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|--|---|-----------------------|
| PLAN FORM 6 (2018) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 1 of 3 sheet(s) |
| <p>Office Use Only</p> <p>Registered:</p> <p>Title System:</p> | <p>Office Use Only</p> <p>PRELIMINARY ONLY</p> <p>THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</p> | |
| <p>PLAN OF SUBDIVISION OF LOT 428 DP1265620</p> | <p>LGA: MAITLAND</p> <p>Locality: LOUTH PARK</p> <p>Parish: MAITLAND</p> <p>County: NORTHUMBERLAND</p> | |
| <p>Survey Certificate</p> <p>I, THOMAS F CAMPBELL of Delfs Lascelles Pty Ltd, 260 Maitland Road Mayfield 2304 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, is accurate and the survey was completed on, or</p> <p>*(b) The part of the land shown in the plan (*being/*excluding **..... LOT 505) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</p> <p>Datum Line: 'X' - 'Y'</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>Signature: Dated:</p> <p>Surveyor Identification No: 8704</p> <p>Surveyor registered under the <i>Surveying and Spatial information Act 2002</i></p> <p>* 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.</p> | <p>Crown Lands NSW/Western Lands Office Approval</p> <p>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.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p> | |
| <p>Plans used in the preparation of survey/compilation.</p> <p>DP 1251415</p> <p>DP 1246277</p> | <p>Subdivision Certificate</p> <p>I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of section 109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Accreditation number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p>* Strike through if inapplicable</p> | |
| <p>Surveyor's Reference: 20375_DP(Draft)_R1_200707</p> | <p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p> | |

Office Use Only

Registered:

PLAN OF SUBDIVISION OF LOT 428 DP1265620

Subdivision Certificate number :

Date of Endorsement :

PRELIMINARY ONLY ^{Office Use Only}

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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. RESTRICTION ON THE USE OF LAND (A)
2. RESTRICTION ON THE USE OF LAND
3. RESTRICTION ON THE USE OF LAND
4. RESTRICTION ON THE USE OF LAND
5. EASEMENT TO DRAIN WATER 1.5 WIDE (B)

| LOT | STREET No. | ROAD NAME | ROAD TYPE | LOCALITY |
|-----|------------|-----------|-----------|------------|
| 501 | | | | LOUTH PARK |
| 502 | | | | LOUTH PARK |
| 503 | | | | LOUTH PARK |
| 504 | | | | LOUTH PARK |
| 505 | | | | LOUTH PARK |

If space is insufficient use additional annexure sheet

Surveyor's Reference: 20375_DP(Draft)_R1_200707

| PLAN FORM 6A (2017) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 3 of 3 sheet(s) |
|---|-------------------------------------|--|
| <div>Office Use Only</div> <div>Registered:</div> <div>PLAN OF SUBDIVISION OF LOT 428 DP1265620</div> <div>Subdivision Certificate number :</div> <div>Date of Endorsement :</div> | | <div>Office Use Only</div> <div>PRELIMINARY ONLY</div> <div>THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</div> <div>This sheet is for the provision of the following information as required:<ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>• Signatures and seals - See 195D <i>Conveyancing Act 1919</i>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.</div> |
| <div>Executed by VALHALLA INVESTMENTS PTY LIMITED ABN 88 008 416 028 by:</div> <div><div>..... Director</div><div>..... Name</div></div> <div><div>..... Director</div><div>..... Name</div></div> <div>If space is insufficient use additional annexure sheet</div> <div>Surveyor's Reference: 20375_DP(Draft)_R1_200707</div> | | |

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

Sheet 1 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

**Full Name and Address of the
Registered Proprietor of the Land** Valhalla Investments Pty Limited
(ABN 88 008 416 028)
PO Box 250
Newcastle NSW 2300

Part 1 (Creation)

| Number 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) read(s), bodies or Prescribed Authorities: |
|--|--|---|--|
| 1 | Restriction on the Use of the Land (A) | 501 to 504 inclusive | Maitland City Council |
| 2 | Restriction on the Use of the Land | 501 to 504 inclusive | Maitland City Council |
| 3 | Restriction on the Use of the Land | 503 & 504 | Maitland City Council |
| 4 | Restriction on the Use of the Land | 501, 502 & 504 | 503 |
| 5 | Easement to drain water 1.5 wide (B) | 502 | 501 |

Part 2 (Terms)

1. Terms of Restriction on the Use of Land numbered 1 in the Plan

- 1.1 No building shall be constructed outside the nominated building envelope being areas designated (A) on the Plan.
- 1.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

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

Sheet 2 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

2. Terms of Restriction on the Use of The Land numbered 2 in the Plan

2.1 The subject site may be affected by mine subsidence as part of the site has been undermined in the past. It is the responsibility of the Lot owners to carry out any mine subsidence investigations prior to building on the site.

2.2 Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;

Maitland City Council for Lots burdened and benefited.

3. Terms of Restriction on the Use of Land numbered 3 in the Plan

3.1 Any Lots facing Louth Park and Dagworth Roads along the eastern boundary of the road and Lots with a width over 35m shall on the said boundary have fencing of post and wire and timber rail construction.

3.2 Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;

Maitland City Council for Lots burdened and benefited.

4. Terms of Restrict on the Use of Land numbered 4 in the Plan

4.1 Dwelling House

4.1.1 No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 200m² exclusive of car accommodation, external landings and patios.

4.1.2 No dwelling house shall be erected or permitted to remain erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass or concrete treated with painted texture render.

4.1.3 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 non-reflective Colourbond. Untreated zincalume is prohibited.

4.1.4 No more than one main residential dwelling shall be erected on any lot burdened, nor are ancillary buildings to be used for residential accommodation.

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

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Sheet 3 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

4.2 Fences

4.2.1 No fence shall be erected or permitted to remain on the boundary of a lot burdened if the same:-

- a) (Road Boundary) Is erected on any road boundary that fence exceeds 1200mm in height or is constructed of materials other than rural style, post and three rails with or without wire mesh. The upper surface of the top rail being 1200mm high, the middle rail being 820mm high and the lower rail being 470mm high.
- b) (Road to building line) Is erected from the road boundary to the building line as fixed by the Maitland City Council is 1200mm high or is constructed in materials other than rural style post and two rails with wire mesh.
- c) (Other boundaries) Is constructed on a boundary behind the building line that exceeds 1800mm in height or is constructed of materials other than post and wire with wire mesh or post and rail and wire mesh.
- d) Is other than hard wood post and rails.
- e) Has rails other than dimensions of 30mm wide and 140mm high.

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

4.2.3 No fence shall be erected on a lot burdened unless it is erected without expense to Valhalla Investments Pty Ltd, its successors and permitted assigns.

4.4 Ancillary Buildings

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

- a) It is situated at the rear of the dwelling house; and
- b) It has an internal floor area of less than 100 m².
- c) It is less than 4.5 metres in height.
- d) It is no more than one single structure (and only one outbuilding is permitted to be constructed upon the lot)

4.4.2 No shed, or other farm type outbuilding shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanised iron or similar material provided that new colourbond metal sheeting may be used in the external walls of a farm

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

Sheet 4 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
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No.
dated

building where such colourbond metal sheeting has a low reflective index and is of earth tone colours.

4.5 Prohibited activities

- 4.5.1 No obnoxious, noisy or offensive occupation, boarding kennels, boarding facilities, trade or business shall be conducted or carried out on any lot burdened.
- 4.5.2 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.
- 4.5.3 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.
- 4.5.4 No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 2.5 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.
- 4.5.5 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 at the rear of the dwelling house erected on the lot burdened.
- 4.5.6 No shipping container may be placed, parked, stored or permitted to remain on any lot burdened.
- 4.5.7 No livestock shall be permitted to remain on the lot burdened.

4.6 Acknowledgement of Covenants

- 4.6.1 The proprietor of a burdened lot acknowledges that prior to purchasing the subject lot they have made their own inquiries about the nature and effect of these covenants.
- 4.6.2 The proprietor of a burdened lot acknowledges that the burden of the covenants in this instrument run with the lot for the benefit of each other proprietor of a lot in a subdivision and shall be enforceable against the proprietor of each and every lot from time to time so burdened.
- 4.6.3 The proprietor of each lot acknowledges that the covenants are separate from each other and if any covenant is declared invalid or unenforceable then the remaining restrictive covenants will not be affected and each remaining covenant will be valid and enforceable to the full extent permitted by law.

Any release, variation or modification of these restrictions will be made and done in all respects at the cost and expense of the person or persons requesting same.

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

Sheet 5 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

4.7 Terms of Restriction on the Use of Land in the plan

4.7.1 The owner of each Burdened lot must not:-

- a) subdivide the Burdened lot if the subdivision would create a lot with an area that is less than 1,500 square metres; and
- b) subdivide the Burdened lot so as to create lots in a strata plan or community title scheme; and
- c) erect any habitable building on the Burdened lot outside the relevant building envelope for the lot designated A on the Plan.
- d) erect any more than one dwelling house on the Burdened lot.

