

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 of the Conveyancing Act 1919.

Lengths are in Metres

Sheet 1 of 5 Sheets

Plan:

Plan of Subdivision of Lot 1197  
DP1171491 covered by Council's  
Subdivision Certificate No.

<u>Full Name and address of Proprietor of land:</u>	Landcom Level 14 60 Station Street PARRAMATTA NSW 2150
---	---

**Part 1**

	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 to Drain Water 1.5 Wide	2324 2325	2325, 2326 2326
2.	Easement to Drain Water 2.5 Wide	2301 2304 to 2323 inclusive 2327 2339 2340 2387 2388	Penrith City Council
3.	Easement for Padmount Substation 2.75 Wide	2355 2379 2392	Endeavour Energy
4.	Restriction on the Use of Land	2355 2378 2379 2389 2392	Endeavour Energy
5.	Restriction on the Use of Land	2355 2378 2379 2389 2390 2392	Endeavour Energy

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

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 of the Conveyancing Act 1919.

Lengths are in Metres

Sheet 2 of 5 Sheets

Plan:

Plan of Subdivision of Lot 1197  
DP1171491 covered by Council's  
Subdivision Certificate No.

**Part 1A (Release)**

	Identity of Easement, profit à prendre, restriction or positive covenant to be released and referred to in the plan:-	Burdened lot(s) or parcel(s):-	Benefited lot(s), road(s), bodies or Prescribed Authorities:-
1.	Easement for Powerline 15.24 Wide (Vide J611971)	1197/1171491	Endeavour Energy

**Part 2**

**Terms of easement, profit à prendre, restriction or positive covenant numbered 3 in the plan.**

An Easement for Padmount Substation having terms as detailed in Memorandum No. 9262886 registered with the Land Titles Office, subject to changing Integral Energy Australia to Endeavour Energy in Clause 5.1.

Name of Authority empowered to release vary or modify easement numbered 3 in the plan is Endeavour Energy.

**Terms of easement, profit à prendre, restriction or positive covenant numbered 4 in the plan.**

- No building shall be erected or permitted to remain within the restriction site denoted 'D' on the abovementioned plans unless:
  - the external surface of the building erected within 1.5 metres from the substation footing has a 120/120/120 fire rating, and
  - the external surface of the building erected more than 1.5 metres from the substation footing has a 60/60/60 fire rating.
  - and the Owner provides the Authority Benefited with an engineer's certificate to this effect.
- The fire ratings mentioned in Clause 1 must be achieved without the use of fire fighting systems such as automatic sprinklers.

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

Plan:

Plan of Subdivision of Lot 1197  
DP1171491 covered by Council's  
Subdivision Certificate No.

**Part 2 (cont)**

3. Definitions

**“building”** means a substantial structure with a roof and walls and includes any projections from the external walls

**“erect”** includes construct, install, build and maintain

**“restriction site”** means that part of the lot burdened subject to the restriction on the use of land.

**“120/120/120 fire rating”** and **“60/60/60 fire rating”** mean the fire resistance level of a building expressed as a grading period in minutes for structural adequacy/integrity failure/insulation failure calculated in accordance with Australian Standard 1530.

Name of Authority empowered to release vary or modify easement numbered 4 in the plan is Endeavour Energy.

**Terms of easement, profit à prendre, restriction or positive covenant numbered 5 in the plan.**

1. No swimming pool or spa shall be erected or permitted to remain within the restriction site denoted 'E' on the abovementioned plan

2. Definitions

**“erect”** includes construct, install, build and maintain

**“restriction site”** means that part of the lot burdened subject to the restriction on the use of land.

Name of Authority empowered to release vary or modify easement numbered 5 in the plan is Endeavour Energy.

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

Lengths are in Metres

Sheet 4 of 5 Sheets

Plan:

Plan of Subdivision of Lot 1197  
DP1171491 covered by Council's  
Subdivision Certificate No.

**Part 2 (cont)**

SIGNED by me, MICHAEL JUSTIN WILLIAMS )  
as Delegate of **LANDCOM** who hereby declares )  
that he has no notice of the revocation of such )  
delegation in the presence of )

Landcom  
by its Delegate

.....  
Signature of WITNESS

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

.....  
Date of execution

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

Lengths are in Metres

Sheet 5 of 5 Sheets

Plan:

Plan of Subdivision of Lot 1197  
DP1171491 covered by Council's  
Subdivision Certificate No.

