ** .....) was surveyed in accordance with the *Surveying and Spatial Information Regulation 2017*, the part surveyed is accurate and the survey was completed on, 21/09/2017. The part not surveyed was compiled in accordance with that Regulation, or~~

~~*(c) The land shown in this plan was compiled in accordance with the *Surveying and Spatial Information Regulation 2017*.~~

Datum Line: 'X' – 'Y'

Type: *Urban/~~*Rural~~

The terrain is *Level-Undulating / ~~*Steep Mountainous.~~

Signature: T. ..... Dated: 28/11/2017

Surveyor Identification No: 8754
Surveyor registered under
the *Surveying and Spatial Information Act 2002*

*Strike out inappropriate words.

**Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.

Crown Lands NSW/Western Lands Office Approval

I, ... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.

Signature: .....

Date: .....

File Number: .....

Office: .....

Subdivision Certificate

I, Leanne Harris

*Authorised Person/~~*General Manager/*Accredited Certifier~~, certify that the provisions of s.109J of the *Environmental Planning and Assessment Act 1979* have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.

Signature: .....

~~Accreditation number:~~ .....

Consent Authority: Maitland City Council

Date of endorsement: 11.1.18

Subdivision Certificate number: 160745

File number: DA16 0745

*Strike through if inapplicable.

Plans used in the preparation of survey/compilation.

DP 813858

DP 1104611

DP 1234656

Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.

Surveyor's Reference: 16/202/2

Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A

ePlan

PLAN FORM 6A (2017) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 2 of 4 sheet(s)

Office Use Only

Registered: 23.03.2018

Office Use Only

DP1239804

PLAN OF SUBDIVISION OF LOT 120 DP 1234656.

Subdivision Certificate number: 160745

Date of Endorsement: 11.1.18

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Lot	Street Number	Street Name	Street Type	Locality
201	3	Esk	Circuit	Maitland Vale
202	5	Esk	Circuit	Maitland Vale
203	7	Esk	Circuit	Maitland Vale
204	9	Esk	Circuit	Maitland Vale
205	11	Esk	Circuit	Maitland Vale
206	13	Esk	Circuit	Maitland Vale
207	15	Esk	Circuit	Maitland Vale
208	17	Esk	Circuit	Maitland Vale
209	19	Esk	Circuit	Maitland Vale
210	21	Esk	Circuit	Maitland Vale
211	23	Esk	Circuit	Maitland Vale
212	25	Esk	Circuit	Maitland Vale
213	27	Esk	Circuit	Maitland Vale
214	29	Esk	Circuit	Maitland Vale
215	14	Esk	Circuit	Maitland Vale
216	12	Esk	Circuit	Maitland Vale
217	10	Esk	Circuit	Maitland Vale
218	8	Esk	Circuit	Maitland Vale
219	6	Esk	Circuit	Maitland Vale
220	4	Esk	Circuit	Maitland Vale
221	16	Esk	Circuit	Maitland Vale

If space is insufficient use additional annexure sheet

Surveyor's Reference: 16/202/2

ePlan

PLAN FORM 6A (2017) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 3 of 4 sheet(s)

Office Use Only

Registered: 23.03.2018

Office Use Only

DP1239804

PLAN OF SUBDIVISION OF LOT 120 DP 1234656.

Subdivision Certificate number: 160745

Date of Endorsement: 11.1.18

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Pursuant to Section 88B of the Conveyancing Act 1919, as amended it is intended to create:

1. Easement to drain water 1.5 wide (A)
2. Restriction on the use of land (B)
3. Restriction on the use of land
4. Right of carriage way 2 wide and variable (C)
5. Restriction on the use of land
6. Restriction on the use of land
7. Restriction on the use of land
8. Positive Covenant

EXECUTED by **GRANGE ESTATES (NSW) PTY LIMITED** ACN 079 624 909 in accordance with section 127 of the *Corporations Act* 2001 (Cth):)

Signature of ~~director~~/secretary

Signature of director

KELLIE LEE TURNER

Name of ~~director~~/secretary (please print)

TREVOR CHARLES PUNNETT

Name of director (please print)

If space is insufficient use additional annexure sheet

Surveyor's Reference: 16/202/2

ePlan

PLAN FORM 6A (2017) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 4 of 4 sheet(s)

Office Use Only

Registered: 23.03.2018

Office Use Only

DP1239804

PLAN OF SUBDIVISION OF LOT 120 DP 1234656.

Subdivision Certificate number: 160745

Date of Endorsement: 11.1.18

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Executed by **GREATER BANK LIMITED** (ACN 087 651 956):

Craig Michael Chapman

John Bailey
103 Tudor Street
Hamilton

"SIGNED in my presence by the duly constituted Attorneys, for and on behalf of GREATER BANK LIMITED under Registered Book 4713 No. 162, who are personally known to me."

If space is insufficient use additional annexure sheet

Surveyor's Reference: 16/202/2

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 CONVEYANCING ACT 1919

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

Full name and address of owner of the land:

Grange Estates (NSW) Pty Ltd
ACN 079 624 909
Suite 20/19-21 Central Road
MIRANDA NSW 2228

Full name and address of mortgagee:

Greater Bank Limited
ACN 087 651 956
103 Tudor Street
HAMILTON NSW 2303

PART 1 (Creation)

Name of item shown in the intention panel on the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement to drain water 1.5 wide shown as "A"	220 221 216 215 205 206 207	221 220 220, 221 216, 220 & 221 204 204, 205 & 207 204, 205 & 206
2	Restriction on the use of land shown as "B"	Each part lot except Lot 221	Maitland City Council
3	Restriction on the use of land	Each lot except Lot 221	Every other lot except lot 221

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 CONVEYANCING ACT 1919

(Sheet 2 of 9)

Plan: DP1239804

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

Name of item shown in the intention panel on the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
4	Right of carriage way 2 wide and variable shown as "C"	205 206	206 205
5	Restriction on the use of land	Each lot except lot 221	Maitland City Council
6	Restriction on the use of land	Each lot except lot 221	Maitland City Council
7	Restriction on the use of land	205, 206, 208 to 214 inclusive	Maitland City Council
8	Positive Covenant	221	Maitland City Council

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 CONVEYANCING ACT 1919

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

PART 2 (Terms)

Terms of Easement numbered 1 in the plan:

Notwithstanding the terms of Easement to Drain Water as set out in Part 3 Schedule 8 of the Conveyancing Act 1919, no alteration to surface levels of the site of the easement shall be permitted without the written consent of Maitland City Council being firstly obtained.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 1 in the plan.

MAITLAND CITY COUNCIL

Terms of Restriction on the use of Land numbered 2 in the plan:

No building shall be erected or permitted to remain on any lot unless constructed within the approved building envelope as shown as "B" on the Plan of Subdivision being:

i. Minimum 10m from the principle street frontage;
ii. Minimum 6m from a side street (for corner lots);
iii. Minimum 6m from the side boundary adjoining other proposed lots;
iv. Proposed lots 205-206: 60m to the nearest operational rail track unless the structure is a non-habitable building or non-habitable part of a building;
v. Proposed lot 201: 30m to the rear boundary
vi. Proposed lots 202 and 203: 35m to the rear boundary
vii. Proposed lots 208 to 214 as detailed
viii. Proposed lots 215-220 minimum 6m from the rear boundary

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 2 in the plan.

MAITLAND CITY COUNCIL

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 CONVEYANCING ACT 1919

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

Terms of Restriction on the use of land numbered 3 in the plan:

(a) No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 180 m^2 exclusive of car accommodation, external landings and patios.

(b) No dwelling house may be erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass, concrete and fibre cement treated with painted texture render or weatherboard provided however feature panelling including fibre cement panelling and/or timber may be used on building being a dwelling or car accommodation in conjunction with the above materials.

(c) No dwelling house shall be erected or permitted to remain erected on any lot burdened having a roof of other than tiles (terracotta or cement) or Colorbond sheeting.

(d) No existing dwelling house or relocatable type dwelling shall be partially or wholly moved to, placed on, re-erected or permitted to remain on any lot burdened.

(e) No building, not being the main dwelling house, shall be erected or permitted to remain on a lot burdened unless:-

i. It is situated no closer to the street frontage than the dwelling house; and
ii. It has an internal floor area of less than 80m^2.

(f) No machinery shed, hay shed or other farm type building including stables or accommodation to be used for the purpose of horses shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanized iron or similar material provided that new Colorbond metal sheeting may be used in the external walls of a farm building where such Colorbond metal sheeting has a low reflective index and is of earth tone colours.

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 CONVEYANCING ACT 1919

Plan: DP1239804

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

(g) No fence may be constructed within a lot burdened to divide it from the residue or another part of the lot burdened unless such fencing comprises rural post and rail, rural post and wire or rural fencing incorporating open wire meshing provided however that fencing associated with the dwelling house or court yards associated with the dwelling house may incorporate brick, masonry, timber and brushwood. Fencing shall not generally comprise sheet material (such as Colorbond, fibro cement or paling fences). This covenant does not preclude safety fencing associated with swimming pools.

(h) No fence shall be erected on a lot burdened unless it is erected without expenses to Grange Estates (NSW) Pty Ltd, its successors and permitted assigns other than Purchasers on sale.

(i) No obnoxious, noisy or offensive occupation, trade or business shall be conducted or carried on on any lot burdened.

(j) No boarding kennels or animal boarding facilities shall be constructed or permitted to remain on any lot burdened.

(k) No structure of a temporary character, basement, tent, shack, garage, trailer, camper, caravan or any other building may be used at any time as residential accommodation on the lot burdened.

(l) No temporary structure, caravan, camper or detached ancillary building may be permitted to remain erected on a lot burdened prior to the issue of an Occupation Certificate for the dwelling house erected on the lot burdened.

(m) No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 4 tonnes shall be parked or permitted to remain on any lot burdened unless the same is being used in connection with the erection of a dwelling on the relevant lot burdened and only prior to occupation of the dwelling.

(n) No boat, trailer, caravan, camper or other vehicle intended to be towed may be placed, parked, stored or permitted to remain on the lot

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 CONVEYANCING ACT 1919

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

burdened unless same is located behind the dwelling house erected on the lot burdened.

(o) No shipping container may be placed, parked, stored or permitted to remain on any lot burdened.

Grange Estates (NSW) Pty Ltd is the only party empowered to release vary or modify the restrictions on the use of land thirdly referred to in the abovementioned plan whilst ever Grange Estates (NSW) Pty Ltd is a registered company (and is not under any external or internal insolvency actions) and own any lot or any part of a lot in the registered plan pursuant to which these restrictions were created and thereafter by the registered proprietor of the lots contained within 50 metres of the lot seeking the release, variation or modification.

Terms of Restriction on the use of land numbered 5 in the plan:

No dwelling shall be permitted to remain on the lot burdened unless the dwelling is constructed to Category 2 Standard as prescribed in Department of Planning Development near rail corridors and busy roads – Appendix C.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 5 in the plan.

MAITLAND CITY COUNCIL

Terms of Restriction on the use of land numbered 6 in the plan:

No fence shall be permitted to remain on any lot or boundary of any lot unless the fence of an open style rural design comprising timber posts with timber rails or plain wire.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 6 in the plan.

MAITLAND CITY COUNCIL

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 CONVEYANCING ACT 1919

Plan: DP1239804

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

Terms of Restriction on the use of land numbered 7 in the plan:

No dwelling shall be constructed or permitted to remain on the lots burdened unless the floor level of said dwellings being constructed is at the adopted Flood Planning Level (FPL) or 500mm above the 1% AEP flood event of 16.05 AHD, or at a level otherwise approved by Maitland City Council.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 7 in the plan.

MAITLAND CITY COUNCIL

Terms of Positive Covenant numbered 8 in the plan:

The area of land identified as Lot 221 on the plan shall be managed as a temporary asset protection zone (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' by the registered proprietor of the lot at the sole expense of the registered proprietor until such time as the land is further developed.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the positive covenant numbered 8 in the plan.

MAITLAND CITY COUNCIL

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 CONVEYANCING ACT 1919

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

MAITLAND CITY COUNCIL by its authorised delegate pursuant to s.377 Local Government Act 1993)

Signature of delegate

LEANNE HARRIS

Name of delegate (BLOCK LETTERS)

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

Signature of Witness

Name of Witness (BLOCK LETTERS)

KAREN SCHRODER

285 HIGH STREET MAITLAND

Address of Witness

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 CONVEYANCING ACT 1919

(Sheet 9 of 9)

Plan: **DP1239804**

Subdivision of Lot 120 DP 1234656 covered by Subdivision Certificate No. 160745 Dated: 11.1.18

EXECUTED by **GRANGE ESTATES (NSW) PTY LIMITED** ACN 079 624 909 in accordance with section 127 of the *Corporations Act* 2001 (Cth):)

Signature of ~~director~~/secretary

Signature of director

KELLIE LEE TURNER
Name of ~~director~~/secretary (please print)

TREVOR CHARLES PUNNETT
Name of director (please print)

Executed by **GREATER BANK LIMITED** (ACN 087 651 956):

John Bailey
103 Tudor Street
Hamilton

Craig Michael Chapman

"SIGNED in my presence by the duly constituted Attorneys, for and on behalf of GREATER BANK LIMITED under Registered Book 4713 No. 162, who are personally known to me."