4.8 Name of person or Authority empowered to release, vary or modify the Restrictions as to User in the Plan:

The name of the person or entity having the power to release, vary or modify this Restriction as to User is Valhalla Investments Pty Ltd and if Valhalla Investments Pty Ltd no longer exists, or is not the registered proprietor of the land comprised in the plan of subdivision, then the person or persons for the time being the registered proprietor of land in the plan of subdivision within 50 metres of the lot burdened shall be empowered to release or vary the restriction.

5. Terms of Easement to Drain Water numbered 5 in the Plan

5.1 Name of person empowered to release, vary or modify easement, restriction or positive covenant numbered 5 in the plan:

The lots burdened and benefited, only with the consent of Maitland City Council

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A PRENDRE INTENDED TO BE
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INTENDED TO BE CREATED PURSUANT TO 88B OF THE CONVEYANCING ACT 1919.**

Sheet 6 of 7

Plan: Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

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

Signature of delegate

Name of delegate

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

Signature of Witness

Name of Witness

Address of Witness

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

Sheet 7 of 7

Plan:

Plan of Subdivision of Lot 428 DP1265620
covered by Subdivision Certificate
No.
dated

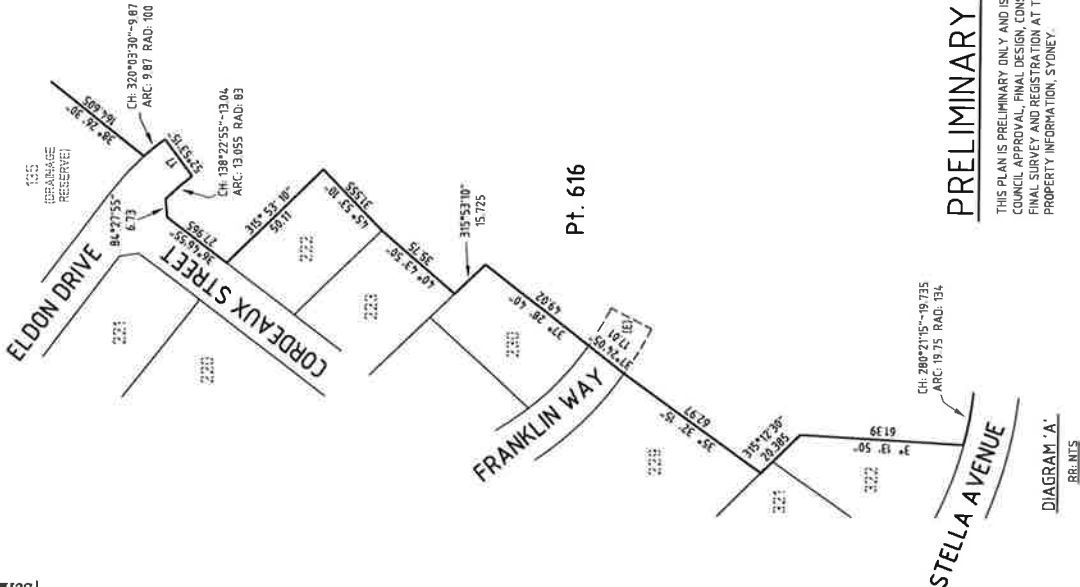
**Executed by VALHALLA INVESTMENTS PTY LIMITED
(ABN 88 008 416 028) in accordance with
Section 127 of the Corporations Act.**

.....
Signature of Director
Print name:

.....
Signature of Director
Print name:

'Stage 6' – Draft Documents

M.C.A.



PRELIMINARY ONLY

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| Number | Chord Bearing | Chord Distance | Arc Length | Radius |
|--------|---------------|----------------|------------|--------|
| 21 | 208°12'55" | 32.115 | 32.21 | 121 |
| 20 | 198°23' | 114.2 | 114.26 | 4021 |
| 19 | 148°19'10" | 191.175 | 214.275 | 131 |
| 18 | 95°53'45" | 51.16 | 51.25 | 271 |

SURVEYOR
Name: THOMAS F CAMPBELL
Date:
Reference: 20378_DP(Draft)_R1_200120

PLAN OF SUBDIVISION OF LOT 505 DP1265621

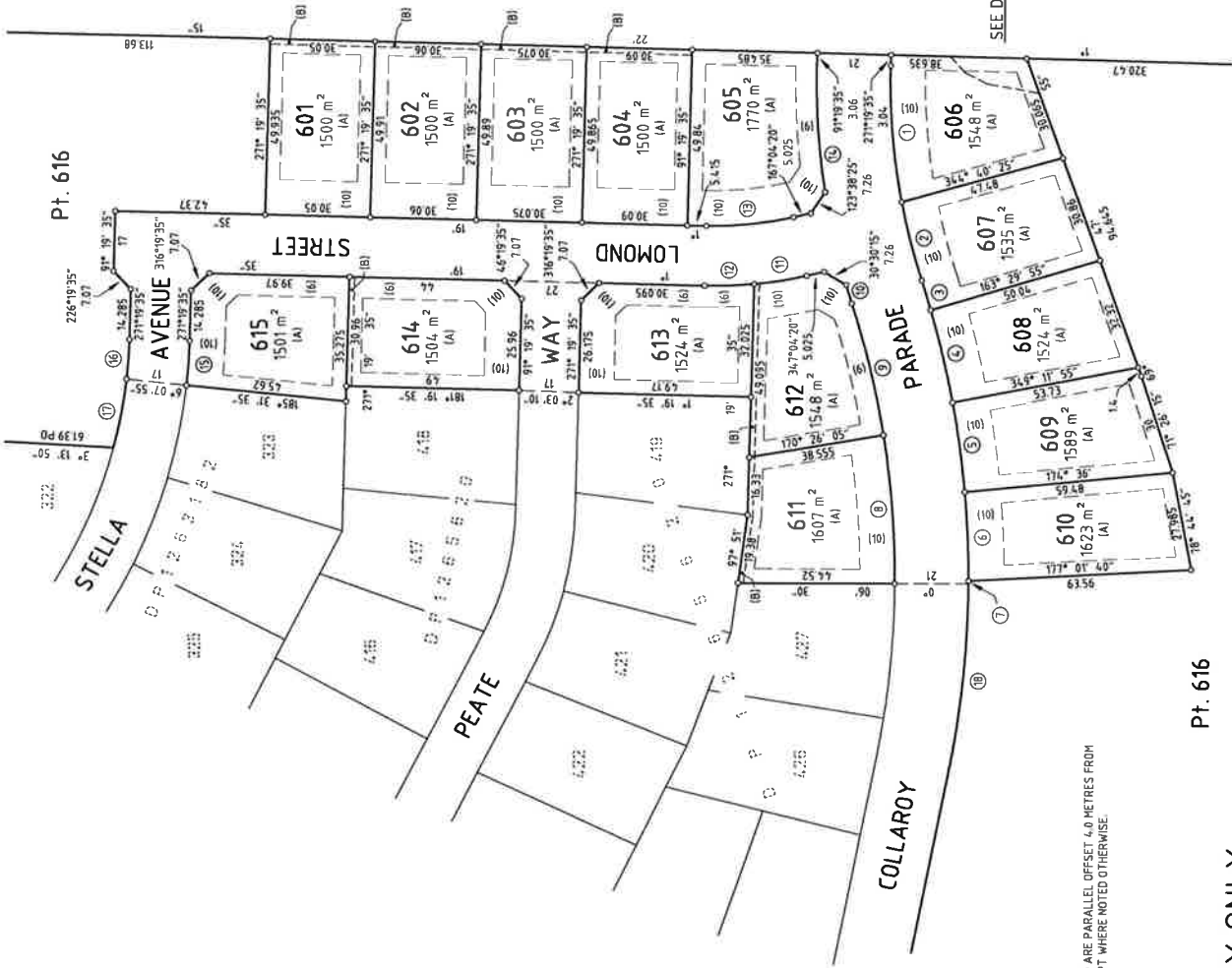
LGA: MAITLAND
Locality: LOUTH PARK
Reduction Ratio 1:4000
Lengths are in metres.

REGISTERED

DP1265622

M.C.A.

(SINCS)



NOTE:
RESTRICTION AREAS (A) ARE PARALLEL OFFSET 4.0 METRES FROM LOT BOUNDARIES EXCEPT WHERE NOTED OTHERWISE.

Pt. 616

PRELIMINARY ONLY

THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.

SURVEYOR
Name: THOMAS F CAMPBELL
Date:
Reference: 20318_DP(Draft)_R1_200720

PLAN OF SUBDIVISION OF LOT 505 DP1265621

LGA: MAITLAND
Locality: LOUTH PARK
Reduction Ratio 1:1000
Lengths are in metres.

