

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to section 88B *Conveyancing Act 1919*.

(Sheet 1 of 9 sheets)

Plan: Plan of Subdivision of Lot 3 DP1305209 & Easements over Lot 5 DP1305209 covered by Subdivision Certificate No.

Dated

Full name and address of the owner of the land: LegPro 75 Pty Ltd
ACN 657 948 493
Level 45, 25 Martin Place
Sydney NSW 2000

Part 1 (Creation)

Number of item shown in the intention panel on the Plan	Identity of easement profit à prendre, restriction or positive covenant to be created and referred to in the Plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement for Drainage 2 wide (A)	303 304 305 308 309 312 313 314 322 323 324 325 326	304, 305 & 306 305 & 306 306 307 307 & 308 321 to 326 inclusive 312 & 321 to 326 inclusive 312, 313 & 321 to 326 inclusive 321 321 to 322 inclusive 321 to 323 inclusive 321 to 324 inclusive 321 to 325 inclusive
2	Restriction On the Use of Land (R) <i>(Retaining Walls)</i>	Parts of the Lots: 301 302 307 308 309 310 311 312 313 315 316 317 318 319 320	Camden Council

.....
Registered Proprietor (initial)

30013567.L03.88B.Stage 3 Draft.v05.2025.05.21

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Camden Council (initial)
Council File No: DA/2023/186/1

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2 (cont'd)	Restriction On the Use of Land (R) (continued)	Parts of the Lots: 321 322 323 324 325 326 327	Camden Council
3	Positive Covenant (V) <i>(Retaining Walls)</i>	Parts of the Lots: 301 302 307 308 309 310 311 312 313 315 316 317 318 319 320 321 322 323 324 325 326 327	Camden Council
4	Restriction on the Use of Land <i>(Bushfire IPA)</i>	301 to 327 inclusive	Camden Council
5	Restriction on the Use of Land <i>(Fencing Covenant)</i>	301 to 327 inclusive	LegPro 75 Pty Ltd
6	Restriction on the Use of Land <i>(Salinity)</i>	301 to 327 inclusive	Camden Council
7	Restriction on the Use of Land <i>(Filled Lots)</i>	301 to 327 inclusive	Camden Council

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8	Restriction on the Use of Land <i>(Acoustic ~ Windows Closed)</i>	301 to 327 inclusive	Camden Council
9	Right of Carriageway variable Width (W) <i>(Temporary Turning Heads)</i>	Lot 5 DP1305209	Camden Council
10	Restriction on the Use of Land <i>(Bin Placement for adjoining lot)</i>	325	326 & Camden Council
11	Positive Covenant <i>(Bin Placement)</i>	326	Camden Council

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Part 2 (Terms)

1. Terms of Easement to Drain Water 2 wide (A) numbered 1 in the Plan

Notwithstanding the terms of Easement to Drain Water as set out in Part 3 Schedule 8 of the Conveyancing Act 1919 (as amended), no building, erection of structures, excavation, filling or alteration of the finished surface levels approved by the Council for the subdivision created by the plan herein will be permitted on the site of the Easement and no fence shall be erected within the easement that would restrict the overland flow of water in the easement without the written consent of Camden Council being firstly obtained.

Name of authority whose consent is required to release, vary or modify the easement numbered 1 in the plan:

Camden Council

2. Terms of Restriction on the Use of Land (R) numbered 2 in the Plan

- (a) The registered proprietor of the lot hereby burdened must not, or allow any person to, alter, remove or destroy any part of the retaining wall including any soil, planting or fencing associated with the retaining wall within the area designated (R) on the plan without the prior written approval of Camden Council.
- (b) Ensure that no alteration to the type, size or location of the retaining wall within, on or over the area designated (R) on the plan without the prior written consent of Camden Council.
- (c) No buildings or structures shall be permitted to be constructed within the area designated (R) on the plan. Notwithstanding the above, an eave, gutter or part of the roof structure for the dwelling may overhang the area designated (R).

Name of authority whose consent is required to release, vary or modify the restriction numbered 2 in the plan:

Camden Council.

