

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS 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 9 SHEETS

PLAN: **DP1292755**

PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
SUBDIVISION CERTIFICATE NO. *SC/44/2023*
DATED *15/05/2023*

FULL NAME AND ADDRESS OF THE
REGISTERED PROPRIETOR OF THE LAND:

EDGEWORTH DEVELOPMENTS PTY LIMITED
ACN: 116 174 639

ADDRESS:
294 MAIN ROAD
CARDIFF NSW 2285

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	RIGHT OF ACCESS 33 WIDE (R)	1100	LAKE MACQUARIE CITY COUNCIL
2	EASEMENT TO DRAIN WATER VARIABLE WIDTH (T)	WHOLE OF LOT 1100	LAKE MACQUARIE CITY COUNCIL
3	RESTRICTION ON THE USE OF LAND	EACH OF LOTS (1101-1111)	EVERY OTHER LOT (1101-1111)
4	EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (U)	1100	ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION ABN 67 505 337 385
5	RIGHT OF CARRIAGEWAY VARIABLE WIDTH (V)	1100	ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION ABN 67 505 337 385

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SHEET 2 OF 9 SHEETS

PLAN: **DP1292755**

PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
 SUBDIVISION CERTIFICATE NO. SC/44/2023
 DATED 15/05/2023

6	RESTRICTION ON THE USE OF LAND (W)	PART OF LOTS (1101-1111)	EVERY OTHER LOT (1101-1111)
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PART 1A (RELEASE)

NUMBER OF ITEM SHOWN IN THE INTENTION PANEL ON THE PLAN	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 TO DRAIN WATER VARIABLE WIDTH AFFECTING THE WHOLE OF LOT 800/1282706 (DP1282706)	800/1282706	LAKE MACQUARIE CITY COUNCIL
2	RIGHT OF ACCESS 14.5 METRE(S) WIDE (DP1282706)	800/1282706	LAKE MACQUARIE CITY COUNCIL

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SHEET 3 OF 9 SHEETS

PLAN: DP1292755

PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
SUBDIVISION CERTIFICATE NO. SC/44/2023
DATED 15/05/2023

PART 2 (TERMS)

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
RIGHT OF ACCESS 33 WIDE (R) NUMBERED 1 IN THE PLAN:**

Lake Macquarie City Council

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
EASEMENT TO DRAIN WATER VARIABLE WIDTH (T) NUMBERED 2 IN THE PLAN:**

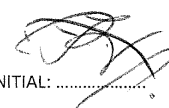
Lake Macquarie City Council

TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED 3 IN THE PLAN:

- (a) no single level building or buildings, shall be erected on any lot burdened other than with external walls of brick, and/or brick veneer and/or granosited harditex provided that the proportion of brick and/or brick veneer and or granosited harditex shall not be less than 70% of the total area of the external walls (excluding window and door areas). No double level building or buildings shall be erected on any lot burdened other than with external walls of brick, and/or brick veneer and/or granosited harditex which shall not be less than 50% of the total area of the external walls (excluding window and door areas).
- (b) if the lot area is greater than 400 square meters, no main buildings shall be erected or permitted to remain erected on these lots burdened, having a total internal floor area of less than 140 square meters exclusive of car accommodation, external landings and patios.
- if the lot area is less than 400 square meters, no main buildings shall be erected or permitted to remain erected on these lots burdened, having a total internal floor area of less than 110 square meters exclusive of car accommodation, external landings and patios.
- (c) no existing dwelling house shall be partly or wholly moved to, placed upon, re-erected upon, reconstructed on or permitted to remain on any lot burdened.
- (d) no noxious, noisome or offensive occupation, trade, business, manufacture or home industry shall be conducted or carried out on any lot burdened.
- (e) no fence shall be erected on any lot burdened to divide it from any adjoining land owned by Edgeworth Developments PTY Limited without the prior written consent of Edgeworth Developments, its successors or assigns other than purchasers on sale, but such consent shall

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SHEET 4 OF 9 SHEETS

PLAN: DP1292755

PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
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not be withheld if such fence is erected without expense to Edgeworth Developments, its successors or assigns and is double lapped and capped timber fence or any colourbond metal fence of a natural earth tone. In favour of any person dealing with the transferees, Edgeworth Developments, its successors or assigns such consent shall be deemed to have been given in respect of every such fence for the time being erected. This covenant in regard to fencing shall be binding upon the registered proprietor of any lot burdened, its executors, administrators and assigns only during the ownership of said adjoining land by Edgeworth Developments, its successors or assigns other than purchasers on sale.