REGISTERED 23.03.2018

PLAN FORM 2

"The common seal of Transgrid Commission [illegible] was [illegible] in the presence of

Tranmission Seal

[illegible]

Secretary

SIGNED AT SYDNEY THIS 11th DAY OF November 19 91 BY NATIONAL AUSTRALIA BANK LIMITED BY ITS DULY APPOINTED ATTORNEY UNDER POWER OF ATTORNEY No. 54? BOOK 3254

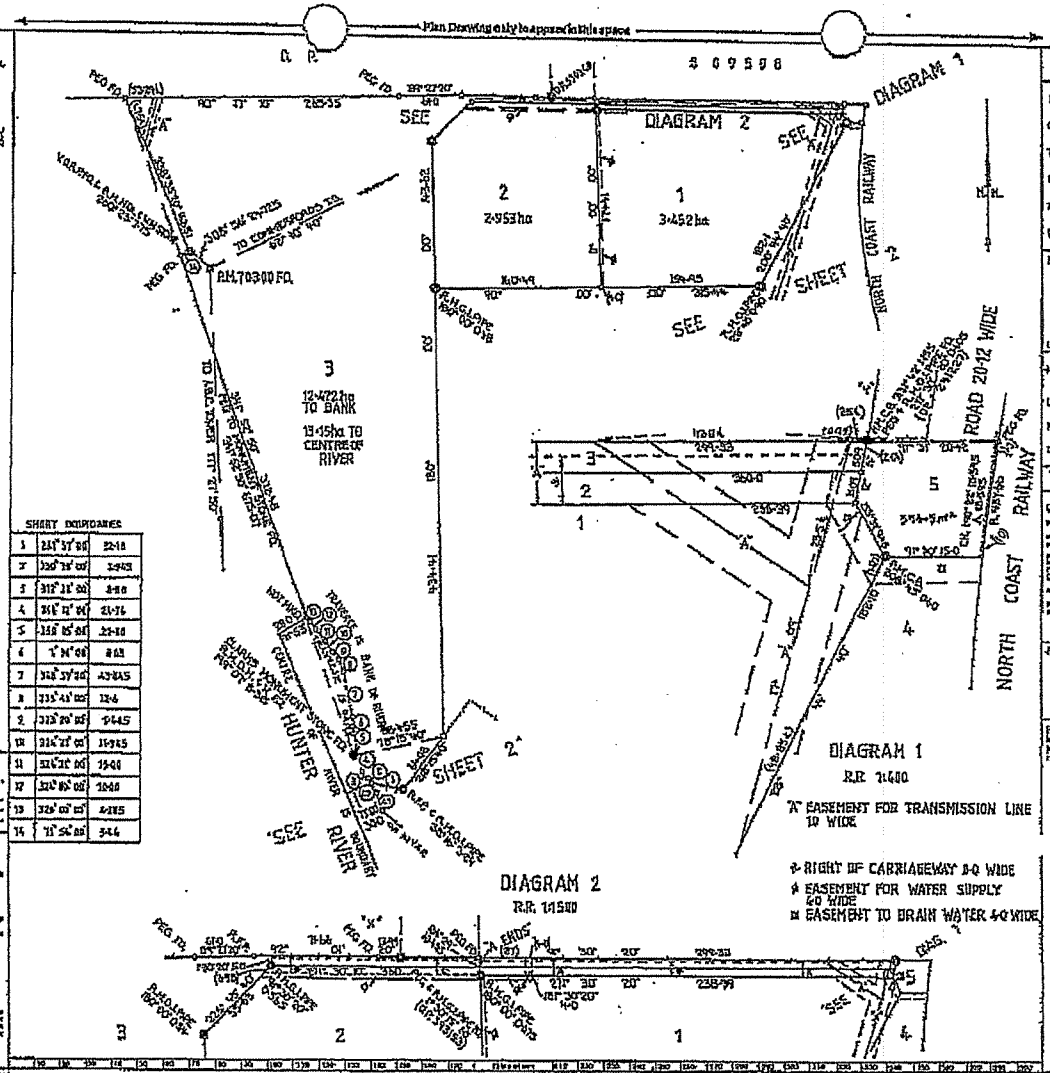
AUTHORISED SIGNATORY

STATE LANDS OFFICE APPROVAL

Council Clerk's Certificate

SUBDIVISION REFERENCE NE/20 5474B (NORTH)

MPD



SHORT BOUNDARIES

1	231° 37' 00"	22·18
2	330° 15' 00"	2·463
3	312° 11' 00"	4·80
4	316° 12' 00"	21·76
5	338° 05' 00"	23·18
6	1° 34' 00"	8·03
7	348° 37' 30"	43·845
8	335° 41' 00"	12·6
9	313° 20' 00"	9·445
10	316° 27' 00"	11·345
11	321° 25' 00"	15·40
12	321° 05' 00"	10·40
13	329° 00' 00"	4·285
14	11° 54' 00"	5·4

OFFICE USE ONLY

DP 813858

Registered: 13.11.1991

C.A. No. 8104 OF 30.9.1991.

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: U4780-9

Last Plan: D.P. 812098

PLAN OF SUBDIVISION OF LOT 100 D.P. 812098

Lengths are in metres. Reduction Ratio 1: 2500

Municipality/Shire/City: MAITLAND

Locality: BOLWARRA

Parish: MIDDLEHOPE

County: DURHAM

This is sheet 1 of my plan in 2 sheets.

I, Raymond Paul Day of Scott, Craig, Cudmore, Harwood, Pty. Ltd., a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Survey Practice Regulations, 1933 and was completed on 13th August 1991

Plans used in preparation of survey/compilation.
D.P. 812098 D.P. 809598
M.S. 3769 M.D.

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

IT IS INTENDED TO DEDICATE LOT 5 TO THE PUBLIC AS PUBLIC ROAD

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919-64 AS AMENDED, IT IS INTENDED TO CREATE:-
1. EASEMENT FOR TRANSMISSION LINE 10 WIDE
2. RIGHT OF CARRIAGEWAY 4·0 WIDE.
3. EASEMENT FOR WATER SUPPLY 4·0 WIDE
4. EASEMENT TO DRAIN WATER 4·0 WIDE
5. RESTRICTIONS AS TO USER.

	This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 25th November, 1991
10 20 30 40 50 60 70 Table of mm 110 120 130 140	

PLAN FORM 3

WARNING: BREAKING OR FOLDING WILL LEAD TO REJECTION

"OFFICE USE ONLY"

DP813858

Registered 12.11.1992

14-8-1991

SHEET 1

SHEET 2

SHEET 3

SHEET 4

NORTH COAST RAILWAY

HUNTER RIVER

1
3·452 ha

2
2·953 ha

3
12·472ha TO BK.
13·15 TO CENTRE OF RIVER

4
20·559 ha TO BK. (O.A. 0 m²)
41·33 TO CENTRE OF RIVER

SHORT BOUNDARIES

13	152° 30' 00"	13·965	29	334° 52' 10"	32·42
14	232° 18' 00"	59·45	30	331° 17' 43"	31·86
17	199° 35' 00"	34·97	31	335° 57' 00"	19·34
18	145° 05' 00"	25·27	32	339° 21' 00"	20·475
19	180° 20' 00"	20·51	33	332° 19' 00"	18·025
20	167° 15' 00"	19·325	34	332° 04' 00"	20·10
21	165° 39' 00"	20·535	35	333° 26' 00"	24·93
22	214° 35' 00"	0·99	36	332° 27' 00"	24·13
23	215° 09' 00"	41·14	37	332° 20' 00"	41·775
24	259° 53' 00"	21·975	38	332° 50' 00"	21·865
25	314° 57' 00"	26·135	39	332° 18' 00"	21·72
26	314° 59' 00"	34·15	40	332° 27' 00"	21·60
27	333° 12' 00"	20·21	41	332° 27' 00"	19·14
28	332° 50' 00"	12·21	42	332° 27' 00"	19·475

'A' EASEMENT FOR TRANSMISSION LINE 10 WIDE. (CENTRELINE OF POLES FORMS CENTRELINE OF EASEMENT.)

EASEMENT FOR RAILWAY PURPOSES NO. 3769 WD.

TRAVERSE

BANK OF RIVER

CENTRE OF RIVER IS BOUNDARY

Plan drawing only to appear in this space

MEI20 5474-3

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 25th November, 1991

10 20 30 40 50 60 70 Table of mm 110 120 130 140

Req:R433029 /Doc:DP 0813858 P /Rev:02-Nov-1992 /Sta:OK.OK /Prt:11-Apr-2013 17:12 /Prg:ALL /Seq:1 of 2
Ref: /Srt:U

BOOK 21 SECTION 88B RESTRICTION

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USE INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

SHEET ONE OF FIVE SHEETS

PLAN

DP813858

SUBDIVISION OF THE LANDS COMPRISED IN LOT 100 DP. 812098 (OLD SYSTEM CONVEYANCE BOOK 3848 NO 876)AT MAITLAND VALE CITY OF MAITLAND COVERED BY COUNCIL CLERK'S CERTIFICATE NO. 91/17 of 10-9-1991

FULL NAME AND ADDRESS OF PROPRIETORS OF LAND:

DUNDEAL PTY. LIMITED
93 High Street,
EAST MAITLAND. 2323.

FULL NAME AND ADDRESS OF MORTGAGEE:

NATIONAL AUSTRALIA BANK,
Lower Street,
EAST MAITLAND. 2323.

PART 1

1. IDENTITY OF EASEMENT OR RESTRICTION FIRSTLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Easement for transmission line 10 wide and variable.

LOTS BURDENED:	LOTS, NAME OF ROAD OR AUTHORITY BENEFITED
1, 2, 3 and 4	Shortland County Council, Newcastle Street, Wallsend

2. IDENTITY OF EASEMENT OR RESTRICTION SECONDLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Right of carriageway 2 wide and variable

LOTS BURDENED:	LOTS, NAME OF ROAD OR AUTHORITY BENEFITED
2	1 and 3
3	1 and 2

3. IDENTITY OF EASEMENT OR RESTRICTION THIRDLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Easement for water supply 4 wide

LOTS BURDENED:	LOTS, NAME OF ROAD OR AUTHORITY BENEFITED
1	2, 3, and 4
2	1, 3, and 4
3	1, 2, and 4

Robert Ward
Barbara Ward

REGISTERED 22.11.1991.

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USE INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

SHEET TWO OF FIVE SHEETS

DP813858

4. IDENTITY OF EASEMENT OR RESTRICTION FOURTHLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Easement to drain water 4 wide

LOTS BURDENED:	LOTS, NAME OF ROAD OR AUTHORITY BENEFITED
1	2 and 3
2	3
4	1, 2, and 3

5. IDENTITY OF EASEMENT OR RESTRICTION FIFTHLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Restriction as to Use

LOTS BURDENED:	LOTS, NAME OF ROAD OR AUTHORITY BENEFITED
1, 2 & 3	Every other Lot

PART 2

1. TERMS OF EASEMENT OR RESTRICTION FIRSTLY REFERRED TO IN THE ABOVEMENTIONED PLAN

Full free right, leave, liberty and licence for the Shoalhaven County Council (the Council) its successors and assigns, its officers, servants, agents, workmen and contractors and all other persons authorised by it or them to and on its or their behalf:-

(a) To break, remove, place, inspect, alter, repair, renew, maintain and use of the servient tenement overhead and/or underground electricity transmission mains, wires and cables and the supports thereof (including towers and poles) and other ancillary works for the transmission of electricity, the ownership of all of which works

the grantee hereby acknowledges is vested in the proprietor of the dominant tenement; and

(b) To cause or permit electricity to flow or to be transmitted through and along the said mains, wires and cables; and

(c) With or without vehicles and plant and equipment to enter and be in the servient tenement for the purposes of exercising any right, leave, liberty or licence granted hereunder; and

Robert Ward
Barbara Ward

REGISTERED 22.11.1991.

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DP813858

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USE INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

SHEET THREE OF FIVE SHEETS

(d) To cut, take or lop trees, branches and other growth or foliage, which now or at any time hereafter may overhang, encroach or be in or on the servient tenement and which in the opinion of the proprietor of the dominant tenement may or may be likely to interfere with any right, power, liberty or licence granted hereunder.

(e) To, for the purpose of gaining access to the servient tenement, with or without vehicles, plant and equipment cross, be upon, traverse and depart from land adjoining the servient tenement owned by the proprietor of the servient tenement, its successors and assigns.