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3. Terms of Positive Covenant (V) numbered 3 in the Plan

The registered proprietor of the lots hereby burdened, or their assigns, must covenant with Camden Council at all times to maintain the retaining wall and any associated fencing in good order within, on or over the area designated (V) on the plan. If the retaining wall is not maintained to the satisfaction of Camden Council, Council may enter upon the land and carry out the necessary work at full cost to the owner of the lot burdened.

Name of authority whose consent is required to release, vary or modify the positive covenant numbered 3 in the plan:

Camden Council.

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

Except for where vegetation is to be retained, the lot(s) burdened by this restriction must be maintained to comply with the standards of an Inner Protection Area (IPA) as described by Section A4.1.1 of NSW Rural Fire Service (RFS) document "Planning for Bush Fire Protection 2019".

Name of authority having the right to release, vary or modify the Restriction on the Use of Land numbered 4 in the plan:

Camden Council

5. Terms of Restriction on the Use of Land numbered 5 in the Plan

That for the benefit of any adjoining land owned by LegPro 75 Pty Ltd, but only during the ownership thereof of LegPro 75 Pty Ltd, their successors and assigns other than transferees on sale, no fence shall be erected on the land hereby burdened to divide same from such adjoining land without the consent of LegPro 75 Pty Ltd but such consent shall not be withheld if such fence is erected without expense to LegPro 75 Pty Ltd and in favour of any person dealing with a transferee such consent shall be deemed to have been given in respect of every fence for the time being erected.

Name of person or body having the right to release, vary or modify the Restriction on the Use of Land numbered 5 in the plan:

LegPro 75 Pty Ltd

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6. Terms of Restriction on the Use of Land numbered 6 in the Plan.

No works are permitted to be undertaken on the lot burdened unless, all works that includes earthworks, imported fill and landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with AS 2159, AS 2870 and the management strategies contained within the reports titled “....., dated”

Name of Authority whose consent is required to release, vary or modify restriction numbered 6 in the plan:

Camden Council.

7. Terms of Restriction on the Use of Land numbered 7 in the Plan.

No dwelling, garages or other structures shall be permitted on the lot burdened UNLESS the foundations/footings proposed for such structures have been designed to account for the geotechnical classification of each lot burdened and such foundations/footing design is certified by a suitably qualified Structural or Civil Engineer and a copy of the design and certification has been provided to the Authority approving the construction.

Name of Authority whose consent is required to release, vary or modify the restriction numbered 7 in the plan:

Camden Council.

8. Terms of Restriction on the Use of Land numbered 8 in the Plan:

Where the traffic Noise Assessment Report (prepared by Rodney Stevens Acoustic Consultants, Reference R220433R1, Revision 3, dated 11th April, 2024.) applies a windows closed condition to meet internal noise criteria, the adopted ventilation systems must meet the requirements of the Building Code of Australia and Australian Standard 1668 – The Use of ventilation and air conditioning in buildings.

Name of authority having the right to release, vary or modify the Restriction on the Use of Land numbered 8 in the plan:

Camden Council

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9. Terms of Right of Carriage Way variable width (W) numbered 9 in the Plan

As set out in Part 1 of Schedule 4A of the Conveyancing Act, 1919.

Name of Authority whose consent is required to release, vary or modify the right of carriageway numbered 9 in the plan:

Camden Council.

10. Terms of Restriction on the Use of Land numbered 10 in the Plan:

The burdened lot shall allow the placement of garbage bins for waste collection for the benefited lot within the property frontage of the burdened lot.

Name of authority having the right to release, vary or modify the Restriction on the Use of Land numbered 10 in the plan:

Camden Council

11. Terms of Positive Covenant numbered 11 in the Plan:

The registered proprietors of the lot hereby burdened must present their garbage bins for waste collection in front of Lot 325.

Name of authority having the right to release, vary or modify the Positive Covenant numbered 11 in the plan:

Camden Council

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Dated

Execution by Council

CAMDEN COUNCIL by its authorised delegate pursuant to s.377/378 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

Executed by:

LegPro 75 Pty Ltd
ACN 657 948 493

in accordance with Section 127(1) of the Corporations Act 2001 in the presence of

.....
Signature of **ELTON MATTHEW HYDER IV**
(Sole Director & Secretary)

.....
Registered Proprietor (initial)

.....
Camden Council (initial)
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Dated

Executed by Mortgagee under Mortgage numbered

DRAFT

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Registered Proprietor (initial)

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