**Part 2 (cont)**

Signed on behalf of )  
Endeavour Energy )  
ABN 59 253 130 878 )  
by its Attorney pursuant to )  
Power of Attorney Book 4640 No. 572 )  
in the presence of: )

.....  
Signature of WITNESS

.....  
Signature of Attorney

.....  
Name of Witness (BLOCK LETTERS)

.....  
Name of Attorney

C/- Endeavour Energy  
51 Huntingwood Drive  
HUNTINGWOOD NSW 2148

.....  
Position

Date of Execution: .....

Reference:.....

APPROVED BY PENRITH CITY COUNCIL

.....  
General Manager / Authorised Officer

DEPOSITED PLAN ADMINISTRATION SHEET

Office Use Only	Office Use Only
Registered: Title System: TORRENS Purpose: SUBDIVISION	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="text-align: center; margin: 0;"><b>PRELIMINARY DEPOSITED PLAN</b>  <b>NOT FOR LPI (NSW) EXAMINATION</b></p> <p style="font-size: small; margin: 0;">THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS SUPPLIED BY URDARGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND COMPLIANCE WITH COUNCIL'S CONDITIONS OF APPROVAL.</p> </div>
<b>PLAN OF</b> SUBDIVISION OF LOT 1197 DP1171491	LGA: PENRITH Locality: PENRITH Parish: CASTLEREAGH County: CUMBERLAND
Crown Lands NSW/Western Lands Office Approval  I, ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.  Signature: ..... Date: ..... File Number: ..... Office: .....	<p style="text-align: center;"><b>Survey Certificate</b></p> I, GRAHAM JOHN HALL ..... of CRAIG & RHODES PTY LTD ..... a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> , is accurate and the survey was completed on 21 FEBRUARY 2014 <del>*(b) The part of the land shown in the plan(*being/*excluding ^.....)</del> <del>..... was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, is accurate and the survey was completed on, ..... the part not surveyed was compiled in accordance with that regulation.</del> <del>*(c) The land shown in the plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>.</del> Signature ..... Dated: ..... Surveyor ID: 1181 Datum Line: 'A' - 'B' Type: *Urban/*Rural- The Terrain is *Level Undulating / *Steep Mountainous-  *Strike through if inapplicable. ^Specify the land actually surveyed or specify and land shown in the plan that is not the subject of the survey.
<p style="text-align: center;"><b>Subdivision Certificate</b></p> I, ..... *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.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.  Signature: ..... Accreditation number: ..... Consent Authority: ..... Date of endorsement: ..... Subdivision Certificate number: ..... File number: .....  *Strike through inapplicable parts.	Plans used in the preparation of survey/compilation DP1159973 DP1171491 DP1171492 DP1171493  If space is insufficient continue on PLAN FORM 6A
SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads, public reserves and drainage reserves or create easements, restrictions on the use of land and positive covenants	Surveyor's Reference: 72-10-2D
Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A	

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210PS121001

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 5 sheet(s)

Registered:

Office Use Only

Office Use Only

PLAN OF  
SUBDIVISION OF LOT 1197 DP1171491

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NEW) EXAMINATION**  
THIS PLAN HAS BEEN COPILED FROM ARCHITECTURAL PLANS  
SUPPLIED BY URBANGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE  
INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND  
COMPLIANCE WITH COUNCIL'S CONDITIONS OF APPROVAL

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

Subdivision Certificate number: .....

Date of Endorsement: .....

SURVEYING & SPATIAL INFORMATION REGULATION 2012 (CLAUSE 60(c))				
SCHEDULE OF LOTS & ADDRESSES				
LOT	STREET No.	STREET NAME	STREET TYPE	LOCALITY
2301	STREET ADDRESS NOT AVAILABLE			
2302	2	EMPIRE	CIRCUIT	PENRITH
2303	4	EMPIRE	CIRCUIT	PENRITH
2304	6	EMPIRE	CIRCUIT	PENRITH
2305	8	EMPIRE	CIRCUIT	PENRITH
2306	10	EMPIRE	CIRCUIT	PENRITH
2307	12	EMPIRE	CIRCUIT	PENRITH
2308	14	EMPIRE	CIRCUIT	PENRITH
2309	16	EMPIRE	CIRCUIT	PENRITH
2310	18	EMPIRE	CIRCUIT	PENRITH
2311	20	EMPIRE	CIRCUIT	PENRITH
2312	22	EMPIRE	CIRCUIT	PENRITH
2313	24	EMPIRE	CIRCUIT	PENRITH
2314	26	EMPIRE	CIRCUIT	PENRITH
2315	28	EMPIRE	CIRCUIT	PENRITH
2316	30	EMPIRE	CIRCUIT	PENRITH
2317	32	EMPIRE	CIRCUIT	PENRITH
2318	34	EMPIRE	CIRCUIT	PENRITH
2319	36	EMPIRE	CIRCUIT	PENRITH
2320	38	EMPIRE	CIRCUIT	PENRITH
2321	40	EMPIRE	CIRCUIT	PENRITH
2322	42	EMPIRE	CIRCUIT	PENRITH
2323	44	EMPIRE	CIRCUIT	PENRITH
2324	2	LAIMBEER	PLACE	PENRITH
2325	4	LAIMBEER	PLACE	PENRITH
2326	6	LAIMBEER	PLACE	PENRITH
2327	11	LAIMBEER	PLACE	PENRITH
2328	9	LAIMBEER	PLACE	PENRITH
2329	7	LAIMBEER	PLACE	PENRITH
2330	5	LAIMBEER	PLACE	PENRITH
2331	3	LAIMBEER	PLACE	PENRITH
2332	1	LAIMBEER	PLACE	PENRITH
2333	12	WALSHAW	STREET	PENRITH
2334	14	WALSHAW	STREET	PENRITH
2335	16	WALSHAW	STREET	PENRITH
2336	18	WALSHAW	STREET	PENRITH

