

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 8 SHEETS

PLAN: **DP1306091**

PLAN OF SUBDIVISION OF LOT 300 D.P.1299177
 SUBDIVISION CERTIFICATE NO. *Sc/90/2024*
 DATED *09/10/2024*

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

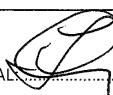
EDGEWORTH DEVELOPMENTS PTY LIMITED
 ACN: 116 174 639

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	RESTRICTION ON THE USE OF LAND (Z)	PART OF LOTS: 1001 1002 1003 1004 1005 1006 1010 1011 1012	LAKE MACQUARIE CITY COUNCIL
2	EASEMENT TO DRAIN WATER 2 WIDE (AA)	1004 1005 1006	215/1251501 1004, 215/1251501 1005, 1004, 215/1251501
3	RESTRICTION ON THE USE OF LAND	EACH OF LOTS (1001-1012 INCLUSIVE)	EVERY OTHER LOT (1001-1012)

INITIAL:

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SHEET 2 OF 8 SHEETS

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4	RESTRICTION ON THE USE OF LAND (AB)	PART OF LOTS: 1003, 1006-1012 INCLUSIVE	EVERY OTHER LOT (1001-1012)
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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 FOR PUBLIC ACCESS VARIABLE WIDTH (D.P.1251501) (XC)	300 / 1299177	LAKE MACQUARIE CITY COUNCIL
2	RIGHT OF ACCESS 33 WIDE (D.P.1292755) (XR)	300 / 1299177	LAKE MACQUARIE CITY COUNCIL
3	EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (D.P.1292755) (XU)	300 / 1299177	ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION ABN 67 505 337 385
4	RIGHT OF CARRIAGEWAY VARIABLE WIDTH (D.P.1292755) (XV)	300 / 1299177	ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION ABN 67 505 337 385

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SHEET 3 OF 8 SHEETS

PLAN: DP1306091

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SUBDIVISION CERTIFICATE NO. SC/90/2024
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PART 2 (TERMS)

TERMS OF RESTRICTION ON THE USE OF LAND (Z) NUMBERED 1 IN THE PLAN:

No structure shall be constructed or allowed to remain erected within the area described in the plan provided however this restriction shall:

a) Not apply to retaining walls constructed with the consent of Lake Macquarie Council;

and

b) This restriction does not apply to overhangs, such as eaves that are located a minimum of 2.8 metres above ground level.

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
RESTRICTION ON THE USE OF LAND (Z) NUMBERED 1 IN THE PLAN**

Lake Macquarie Council

**THE BODY OR PERSONS WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE
EASEMENT TO DRAIN WATER 2 WIDE (AA) NUMBERED 2 IN THE PLAN**

Lake Macquarie 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.

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SHEET 4 OF 8 SHEETS

PLAN: **DP1306091**

PLAN OF SUBDIVISION OF LOT 300 D.P.1299177
SUBDIVISION CERTIFICATE NO. SC/90/2024
DATED 09/10/2024

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 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.

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SHEET 5 OF 8 SHEETS

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- (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.
- (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 RESTRICTION ON THE USE OF LAND (AB) NUMBERED 4 IN THE PLAN:

The area shown as (AB) 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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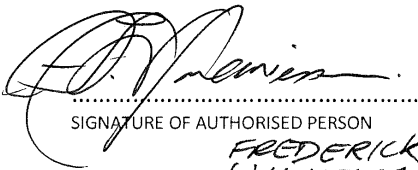
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SHEET 6 OF 8 SHEETS

PLAN: DP1306091

PLAN OF SUBDIVISION OF LOT 300 D.P.1299177
SUBDIVISION CERTIFICATE NO. SC/90/2024
DATED 09/10/2024

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



.....
SIGNATURE OF AUTHORISED PERSON

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

FREDERICK
WILHELM
~~F.W.~~ ANDRIESEN

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

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

Sole Director / Secretary

.....
POSITION
(BLOCK LETTERS)

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

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DATED 09/10/2024

**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 4811 no. 888

sign here



Attorney

Electronic signature affixed by me or at my
direction on the date below

print name

William Close

Date
electronic
signature
affixed

5 March 2024

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

Electronic signature affixed by me or at my
direction on the date below

print name

Rachael Tiplady

print
address

24 Campbell Street, Sydney

Date
electronic
signature
affixed

5 March 2024

INITIAL:

sign here



Attorney

Electronic signature affixed by me or at my
direction on the date below

print name

James Slimnicanovski

Date
electronic
signature
affixed

6 March 2024

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

Electronic signature affixed by me or at my
direction on the date below

print name

Rachael Tiplady

print
address

24 Campbell Street, Sydney

Date
electronic
signature
affixed

6 March 2024

INITIAL:

*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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SHEET 8 OF 8 SHEETS

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DATED 09/10/2024

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

HEATH TIMOTHY ROBERTSON

Name of delegate (BLOCK LETTERS)



Electronic signature of me,
Heath Timothy Robertson affixed by me,
on 9 October 2024

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.)

JORJA ROCTEUR

Name of Witness (BLOCK LETTERS)



126-138 MAIN ROAD
SPEERS POINT NSW 2284

Address of Witness (BLOCK LETTERS)

Electronic signature of me,
Jorja Rocteur affixed by me,
on 9 October 2024

REGISTERED: 	05/11/2024
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