

ePlan

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A 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**

(Sheet 1 of 7 Sheets)

**Plan:** **DP1264566**

Plan of Subdivision of Lot 510 in  
DP 1262414, covered by Subdivision  
Certificate No. 22/2022/SC  
Dated 28/10/2021

**Full name and address of the  
Proprietors of the Land**

LEGPRO 67 PTY LTD  
(ACN 623 173 320)  
MLC Centre, Level 45  
19-29 Martin Place,  
SYDNEY NSW 2000

**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):	Benefitted lot(s), bodies or Prescribed Authorities:
1	Easement to Drain Water 1.5 wide (A)	525	905 / DP 1252688
2	Easement for Public Access variable width (B)	521 522	The Hills Shire Council
3	Easement for Repairs 0.9 wide (C)	522 523 525	521 524 522
4	Easement for Repairs 0.9 wide (D)	525	523
5	Restriction on the Use of Land	521 to 524 inclusive	The Hills Shire Council
6	Restriction on the Use of Land	522	The Hills Shire Council
7	Restriction on the Use of Land	521 to 524 inclusive	Every other lot

Approved by Hills Shire Council

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

Authorised Officer

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**PART 2 (Terms)**

**1. TERMS OF EASEMENT TO DRAIN WATER NUMBERED ONE IN THE PLAN**

Easement to Drain Water within the meaning of Schedule 8 Part 3 of the Conveyancing Act 1919  
(as amended)

**2. TERMS OF EASEMENT FOR PUBLIC ACCESS NUMBERED TWO IN THE PLAN**

Right of Access within the meaning of Schedule 4A Part 11 of the Conveyancing Act 1919 (as  
amended) together with the following additions:

1. The easement is a temporary extension of the adjoining public road and will function as a public road in accordance with the definition of "public road" included in the Roads Act 1993 for the purposes of providing access across the easement site
2. The easement site is made accessible to the public.
3. The easement will be extinguished upon the extension of the adjoining public road to which it relates

Name of authority empowered to release, vary or modify easement secondly referred to is:  
**The Hills Shire Council**

Approved by Hills Shire Council



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**3. TERMS OF EASEMENT FOR REPAIRS NUMBERED THREE IN THE PLAN**

Easement for Repairs within the meaning of Schedule 8 Part 5 of the Conveyancing Act 1919 (as amended) together with the following additions:

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.

**4. TERMS OF EASEMENT FOR REPAIRS NUMBERED FOUR IN THE PLAN**

Easement for Repairs within the meaning of Schedule 8 Part 5 of the Conveyancing Act 1919 (as amended) together with the following additions:

3. 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.
4. 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.

**5. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FIVE IN THE 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 3,000 litres in accordance with the requirements of The Hills Shire Council.

Name of authority empowered to release, vary or modify restriction fifthly referred to is:  
**The Hills Shire Council**

Approved by Hills Shire Council

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

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**6. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED SIX IN THE PLAN**

No development shall be permitted on the lot(s) hereby burdened except for development in accordance with the building envelope plan prepared by GDS Project Reference P00S4.55, Revision B, Sheet 7 of 9 sheets dated 21/05/2020 approved by The Hills Shire Council.

Name of authority empowered to release, vary or modify restriction sixthly referred to is:  
**The Hills Shire Council**

**7. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED SEVEN IN THE PLAN**

For so long as Legpro 67 Pty Limited remains the registered proprietor of any benefited lot:

No fence shall be erected on the lot(s) hereby burdened to divide it from any adjoining land owned by Legpro 67 Pty Limited without its consent, but such consent shall not be withheld if such fence is erected without expense to Legpro 67 Pty Limited. This restriction shall remain in force only during such time as Legpro 67 Pty Limited is the Registered Proprietor of that adjoining land.

Name of authority empowered to release, vary or modify restriction seventhly referred to is:  
**The registered proprietors of the lots benefited.**

Approved by Hills Shire Council

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

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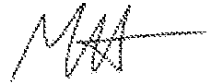
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**EXECUTION BY REGISTERED PROPRIETOR**


EXECUTED BY THE REGISTERED PROPRIETOR  
LEGPRO 67 PTY LTD (ACN 623 173 320)  
BY THE AUTHORISED PERSON(S) WHOSE SIGNATURE(S)  
APPEAR BELOW PURSUANT TO THE AUTHORITY IN SECTION  
127 OF THE CORPORATIONS ACT 2001



Electronic signature of me, Elton Matthew Hyder IV affixed by me, or at my direction,  
on 1/11/2021

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SIGNATURE OF ELTON MATTHEW HYDER IV  
SOLE DIRECTOR AND SECRETARY

Approved by Hills Shire Council \_\_\_\_\_

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

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**EXECUTION OF MORTGAGEE**

**Executed for MCH Agency  
Services Pty Ltd  
(ACN 636 392 928)**

by its attorneys under power of  
attorney dated 14 January 2020  
registered number 620 book  
number 4770 in the presence of



Electronically signed by me,  
Matthew Neave affixed by me,  
or at my direction, on 4/11/2021

Signature of witness

Matthew Neave

Name of witness (print)

L39 / 274 Botany Road, Alexandria  
2015, NSW

Address of witness



Electronically signed by me,  
Matthew Neave affixed by me,  
or at my direction, on 4/11/2021

Signature of witness

Matthew Neave

Name of witness (print)

L39 / 274 Botany Road, Alexandria  
2015, NSW

Address of witness



Signature of attorney

Graham McNamara

Name of attorney (print)

Electronically signed by me, Graham McNamara affixed by me,  
or at my direction, on 4/11/2021




Signature of attorney

Andrew Tremain

Name of attorney (print)

Electronically signed by me, Andrew Tremain affixed by me,  
or at my direction, on 4/11/2021

Approved by Hills Shire Council

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

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**The Hills Shire Council** by its authorised delegate  
pursuant to s.377 Local Government Act 1993



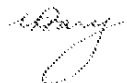
Electronically signed by me Ben Hawkins, affixed by me on 28/10/2021

.....  
Signature of delegate

Ben Hawkins

.....  
Name of delegate

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



Signature: Electronically signed by me Leanne  
Pracy, affixed by me on 28/10/2021

Name:

Leanne Pracy  
3 Columbia Court  
Norwest NSW 2153  
.....

Approved by

Ben Hawkins


.....  
Name of delegate  
on behalf of  
**The Hills Shire Council**

REGISTERED:



8.11.2021

Approved by Hills Shire Council .....

  
Electronically signed by me Ben Hawkins,  
affixed by me on 28/10/2021

Authorised Officer