If space is insufficient use additional annexure sheet

Surveyor's Reference: 72-10-2D

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210P5121001

DEPOSITED PLAN ADMINISTRATION SHEET

Registered:

Office Use Only

Office Use Only

PLAN OF  
SUBDIVISION OF LOT 1197 DP1171491

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NSW) EXAMINATION**  
THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS  
SUPPLIED BY URBANGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE  
INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND  
COMPLIANCE WITH COUNCILS CONDITIONS OF APPROVAL

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 2012*
  - Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
  - Signatures and seals - see 195D *Conveyancing Act 1919*
  - Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

SURVEYING & SPATIAL INFORMATION REGULATION 2012 CLAUSE 60(c)				
SCHEDULE OF LOTS & ADDRESSES				
LOT	STREET No.	STREET NAME	STREET TYPE	LOCALITY
2337	20	WALSHAW	STREET	PENRITH
2338	22	WALSHAW	STREET	PENRITH
2339	2	CLEVELAND	LANE	PENRITH
2340	4	CLEVELAND	LANE	PENRITH
2341	27	WALSHAW	STREET	PENRITH
2342	25	WALSHAW	STREET	PENRITH
2343	23	WALSHAW	STREET	PENRITH
2344	21	WALSHAW	STREET	PENRITH
2345	19	WALSHAW	STREET	PENRITH
2346	17	WALSHAW	STREET	PENRITH
2347	15	WALSHAW	STREET	PENRITH
2348	13	WALSHAW	STREET	PENRITH
2349	11	WALSHAW	STREET	PENRITH
2350	9	WALSHAW	STREET	PENRITH
2351	7	WALSHAW	STREET	PENRITH
2352	5	WALSHAW	STREET	PENRITH
2353	3	WALSHAW	STREET	PENRITH
2354	1	WALSHAW	STREET	PENRITH
2355	49	WILLIAM HART	CRESCENT	PENRITH
2356	51	WILLIAM HART	CRESCENT	PENRITH
2357	53	WILLIAM HART	CRESCENT	PENRITH
2358	55	WILLIAM HART	CRESCENT	PENRITH
2359	57	WILLIAM HART	CRESCENT	PENRITH
2360	59	WILLIAM HART	CRESCENT	PENRITH
2361	6	DURANT	STREET	PENRITH
2362	4	DURANT	STREET	PENRITH
2363	33	EMPIRE	CIRCUIT	PENRITH
2364	31	EMPIRE	CIRCUIT	PENRITH
2365	29	EMPIRE	CIRCUIT	PENRITH
2366	1	DURANT	STREET	PENRITH
2367	3	DURANT	STREET	PENRITH
2368	5	DURANT	STREET	PENRITH
2369	7	DURANT	STREET	PENRITH
2370	9	DURANT	STREET	PENRITH
2371	11	DURANT	STREET	PENRITH
2372	13	DURANT	STREET	PENRITH

If space is insufficient use additional annexure sheet

Surveyor's Reference: 72-10-2D

CAD REF: Z:\072-10 North Penrith - Survey\_AutoCAD Files\07210PS121001 -

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 4 of 5 sheet(s)

Registered:

Office Use Only

Office Use Only

PLAN OF  
SUBDIVISION OF LOT 1197 DP1171491

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NSW) EXAMINATION**  
THIS PLAN HAS BEEN COPILED FROM ARCHITECTURAL PLANS  
SUPPLIED BY URBANGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE  
INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND  
COMPLIANCE WITH COUNCIL'S CONDITIONS OF APPROVAL