3. TERMS OF EASEMENT OR RESTRICTION THEREBY REFERRED TO IN THE ABOVEMENTIONED PLAN:

Full free right, leave, liberty and licence for the proprietor of the dominant tenement, its successors and assigns, its officers, servants, agents, workmen and contractors and all other persons authorised by it or them to act on its or their behalf from time to time and at all times by means of pipes or transpack water and any fluid in any quantities motors and through land hereby indicated as the servient tenement, together with the right to use for the purpose of the easement, any line of pipes already laid within the servient tenement for the purpose of carrying such water or fluid or any pipe or pipes in replacement or substitution thereof where no such line or pipes exists, to lay place and maintain a line of pipes of sufficient internal diameter beneath the surface of the servient tenement and together with the right to the proprietor for the time being of the dominant tenement or any person authorised by him with any tools, implements or machinery necessary for the purpose to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspection, cleaning, repairing, maintaining and renewing of such pipelines or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the person in whose favour this easement is created and persons authorised by them will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and to place on the surface of the servient tenement adjacent to portion 12 Parish of Middlehope such pumps, pump motors and appurtenances appurtenant thereto as may be reasonably required to convey the said water or fluid through the pipe and further full and free right to place or lay under the surface of the servient tenement or any part thereof cables, wires or conduits or other items for the purpose of supplying power, electricity or other forms of motivation to such pump or motors.

The person having the right to release, vary or modify these restrictions is DUNDRAX PTY. LIMITED for such period as they are the registered proprietor of any Lot in the the Plan or for a period of three years from the date of registration of the Plan, whichever is the later.

Barbara Ward

REGISTERED 22.11.1991

DP813858

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USE INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

D.P 813858 SHEET FOUR OF FIVE SHEETS

3. TERMS OF EASEMENT OR RESTRICTION FIRSTLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

(a) No building or structure on the land hereby burdened or any part of the land shall be used for:-

(i) Commercial breeding or commercial boarding of cats, dogs or other household pets or household animals.

(ii) A transport business or transport terminal.

(iii) The storage of any commercial building materials.

(iv) Parking, repairing, fuelling, garaging of buses, articulated vehicles or commercial trailers.

(v) Storage of petrol or petroleum products.

(vi) Pig or chicken farming.

(b) No main building shall be erected on the land hereby burdened or permitted to remain thereon with external walls of other than brick and/or concrete and/or stone and/or glass and/or timber and/or brick veneer. Asbestos cement, fibro cement, vinyl cladding or any like or similar building material shall not be used to the external walls of any such main building.

(c) No building, buildings or outbuilding shall be erected or permitted to remain erected on the land hereby burdened having walls of corrugated galvanized iron or flat asbestos cement PROVIDED HOWEVER that new colour bonded (not painted) aluminium or similar material may be used where they have non reflective colours which have been approved in writing by Dundrax Pty. Limited.

(d) No structure of a temporary character, basement, tent, shack, garage, trailer or caravan shall be used at any time or occupied as a temporary dwelling PROVIDED HOWEVER that a caravan may be used subject to strict compliance with the terms imposed on such approval by the Council of the City of Maitland provided it is used for a period of not greater than six months.

(e) No obnoxious noise or offensive occupation, trade or business shall be conducted or carried out on any Lot hereby burdened.

(f) No earth, stone or gravel shall be removed or excavated from any Lot burdened except when such removal or excavation is necessary for the erection of a building structure or dam. No Lot burdened shall be permitted to lay apart or remain in an excavated or quarried state unless same has been fully landscaped.

Barbara Ward

REGISTERED 22.11.1991

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10 20 30 40 50 60 70 Table of mm 110 120 130 140

DP 813858

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

DP 813858

SHEET FIVE OF FIVE SHEETS

(2) No fence shall be erected or permitted to remain on the land hereby burdened unless same is of a character appropriate for rural land in which regard is to be continued that post and wire, post and rail and like materials shall satisfy this requirement. Corrugated galvanised iron shall not be used as a fencing material.

The person having the right to release, vary or modify shall restrictions in CONDITION FIVE HEREIN for such period as they are the registered proprietor of any land in the plan or for a period of three years from the date of registration of the plan, whichever is the later.

The Common Seal of Dundas Pty Ltd (A.C.N. 008 678 597) was duly affixed on the presence of

Ralph Ward
Director

Barbara Ward

Common Seal

SIGNED AT SYDNEY THIS 11th DAY OF March 92 IN THE PRESENCE OF NATIONAL AUSTRALIA BANK LIMITED BY Gary Thomas Stearns PERSONS ACCORDING ATTORNEY UNDER POWER OF ATTORNEY 5497

ASSISTANT MANAGER

MANAGER SECURITY

REGISTERED 22.11.1991.

This negative is a photograph record of a document in the Registrar General this day 2

10 20 30 40 50 60 70 Table of mm 110 120 130 140

PLAN FORM 2

Plan Drawing only to appear in this space

SIGNATURE AND SEALS ONLY.

DP1104611

Registered 14.11.2006

Title System: TORRENS

Purpose: EASEMENT

Ref. Map: U4580-9*

Last Plan: DP813858, DP1019112

PLAN OF EASEMENT FOR WATER SUPPLY 4 WIDE WITHIN LOT 4 D.P. 813858 & LOT 103 D.P. 1019112

Lengths are in metres. Reduction Ratio 1: 2000

L.G.A. MAITLAND

Locality: MAITLAND VALE

Parish: MIDDLEHOPE

County: DURHAM

This is a true record of my survey in accordance with Surveying Regulation 2001

Surveyor registered under the Surveying Act 2002

Plan used in preparation of survey/compilation.

D.P. 813858
D.P. 1019112

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions as to user of land or positive covenants.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919-84 AS AMENDED.

IT IS INTENDED TO CREATE:-

1. EASEMENT FOR WATER SUPPLY 4 WIDE
2. EASEMENT FOR WATER SUPPLY 4 WIDE

M.G.A.

T.S. 10950 FD "X"

TO T.S. 1199 (OBTUSE) 88°58'45"

TO T.S. 2655 (ACUTE) 107°59'34"

TO T.S. 1764 (OBTUSE) 207°10'27"

102 D.P. 1019112

103 D.P. 1019112

813858

2

1

4

D.P.

SEE DIAGRAM

P.M. 70300 FD (ESTABLISHED)

P.M. 85504 FD (ESTABLISHED)

P.M. 85506 FD (ESTABLISHED)

CENTRE OF RIVER IS BOUNDARY

CLARKS MONUMENT STONE FD

DIAGRAM
(NOT TO SCALE)

SURVEYING REGULATION 2001					
M.G.A. COORDINATES					
MARK	EASTING	NORTHING	ZONE	CLASS	ORDER
TS 2655	377792.406	6378016.868	56	2A	0
TS 1764	383081.250	6374000.030	56	2A	0
TS 1199	374259.618	6365950.323	56	2A	0
PM 85506	366660.201	6352166.784	56	B	2
TS 10950	364021.044	6362754.337	56	A	1
PM 85504	366811.885	6362193.789	56	B	2
COMBINED SEA LEVEL AND SCALE FACTOR 0.999813					
SOURCE: SCLIMS, ON 22/08/2008					

"A" EASEMENT FOR WATER SUPPLY 4 WIDE

"B" EASEMENT FOR WATER SUPPLY 4 WIDE

Department of Land and Water Conservation Approval

Subdivision Certificate

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYOR'S REFERENCE 12011 (JAN08/270)

FOR OFFICE USE ONLY

INSTRUMENT SETTING OUT TERMS OF EASEMENTS TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

LENGTHS ARE IN METRES

(Sheet 1 of ~~3~~ 4 Sheets)

DP1104611

Plan of easement for Water Supply 4 wide within Lot 4 DP 813858 and Lot 103 in DP 1019112

Full name and address of Proprietors of Land

As to Lot 4 DP 813858:
Durndrax Pty. Limited
(A.C.N. 003 674 548)
of 16 Elgin Street, Maitland.

As to Lot 103 DP 1019112
Julie Anne Tilse
of 9 Mount Harris Drive, Bolwarra.

Full Name and Address of Mortgagee of Land:

As to Lot 4 DP 813858
Elders Rural Bank,
of 168-172 Brisbane Street, Dubbo.

As to Lot 103 DP 1019112
Permanent Custodians Limited

PART 1 (CREATION)

Number of items shown in the intention panel on the plan	Identity of easement, profit a pendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement for water supply 4 wide	Lot 4 DP 813858	Lot 1 DP 813858 Lot 2 DP 813858 Lot 103 DP 1019112
2	Easement for water supply 4 wide	Lot 103 DP 1019112	Lot 1 DP 813858 Lot 2 DP 813858 Lot 4 DP 813858

PART 2

1. **Terms of the easement or restriction firstly referred to in the abovementioned plan.**

The owners of the Lots benefited may:-

1.1 Install metering and control equipment including isolation valves in order to monitor and record water distributed by the Mount Harris Water Supply Scheme in accordance with the Deed referrable thereto, but only within the site of this easement.

1.2 Install such ancillary facilities, whether pipes, cables, control lines on the Lot burdened, but only within the site of this easement.

Barbara Ward

INSTRUMENT SETTING OUT TERMS OF EASEMENTS TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

LENGTHS ARE IN METRES

(Sheet 2 of 4 Sheets)

DP1104611

Plan of easement for Water Supply 4 wide within Lot 4 DP 813858 and Lot 103 in DP 1019112

1.3 Run water in pipes through the Lot burdened, electricity and control signals through the cables in the Lot burdened, but only within the site of this easement.

1.4 Do anything reasonably necessary for that purpose including:-

(a) entering the Lot burdened; and

(b) taking anything on to the Lot burdened; and

(c) carrying out work, such as constructing, placing, repairing or maintaining pipes and equipment.

Provided however that the owner of a Lot benefited shall only be entitled to access water through or by the easement for water supply in accordance with the terms of the Mount Harris Water Supply Deed whilstsoever a Participating Registered Proprietor within the terms of that Deed. (Book 4498 No 317)

The person having the right to release or vary the terms of this easement is the registered proprietors of the land benefited in accordance with the terms of the Mount Harris Water Supply Agreement registered as Book 4498 No 317

2. **Terms of easement or restriction to user secondly referred to in the abovementioned plan.**

The owners of the Lots benefited may:-

2.1 Install a pump or pumps adjacent to the Hunter River, but only within the site of its easement.

2.2 Install such ancillary facilities, whether pipes, cables, control lines on the Lot burdened, but only within the site of this easement.

2.3 Run water in pipes through the Lot burdened, electricity and control signals through the cables in the Lot burdened, but only within the site of this easement.

2.4 Do anything reasonably necessary for that purpose including:-

(a) entering the Lot burdened; and

(b) taking anything onto the Lot burdened; and

(c) carrying out work, such as constructing, placing, repairing or maintaining pipes and equipment.

Provided out that the owner of a Lot benefited shall only be entitled to access water through or by the easement for water supply in accordance with the terms of the Mount Harris Water Supply Deed whilstsoever a Participating Registered Proprietor within the terms of that Deed. (Book 4498 No 317)

INSTRUMENT SETTING OUT TERMS OF EASEMENTS TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

LENGTHS ARE IN METRES

(Sheet 3 of 4 Sheets)

DP1104611

Plan of easement for Water Supply 4 wide within Lot 4 DP 813858 and Lot 103 in DP 1019112

Persons having the right to release or vary the terms of the easement is the registered proprietors of the land benefited in accordance with the terms of the Mount Harris Water Supply Agreement registered as Book 4490 No 317

EXECUTED on behalf of DURNDRAX PTY LIMITED (A.C.N. 003 674 548) in accordance with Section 127 of the Corporations Act

Secretary RALPH K WARD

Director BARBARA WARD

SIGNED by the said JULIE ANNE TILSE in the presence of:

Witness

Julie Anne Tilse

BRENT A TILSE
WITNESS 8 MT HARRIS DR. BOLWARRA.

SIGNED in my presence by ELDERS RURAL BANK LIMITED by its Attorney who is personally know to me

Signature of Witness

STEVEN COLLEGE
Name of Witness(Block Letters)

165-172 BRISBANE ST
DUBBO NSW 2830
Address of Witness

ELDERS RURAL BANK LIMITED by its Attorney

Harold Raymond Bolitho
Credit & Lending Manager NSW pursuant to Power of Attorney Registered Book 4413 No. 623 and I declare that I have no notice of the revocation of the said Power of Attorney

Signature of Attorney

Annexure Page

Sheet 4 of 4

Consent to Plan of Easement and Section 88B Instrument

DP1104611

Mortgagee	Permanent Custodians Limited
Mortgagor	Julie Anne Tilse
Property	8 Mount Harris Drive Maitland Vale New South Wales
Folio Identifier	103/1019112

DATED this 16th day of October 2006.

The mortgagee hereby consents to this plan of easement and section 88b instrument.