REGISTERED

DP1265622

(A) RESTRICTION ON THE USE OF LAND
(B) EASEMENT TO DRAIN WATER 15 WIDE
(C) POSITIVE COVENANT

| Number | ARC TABLE | | | Radius |
|--------|---------------|----------------|------------|--------|
| | Chord Bearing | Chord Distance | Arc Length | |
| 1 | 265°08'25" | 38.79 | 38.865 | 180 |
| 2 | 255°17'45" | 22.975 | 22.995 | 180 |
| 3 | 252°34" | 8.805 | 8.805 | 271 |
| 4 | 256°20'55" | 28.95 | 28.96 | 271 |
| 5 | 261°53'55" | 25.34 | 25.345 | 271 |
| 6 | 267°15'45" | 25.175 | 25.185 | 271 |
| 7 | 270°41" | 0.87 | 0.87 | 271 |
| 8 | 85°16'20" | 42.16 | 42.21 | 250 |
| 9 | 78°02'30" | 38.355 | 38.39 | 250 |
| 10 | 252°25'45" | 5.565 | 5.57 | 201 |
| 11 | 350°44'40" | 14.985 | 14.995 | 117 |
| 12 | 357°52'20" | 14.1 | 14.1 | 117 |
| 13 | 174°42" | 24.815 | 24.88 | 100 |
| 14 | 86°07'25" | 36.455 | 36.505 | 201 |
| 15 | 273°43'45" | 12.66 | 12.665 | 151 |
| 16 | 275°43'45" | 11.235 | 11.24 | 134 |
| 17 | 280°21'15" | 19.735 PD | 19.75 | 134 |
| 18 | 55°53'45" | 51.16 PD | 51.25 | 271 |

DIAGRAM 'B'
RR 1:500

1
DP1265622

| PLAN FORM 6 (2019) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 1 of 3 sheet(s) |
|---|--|-----------------------|
| <p style="text-align: right;">Office Use Only</p> <p>Registered:</p> <p>Title System:</p> | <p style="text-align: right;">Office Use Only</p> <h2 style="text-align: center;">PRELIMINARY ONLY</h2> <p>THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</p> | |
| <p>PLAN OF SUBDIVISION OF LOT 505 DP1265621</p> | <p>LGA: MAITLAND</p> <p>Locality: LOUTH PARK</p> <p>Parish: MAITLAND</p> <p>County: NORTHUMBERLAND</p> | |
| <p style="text-align: center;">Survey Certificate</p> <p>I, <u>THOMAS F CAMPBELL</u> of <u>Delfs Lascelles Pty Ltd, 260 Maitland Road Mayfield 2304</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, is accurate and the survey was completed on, or</p> <p>*(b) The part of the land shown in the plan (*being*excluding **<u>LOT 616</u>) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</p> <p>Datum Line: 'X' - 'Y'</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous</p> <p>Signature: Dated:</p> <p>Surveyor Identification No: <u>8704</u></p> <p>Surveyor registered under the <i>Surveying and Spatial information Act 2002</i></p> <p><small>* Strike through if inapplicable.</small></p> <p><small>** Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</small></p> | <p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> <p>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.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p> <hr/> <p style="text-align: center;">Subdivision Certificate</p> <p>I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of section 6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Accreditation number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p><small>* Strike through if inapplicable</small></p> | |
| <p>Plans used in the preparation of survey/compilation.</p> <p>DP 1251415 DP 1246277 DP 1263182 DP 1265620 DP 1265621</p> | <p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p> <p>IT IS INTENDED TO DEDICATE LOMOND STREET & THE EXTENSIONS OF COLLAROY PARADE, PEATE WAY & STELLA AVENUE TO THE PUBLIC AS PUBLIC ROAD.</p> | |
| <p>Surveyor's Reference: 20378_DP(Draft)_R1_200720</p> | <p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p> | |

Registered:

Office Use Only

PRELIMINARY ONLY Office Use Only**PLAN OF SUBDIVISION OF LOT 505
DP1265621**

THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.

Subdivision Certificate number :

Date of Endorsement :

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.

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1. RESTRICTION ON THE USE OF LAND (A)
2. RESTRICTION ON THE USE OF LAND
3. RESTRICTION ON THE USE OF LAND
4. RESTRICTION ON THE USE OF LAND
5. EASEMENT TO DRAIN WATER 1.5 WIDE (B)
6. POSITIVE COVENANT (C)

TO RELEASE:-

1. RIGHT OF ACCESS 17 & 21 WIDE (DP1265620)
2. RIGHT OF CARRIAGEWAY 17 & 21 WIDE (DP1263182)

| LOT | STREET No. | ROAD NAME | ROAD TYPE | LOCALITY |
|-----|------------|-----------|-----------|------------|
| 601 | | | | LOUTH PARK |
| 602 | | | | LOUTH PARK |
| 603 | | | | LOUTH PARK |
| 604 | | | | LOUTH PARK |
| 605 | | | | LOUTH PARK |
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| 614 | | | | LOUTH PARK |
| 615 | | | | LOUTH PARK |
| 616 | | | | LOUTH PARK |

If space is insufficient use additional annexure sheet

Surveyor's Reference: 20378_DP(Draft)_R1_200720

| | | | | | | |
|---|-------------------------------------|---|-------------------|-------------------|---------------|---------------|
| PLAN FORM 6A (2017) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 3 of 3 sheet(s) | | | | |
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| Registered: | | PRELIMINARY ONLY | | | | |
| PLAN OF SUBDIVISION OF LOT 505 DP1265621 | | THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY. | | | | |
| Subdivision Certificate number : | | This sheet is for the provision of the following information as required: <ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>• Signatures and seals - See 195D <i>Conveyancing Act 1919</i>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. | | | | |
| Date of Endorsement : | | | | | | |
| <p>Executed by VALHALLA INVESTMENTS PTY LIMITED ABN 88 008 416 028 by:</p> <table border="0"><tr><td>..... Director</td><td>..... Director</td></tr><tr><td>..... Name</td><td>..... Name</td></tr></table> | | | Director | Director | Name | Name |
| Director | Director | | | | | |
| Name | Name | | | | | |
| If space is insufficient use additional annexure sheet | | | | | | |
| Surveyor's Reference: 20378_DP(Draft)_R1_200720 | | | | | | |

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

Sheet 1 of 8

Plan:

Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

**Full Name and Address of the
Registered Proprietor of the Land**

Valhalla Investments Pty Limited
(ABN 88 008 416 028)
PO Box 250
Newcastle NSW 2300

Part 1 (Creation)

| Number 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) read(s), bodies or Prescribed Authorities: |
|--|--|---|--|
| 1 | Restriction on the Use of the Land (A) | 601 to 615 inclusive | Maitland City Council |
| 2 | Restriction on the Use of the Land | 601 to 615 inclusive | Maitland City Council |
| 3 | Restriction on the Use of the Land | 605, 606, 611 to 615 inclusive | Maitland City Council |
| 4 | Restriction on the Use of the Land | 601 to 615 inclusive | 503/1265621 |
| 5 | Easement to drain water 1.5 wide (B) | 604 603 602 601 611 612 614 | 605 605, 604 605, 604, 603 605, 604, 603, 602 427/1265620 427/1265620, 611 418/1265620 |
| 6 | Positive Covenant (C) | 606 | Maitland City Council |

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

Sheet 2 of 8

Plan:

Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

Part 1a (Release)

| Number of item shown in the intention panel on 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) read(s), bodies or Prescribed Authorities: |
|--|---|-------------------------------------|--|
| 1 | Right of Access 17 & 21 wide (DP1265620) | 505/1265621 | Maitland City Council |
| 2 | Right of Carriageway 17 & 21 wide (DP1263182) | 505/1265621 | Maitland City Council |

Part 2 (Terms)

1. Terms of Restriction on the Use of Land numbered 1 in the Plan

- 1.1 No building shall be constructed outside the nominated building envelope being areas designated (A) on the Plan.
- 1.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

2. Terms of Restriction on the Use of The Land numbered 2 in the Plan

- 2.1 The subject site may be affected by mine subsidence as part of the site has been undermined in the past. It is the responsibility of the Lot owners to carry out any mine subsidence investigations prior to building on the site.
- 2.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

3. Terms of Restriction on the Use of Land numbered 3 in the Plan

- 3.1 Any Lots facing Louth Park and Dagworth Roads along the eastern boundary of the road and Lots with a width over 35m shall on the said boundary have fencing of post and wire and timber rail construction.

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

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Plan: Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
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dated

- 3.2 Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

4. Terms of Restrict on the Use of Land numbered 4 in the Plan

4.1 Dwelling House

- 4.1.1 No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 200m² exclusive of car accommodation, external landings and patios.
- 4.1.2 No dwelling house shall be erected or permitted to remain erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass or concrete treated with painted texture render.
- 4.1.3 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 non-reflective Colourbond. Untreated zincalume is prohibited.
- 4.1.4 No more than one main residential dwelling shall be erected on any lot burdened, nor are ancillary buildings to be used for residential accommodation.
- 4.1.5 No existing dwelling house or relocatable type dwelling or existing shed or relocatable type shed shall be partially or wholly moved to, placed on, re-erected or permitted to remain on any lot burdened.