- (f) no fence shall be erected or be permitted to remain erected on any lot burdened closer to any street than the house building line required by Lake Macquarie City Council.
- (g) no building shall be erected or permitted to remain erected on any lot burdened having a roof of other than tiles, slate, or colourbond, non-flat metal material, of a natural earth tone, or having a slope less than 17 degrees.
- (h) no building shall be erected or permitted to remain erected on any lot burdened unless such building incorporates either attached or detached covered carparking accommodation for at least one (1) vehicle and one (1) carparking space of which the surface shall be sealed. No attached or detached covered parking shall be constructed unless that structure is constructed of similar material and to a similar standard to the main building.
- (i) no building shall be erected or permitted to remain erected on any lot burdened unless it has a driveway constructed of concrete, pavers, and asphaltic concrete or similar standard materials prior to the occupancy of the building.
- (j) no building shall be erected, or be permitted to remain erected, or occupied by any person, corporation, government or semi-government instrumentality for the purpose of public housing.
- (k) no building shall be permitted or permitted to remain erected on any lot burdened with a solar hot water service unless the storage is located within the building or at the rear of the building at ground level.
- (l) no advertising or hoarding sign including any "for sale" sign shall be displayed or erected on any lot burdened for a period of one (1) year from the date of transfer by Edgeworth Developments PTY Limited without the prior written consent of Edgeworth Developments.

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PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
SUBDIVISION CERTIFICATE NO. SC/44/2023
DATED 15/05/2023

- (m) with the exception of vehicles used in connection with the erection of a dwelling on any lot burdened, no motor truck, lorry, or semi-trailer with a load capacity exceeding 2.5 tonnes shall be parked or permitted to remain on any lot burdened.
- (n) no mobile home or temporary or permanent moveable improvements including a tent, shack, camper or caravan shall be moved to, placed upon, re-erected upon, reconstructed on or permitted to remain on any lot burdened during the construction of the main dwelling.
- (o) any damage caused to the existing concrete footpath or street trees on lot frontage or adjoining lands by lot owner, or builder of dwelling and there contractors, must be rectified at completion of dwelling or 6 month from damage caused whichever comes first.
- (p) any lot that remains vacant is to be kept completely cleared of debris, weeds and self-sewn trees. This maintenance is to be completed at regular intervals no less than four times per year.

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
RESTRICTION ON THE USE OF LAND NUMBERED 3 IN THE PLAN:**

Edgeworth Developments PTY Limited
ACN: 116 174 639

**TERMS OF EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (U)
NUMBERED 4 IN THE PLAN:**

An easement is created on the terms and conditions set out in memorandum registered number AK980903. In this easement, "easement for electricity and other purposes" is taken to have the same meaning as "easement for electricity works" in the memorandum.

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (U) NUMBERED 4 IN THE
PLAN:**

Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385

TERMS OF RIGHT OF CARRIAGEWAY VARIABLE WIDTH (V) NUMBERED 5 IN THE PLAN:

A right of carriageway within the meaning of Schedule 4A Part 1 of the Conveyancing Act 1919 together with the right to park vehicles upon the right of carriageway.