I have no notice of the revocation of the power of attorney under which I sign this document.
SIGNED SEALED AND DELIVERED on
behalf of Permanent Custodians Limited under
power of attorney registered book no
in the presence of:

Witness

CHANDRA SINGH
Print name

35 CLARENCE STREET, SYDNEY, 2000
Print address

Attorney

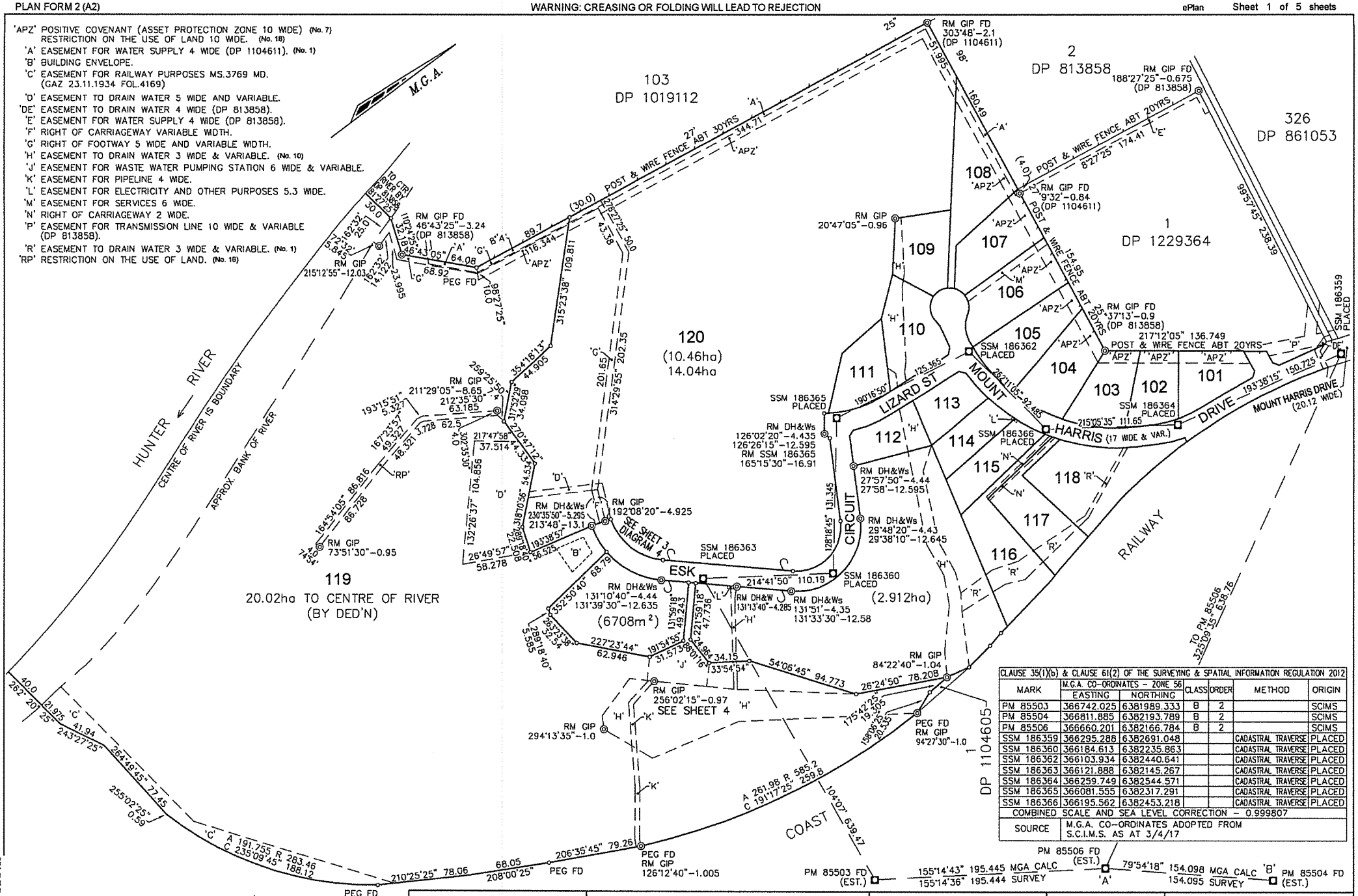
PERMANENT CUSTODIANS LIMITED ACN 001 429 384 by its Attorneys who state that they have no notice of revocation of the Power of Attorney dated 2nd June 1993, whereby they execute this deed, document or instrument,

Group A Attorney	Group B Attorney
Signature	
Name JOHN MEYER	ANGELA RISTEVSKA

008835

REGISTERED 14.11.2006

'APZ' POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE) (No. 7)
RESTRICTION ON THE USE OF LAND 10 WIDE. (No. 18)
'A' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611). (No. 1)
'B' BUILDING ENVELOPE.
'C' EASEMENT FOR RAILWAY PURPOSES MS.3769 MD. (GAZ 23.11.1934 FOL.4169)
'D' EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE.
'DE' EASEMENT TO DRAIN WATER 4 WIDE (DP 813858).
'E' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 813858).
'F' RIGHT OF CARRIAGEWAY VARIABLE WIDTH.
'G' RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH.
'H' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 10)
'J' EASEMENT FOR WASTE WATER PUMPING STATION 6 WIDE & VARIABLE.
'K' EASEMENT FOR PIPELINE 4 WIDE.
'L' EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE.
'M' EASEMENT FOR SERVICES 6 WIDE.
'N' RIGHT OF CARRIAGEWAY 2 WIDE.
'P' EASEMENT FOR TRANSMISSION LINE 10 WIDE & VARIABLE (DP 813858).
'R' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 1)
'RP' RESTRICTION ON THE USE OF LAND. (No. 16)



CLAUSE 35(1)(b) & CLAUSE 61(2) OF THE SURVEYING & SPATIAL INFORMATION REGULATION 2012						
MARK	M.G.A. CO-ORDINATES – ZONE 56		CLASS	ORDER	METHOD	ORIGIN
	EASTING	NORTHING				
PM 85503	366742.025	6381989.333	B	2		SCIMS
PM 85504	366811.885	6382193.789	B	2		SCIMS
PM 85506	366660.201	6382166.784	B	2		SCIMS
SSM 186359	366295.288	6382691.048			CADASTRAL TRAVERSE	PLACED
SSM 186360	366184.613	6382235.863			CADASTRAL TRAVERSE	PLACED
SSM 186362	366103.934	6382440.641			CADASTRAL TRAVERSE	PLACED
SSM 186363	366121.888	6382145.267			CADASTRAL TRAVERSE	PLACED
SSM 186364	366259.749	6382544.571			CADASTRAL TRAVERSE	PLACED
SSM 186365	366081.555	6382317.291			CADASTRAL TRAVERSE	PLACED
SSM 186366	366195.562	6382453.218			CADASTRAL TRAVERSE	PLACED
COMBINED SCALE AND SEA LEVEL CORRECTION – 0.999807						
SOURCE	M.G.A. CO-ORDINATES ADOPTED FROM S.C.I.M.S. AS AT 3/4/17					

Surveyor: GEOFFREY ALLAN GOLLEDGE
Date of Survey: 2/4/17
Surveyor's Ref: 109.14/1 2017M7100(837) ADDITIONAL SHEETS

PLAN OF SUBDIVISION OF LOT 2 DP 1229364

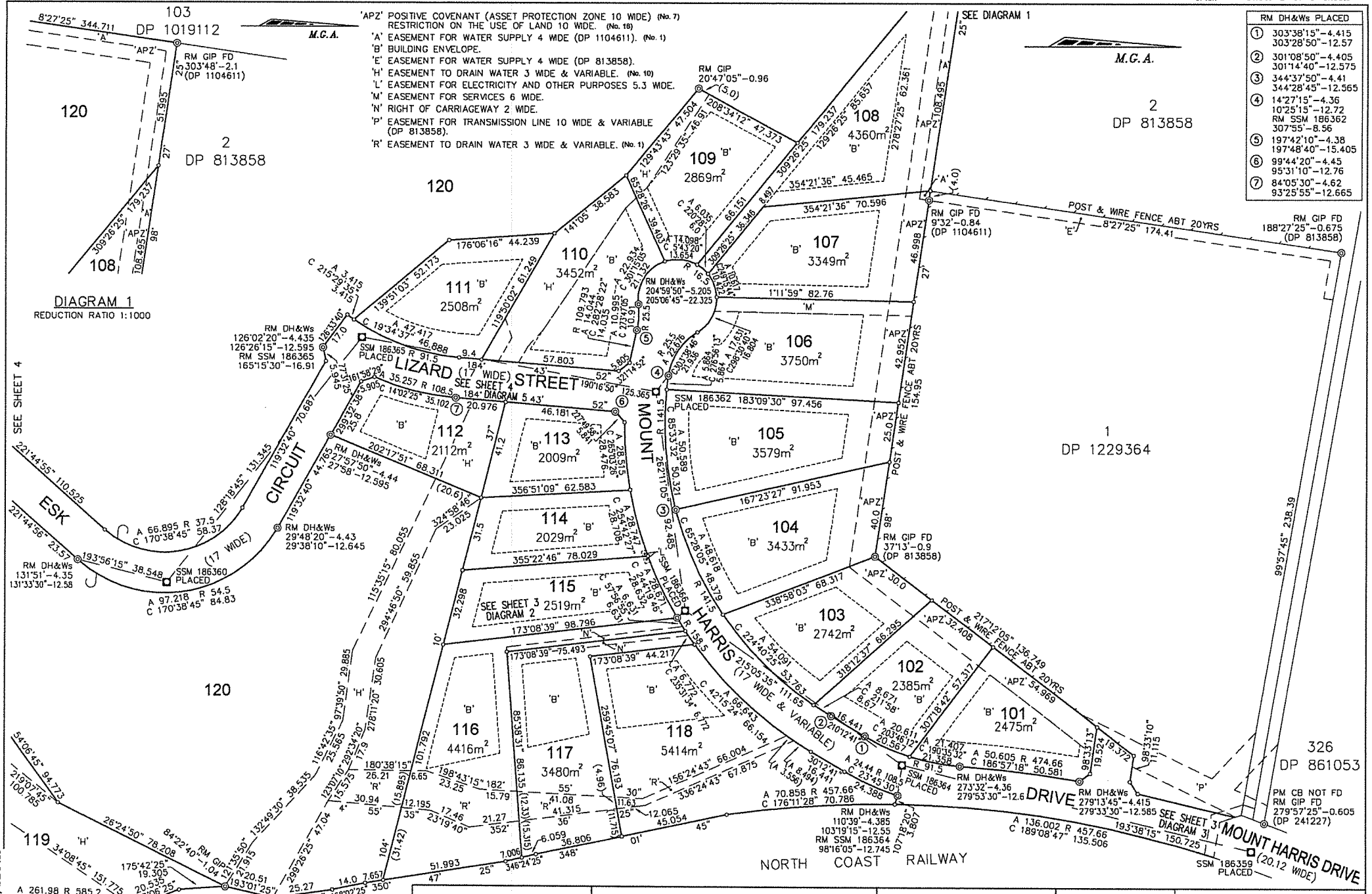
LGA: MAITLAND
Locality: MAITLAND VALE
Subdivision No: 111824
Lengths are in metres. Reduction Ratio 1: 2000

Registered 01.09.2017

DP1234656

'APZ' POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE) (No. 7) RESTRICTION ON THE USE OF LAND 10 WIDE. (No. 18)
'A' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611). (No. 1)
'B' BUILDING ENVELOPE.
'E' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 813858).
'H' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 10)
'L' EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE.
'M' EASEMENT FOR SERVICES 6 WIDE.
'N' RIGHT OF CARRIAGEWAY 2 WIDE.
'P' EASEMENT FOR TRANSMISSION LINE 10 WIDE & VARIABLE (DP 813858).
'R' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 1)

RM DH&Ws PLACED
① 303°38'15"–4.415 303°28'50"–12.57
② 301°08'50"–4.405 301°14'40"–12.575
③ 344°37'50"–4.41 344°28'45"–12.565
④ 14°27'15"–4.36 10°25'15"–12.72 RM SSM 186362 307°55'–8.56
⑤ 197°42'10"–4.38 197°48'40"–15.405
⑥ 99°44'20"–4.45 95°31'10"–12.76
⑦ 84°05'30"–4.62 93°25'55"–12.665



Surveyor: GEOFFREY ALLAN GOLLEDGE
Date of Survey: 2/4/17
109.14/1
Surveyor's Ref. 2017M7100(837) ADDITIONAL SHEETS

PLAN OF SUBDIVISION OF LOT 2 DP 1229364

LGA: MAITLAND
Locality: MAITLAND VALE
Subdivision No: 111824
Lengths are in metres. Reduction Ratio 1: 1000