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 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals - see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

SURVEYING & SPATIAL INFORMATION REGULATION 2012 CLAUSE 60(c)				
SCHEDULE OF LOTS & ADDRESSES				
LOT	STREET No.	STREET NAME	STREET TYPE	LOCALITY
2373	15	DURANT	STREET	PENRITH
2374	17	DURANT	STREET	PENRITH
2375	19	DURANT	STREET	PENRITH
2376	71	WILLIAM HART	CRESCENT	PENRITH
2377	73	WILLIAM HART	CRESCENT	PENRITH
2378	75	WILLIAM HART	CRESCENT	PENRITH
2379	8	WOODMAN	STREET	PENRITH
2380	6	WOODMAN	STREET	PENRITH
2381	4	WOODMAN	STREET	PENRITH
2382	9	EMPIRE	CIRCUIT	PENRITH
2383	11	EMPIRE	CIRCUIT	PENRITH
2384	13	EMPIRE	CIRCUIT	PENRITH
2385	15	EMPIRE	CIRCUIT	PENRITH
2386	17	EMPIRE	CIRCUIT	PENRITH
2387	STREET ADDRESS NOT AVAILABLE			
2388	STREET ADDRESS NOT AVAILABLE			
2389	STREET ADDRESS NOT AVAILABLE			
2390	STREET ADDRESS NOT AVAILABLE			
2391	STREET ADDRESS NOT AVAILABLE			
2392	STREET ADDRESS NOT AVAILABLE			
SOURCE: PENRITH CITY COUNCIL				

IT IS INTENDED TO DEDICATE TO THE PUBLIC AS PUBLIC ROAD:-

1. THE EXTENSION OF EMPIRE CIRCUIT
2. HUDSON STREET
3. SIMMONS LANE
4. DURANT STREET
5. LAIMBEER PLACE
6. WALSHAW STREET
7. THE EXTENSION OF CLEVELAND LANE
8. PATHWAY 3 WIDE

IT IS INTENDED TO DEDICATE LOT 2392 TO THE PUBLIC AS PUBLIC RESERVE

If space is insufficient use additional annexure sheet

Surveyor's Reference: 72-10-2D

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210PS12100

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 5 of 5 sheet(s)

Registered:

Office Use Only

Office Use Only

PLAN OF  
SUBDIVISION OF LOT 1197 DP1171491

**PRELIMINARY DEPOSITED PLAN  
NOT FOR LPI (NSW) EXAMINATION**

THIS PLAN HAS BEEN COMPILED FROM ARCHITECTURAL PLANS  
SUPPLIED BY UNSWINGROWTH NSW. DIMENSIONS AND AREAS SHOWN ARE  
INDICATIVE. THE PLAN IS SUBJECT TO FINAL SURVEY AND  
COMPLIANCE WITH COUNCIL'S CONDITIONS OF APPROVAL

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 2012*
  - Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
  - Signatures and seals - see 195D *Conveyancing Act 1919*
  - Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919 AS AMENDED AND IN TERMS OF THE ACCOMPANYING INSTRUMENT IT IS INTENDED

TO CREATE: -

1. EASEMENT TO DRAIN WATER 1.5 WIDE
2. EASEMENT TO DRAIN WATER 2.5 WIDE
3. EASEMENT FOR PADMOUNT SUBSTATION 2.75 WIDE
4. RESTRICTION ON THE USE OF LAND
5. RESTRICTION ON THE USE OF LAND

TO RELEASE: -

1. EASEMENT FOR POWERLINE 15.24 WIDE  
(VIDE J611971)

SIGNED BY MICHAEL JUSTIN WILLIAMS AS A DELEGATE OF LANDCOM AND I HEREBY CERTIFY THAT I HAVE NO NOTICE OF REVOCATION OF SUCH DELEGATION