4.2 Fences

- 4.2.1 No fence shall be erected or permitted to remain on the boundary of a lot burdened if the same:-
- a) (Road Boundary) Is erected on any road boundary that fence exceeds 1200mm in height or is constructed of materials other than rural style, post and three rails with or without wire mesh. The upper surface of the top rail being 1200mm high, the middle rail being 820mm high and the lower rail being 470mm high.
 - b) (Road to building line) Is erected from the road boundary to the building line as fixed by the Maitland City Council is 1200mm high or is constructed in materials other than rural style post and two rails with wire mesh.
 - c) (Other boundaries) Is constructed on a boundary behind the building line that exceeds 1800mm in height or is constructed of materials other than post and wire with wire mesh or post and rail and wire mesh.
 - d) Is other than hard wood post and rails.

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Plan: Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
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dated

e) Has rails other than dimensions of 30mm wide and 140mm high.

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

4.2.3 No fence shall be erected on a lot burdened unless it is erected without expense to Valhalla Investments Pty Ltd, its successors and permitted assigns.

4.4 Ancillary Buildings

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

- a) It is situated at the rear of the dwelling house; and
- b) It has an internal floor area of less than 100 m².
- c) It is less than 4.5 metres in height.
- d) It is no more than one single structure (and only one outbuilding is permitted to be constructed upon the lot)

4.4.2 No shed, or other farm type outbuilding shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanised iron or similar material provided that new colourbond metal sheeting may be used in the external walls of a farm building where such colourbond metal sheeting has a low reflective index and is of earth tone colours.

4.5 Prohibited activities

4.5.1 No obnoxious, noisy or offensive occupation, boarding kennels, boarding facilities, trade or business shall be conducted or carried out on any lot burdened.

4.5.2 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.

4.5.3 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.

4.5.4 No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 2.5 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.

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

Sheet 5 of 8

Plan: Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

- 4.5.5 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 at the rear of the dwelling house erected on the lot burdened.
- 4.5.6 No shipping container may be placed, parked, stored or permitted to remain on any lot burdened.
- 4.5.7 No livestock shall be permitted to remain on the lot burdened.

4.6 Acknowledgement of Covenants

- 4.6.1 The proprietor of a burdened lot acknowledges that prior to purchasing the subject lot they have made their own inquiries about the nature and effect of these covenants.
- 4.6.2 The proprietor of a burdened lot acknowledges that the burden of the covenants in this instrument run with the lot for the benefit of each other proprietor of a lot in a subdivision and shall be enforceable against the proprietor of each and every lot from time to time so burdened.
- 4.6.3 The proprietor of each lot acknowledges that the covenants are separate from each other and if any covenant is declared invalid or unenforceable then the remaining restrictive covenants will not be affected and each remaining covenant will be valid and enforceable to the full extent permitted by law.

Any release, variation or modification of these restrictions will be made and done in all respects at the cost and expense of the person or persons requesting same.

4.7 Terms of Restriction on the Use of Land in the plan

4.7.1 The owner of each Burdened lot must not:-

- a) subdivide the Burdened lot if the subdivision would create a lot with an area that is less than 1,500 square metres; and
- b) subdivide the Burdened lot so as to create lots in a strata plan or community title scheme; and
- c) erect any habitable building on the Burdened lot outside the relevant building envelope for the lot designated A on the Plan.
- d) erect any more than one dwelling house on the Burdened lot.

4.8 Name of person or Authority empowered to release, vary or modify the Restrictions as to User in the Plan:

The name of the person or entity having the power to release, vary or modify this Restriction as to User is Valhalla Investments Pty Ltd and if Valhalla Investments Pty

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

Sheet 6 of 8

Plan: Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

Ltd no longer exists, or is not the registered proprietor of the land comprised in the plan of subdivision, then the person or persons for the time being the registered proprietor of land in the plan of subdivision within 50 metres of the lot burdened shall be empowered to release or vary the restriction.

5. Terms of Easement to Drain Water numbered 5 in the Plan

5.1 Name of person empowered to release, vary or modify easement, restriction or positive covenant numbered 5 in the plan:

The lots burdened and benefited, only with the consent of Maitland City Council

6. Terms of Positive Covenant numbered 6 in the Plan

The proprietor of the burdened lot shall maintain the area designated (C) in the Plan as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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

Sheet 7 of 8

Plan:

Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

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

Signature of delegate

.....

Name of delegate

.....

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

Signature of Witness

.....

Name of Witness

.....

Address of Witness

.....

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

Sheet 8 of 8

Plan:

Plan of Subdivision of Lot 505 DP1265621
covered by Subdivision Certificate
No.
dated

Executed by VALHALLA INVESTMENTS PTY LIMITED
(ABN 88 008 416 028) in accordance with
Section 127 of the Corporations Act.

.....
Signature of Director
Print name:

.....
Signature of Director
Print name:

'Stage 7' – Draft Documents

M.C.A.

(SCMS)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



PRELIMINARY ONLY

THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.

| ARC TABLE | | | |
|-----------|---------------|----------------|---------|
| Number | Chord Bearing | Chord Distance | Radius |
| 1 | 20°12'55" | 32.15 | 32.21 |
| 2 | 19°42'23" | 114.2 | 114.26 |
| 3 | 14°49'10" | 191.175 | 214.275 |
| 4 | 9°41'30" | 54.47 | 54.56 |
| 271 | | | |

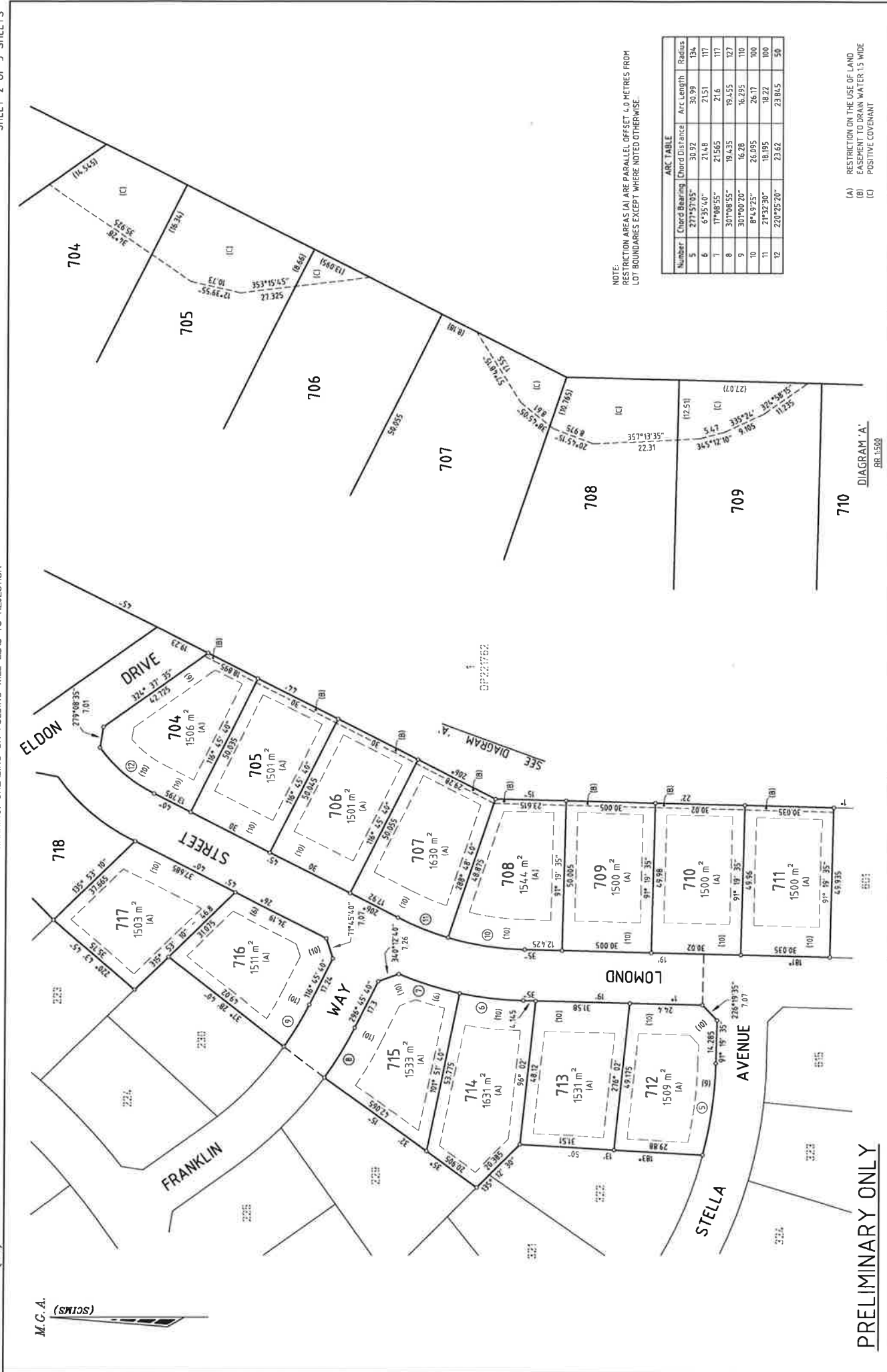
SURVEYOR
Name: THOMAS F CAMPBELL
Date:
Reference: 20379_DP(Draft)_R1_200721

PLAN OF SUBDIVISION OF LOT 616 DP1265622

LGA: MAITLAND
Locality: LOUTH PARK
Reduction Ratio 14000
Lengths are in metres.