Registered 01.09.2017

DP1234656

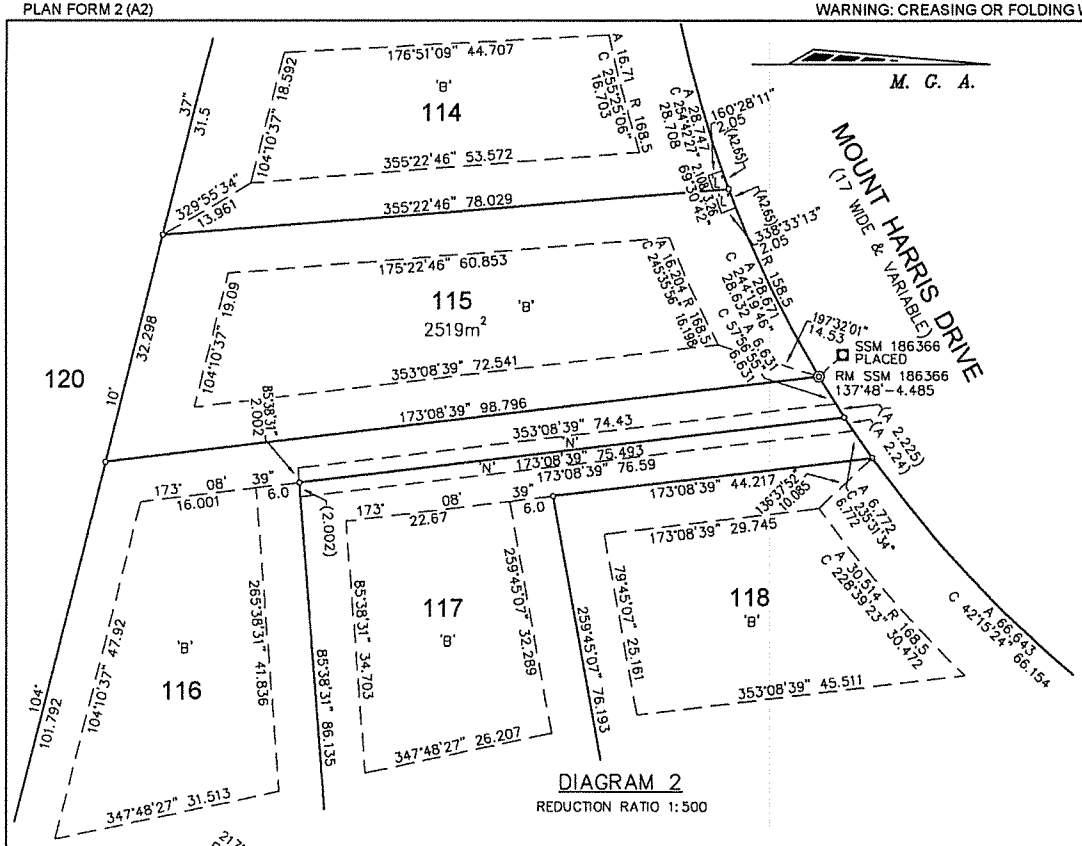


DIAGRAM 2
REDUCTION RATIO 1:500

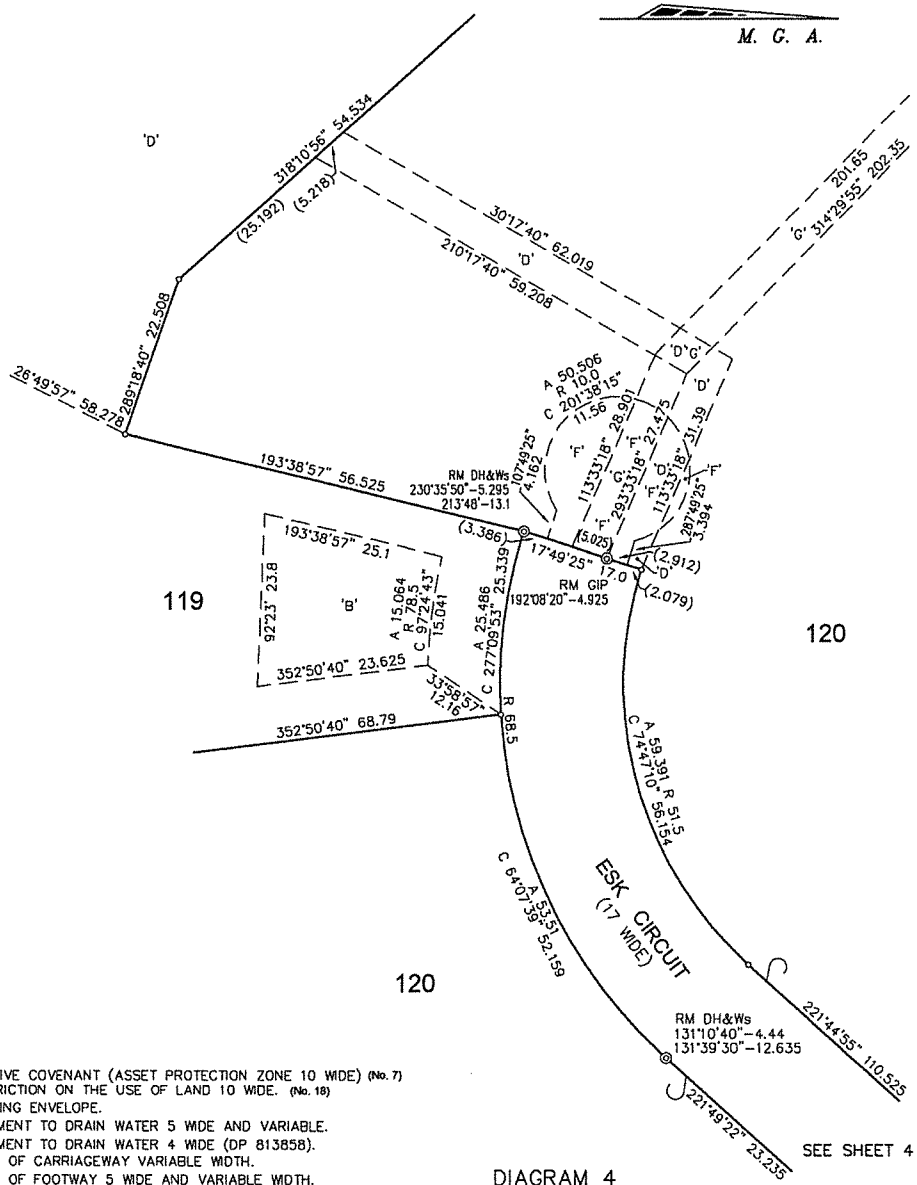


DIAGRAM 4
REDUCTION RATIO 1:500

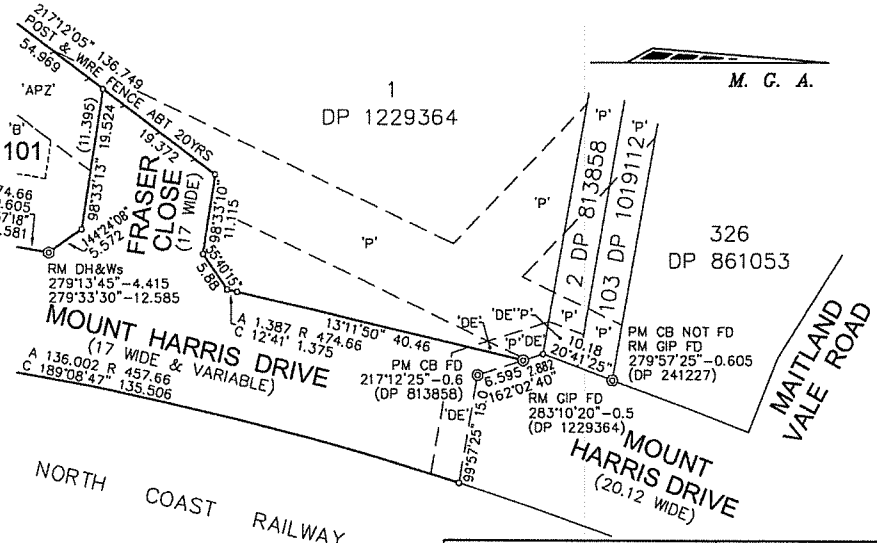
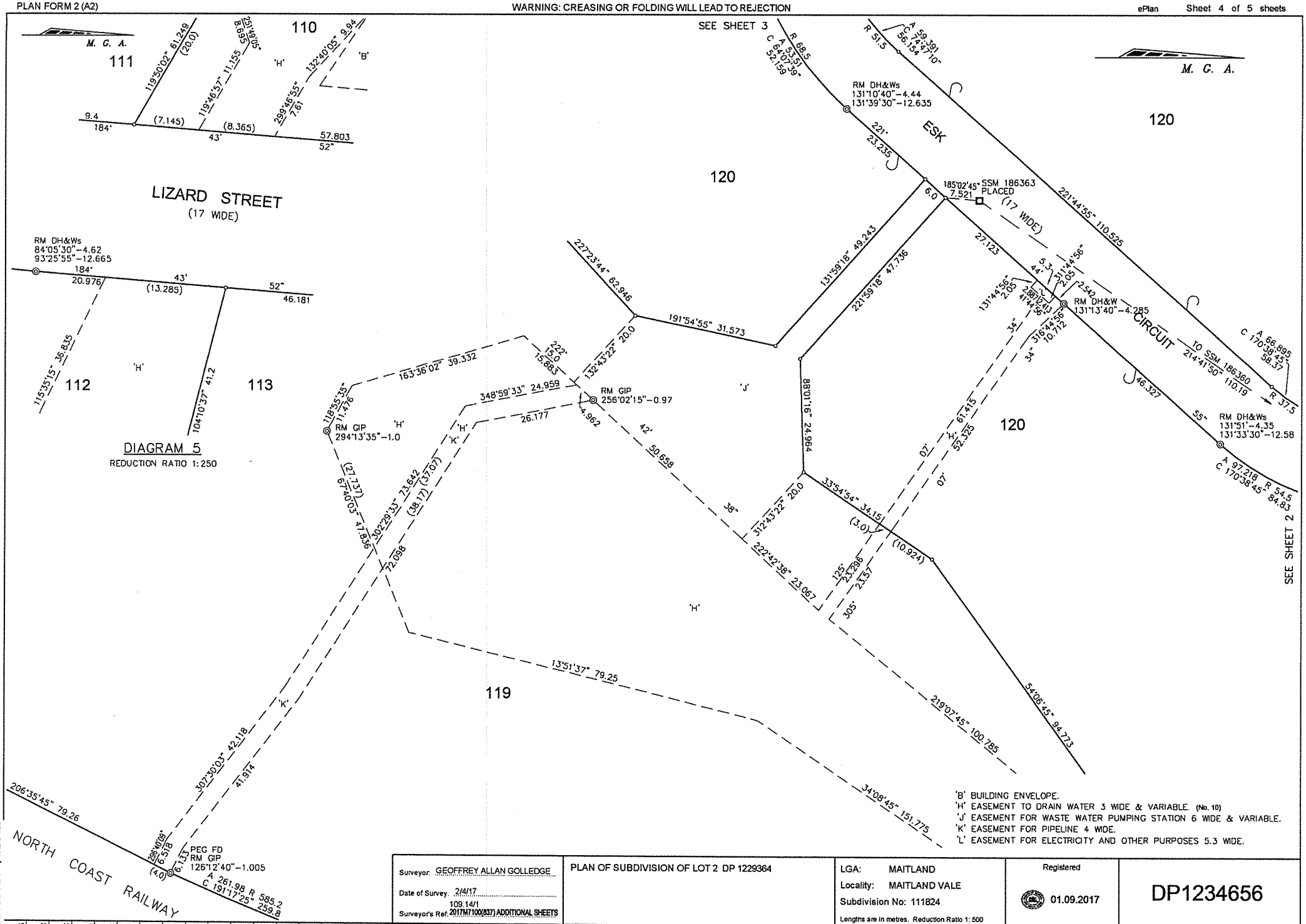