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**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
RIGHT OF CARRIAGEWAY VARIABLE WIDTH (V) NUMBERED 5 IN THE PLAN:**

Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385

TERMS OF RESTRICTION ON THE USE OF LAND (W) NUMBERED 6 IN THE PLAN:

The area shown as (W) on the plan is to be managed to the standard of an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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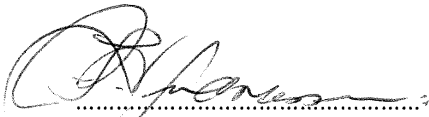
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SHEET 7 OF 9 SHEETS

PLAN: DP1292755

PLAN OF SUBDIVISION OF LOT 800 D.P.1282706
SUBDIVISION CERTIFICATE NO. SC/44/2023
DATED 15/05/2023

EXECUTED BY)
EDGEWORTH DEVELOPMENTS PTY LIMITED)
ACN: 116 174 639)
IN ACCORDANCE WITH SECTION 127 OF THE CORPORATIONS ACT:)


.....
SIGNATURE OF AUTHORISED PERSON

Fredrik ANDRIESSEN
.....
NAME OF AUTHORISED PERSON
(BLOCK LETTERS)


DIRECTOR / SECRETARY
.....
POSITION
(BLOCK LETTERS)

.....
~~SIGNATURE OF AUTHORISED PERSON~~

.....
~~NAME OF AUTHORISED PERSON~~
~~(BLOCK LETTERS)~~

.....
~~POSITION~~
~~(BLOCK LETTERS)~~

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SUBDIVISION CERTIFICATE NO. SC/44/2023
DATED 15/05/2023

**Certified correct for the purposes of the Real Property Act 1900 by the Prescribed Authority's
attorneys who signed this dealing pursuant to the power of attorney specified.**

Signed, sealed and delivered for

ERIC Alpha Asset Corporation 1 Pty Ltd ACN 612 974 044, ERIC Alpha Asset Corporation 2 Pty Ltd ACN
612 975 023, ERIC Alpha Asset Corporation 3 Pty Ltd ACN 612 975 032, ERIC Alpha Asset Corporation 4
Pty Ltd ACN 612 975 078 and Blue Asset Partner Pty Ltd ACN 615 217 493

**on behalf of Alpha Distribution Ministerial Holding Corporation
pursuant to s. 36 of the Electricity Network Assets (Authorised Transactions) Act 2015** by its
attorneys under power of attorney registered book 4789 no. 978

sign here ▶		sign here ▶	
	_____ Attorney		_____ Attorney
print name	William Close	print name	Bill Hannan
Date electronic signature affixed	11.4.23	Date electronic signature affixed	13.4.23
	_____		_____
I certify that I am an eligible witness and that the Prescribed Authority's attorney signed this dealing in my presence. [See note* below]		I certify that I am an eligible witness and that the Prescribed Authority's attorney signed this dealing in my presence. [See note* below]	
			
	_____ Signature of Witness		_____ Signature of Witness
print name	Lisa Warters	print name	Lisa Warters
	_____		_____
print address	24 Campbell St, Sydney	print address	24 Campbell St, Sydney
	_____		_____
Date electronic signature affixed	11.4.23	Date electronic signature affixed	13.4.23
	_____		_____

*s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documents.

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LAKE MACQUARIE CITY COUNCIL BY ITS)
AUTHORISED DELEGATE PURSUANT TO S.377 LOCAL GOVERNMENT ACT 1993.)

HEATH ROBERTSON

Name of delegate (BLOCK LETTERS)

Electronic signature of me,
Heath Robertson affixed by me,
on 15 May 2023



Authority of officer - Executed for and on
behalf of Lake Macquarie City Council by its
authorised delegate pursuant to Section 378 of the
Local Government Act 1993.

I CERTIFY THAT I AM AN ELIGIBLE WITNESS AND THAT THE DELEGATE SIGNED)
IN MY PRESENCE.)

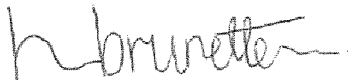
HOLLY BRUNETTE

Name of Witness (BLOCK LETTERS)

126-138 MAIN ROAD
SPEERS POINT NSW 2284

Address of Witness (BLOCK LETTERS)

Electronic signature of me,
Holly Brunette affixed by me,
on 15 May 2023



REGISTERED:  30/05/2023

INITIAL:

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