REGISTERED

DP1265624



NOTE: RESTRICTION AREAS (A) ARE PARALLEL OFFSET 4.0 METRES FROM LOT BOUNDARIES EXCEPT WHERE NOTED OTHERWISE.

| ARC TABLE | | | |
|-----------|---------------|----------------|--------|
| Number | Chord Bearing | Chord Distance | Radius |
| 5 | 277°57'05" | 30.92 | 30.98 |
| 6 | 6°35'40" | 21.48 | 21.51 |
| 7 | 17°08'55" | 21.565 | 21.6 |
| 8 | 307°08'55" | 19.435 | 19.455 |
| 9 | 307°00'20" | 16.28 | 16.295 |
| 10 | 8°49'25" | 26.095 | 26.17 |
| 11 | 21°32'30" | 18.195 | 18.22 |
| 12 | 220°25'20" | 23.62 | 23.845 |

(A) RESTRICTION ON THE USE OF LAND
(B) EASEMENT TO DRAIN WATER 1.5 WIDE
(C) POSITIVE COVENANT

DIAGRAM 'A'
BB 1500

PRELIMINARY ONLY

THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL. FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.

SURVEYOR
Name: THOMAS F CAMPBELL
Date:
Reference: 20379_DP(Draft)_R1_200721

PLAN OF SUBDIVISION OF LOT 616 DP1265622

LGA: MAITLAND
Locality: LOUTH PARK
Reduction Ratio 1:800
Lengths are in metres.

REGISTERED

DP1265624

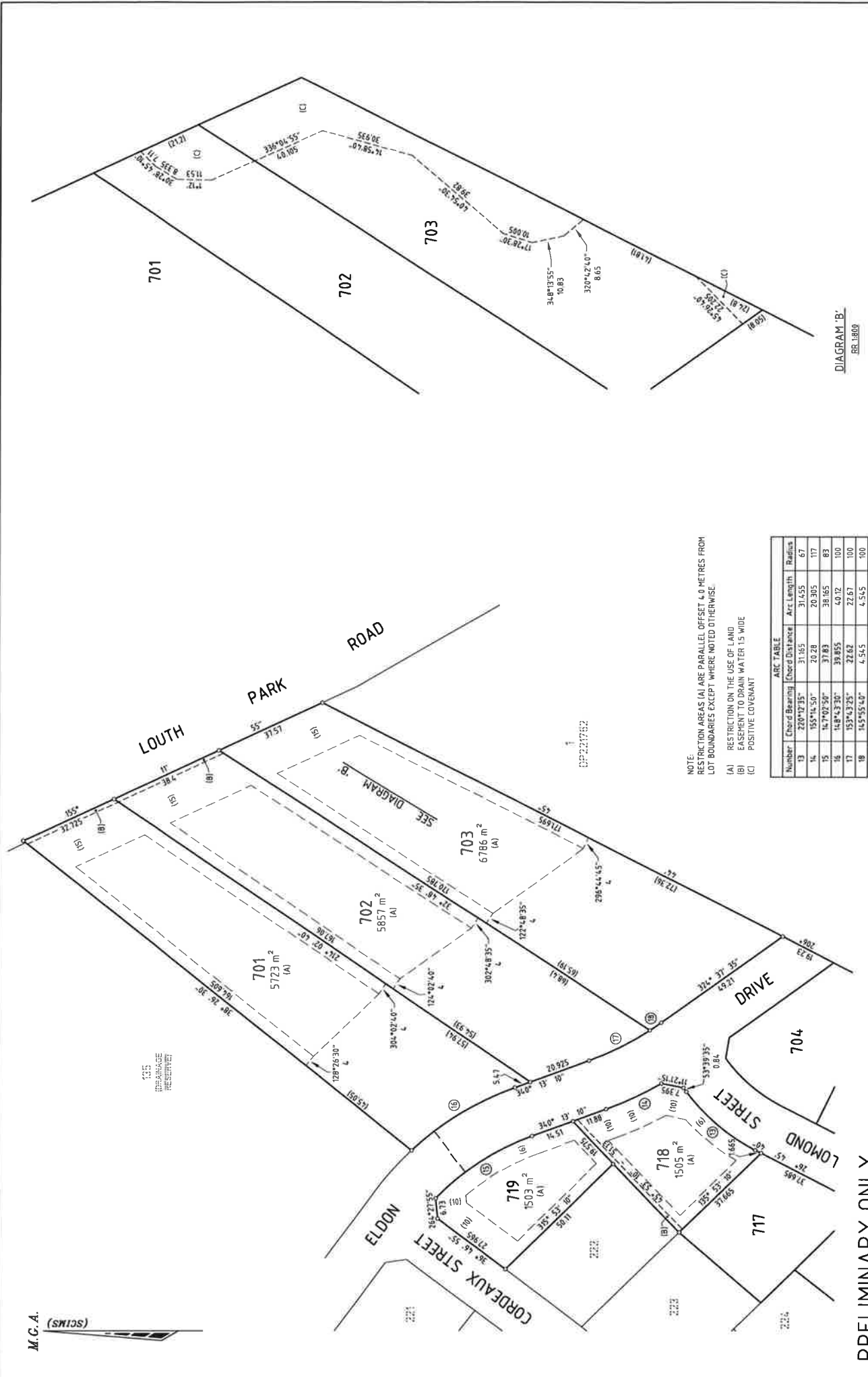


DIAGRAM B:
BB 1800

NOTE:
RESTRICTION AREAS (A) ARE PARALLEL OFFSET 4.0 METRES FROM LOT BOUNDARIES EXCEPT WHERE NOTED OTHERWISE.
(A) RESTRICTION ON THE USE OF LAND
(B) EASEMENT TO DRAIN WATER 1.5 WIDE
(C) POSITIVE COVENANT

| ARC TABLE | | | |
|-----------|---------------|----------------|--------|
| Number | Chord Bearing | Chord Distance | Radius |
| 13 | 220°12'35" | 31.655 | 67 |
| 14 | 155°14'50" | 20.28 | 20.305 |
| 15 | 147°02'50" | 37.83 | 38.165 |
| 16 | 148°43'30" | 39.855 | 40.12 |
| 17 | 153°43'25" | 22.62 | 22.67 |
| 18 | 145°55'40" | 4.545 | 4.545 |

PRELIMINARY ONLY

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SURVEYOR
Name: THOMAS F CAMPBELL
Date:
Reference: 20379_dp(Draft)_R1_200721

PLAN OF SUBDIVISION OF LOT 616 DP1265622

LGA: MAITLAND
Locality: LOUTH PARK
Reduction Ratio 1800
Lengths are in metres.

DP1265624

| | | |
|--|---|-----------------------|
| PLAN FORM 6 (2019) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 1 of 3 sheet(s) |
| <p style="text-align: right;">Office Use Only</p> <p>Registered:</p> <p>Title System:</p> | <p style="text-align: right;">Office Use Only</p> <h2 style="text-align: center;">PRELIMINARY ONLY</h2> <p>THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</p> | |
| <p>PLAN OF SUBDIVISION OF LOT 616 DP1265622</p> | <p>LGA: MAITLAND</p> <p>Locality: LOUTH PARK</p> <p>Parish: MAITLAND</p> <p>County: NORTHUMBERLAND</p> | |
| <p style="text-align: center;">Survey Certificate</p> <p>I, THOMAS F CAMPBELL of Delfs Lascelles Pty Ltd, 260 Maitland Road Mayfield 2304 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(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, or</p> <p>*(b) The part of the land shown in the plan (*being/*excluding **..... LOT 720.....) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>*(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2017.</p> <p>Datum Line: 'X' - 'Y'</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>Signature: Dated:</p> <p>Surveyor Identification No: 8704 Surveyor registered under the <i>Surveying and Spatial information Act 2002</i></p> <p>* 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.</p> | <p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> <p>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.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p> <hr/> <p style="text-align: center;">Subdivision Certificate</p> <p>I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of section 6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Accreditation number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p>* Strike through if inapplicable</p> | |
| <p>Plans used in the preparation of survey/compilation.</p> <p>DP 1251415 DP 1246277 DP 1263182 DP 1265620 DP 1265621 DP 1265622</p> | <p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p> <p>IT IS INTENDED TO DEDICATE THE EXTENSIONS OF LOMOND STREET, FRANKLIN WAY & ELDON DRIVE TO THE PUBLIC AS PUBLIC ROAD.</p> | |
| <p>Surveyor's Reference: 20379_DP(Draft)_R1_200721</p> | <p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p> | |