DIAGRAM 3
REDUCTION RATIO 1:500

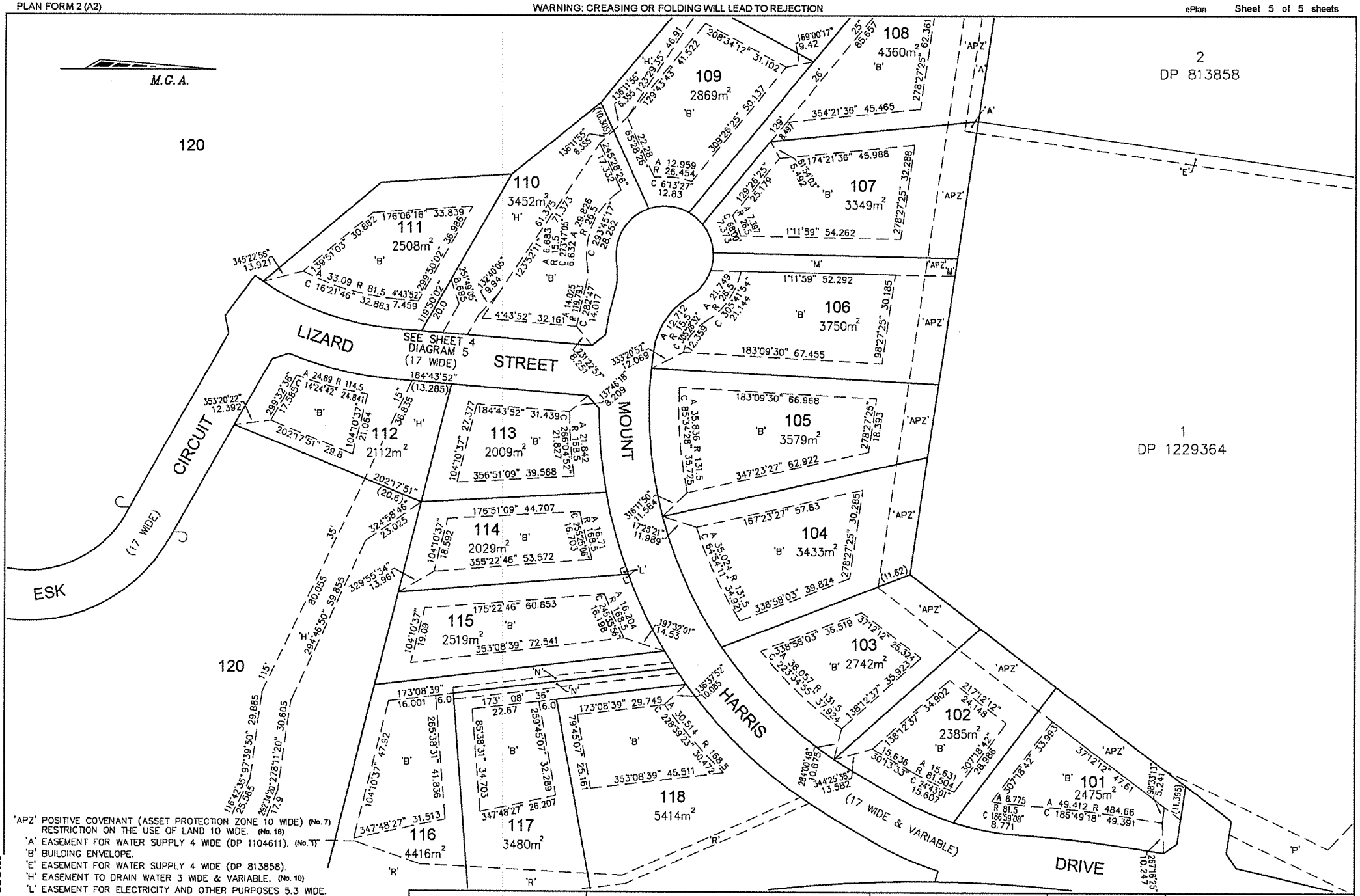
'APZ' POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE) (No. 7)
RESTRICTION ON THE USE OF LAND 10 WIDE. (No. 18)
'B' BUILDING ENVELOPE.
'D' EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE.
'DE' EASEMENT TO DRAIN WATER 4 WIDE (DP 813858).
'F' RIGHT OF CARRIAGEWAY VARIABLE WIDTH.
'G' RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH.
'L' EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE.
'N' RIGHT OF CARRIAGEWAY 2 WIDE.
'P' EASEMENT FOR TRANSMISSION LINE 10 WIDE & VARIABLE (DP 813858).

Surveyor: GEOFFREY ALLAN GOLLEDGE Date of Survey: 2/4/17 Surveyor's Ref: 109.14/1 2017M7100(837) ADDITIONAL SHEETS	PLAN OF SUBDIVISION OF LOT 2 DP 1229364	LGA: MAITLAND Locality: MAITLAND VALE Subdivision No: 111824 Lengths are in metres. Reduction Ratio 1:500	Registered 01.09.2017

DP1234656



Surveyor: GEOFFREY ALLAN GOLLEDGE Date of Survey: 2/4/17 109.14/1 Surveyor's Ref: 2017M7100(837) ADDITIONAL SHEETS	PLAN OF SUBDIVISION OF LOT 2 DP 1229364	LGA: MAITLAND Locality: MAITLAND VALE Subdivision No: 111824 Lengths are in metres. Reduction Ratio 1: 500	Registered 01.09.2017	DP1234656



'APZ' POSITIVE COVENANT (ASSET PROTECTION ZONE 10 WIDE) (No. 7)
RESTRICTION ON THE USE OF LAND 10 WIDE. (No. 18)
'A' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 1104611). (No. 1)
'B' BUILDING ENVELOPE.
'E' EASEMENT FOR WATER SUPPLY 4 WIDE (DP 813858).
'H' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 10)
'L' EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE.
'M' EASEMENT FOR SERVICES 6 WIDE.
'N' RIGHT OF CARRIAGEWAY 2 WIDE.
'P' EASEMENT FOR TRANSMISSION LINE 10 WIDE & VARIABLE (DP 813858).
'R' EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE. (No. 1)

Surveyor: GEOFFREY ALLAN GOLLEDGE Date of Survey: 2/4/17 109.14/1 Surveyor's Ref: 2017M7100(837) ADDITIONAL SHEETS	PLAN OF SUBDIVISION OF LOT 2 DP 1229364	LGA: MAITLAND Locality: MAITLAND VALE Subdivision No: 111824 Lengths are in metres. Reduction Ratio 1: 600	Registered 01.09.2017

DP1234656

PLAN FORM 6 (2012) Warning: Creasing or folding will lead to rejection ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 5 sheet(s)

Office Use only

Registered: 01.09.2017

Title System: TORRENS

Purpose: SUBDIVISION

Office Use only

DP1234656

PLAN OF SUBDIVISION OF LOT 2
DP 1229364

LGA: MAITLAND
Locality: MAITLAND VALE
Parish: MIDDLEHOPE
County: DURHAM

Crown Lands NSW/Western Lands Office Approval

I, ...(Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.

Signature: .....

Date: .....

File Number: .....

Office: .....

Survey Certificate

I, GEOFFREY ALLAN GOLLEDGE

of PO Box 132, MAITLAND NSW 2320

a surveyor registered under the *Surveying and Spatial Information Act 2002*, certify that:

*(a) The land shown in the plan was surveyed in accordance with the *Surveying and Spatial Information Regulation 2012*. is accurate and the survey was completed on 2/4/17

~~*(b) The part of the land shown in the plan (*being/*excluding ^ .....) was surveyed in accordance with the *Surveying and Spatial Information Regulation 2012*, is accurate and the survey was completed on, ... the part not surveyed was compiled in accordance with that Regulation.~~

*(c) The land shown in this plan was compiled in accordance with the ~~*Surveying and Spatial Information Regulation 2012.*~~

Signature: ..... Dated: 3/4/17

Surveyor ID: 1125

Datum Line: 'X' - 'Y'

Type: ~~*Urban~~/*Rural

The terrain is *Level-Undulating / ~~*Steep-Mountainous.~~

*Strike through if inapplicable.
^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.

Subdivision Certificate

I, Leanne Harris

*Authorised Person/~~*General Manager/*Accredited Certifier~~, certify that the provisions of s.109J of the *Environmental Planning and Assessment Act 1979* have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.

Signature: .....

~~Accreditation number:~~ .....

Consent Authority: Maitland City Council

Date of endorsement: 1.8.17

Subdivision Certificate number: 111824

File number: DA11 1824

*Strike through if inapplicable.

Statements of intention to dedicate public roads, public reserves and drainage reserves.

IT IS INTENDED TO DEDICATE MOUNT HARRIS DRIVE TO THE PUBLIC AS PUBLIC ROAD SUBJECT TO AN EXISTING EASEMENT TO DRAIN WATER 4 WIDE VIDE DP 813858.

IT IS INTENDED TO DEDICATE LIZARD STREET, ESK CIRCUIT AND FRASER CLOSE TO THE PUBLIC AS PUBLIC ROADS.

Plans used in the preparation of survey/~~compilation.~~

DP 813858
DP 1229364

If space is insufficient continue on PLAN FORM 6A

Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A

Surveyor's Reference: 109.14/1 "2017m7100(837) Additional sheets"

PLAN FORM 6A (2012) Warning: Creasing or folding will lead to rejection ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 5 sheets

Office Use only

Registered: 01.09.2017

Office Use only

DP1234656

PLAN OF SUBDIVISION OF LOT 2
DP 1229364

This sheet is for the provision of the following information as required:
- A Schedule of lots and addressess - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*.
- Signatures and seals - see 195D *Conveyancing Act 1919*.
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number: 111824

Date of Endorsement: 1.8.17

LOT	STREET NUMBER	STREET NAME	STREET TYPE	LOCALITY
101	12	MOUNT HARRIS	DRIVE	MAITLAND VALE
102	14	MOUNT HARRIS	DRIVE	MAITLAND VALE
103	16	MOUNT HARRIS	DRIVE	MAITLAND VALE
104	18	MOUNT HARRIS	DRIVE	MAITLAND VALE
105	20	MOUNT HARRIS	DRIVE	MAITLAND VALE
106	22	MOUNT HARRIS	DRIVE	MAITLAND VALE
107	24	MOUNT HARRIS	DRIVE	MAITLAND VALE
108	26	MOUNT HARRIS	DRIVE	MAITLAND VALE
109	15	MOUNT HARRIS	DRIVE	MAITLAND VALE
110	13/2	MOUNT HARRIS DRIVE / LIZARD STREET		MAITLAND VALE
111	4	LIZARD	STREET	MAITLAND VALE
112	3/1	LIZARD STREET / ESK CIRCUIT		MAITLAND VALE
113	1/11	LIZARD STREET / MOUNT HARRIS DRIVE		MAITLAND VALE
114	9	MOUNT HARRIS	DRIVE	MAITLAND VALE
115	7	MOUNT HARRIS	DRIVE	MAITLAND VALE
116	5	MOUNT HARRIS	DRIVE	MAITLAND VALE
117	3	MOUNT HARRIS	DRIVE	MAITLAND VALE
118	1	MOUNT HARRIS	DRIVE	MAITLAND VALE
119	3	ESK	CIRCUIT	MAITLAND VALE
120	N/A	ESK	CIRCUIT	MAITLAND VALE

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919, AS AMENDED, IT IS INTENDED TO CREATE:-

1) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE ('R')
2) RESTRICTION ON THE USE OF LAND
3) RESTRICTION ON THE USE OF LAND
4) RESTRICTION ON THE USE OF LAND
5) RESTRICTION ON THE USE OF LAND
6) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 5.3 WIDE ('L')
7) POSITIVE COVENANT ('APZ')
8) EASEMENT FOR WASTE WATER PUMPING STATION 6 WIDE & VARIABLE ('J')
9) EASEMENT FOR PIPELINE 4 WIDE ('K')
10) EASEMENT TO DRAIN WATER 3 WIDE & VARIABLE ('H')
11) EASEMENT TO DRAIN WATER 5 WIDE AND VARIABLE ('D')
12) RIGHT OF FOOTWAY 5 WIDE AND VARIABLE WIDTH ('G')
13) EASEMENT FOR SERVICES 6 WIDE ('M')
14) RIGHT OF CARRIAGEWAY 2 WIDE ('N')
15) RIGHT OF CARRIAGEWAY VARIABLE WIDTH ('F')
16) RESTRICTION ON THE USE OF LAND ('RP')
17) RESTRICTION ON THE USE OF LAND
18) RESTRICTION ON THE USE OF LAND 10 WIDE ('APZ')
19) POSITIVE COVENANT

IT IS INTENDED TO RELEASE:-

1) EASEMENT FOR TRANSMISSION LINE, 10 WIDE & VARIABLE (DP 813858)

If space is insufficient use additional annexure sheet

Surveyor's Reference: 109.14/1 "2017m7100(837)Additional Sheets"

PLAN FORM 6A (2012) Warning: Creasing or folding will lead to rejection ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 3 of 5 sheets

Office Use only

Registered: 01.09.2017

Office Use only

DP1234656

PLAN OF SUBDIVISION OF LOT 2
DP 1229364

This sheet is for the provision of the following information as required:
- A Schedule of lots and addressess - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*.
- Signatures and seals - see 195D *Conveyancing Act 1919*.
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number: 111824

Date of Endorsement: 1-8-17

SIGNED SEALED AND DELIVERED)
for and on behalf of **Alpha Distribution**)
Ministerial Holding Corporation)
ABN 67 505 337 385 in the presence of:)

Signature of Witness

Signature of Agent for Rob Whitfield
NSW Treasury Secretary
(NSW Treasurer's delegate under
Delegation dated 24 November 2015)
on behalf of Alpha Distribution
Ministerial Holding Corporation

ANNETTE MARTINS
Print name of Witness
52 Martin Place
~~126 Phillip Street~~, Sydney NSW 2000

ANGELO VLIMETOS
Name of Agent in full

If space is insufficient use additional annexure sheet

Surveyor's Reference 109 1471 "2017m7100(837)Additional Sheets"

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DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 4 of 5 sheets

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DP1234656

PLAN OF SUBDIVISION OF LOT 2
DP 1229364

This sheet is for the provision of the following information as required:
- A Schedule of lots and addressess - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*.
- Signatures and seals - see 195D *Conveyancing Act 1919*.
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number: 111824

Date of Endorsement: 1.8.17.

Signed Sealed and Delivered for and on behalf of Hunter Water Corporation by Peter James Kembrey its duly constituted Attorney pursuant to Power of Attorney registered Book 4695 No. 750

Attorney Signature

Witness Signature

Mark Hickey
36 Honeysuckle Dr
Newcastle

If space is insufficient use additional annexure sheet

Surveyor's Reference: 109.14/1 "2017m7100(837)Additional Sheets"

PLAN FORM 6A (2012) Warning: Creasing or folding will lead to rejection ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 5 of 5 sheets

Office Use only

Registered: 01.09.2017

Office Use only

DP1234656

PLAN OF SUBDIVISION OF LOT 2
DP 1229364

Subdivision Certificate number: 111824

Date of Endorsement: 1.8.17.

