

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE
OF LAND AND 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 1028 in DP 1256790
covered by Council's Certificate No.
Dated:

**Full name and address of
Proprietor of the land:**

RC Resi No 15 Pty Limited
(ACN 609 948 709)
Level 7, 5 Rider Boulevard
Rhodes NSW 2138

PART 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of Easement, 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 of Water 1.5 Wide & Variable. (A)	2102 2103 2104 2105 2106 2107	2103 – 2108 inclusive 2104 – 2108 inclusive 2105 – 2108 inclusive 2106, 2107 & 2108 2107 & 2108 2108
2	Easement for Repairs 0.9 Wide. (B)	2102 2103 2104 2105 2106 2107	2103 2104 2105 2106 2107 Pt 2108 designated (C)
3	Restriction on the Use of Land.	2101 – 2107 inclusive	The Hills Shire Council
4	Restriction on the Use of Land.	2101	The Hills Shire Council
5	Positive Covenant.	2101 – 2107 inclusive	The Hills Shire Council

Approved by Council
Authorised Officer

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PART 1A (Release)

Number of item shown in the intention panel on the plan	Identity of Easement 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	Right of Access Variable Width. (DP 1256790)	1028 in DP 1256790	The Hills Shire Council

PART 2 (Terms)**Terms of Easement numbered 1 in the abovementioned plan:**

An Easement for Drainage of Water as set out in Schedule 8, Part 8 of the Conveyancing Act 1919, as amended.

Terms of Easements numbered 2 in the abovementioned plan:

An Easement for Repairs as set out in Schedule 8, Part 5 of the Conveyancing Act 1919, as amended together with the following addition:

1. The grant of this Easement is made subject to the existence of, and the right of the owner of the lot burdened to construct, eaves and guttering from the structure on the lot burdened, that overhang the site of the Easement.
2. The grant of this Easement is made subject to the right of the owner of the lot burdened to carry out repairs and maintenance or improvements to any landscaping within the site of the Easement including installing a security gate at the entrance to the site of the Easement from the front of the building structure on the lot burdened.

Terms of Restriction numbered 3 in the abovementioned plan:

No dwelling shall be constructed on the lot(s) hereby burdened unless the registered proprietor has first constructed or has made provision for the construction of a rainwater tank with a minimum capacity of 3000 litres in accordance with the requirements of The Hills Shire Council.

Terms of Restriction numbered 4 in the abovementioned plan:

No development shall be permitted on the lot(s) hereby burdened except for development in accordance with the building envelope plans prepared by ACOR Consultants Pty Ltd, Drawing No. S2_DAC1.42, Issue G, Dated 19.05.20 approved by The Hills Shire Council.

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Terms of Positive Covenant numbered 5 in the abovementioned plan:

The registered proprietor of the lot(s) hereby burdened will maintain at the sole expense of the registered proprietor the whole of their lot as an asset protection zone, including, but not limited to, the removal of vegetation in accordance with fuel load requirements and restricting the placement of combustible materials, buildings or improvements, complying with the requirements of The Hills Shire Council and the NSW Rural Fire Service relevant and applicable at the time.

Name of Person or Authority whose consent is required to release, vary or modify

Easements numbered: 1 & 2

in the abovementioned plan is The Registered Proprietor of the benefited lots.

Name of Authority whose consent is required to release, vary or modify

Restrictions numbered: 3 & 4

Positive Covenant numbered: 5

in the abovementioned plan is The Hills Shire Council.

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SIGNATURES

Consent of Owner:

Executed by RC Resi No 15 Pty Limited (ACN 609 948 709) by its Authorised Officers Pursuant to Section 127 of the Corporations Act 2001.

.....
Nicholas Chandler
Director

.....
Neala Fraser
Secretary

Consent of Mortgagee:

DRAFT

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SIGNATURES

The common seal of The Hills Shire Council was affixed on the
in the presence of Michael Edgar, General Manager, and Dr Michelle Byrne, Mayor
pursuant to Clause 400 of the Local Government (General) Regulation 2005.

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Michael Edgar
General Manager

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Dr Michelle Byrne
Mayor