| PLAN FORM 6A (2017) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 2 of 3 sheet(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|-----------|------------|-----------|-----------|----------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|-----|--|--|--|------------|
| <div style="text-align: right; font-weight: bold;">Office Use Only</div> Registered: | | <div style="text-align: right; font-weight: bold;">Office Use Only</div> <h2 style="margin: 0;">PRELIMINARY ONLY</h2> <p style="font-size: small; margin: 5px 0;">THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</p> <p style="font-size: small; margin: 5px 0;">This sheet is for the provision of the following information as required:</p> <ul style="list-style-type: none"> A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> Signatures and seals - See 195D <i>Conveyancing Act 1919</i> Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PLAN OF SUBDIVISION OF LOT 616 DP1265622 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Subdivision Certificate number : Date of Endorsement : | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO CREATE:-</p> <ol style="list-style-type: none"> 1. RESTRICTION ON THE USE OF LAND (A) 2. RESTRICTION ON THE USE OF LAND 3. RESTRICTION ON THE USE OF LAND 4. RESTRICTION ON THE USE OF LAND 5. EASEMENT TO DRAIN WATER 1.5 WIDE (B) 6. POSITIVE COVENANT (C) <p style="margin-top: 20px;">TO RELEASE:-</p> <ol style="list-style-type: none"> 1. RIGHT OF ACCESS 17 & 21 WIDE (DP1257205) <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 8%;">LOT</th> <th style="width: 15%;">STREET No.</th> <th style="width: 20%;">ROAD NAME</th> <th style="width: 10%;">ROAD TYPE</th> <th style="width: 47%;">LOCALITY</th> </tr> </thead> <tbody> <tr><td>701</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>702</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>703</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>704</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>705</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>706</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>707</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>708</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>709</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>710</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>711</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>712</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>713</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>714</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>715</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>716</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>717</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>718</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>719</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> <tr><td>720</td><td></td><td></td><td></td><td>LOUTH PARK</td></tr> </tbody> </table> <p style="text-align: center; margin-top: 20px;">If space is insufficient use additional annexure sheet</p> | | | LOT | STREET No. | ROAD NAME | ROAD TYPE | LOCALITY | 701 | | | | LOUTH PARK | 702 | | | | LOUTH PARK | 703 | | | | LOUTH PARK | 704 | | | | LOUTH PARK | 705 | | | | LOUTH PARK | 706 | | | | LOUTH PARK | 707 | | | | LOUTH PARK | 708 | | | | LOUTH PARK | 709 | | | | LOUTH PARK | 710 | | | | LOUTH PARK | 711 | | | | LOUTH PARK | 712 | | | | LOUTH PARK | 713 | | | | LOUTH PARK | 714 | | | | LOUTH PARK | 715 | | | | LOUTH PARK | 716 | | | | LOUTH PARK | 717 | | | | LOUTH PARK | 718 | | | | LOUTH PARK | 719 | | | | LOUTH PARK | 720 | | | | LOUTH PARK |
| LOT | STREET No. | ROAD NAME | ROAD TYPE | LOCALITY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 701 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 702 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 703 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 704 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 705 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 706 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 707 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 708 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 709 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 710 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 711 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 712 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 713 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 714 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 715 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 716 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 717 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 718 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 719 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 720 | | | | LOUTH PARK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surveyor's Reference: 20379_DP(Draft)_R1_200721 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| PLAN FORM 6A (2017) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 3 of 3 sheet(s) |
| <div style="text-align: right; font-size: small;">Office Use Only</div> Registered: | | <div style="text-align: right; font-size: small;">Office Use Only</div> <div style="font-size: 2em; font-weight: bold; text-align: center;">PRELIMINARY ONLY</div> <div style="font-size: x-small; text-align: center;"> <p>THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO COUNCIL APPROVAL, FINAL DESIGN, CONSTRUCTION, FINAL SURVEY AND REGISTRATION AT THE LAND AND PROPERTY INFORMATION, SYDNEY.</p> <p>This sheet is for the provision of the following information as required:</p> <ul style="list-style-type: none"> A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> Signatures and seals - See 195D <i>Conveyancing Act 1919</i> Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. </div> |
| PLAN OF SUBDIVISION OF LOT 616 DP1265622 | | |
| Subdivision Certificate number : Date of Endorsement : | | |
| <p>Executed by VALHALLA INVESTMENTS PTY LIMITED ABN 88 008 416 028 by:</p> <div style="display: flex; justify-content: space-between; margin-top: 100px;"> <div style="width: 45%;"> <p>.....</p> <p>Director</p> <p>.....</p> <p>Name</p> </div> <div style="width: 45%;"> <p>.....</p> <p>Director</p> <p>.....</p> <p>Name</p> </div> </div> | | |
| If space is insufficient use additional annexure sheet | | |
| Surveyor's Reference: 20379_DP(Draft)_R1_200721 | | |

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

Sheet 1 of 8

Plan:

Plan of Subdivision of Lot 616 DP1265622
covered by Subdivision Certificate
No.
dated

**Full Name and Address of the
Registered Proprietor of the Land**

Valhalla Investments Pty Limited
(ABN 88 008 416 028)
PO Box 250
Newcastle NSW 2300

Part 1 (Creation)

| Number 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) read(s), bodies or Prescribed Authorities: |
|--|--|--|--|
| 1 | Restriction on the Use of the Land (A) | 701 to 719 inclusive | Maitland City Council |
| 2 | Restriction on the Use of the Land | 701 to 719 inclusive | Maitland City Council |
| 3 | Restriction on the Use of the Land | 702, 702, 703, 704, 707, 708, 712, 715, 717 & 719 | Maitland City Council |
| 4 | Restriction on the Use of the Land | 701 to 719 inclusive | 503/1265621 |
| 5 | Easement to Drain Water 1.5 wide (B) | 711 710 709 708 707 706 705 704 | 601/1265622 601/1265622, 711 601/1265622, 711, 710 601/1265622, 711, 710, 709 601/1265622, 711, 710, 709, 708 601/1265622, 711, 710, 709, 708, 707 601/1265622, 711, 710, 709, 708, 707, 706 601/1265622, 711, 710, 709, 708, 707, 706, 705 |
| 6 | Positive Covenant (C) | 702 to 709 inclusive | Maitland City Council |

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

Sheet 2 of 8

Plan: Plan of Subdivision of Lot 616 DP1265622
covered by Subdivision Certificate
No.
dated

Part 1a (Release)

| Number of item shown in the intention panel on 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) read(s), bodies or Prescribed Authorities: |
|--|---|-------------------------------------|--|
| 1 | Right of Access 17 & 21 wide (DP1257205) | 616/1265622 | Maitland City Council |

Part 2 (Terms)

1. Terms of Restriction on the Use of Land numbered 1 in the Plan

- 1.1 No building shall be constructed outside the nominated building envelope being areas designated (A) on the Plan.
- 1.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

2. Terms of Restriction on the Use of The Land numbered 2 in the Plan

- 2.1 The subject site may be affected by mine subsidence as part of the site has been undermined in the past. It is the responsibility of the Lot owners to carry out any mine subsidence investigations prior to building on the site.
- 2.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

3. Terms of Restriction on the Use of Land numbered 3 in the Plan

- 3.1 Any Lots facing Louth Park and Dagworth Roads along the eastern boundary of the road and Lots with a width over 35m shall on the said boundary have fencing of post and wire and timber rail construction.
- 3.2 **Name of person empowered to release, vary or modify restriction on use of land referred to in the above Plan;**
Maitland City Council for Lots burdened and benefited.

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

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Plan: Plan of Subdivision of Lot 616 DP1265622
covered by Subdivision Certificate
No.
dated

4. Terms of Restrict on the Use of Land numbered 4 in the Plan

4.1 Dwelling House

- 4.1.1 No dwelling house may be erected or permitted to remain erected on any lot burdened having a total internal floor area of less than 200m² exclusive of car accommodation, external landings and patios.
- 4.1.2 No dwelling house shall be erected or permitted to remain erected on a lot burdened with external walls of other than face brick, brick veneer, stone, glass or concrete treated with painted texture render.
- 4.1.3 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 non-reflective Colourbond. Untreated zincalume is prohibited.
- 4.1.4 No more than one main residential dwelling shall be erected on any lot burdened, nor are ancillary buildings to be used for residential accommodation.
- 4.1.5 No existing dwelling house or relocatable type dwelling or existing shed or relocatable type shed shall be partially or wholly moved to, placed on, re-erected or permitted to remain on any lot burdened.