This sheet is for the provision of the following information as required:
- A Schedule of lots and addressess - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*.
- Signatures and seals - see 195D *Conveyancing Act 1919*.
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

TREVOR CHARLES PUNNETT
DIRECTOR

DARRYL BRUCE PUNNETT
DIRECTOR / SECRETARY

GRANGE ESTATES (NSW) PTY LTD
ACN 079 624 908

John Bailey
103 Tudor Street
Hamilton

Craig Michael Chapman

"SIGNED in my presence by the duly constituted Attorneys, for and on behalf of GREATER BANK LIMITED under Registered Book 4713 No. 162, who are personally known to me."

If space is insufficient use additional annexure sheet

Surveyor's Reference: 109.14/1 "2017m7100(837)Additional Sheets"

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Full name and address of owner of the land: Grange Estates (NSW) Pty Ltd
ACN 079 624 909
Suite 20/19-21 Central Road
MIRANDA NSW 2228

Full name and address of mortgagee: Greater Bank Limited ACN 087 651 956
103 Tudor Street
HAMILTON NSW 2303

PART 1 (Creation)

Name of item shown in the intention panel on the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement to Drain Water 3.0 wide and variable shown as "R"	118 117 116 120	Maitland City Council 118, Maitland City Council 117,118, Maitland City Council 116 to 118, Maitland City Council
2	Restriction on the use of land	Each lot except Lot 120	Maitland City Council
3	Restriction on the use of land	Each lot except Lot 120	Every other lot except Lot 120

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

4	Restriction on the use of land	101, 105 to 113	Maitland City Council
5	Restriction on the use of land	102 to 104, 114 to 119	Maitland City Council
6	Easement for Electricity and Other Purposes 5.3 wide shown as "L"	114, 115, 120	Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385
7	Positive Covenant shown as "APZ"	Part Lots 101 to 108, 119 and 120	Maitland City Council
8	Easement for Waste Water Pumping Station 6 Wide and variable shown as "J"	119	Hunter Water Corporation
9	Easement for Pipeline 4 wide shown as "K"	119	Hunter Water Corporation
10	Easement to Drain Water 3 wide & variable shown as "H"	109 110 112 119 120	120 109, 120 109, 110, 120, Maitland City Council 109, 110, 112, 116 to 118, 120, Maitland City Council 109, 110, 112, 116 to 118, Maitland City Council

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

11	Easement to Drain Water 5 wide & variable shown as "D"	119,120	Maitland City Council
12	Right of Footway 5 wide & variable width shown as "G"	119,120	Every other lot
13	Easement for services 6 wide shown as "M"	106	Lot 1 in DP 1229364
14	Right of Carriageway 2 wide shown as "N"	116 117	117 116
15	Right of Carriageway variable width shown as "F"	120	Maitland City Council
16	Restriction on the use of land as shown "RP"	Part Lot 119	Maitland City Council
17	Restriction on the use of land	Every Lot except Lot 120	Maitland City Council
18	Restriction on the use of land 10 wide shown as "APZ"	Part Lots 101 to 108, 119 and 120	Maitland City Council
19	Positive Covenant	120	Maitland City Council

ePlan

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 CONVEYANCING ACT 1919

(Sheet 4 of 16)

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

PART 1A (Release)

Number of item shown in the intention panel of the plan	Identity of easement ,profit a prendre,restriction or positive covenant to be released and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s) or road(s),bodies or Prescribed Authorities:
1	Easement for Transmission line 10 wide (VARIABLE (DP 813858)	Lot 2 in DP 1229364	Alpha Distribution Ministerial Holding Corporation ABN 67505337385

PART 2 (Terms)

Terms of Easement numbered 1 in the plan:

Notwithstanding the terms of Easement to Drain Water as set out in Part 3 Schedule 8 of the Conveyancing Act 1919, no alteration to surface levels of the site of the easement shall be permitted without the written consent of Maitland City Council being firstly obtained.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 1 in the plan.

MAITLAND CITY COUNCIL

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Terms of Restriction on the use of Land numbered 2 in the plan:

No building shall be erected or permitted to remain on any lot unless constructed within the approved building envelope as shown as "B" on the Plan of Subdivision being:

i. Minimum 10m from the principal street frontage;
ii. Minimum 6m from a side street (for corner lots);
iii. Minimum 6m from the side boundary adjoining other proposed lots;
iv. Proposed lots 116-118 and 205-206: 60m to the nearest operational rail track unless the structure is a non-habitable building or non-habitable part of a building;
Proposed lot 109: minimum 6m from the rear boundary and minimum 10m from the southern boundary.
Proposed lots 101, 110-111, 113-115: minimum 10m from the rear boundary
Proposed lots102-108 and 119: minimum 20m from the rear boundary.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 2 in the plan.

MAITLAND CITY COUNCIL

Terms of Restriction on the use of land numbered 3 in the plan:

(a) No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 180 m^2 exclusive of car accommodation, external landings and patios.

(b) No dwelling house may be erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass, concrete and fibre cement treated with painted texture render or weatherboard provided however feature panelling including fibre cement panelling and/or timber may be used on building being a dwelling or car accommodation in conjunction with the above materials.

(c) No dwelling house shall be erected or permitted to remain erected on any lot burdened having a roof of other than tiles (terracotta or cement) or Colorbond sheeting.

ePlan

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 CONVEYANCING ACT 1919

Plan: **DP1234656**

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

(d) No existing dwelling house or relocatable type dwelling shall be partially or wholly moved to, placed on, re-erected or permitted to remain on any lot burdened.

(e) No building, not being the main dwelling house, shall be erected or permitted to remain on a lot burdened unless:-

i. It is situated no closer to the street frontage than the dwelling house; and
ii. It has an internal floor area of less than 80m^2.

(f) No machinery shed, hay shed or other farm type building including stables or accommodation to be used for the purpose of horses shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanized iron or similar material provided that new Colorbond metal sheeting may be used in the external walls of a farm building where such Colorbond metal sheeting has a low reflective index and is of earth tone colours.

(g) No fence may be constructed within a lot burdened to divide it from the residue or another part of the lot burdened unless such fencing comprises rural post and rail, rural post and wire or rural fencing incorporating open wire meshing provided however that fencing associated with the dwelling house or court yards associated with the dwelling house may incorporate brick, masonry, timber and brushwood. Fencing shall not generally comprise sheet material (such as Colorbond, fibro cement or paling fences). This covenant does not preclude safety fencing associated with swimming pools.

(h) No fence shall be erected on a lot burdened unless it is erected without expenses to Grange Estates (NSW) Pty Ltd, its successors and permitted assigns other than Purchasers on sale.

(i) No obnoxious, noisy or offensive occupation, trade or business shall be conducted or carried on on any lot burdened.

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

(j) No boarding kennels or animal boarding facilities shall be constructed or permitted to remain on any lot burdened.

(k) No structure of a temporary character, basement, tent, shack, garage, trailer, camper, caravan or any other building may be used at any time as residential accommodation on the lot burdened.

(l) No temporary structure, caravan, camper or detached ancillary building may be permitted to remain erected on a lot burdened prior to the issue of an Occupation Certificate for the dwelling house erected on the lot burdened.

(m) No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 4 tonnes shall be parked or permitted to remain on any lot burdened unless the same is being used in connection with the erection of a dwelling on the relevant lot burdened and only prior to occupation of the dwelling.

(n) No boat, trailer, caravan, camper or other vehicle intended to be towed may be placed, parked, stored or permitted to remain on the lot burdened unless same is located behind the dwelling house erected on the lot burdened.

(o) No shipping container may be placed, parked, stored or permitted to remain on any lot burdened.

Grange Estates (NSW) Pty Ltd is the only party empowered to release vary or modify the restrictions on the use of land thirdly referred to in the abovementioned plan whilst ever Grange Estates (NSW) Pty Ltd is a registered company (and is not under any external or internal insolvency actions) and own any lot or any part of a lot in the registered plan pursuant to which these restrictions were created and thereafter by the registered proprietor of the lots contained within 50 metres of the lot seeking the release, variation or modification.

ePlan

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 CONVEYANCING ACT 1919

(Sheet 8 of 16)

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Terms of Restriction on the use of land numbered 4 in the plan:

No dwelling shall be permitted to remain on the lot burdened unless the dwelling is constructed to Category 1 Standard as prescribed in Department of Planning Development near rail corridors and busy roads – Appendix C.

Terms of Restriction on the use of land numbered 5 in the plan:

No dwelling shall be permitted to remain on the lot burdened unless the dwelling is constructed to Category 2 Standard as prescribed in Department of Planning Development near rail corridors and busy roads – Appendix C.

Terms of Easement numbered 6 in the plan:

An Easement is created on the terms and conditions set out in memorandum registered number AK 908903. In this easement, "easement for electricity and other purposes" is taken to have the same meaning as "easement for electricity works" in the memorandum.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 6 in the plan.

ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION ABN 67 505 337 385

Terms of Positive Covenant numbered 7 in the plan:

The area identified as "APZ" on the plan shall be managed as an inner protection area (IPA) in perpetuity as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' by the registered proprietor of the lot at the sole expense of the registered proprietor.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the positive covenant numbered 7 in the plan.

MAITLAND CITY COUNCIL

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Terms of Easement numbered 8 in the plan:

Full and free right title liberty and licence for Hunter Water Corporation its successors and assigns TO CONSTRUCT lay maintain repair renew cleanse inspect replace and alter or divert the position of a waste water pumping station, sewer mains or pipelines for the conveyance of sewage and water, cables or wires to convey electricity either overhead or underground or both with all apparatus and appurtenances thereof in or under the surface of such part of the land described hereinafter as is delineated in the abovementioned plan (hereinafter called the servient tenement) and to carry and convey sewage through the said waste water pumping station and for the purposes aforesaid or any of them by its officers servants and or contractors with or without motor or other vehicles, plant and machinery to enter upon and break open the surface of the servient tenement and to deposit soil temporarily on the servient tenement but subject to a liability to replace the soil and restore the surface of the said servient tenement in a proper and workmanlike manner as soon as the operations are completed.

AND IT IS HEREBY DECLARED that no building shall be erected nor any structures fences or improvements of any kind shall be placed over or under that part of the lot burdened as is affected by the easement for waste water pumping station delineated in the abovementioned plan except with the prior consent in writing of Hunter Water Corporation and except in compliance with any conditions which Hunter Water Corporation may specify in such consent.

Terms of Easement numbered 9 in the plan:

Part A
Definitions and interpretation

1 (a) The following terms have the following meanings:

Ancillary Works means works ancillary to the Pipeline whether above, on or below ground.

Authorised Users means Hunter Water's:

(i) agents;

(ii) employees;

ePlan

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 CONVEYANCING ACT 1919

Plan: DP1234656

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Subdivision Certificate No. 111824
Dated 01.08.2017

(iii) successors and assigns which are authorised to carry out the functions under the *Hunter Water Act 1991*; and

(iv) All other Persons authorised to act on its or their behalf to do all things reasonably necessary or appropriate to carry out its functions under the *Hunter Water Act 1991*

Burdened Owner means the owner for the time being of the Lot Burdened and any Person having an estate or interest in the Lot Burdened.

Easement Site means that part of the Lot Burdened shown as easement for Pipeline on any plan registered with the New South Wales Department of Lands.

Hunter Water means the owner of the Pipeline and Ancillary Works, its successors and assigns.

Lot Burdened means the land over which the easement is granted.

Person includes a body corporate.

Pipeline(s) means a pipeline or pipelines for the conveyance of water, recycled water, effluent or sewerage whether above, on or below the ground and all associated apparatus and equipment and any ancillary works.

Part B
Easement for Pipeline

2 Hunter Water and its Authorised Users may:

(a) Construct, lay, maintain, repair, renew, cleanse, inspect, replace, divert or alter the position of any Pipeline or any Ancillary Works in the Easement Site; and

(b) Convey or permit the conveyance of water, recycled water, effluent or sewerage through the Pipeline within the Easement Site.

Part C

General provisions of easement

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3 For the purpose of exercising its rights under this easement, Hunter Water and its Authorised Users, may:

(a) enter the Lot Burdened, with or without vehicles, plant and equipment, for any purpose permitted by this easement.

(b) do anything reasonably necessary to obtain access to and pass along to the Easement Site.

(c) do anything reasonably necessary for the exercise of Hunter Water's rights under this easement.

4 The Burdened Owner acknowledges that ownership of any Pipeline or other Ancillary Works located in the Easement Site remains with Hunter Water

5 Hunter Water covenants with the Burdened Owner that:

(a) it will promptly repair the Pipeline or any Ancillary Works on receiving your request to do so by the Burdened Owner;

(b) in exercising its rights under this easement, it will procure that as little damage as practicable is done to the Lot Burdened;

(c) it will procure that any damage caused to the surface of the Lot Burdened is restored as nearly as practicable to its original condition; and

(d) subject to its rights under this easement, it will procure that the Burdened Owner's reasonable use or occupation of the Lot Burdened is not impeded.

6 Subject to its foregoing rights under this easement, the Burdened Owner covenants with Hunter Water that it will not:

(a) do or allow anything which will interfere with, damage, or destroy the Pipeline or will interfere with the effective operation of the Pipeline or any Ancillary Work;

(b) obstruct Hunter Water in the exercise of its rights under this easement; or

(c) place any structures or improvements on the Easement Site without first seeking the consent in writing of Hunter Water which may be withheld in the absolute discretion of Hunter Water.

