

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

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General Manager / Authorised Officer

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Sheet 2 of 5 Sheets

Plan:

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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.

1. 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.
2. The fire ratings mentioned in Clause 1 must be achieved without the use of fire fighting systems such as automatic sprinklers.

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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.

Plan:

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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

Plan:

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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:.....