4.2 Fences

- 4.2.1 No fence shall be erected or permitted to remain on the boundary of a lot burdened if the same:-
 - a) (Road Boundary) Is erected on any road boundary that fence exceeds 1200mm in height or is constructed of materials other than rural style, post and three rails with or without wire mesh. The upper surface of the top rail being 1200mm high, the middle rail being 820mm high and the lower rail being 470mm high.
 - b) (Road to building line) Is erected from the road boundary to the building line as fixed by the Maitland City Council is 1200mm high or is constructed in materials other than rural style post and two rails with wire mesh.
 - c) (Other boundaries) Is constructed on a boundary behind the building line that exceeds 1800mm in height or is constructed of materials other than post and wire with wire mesh or post and rail and wire mesh.
 - d) Is other than hard wood post and rails.
 - e) Has rails other than dimensions of 30mm wide and 140mm high.
- 4.2.2 Fencing associated with the dwelling house or court yards associated with the dwelling house may incorporate brick, masonry, timber and brushwood. Fencing

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

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Plan: Plan of Subdivision of Lot 616 DP1265622
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dated

shall not comprise sheet material such as colourbond, fibro cement or paling fences. This covenant does not preclude safety fencing associated with swimming pools.

- 4.2.3 No fence shall be erected on a lot burdened unless it is erected without expense to Valhalla Investments Pty Ltd, its successors and permitted assigns.

4.4 Ancillary Buildings

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

- a) It is situated at the rear of the dwelling house; and
- b) It has an internal floor area of less than 100 m².
- c) It is less than 4.5 metres in height.
- d) It is no more than one single structure (and only one outbuilding is permitted to be constructed upon the lot)

- 4.4.2 No shed, or other farm type outbuilding shall be constructed or permitted to remain on a lot burdened having walls of corrugated galvanised iron or similar material provided that new colourbond metal sheeting may be used in the external walls of a farm building where such colourbond metal sheeting has a low reflective index and is of earth tone colours.

4.5 Prohibited activities

- 4.5.1 No obnoxious, noisy or offensive occupation, boarding kennels, boarding facilities, trade or business shall be conducted or carried out on any lot burdened.
- 4.5.2 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.
- 4.5.3 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.
- 4.5.4 No motor truck, lorry or semi-trailer with a load carrying capacity exceeding 2.5 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.
- 4.5.5 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 at the rear of the dwelling house erected on the lot burdened.

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

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Plan: Plan of Subdivision of Lot 616 DP1265622
covered by Subdivision Certificate
No.
dated

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

4.5.7 No livestock shall be permitted to remain on the lot burdened.

4.6 Acknowledgement of Covenants

4.6.1 The proprietor of a burdened lot acknowledges that prior to purchasing the subject lot they have made their own inquiries about the nature and effect of these covenants.

4.6.2 The proprietor of a burdened lot acknowledges that the burden of the covenants in this instrument run with the lot for the benefit of each other proprietor of a lot in a subdivision and shall be enforceable against the proprietor of each and every lot from time to time so burdened.

4.6.3 The proprietor of each lot acknowledges that the covenants are separate from each other and if any covenant is declared invalid or unenforceable then the remaining restrictive covenants will not be affected and each remaining covenant will be valid and enforceable to the full extent permitted by law.

Any release, variation or modification of these restrictions will be made and done in all respects at the cost and expense of the person or persons requesting same.

4.7 Terms of Restriction on the Use of Land in the plan

4.7.1 The owner of each Burdened lot must not:-

- a) subdivide the Burdened lot if the subdivision would create a lot with an area that is less than 1,500 square metres; and
- b) subdivide the Burdened lot so as to create lots in a strata plan or community title scheme; and
- c) erect any habitable building on the Burdened lot outside the relevant building envelope for the lot designated A on the Plan.
- d) erect any more than one dwelling house on the Burdened lot.

4.8 Name of person or Authority empowered to release, vary or modify the Restrictions as to User in the Plan:

The name of the person or entity having the power to release, vary or modify this Restriction as to User is Valhalla Investments Pty Ltd and if Valhalla Investments Pty Ltd no longer exists, or is not the registered proprietor of the land comprised in the plan of subdivision, then the person or persons for the time being the registered proprietor of land in the plan of subdivision within 50 metres of the lot burdened shall be empowered to release or vary the restriction.

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

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Plan: Plan of Subdivision of Lot 616 DP1265622
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5. Terms of Easement to Drain Water numbered 5 in the Plan

5.1 Name of person empowered to release, vary or modify easement, restriction or positive covenant numbered 5 in the plan:

The lots burdened and benefited, only with the consent of Maitland City Council

6. Terms of Positive Covenant numbered 6 in the Plan

The proprietor of the burdened lot shall maintain the area designated (C) in the Plan as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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

Sheet 7 of 8

Plan: Plan of Subdivision of Lot 616 DP1265622
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dated

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

Signature of delegate

Name of delegate

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

Signature of Witness

Name of Witness

Address of Witness

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

Sheet 8 of 8

Plan:

Plan of Subdivision of Lot 616 DP1265622
covered by Subdivision Certificate
No.
dated

Executed by VALHALLA INVESTMENTS PTY LIMITED
(ABN 88 008 416 028) in accordance with
Section 127 of the Corporations Act.

.....
Signature of Director
Print name:

.....
Signature of Director
Print name:

Certificate No.: PC/2020/1888

Certificate Date: 13/07/2020

Fee Paid: \$53.00

Receipt No.: 766096

Your Reference: 74251

SECTION 10.7 PLANNING CERTIFICATE

Environmental Planning and Assessment Act, 1979 as amended

| | |
|------------------------------|---|
| APPLICANT: | Infotrack ecertificates@infotrack.com.au |
| PROPERTY DESCRIPTION: | 31 Cordeaux Street LOUTH PARK NSW 2320 |
| PARCEL NUMBER: | 100486 |
| LEGAL DESCRIPTION: | Lot 328 DP 1263182 |

IMPORTANT: Please read this Certificate carefully.

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

The information provided in this Certificate relates only to the land described above. If you require information about adjoining or nearby land, or about the Council's development policies or codes for the general area, contact Council's Planning & Environment Department.

All information provided is correct as at the date of issue of this Certificate, however it is possible for changes to occur at any time after the issue of this Certificate. We recommend that you only rely upon a very recent Certificate.

The following responses are based on the Council's records and/or information from sources outside the Council. The responses are provided with all due care and in good faith, however the Council cannot accept responsibility for any omission or inaccuracy arising from information outside the control of the Council.

Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).

PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)

1. Local Environmental Plan (LEP)

Maitland LEP 2011, published 16 December 2011, applies to the land.

Exhibited draft Local Environmental Plans

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

Development Control Plan prepared by Council

Maitland Development Control Plan 2011 applies to the land.

Development Control Plan prepared by the Director General

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

State Environmental Planning Policies

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
- SEPP36 Manufactured Home Estates
- SEPP (Koala Habitat Protection) 2019
- SEPP50 Canal Estate Development
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP64 Advertising and Signage
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017

- SEPP (Educational Establishments and Child Care Facilities) 2017

Draft State Environmental Planning Policies

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

2. Zoning and land use under relevant LEPs

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

R5 Large Lot Residential, RU2 Rural Landscape

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

R5 Large Lot Residential

a) Purpose/Objective

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities
- To minimise conflict between land uses within this zone and land uses within adjoining zones

b) Permitted with Consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Home-based child care; Home industries; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Roads; Tank-based aquaculture; Any other development not specified in item 2 or 4

c) Permitted without Consent

Home occupations

d) Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

RU2 Rural Landscape

a) Purpose/Objective

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- To maintain the rural landscape character of the land
- To provide for a range of compatible land uses, including extensive agriculture
- To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised

b) Permitted with Consent

Agriculture; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Landscaping material supplies; Markets; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Signage; Turf farming; Veterinary hospitals; Water supply systems

c) Permitted without Consent

Extensive agriculture; Home occupations; Intensive plant agriculture

d) Prohibited

Intensive livestock agriculture; Livestock processing industries; Any other development not specified in item 2 or 3.

e) Land dimensions to permit the erection of a dwelling house on the land

For the land zoned RU2 Rural Landscape Clause 4.2A in the Maitland Local Environmental Plan 2011 applies to the land. This clause fixes a minimum lot size for the erection of a dwelling-house that is identified on the Maitland Local Environmental Plan 2011 Lot Size Map as 40 hectares. For the land zoned R5 Large Lot Residential the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

f) Critical Habitat

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

g) Conservation Area

The land IS NOT in a Heritage Conservation Area.

h) Item of Environmental Heritage

The land does NOT contain an item of Environmental Heritage.

3. Complying Development

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Rural Housing Code** may be carried out on the land.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Subdivisions Code** may be carried out on the land.

Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may not be carried out on the land.

Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State

Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

5. Coal Mine Subsidence Compensation Act 2017

The land is within a proclaimed Mine Subsidence District under section 20 of the Coal Mine Subsidence Compensation Act 2017. The approval of Subsidence Advisory NSW is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with Subsidence Advisory NSW regarding mine subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

6. Road widening and road realignment

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

7. Council and other public authority policies on hazard risk restrictions

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in land use will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

7A. Flood Related Development Controls

Development on this land or part of this land for the purposes of dwelling houses, attached dwellings, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors

housing) IS subject to flood related development controls contained within clause 7.3 of the Maitland LEP 2011 and s.B3 of the Maitland DCP 2011.

Development on this land or part of this land for any other purpose IS subject to flood related development controls contained within clause 7.3 of the Maitland LEP 2011 and s.B3 of the Maitland DCP 2011.

Information given in relation to flooding is based upon Council's adopted 1:100 ARI (Average Recurrent Interval) flood event.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard.

8. Land Reserved for Acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9. Contribution Plans

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

9A. Biodiversity Certified Land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

10. Biodiversity Stewardship Sites

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native Vegetation clearing set asides

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

11. Bushfire Prone Land

The land is mapped as bushfire prone land and as such restrictions may apply to new development on this land.

12. Property vegetation plans

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

13. Order under Trees (Disputes between Neighbours) Act 2006

Council has NOT received notification from the Land and Environment Court of

NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

14. Directions under Part 3A

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

15. Site Compatibility Certificate and Conditions for Seniors Housing

a) Site Compatibility Certificate

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

b) Conditions of Development Consent since 11 October 2007

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

16. Site compatibility certificates for infrastructure, schools or TAFE establishments

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

17. Site compatibility certificates and conditions for affordable rental housing

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

18. Paper subdivision information

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

19. Site verification certificates

Council is not aware of any current site verification certificate in respect of the land.

20. Loose-fill asbestos insulation

There are no premises on the subject land listed on the register.

21. Affected building notices and building product rectification orders

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product

rectification order being given in respect of the land and that is outstanding.

Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.

Contaminated Land

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
 - b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
 - c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
 - d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
 - e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.
-

David Evans
General Manager

Certificate No.: PC/2020/1888

Certificate Date: 13/07/2020

Fee Paid: \$53.00

Receipt No.: 766096

Your Reference: 74251

SECTION 10.7 PLANNING CERTIFICATE

Environmental Planning and Assessment Act, 1979 as amended

| | |
|------------------------------|---|
| APPLICANT: | Infotrack ecertificates@infotrack.com.au |
| PROPERTY DESCRIPTION: | 31 Cordeaux Street LOUTH PARK NSW 2320 |
| PARCEL NUMBER: | 100486 |
| LEGAL DESCRIPTION: | Lot 328 DP 1263182 |

IMPORTANT: Please read this Certificate carefully.

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

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Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).

PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)

1. Local Environmental Plan (LEP)

Maitland LEP 2011, published 16 December 2011, applies to the land.

Exhibited draft Local Environmental Plans

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

Development Control Plan prepared by Council

Maitland Development Control Plan 2011 applies to the land.

Development Control Plan prepared by the Director General

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

State Environmental Planning Policies

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
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- SEPP (Koala Habitat Protection) 2019
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- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP64 Advertising and Signage
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017

- SEPP (Educational Establishments and Child Care Facilities) 2017

Draft State Environmental Planning Policies

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

2. Zoning and land use under relevant LEPs

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

R5 Large Lot Residential, RU2 Rural Landscape

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

R5 Large Lot Residential

a) Purpose/Objective

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities
- To minimise conflict between land uses within this zone and land uses within adjoining zones

b) Permitted with Consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Home-based child care; Home industries; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Roads; Tank-based aquaculture; Any other development not specified in item 2 or 4

c) Permitted without Consent

Home occupations

d) Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

RU2 Rural Landscape

a) Purpose/Objective

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- To maintain the rural landscape character of the land
- To provide for a range of compatible land uses, including extensive agriculture
- To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised

b) Permitted with Consent

Agriculture; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Landscaping material supplies; Markets; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Signage; Turf farming; Veterinary hospitals; Water supply systems

c) Permitted without Consent

Extensive agriculture; Home occupations; Intensive plant agriculture

d) Prohibited

Intensive livestock agriculture; Livestock processing industries; Any other development not specified in item 2 or 3.

e) Land dimensions to permit the erection of a dwelling house on the land

For the land zoned RU2 Rural Landscape Clause 4.2A in the Maitland Local Environmental Plan 2011 applies to the land. This clause fixes a minimum lot size for the erection of a dwelling-house that is identified on the Maitland Local Environmental Plan 2011 Lot Size Map as 40 hectares. For the land zoned R5 Large Lot Residential the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

f) Critical Habitat

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

g) Conservation Area

The land IS NOT in a Heritage Conservation Area.

h) Item of Environmental Heritage

The land does NOT contain an item of Environmental Heritage.

3. Complying Development

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Rural Housing Code** may be carried out on the land.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Subdivisions Code** may be carried out on the land.

Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may not be carried out on the land.

Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State

Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

5. Coal Mine Subsidence Compensation Act 2017

The land is within a proclaimed Mine Subsidence District under section 20 of the Coal Mine Subsidence Compensation Act 2017. The approval of Subsidence Advisory NSW is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with Subsidence Advisory NSW regarding mine subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

6. Road widening and road realignment

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

7. Council and other public authority policies on hazard risk restrictions

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in land use will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

7A. Flood Related Development Controls

Development on this land or part of this land for the purposes of dwelling houses, attached dwellings, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors

housing) IS subject to flood related development controls contained within clause 7.3 of the Maitland LEP 2011 and s.B3 of the Maitland DCP 2011.

Development on this land or part of this land for any other purpose IS subject to flood related development controls contained within clause 7.3 of the Maitland LEP 2011 and s.B3 of the Maitland DCP 2011.

Information given in relation to flooding is based upon Council's adopted 1:100 ARI (Average Recurrent Interval) flood event.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard.

8. Land Reserved for Acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9. Contribution Plans

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

9A. Biodiversity Certified Land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

10. Biodiversity Stewardship Sites

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native Vegetation clearing set asides

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

11. Bushfire Prone Land

The land is mapped as bushfire prone land and as such restrictions may apply to new development on this land.

12. Property vegetation plans

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

13. Order under Trees (Disputes between Neighbours) Act 2006

Council has NOT received notification from the Land and Environment Court of

NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

14. Directions under Part 3A

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

15. Site Compatibility Certificate and Conditions for Seniors Housing

a) Site Compatibility Certificate

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

b) Conditions of Development Consent since 11 October 2007

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

16. Site compatibility certificates for infrastructure, schools or TAFE establishments

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

17. Site compatibility certificates and conditions for affordable rental housing

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

18. Paper subdivision information

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

19. Site verification certificates

Council is not aware of any current site verification certificate in respect of the land.

20. Loose-fill asbestos insulation

There are no premises on the subject land listed on the register.

21. Affected building notices and building product rectification orders

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product

rectification order being given in respect of the land and that is outstanding.

Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.

Contaminated Land

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
 - b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
 - c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
 - d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
 - e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.
-

David Evans
General Manager



HUNTER WATER CORPORATION

A.B.N. 46 228 513 446

SERVICE LOCATION PLAN

Enquiries: 1300 657 657



APPLICATION NUMBER: 8691368327

APPLICANT REF: M 74251

APPLICANT NAME: InfoTrack

N/A

RATEABLE PREMISE NO.: 3981010894

N/A

PROPERTY ADDRESS: 31 CORDEAUX ST LOUTH PARK 2320

LOT/SECTION/DP:SP: LOT/SECTION/DP:SP



Date: 13/07/2020

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CONTOUR DATA © AHA/Arch
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IF A SEWERMAIN IS LAID WITHIN THE BOUNDARIES OF THE LOT, SPECIAL REQUIREMENTS FOR THE PROTECTION OF THE SEWERMAIN APPLY IF DEVELOPMENT IS UNDERTAKEN. IN THESE CASES, IT IS RECOMMENDED THAT YOU SEEK ADVICE ON THE SPECIAL REQUIREMENTS PRIOR TO PURCHASE. PHONE 1300 657 657, FOR MORE INFORMATION.

SEWER POSITION APPROXIMATE ONLY.
SUBJECT PROPERTY BOLD.
ALL MEASUREMENTS ARE METRIC.

IMPORTANT:
IF THIS PLAN INDICATES A SEWER CONNECTION IS AVAILABLE OR PROPOSED FOR THE SUBJECT PROPERTY, IT IS THE INTENDING OWNERS RESPONSIBILITY TO DETERMINE WHETHER IT IS PRACTICABLE TO DISCHARGE WASTEWATER FROM ALL PARTS OF THE PROPERTY TO THAT CONNECTION.
ANY INFORMATION ON THIS PLAN MAY NOT BE UP TO DATE AND THE CORPORATION ACCEPTS NO RESPONSIBILITY FOR ITS ACCURACY.

Scale: at A3 1:5,000

SEWER/RECYCLED WATER
UTILITY DATA
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