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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 CONVEYANCING ACT 1919

(Sheet 12 of 16)

Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
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Terms of Easement numbered 12 in the plan:

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the easement numbered 12 in the plan.

Grange Estates (NSW) Pty Ltd ACN 079 624 909

Terms of Restriction on the use of land numbered 16 in the plan:

In perpetuity the land within the area marked "RP" on the subject land shall be managed in accordance with the Environmental Management Plan prepared by Douglas Partners, titled "Long-Term Environmental Management Plan" and dated 5 July 2017.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the Restriction on use of land numbered 16 in the plan.

MAITLAND CITY COUNCIL

Terms of Restriction on the use of Land numbered 17 in the plan:

No fence shall be permitted to remain on any lot or boundary of any lot unless the fence of an open style rural design comprising timber posts with timber rails or plain wire.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 17 in the plan.

MAITLAND CITY COUNCIL

Terms of Restriction on the use of Land numbered 18 in the plan:

A 10.0m wide asset protection zone identified as "APZ" on the plan applies to the land in perpetuity as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. No structures or buildings (other than fences) or any combustible material storage areas such as wood or mulch piles or trees with continuous canopies, or any other flammable material, are permitted within the asset protection zone.

ePlan

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 CONVEYANCING ACT 1919

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Plan: DP1234656

Subdivision of Lot 2 in DP 1229364
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Terms of Restriction on the use of Land numbered 19in the plan:

A 10.0m wide asset protection zone identified as "APZ" on the plan applies to the land in perpetuity as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. No structures or buildings (other than fences) or any combustible material storage areas such as wood or mulch piles or trees with continuous canopies, or any other flammable material, are permitted within the asset protection zone.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the restriction on the use of land numbered 19 in the plan.

MAITLAND CITY COUNCIL

Terms of Positive Covenant numbered 20 in the plan:

The area of land identified as Lot 120 on the plan shall be managed as a temporary asset protection zone (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' by the registered proprietor of the lot at the sole expense of the registered proprietor until such time as the land is further developed.

NAME OF AUTHORITY whose consent is required to release, vary or modify the terms of the positive covenant numbered 20 in the plan.

MAITLAND CITY COUNCIL

Executed on behalf of Grange Estates (NSW) Pty Ltd ACN 079 624 909
Pursuant to Section 127 Corporations Act

Signature of Director	**Signature of Director**
PAREN BEVER PUNNETT	TREVOR CHARLES PUNNETT
Name of Director / Secretary	**Name of Director**

ePlan

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 CONVEYANCING ACT 1919

(Sheet 14 of 16)

Plan: **DP1234656**

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Executed by Maitland City Council
By its authorised delegate pursuant to
s.377 Local Government Act 1993

Signature of Delegate

LEANNE HARRIS

Name of Delegate

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

Signature of Witness

KAREN SCHRODER

Name of Witness

285 HIGH STREET MAITLAND

Address of Witness

ePlan

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 CONVEYANCING ACT 1919

(Sheet 15 of 16)

Plan: **DP1234656**

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Signed Sealed and Delivered
for an on behalf of Alpha Distribution
Ministerial Holding Corporation
ABN 67 505 337 385 in the presence of

.....
Witness

.....
Signature of Agent for Rob Whitfield
NSW Treasury Secretary (NSW
Treasurer's delegate under Delegation
Dated 24 November 2015)
on behalf of Alpha Distribution Ministerial
Holding Corporation

.....ANNETTE MARTINS.....
Name of Witness (please print)
52 Martin Place
~~126 Phillip Street~~ Sydney NSW 2000
.....
Address of Witness

ANGELO KRIKETOS
.....
Name of agent

John Bailey
103 Tudor Street
Hamilton

Craig Michael Chapman

"SIGNED in my presence by the duly constituted Attornies, for and on behalf of GREATER BANK LIMITED under Registered Book 4713 No. 162, who are personally known to me."

ePlan

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 CONVEYANCING ACT 1919

(Sheet 16 of 16)

Plan: **DP1234656**

Subdivision of Lot 2 in DP 1229364
Covered by Maitland City Council
Subdivision Certificate No. 111824
Dated 01.08.2017

Executed by **HUNTER WATER CORPORATION**)
ABN 46 228 513 446 by its Attorney)
PETER JAMES KEMBREY)
pursuant to registered Power of Attorney)
Book 4695 No 750 in the presence of:)

Peter James Kembrey

Witness

MARK HICKEY
Name of Witness

36 HONEYSUCKLE DR NEWCASTLE
Address of Witness

REGISTERED 01.09.2017

AK930924G

Form: 11R
Licence: 01-05-070
Licensee: LEAP Legal Software Pty Limited
Firm name: Tranter Lawyers

REQUEST

New South Wales
Real Property Act 1900

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A)	**STAMP DUTY**	If applicable. Office of State Revenue use only
(B)	**TORRENS TITLE**	FOLIO 1/813858 AND FOLIO 4/813858
(C)	**REGISTERED DEALING**	Number: Torrens Title:
(D)	**LODGED BY**	Document Collection Box: 1W Name, Address or DX, Telephone, and Customer Account Number if any: GRANGE ESTATES (NSW) P.L. P.O. BOX 745 MIRANDA NSW 1490 95256277 Reference: CODE: R
(E)	**APPLICANT**	GRANGE ESTATES (NSW) PTY LIMITED ACN 079 624 909 and GEOFFREY MICHAEL THOMPSON
(F)	**NATURE OF REQUEST**	Registration of Voluntary Planning Agreement pursuant to section 93H of the Environmental Planning & Assessment Act 1979
(G)	**TEXT OF REQUEST**	The Registrar General registering on the title to the land the Planning Agreement between the Minister for Planning ABN 38 755 709 681 and Grange Estates (NSW) Pty Limited ACN 079 624 909 and Geoffrey Michael Thompson which is annexed at "B" to this Request and forms part of this Request.

DATE

(H) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appears(s) below pursuant to the authority specified.

Company: Grange Estates (NSW) Pty Ltd ACN 079 624 909
Authority: section 127 of the Corporations Act 2001

Signature of authorised person:
Name of authorised person: Darryl Bruce Punnett
Office held: Director

Signature of authorised person:
Name of authorised person: Trevor Charles Punnett
Office held: Director

(I) *This section is to be completed where a notice of sale is required and the relevant data has been forwarded through eNOS.*
The applicant certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. _____ Full name: _____ Signature: _____

** s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.*

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

1/813858
CT Produced by 124E on 06.12.16 for R
CT 4/813858 by 45A on 12.12.16 for R

ANNEXURE A TO THE REQUEST BY GRANGE ESTATES (NSW) PTY LIMITED ACN 079 624 909 AND GEOFFREY MICHAEL THOMPSON FOR THE REGISTRATION OF THE VOLUNTARY PLANNING AGREEMENT ON FOLIOS 1/813858 AND 4/813858 AND MINISTER FOR PLANNING ABN 38 755 709 681

DATED

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

Name of witness: Jennifer Leslie

Address of witness: 45 High Street East Maitland NSW 2323

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of Applicant:

Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: Grange Estates (NSW) Pty Limited ACN 079 624 909
Authority: Section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person: Darryl Bruce Punnett
Office Held: Director

Signature of authorised person:

Name of authorised: Trevor Charles Punnett
Office Held: Director

Signed on behalf of
Minister for Planning ABN 38 755 709 681
by his authorized officer/delegate in the presence of:

Witness

Signature of authorised officer/delegate

MARY-ROSE GAYNOR
Print Name

BRENDAN NELSON
Name of authorised officer/delegate

Signed on behalf of
National Australia Bank Limited
By its authorised officer:

Witness

Signature of authorised officer

KELLE TURNER

Print Name

CHRISTOPHER HEWITT

Name of authorised officer

20 SEAVIEW ST

CRONULLA 2230

Signed on behalf of
ING Bank (Australia) Limited
By its ~~authorised officer~~: attorney under registered power of attorney Book 4650 No 882 who has no revocation of the power of attorney in the presence of:

.....
Witness

.....
Signature of ~~authorised officer~~ Attorney

.....Sandy Lee.....
Print Name Gadens
77 Castlereagh Street
SYDNEY NSW 2000

Anthony Dominic Walsh.
.....
Name of ~~authorised officer~~ Attorney

Signature of Attorney

Ruth Helen Neal
Name of Attorney

Annexure 'B'

Minister for Planning
ABN 38 755 709 681

and

Grange Estates (NSW) Pty Limited
ACN 079 624 909

and

Geoffrey Michael Thompson

Planning Agreement

Environmental Planning and Assessment Act 1979

TABLE OF CONTENTS

THIS deed is dated 9 November 2016

PARTIES:

MINISTER FOR PLANNING (ABN 38 755 709 681) of Level 15, 52 Martin Place, Sydney, New South Wales, 2000 (**Minister**)

AND

GRANGE ESTATES (NSW) PTY LIMITED (ACN 079 624 909) of Level 1, Suite 20, 19-21 Central Road, Miranda, New South Wales, 2228

GEOFFREY MICHAEL THOMPSON of 4 Mount Harris Drive, Maitland Vale, New South Wales, 2320

(together known as **Developer**)

INTRODUCTION:

A Each Developer owns that part of the Land described in Schedule 3.

B The Developer proposes to carry out the Development on the Land.

C The Developer's Consultant, Charleston Consulting Pty Limited, made a Development Application to the Consent Authority on the Developer's behalf in respect of the Land (being Development Application No. 11-1824).

D The Consent Authority granted Development Consent to the Development Application on 10 July 2012 pursuant to the LEP 1993. The Development Consent (as modified on 10 February 2015) grants consent to a master plan for the subdivision of the Land into 77 residential lots and 2 residue lots which is to be undertaken in 5 stages, and approves the creation of the 19 lots contained within Stage 1. Further Development Applications are required to be lodged to create the remaining lots proposed within Stages 2-5.

E Clause 6.1 of the LEP provides that the Consent Authority must not grant Development Consent to the Development unless the Secretary has certified in writing to the Consent Authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure referred to in clause 6.1 of the LEP.

F The Developer has offered to enter into this deed with the Minister to secure the Development Contribution in order to enable the Secretary to provide the certification required by the LEP and with reference to the requirements of the LEP 1993.

IT IS AGREED:

1 DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this **deed**, unless the context clearly indicates otherwise:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Address for Service means the address of each party appearing in Schedule 2 or any new address notified by any party to all other parties as its new Address for Service.

Authority means any Federal, State or local government or semi-governmental, statutory, judicial or public person, instrumentality or department.

Bank Guarantee means an irrevocable and unconditional undertaking:

(a) by an Australian bank which is an eligible financial institution for the purposes of Treasury Circular NSW TC14/01 dated 24 January 2014 as amended, supplemented or substituted from time to time; and

(b) on terms acceptable to the Minister, in the Minister's absolute discretion,

to pay the face value of that undertaking (being such amount as is required under this deed) on demand.

Base CPI means the CPI number for the quarter ending 31 March 2011.

Business Day means any day that is not a Saturday, Sunday, gazetted public holiday or bank holiday in Sydney, and concludes at 5 pm on that day.

Consent Authority means Maitland City Council.

Contribution Amount means the amount of the monetary contribution to be paid by the Developer as described in Schedule 4.

CPI means the Sydney Consumer Price Index (All Groups) published by the Commonwealth Statistician, or if that index no longer exists, any similar index which the Minister determines in its sole discretion.

CPI Adjustment Date means 1 July 2012 and each anniversary of 1 July 2012 thereafter.

Current CPI means the CPI number for the quarter ending immediately before 31 March in the relevant adjustment year.

Development means the subdivision of the Land into approximately 77 residential lots and 2 residue lots generally in accordance with the Development Consent granted by the Consent Authority for Development Application No.11-1824 (as modified) comprising the Initial Development and the Remaining Development.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means the contributions to be provided by the Developer in accordance with Schedule 4.

Explanatory Note means the note exhibited with a copy of this deed when this deed is made available for inspection by the public pursuant to the Act, as required by the Regulation.

General Register of Deeds means the land register maintained under the *Conveyancing Act 1919* (NSW) and so titled.

GST means any form of goods and services tax payable under the GST Legislation.

GST Legislation means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Initial Development means Stage 1 of the Development being the subdivision of part of the Land into 19 lots approved as part of the Development Consent for Development Application No.11-1824 (as modified) as identified on the plan exhibited and marked "Annexure A" to this deed as signed by all the parties.

Land means the land described in Schedule 3 of this deed.

LEP means the *Maitland Local Environment Plan 2011*.

LEP 1993 means the *Maitland Local Environmental Plan 1993*

Net Developable Area means the net developable area of the Land as defined in Schedule 6 of this deed or as calculated having regard to any determination made in accordance with section 94EE of the Act with respect to the Land.

Planning Application means:

(a) a Development Application; or

(b) any other application required under the Act,

which seeks approval for the subdivision of the Land.

Real Property Act means the *Real Property Act 1900* (NSW).

Register means the Torrens title register maintained under the Real Property Act.