.....  
SIGNATURE

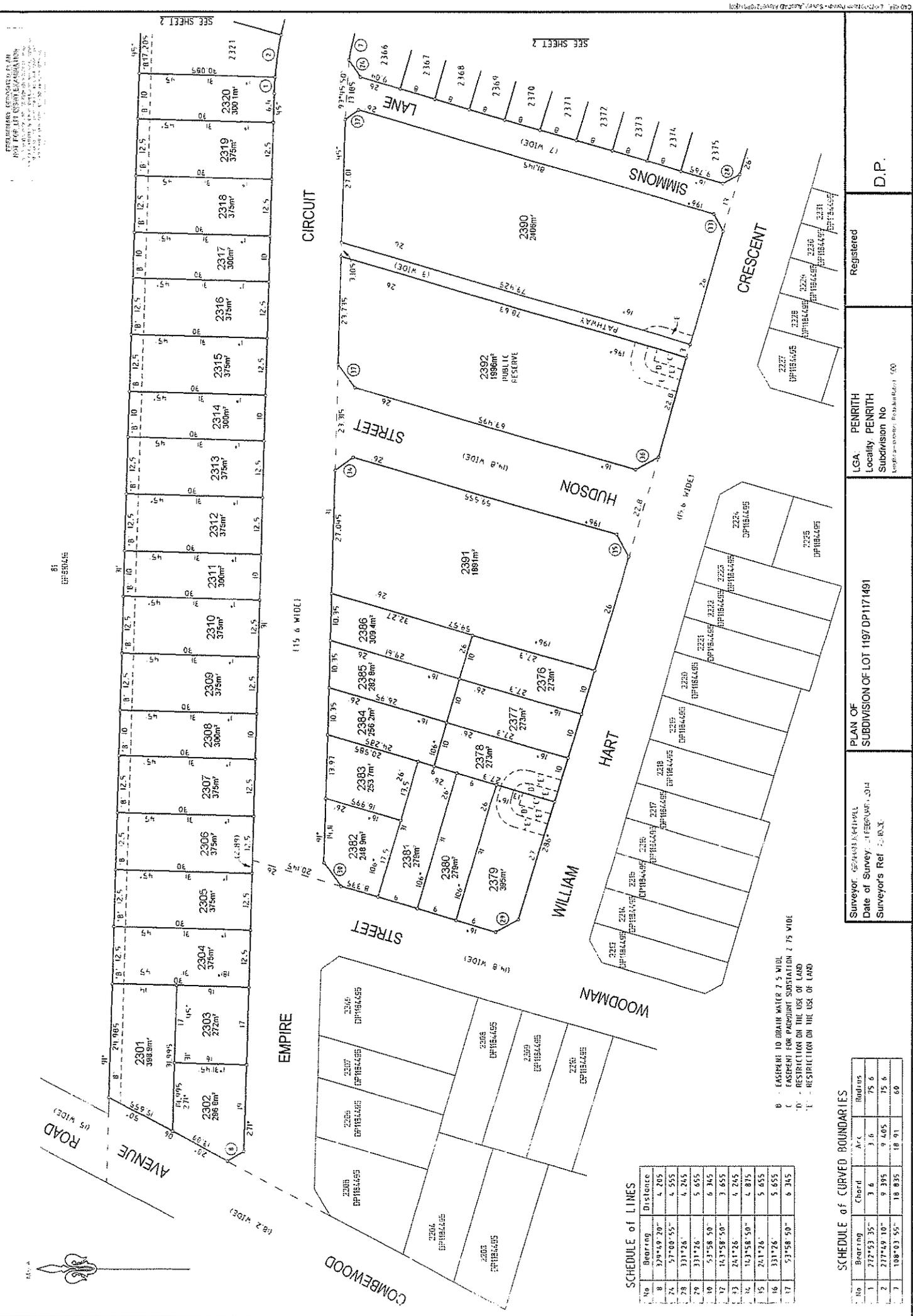
If space is insufficient use additional annexure sheet

Surveyor's Reference: 72-10-2D

CAD REF: Z:\072-10 North Penrith - Survey\AutoCAD Files\07210PS121001 - ----

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)



**SCHEDULE OF LINES**

No	Bearing	Distance
1	329°49'20"	4.205
2	57°00'55"	4.555
3	331°26'	4.245
4	331°26'	5.655
5	53°58'50"	6.345
6	53°58'50"	3.655
7	241°26'	4.245
8	143°58'50"	4.875
9	241°26'	5.655
10	331°26'	5.655
11	53°58'50"	6.345

**SCHEDULE OF CURVED BOUNDARIES**

No	Bearing	Chord	Ar-C	Radius
1	272°53'35"	3.6	3.6	75.6
2	277°49'10"	0.395	0.405	75.6
3	108°03'55"	18.935	18.91	60

B - EASEMENT TO DRAIN WATER 2.5 WIDE  
 C - EASEMENT FOR PARAPORT SUBSTATION 2.75 WIDE  
 D - RESTRICTION ON THE USE OF LAND  
 E - RESTRICTION ON THE USE OF LAND

Surveyor: GEMINI SURVEYING  
 Date of Survey: 21 FEBRUARY 2014  
 Surveyor's Ref: G.S. 10.1

PLAN OF SUBDIVISION OF LOT 1197 DP 117 1491

LGA: PENRITH  
 Locality: PENRITH  
 Subdivision No: 1197 DP 117 1491

Registered

D.P.

