

CERTIFICATE ORDER SUMMARY

Transaction Details

Date: 07/08/2019 14:14
Order No. 58202077
Certificate No: 90172583
Your Reference: Caddens
Certificate Ordered: NSW LRS - Copy of Plan or Plan Documents - Deposited Plan - 88B 1230585
Available: Y
Size (KB): 396
Number of Pages: 13
Scan Date and Time: 28/06/2019 14:02

© Office of the Registrar-General 2019

SAI Global Property Division an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
 and easements over Lot 606 DP1230584
 covered by Subdivision Certificate No. SC19/0012

Full name and address
 of the owner of the land:

Legpro 54E & 54F
 Suite 2704, Level 27
 19-29 Martin Place
 SYDNEY NSW 2000

(Sheet 1 of 13 Sheets)

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.	Easement to drain water 2 wide (E1)	626 627 628 629 630 631 632 646 645 644 643 642 641 640 637 636 635 653 654 655 656 670 671	625 625, 626 625-627 incl 625-628 incl 625-629 incl 625-630 incl 625-631 647 646, 647 645-647 incl 644-647 incl 643-647 incl 642-647 incl 641-647 incl 640-647 incl 640-647 incl & 637 640-647 incl, 636 & 637 652 653, 652 652-654 incl 652-655 incl 669 669 & 670

(Signatory Legpro 54E & 54F)

Authorised Person
 Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
 and easements over Lot 606 DP1230584
 covered by Subdivision Certificate No. SC19/0012

(Sheet 2 of 13 Sheets)

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. (cont.)	Easement to drain water 2 wide (E1)	672 673 674 675 677 678 679 680 685 686	669-671 incl 669-672 incl 669-673 incl 669-674 incl 676 669-677 incl 669-678 incl 669-679 incl 684, 686 & 687 687
2.	Easement for access and maintenance 0.9 wide (E5)	621 622 623 624 625 626 627 629 630 631 632 634 635 633	620 621 622 623 624 625 626 628 629 630 631 632 636 632

(Signatory Legpro 54E & 54F)

Authorised Person
 Penrith City Council

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 Conveyancing Act 1919.

Plan:

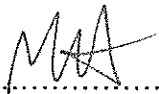
DP1230585

Plan of Subdivision of Lot 6 DP1229890
 and easements over Lot 606 DP1230584
 covered by Subdivision Certificate No. SC19/0012

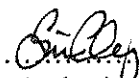
(Sheet 3 of 13 Sheets)

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:
2. (cont.)	Easement for access and maintenance 0.9 wide (E5)	636 637 639 638 640 641 642 643 644 645 646 647 648 649 650 652 653 654 658 659 660 661 662 663 664 665 666 667 668 670 677	637 638 640 640 641 642 643 644 645 646 647 648 649 650 651 653 654 655 657 658 659 660 660 661 662 663 664 664 665 666 667 667 669 675



(Signatory Legpro 54E & 54F)



Authorised Person
 Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
 and easements over Lot 606 DP1230584
 covered by Subdivision Certificate No. SC19/0012

(Sheet 4 of 13 Sheets)

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:
2. (cont.)	Easement for access and maintenance 0.9 wide (E5)	671 672 673 674 675 676 677 678 679 680 681 682 683 689 690 691 692 693 694 695 696 697	670 671 672 673 674 675 676 677 678 679 682 683 561/1230584 688 689 690 691 692 693 694 695 696
3.	Easement for access and maintenance 0.9 wide (E51)	679 & 680 635 & 636	681 668
4.	Easement for padmount substation 2.75 wide (E41)	651 606/1230584	Epsilon Distribution Ministerial Holding Corporation
5.	Restriction on the use of land (R11)	Pts. 651,652, 697 & 606/1230584 designated (R11)	Epsilon Distribution Ministerial Holding Corporation
6.	Restriction on the use of land (R21)	Pts. 651,652,697 & 606/1230584 designated (R21)	Epsilon Distribution Ministerial Holding Corporation

MA

John Day

(Signatory Legpro 54E & 54F)

Authorised Person
 Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
 and easements over Lot 606 DP1230584
 covered by Subdivision Certificate No. *SCA/0012*

(Sheet 5 of 13 Sheets)

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:
7.	Restriction on the use of land	each lot	every other lot
8.	Easement for underground cables 1 wide (E31)	606/1230584	Epsilon Distribution Ministerial Holding Corporation

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 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 support 0.1, 0.5, 0.9, 1.5 wide (G) (D.P.1166546)	35 & 72/1166546	6/1229890

MAA

(Signatory Legpro 54E & 54F)

Billy

Authorised Person
 Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SCA 10012

(Sheet 6 of 13 Sheets)

Part 2 (Terms)

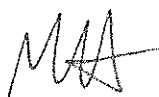
1. Terms of Easement for Access & Maintenance 0.9 wide (E5) numbered two and (E51) numbered three in the abovementioned plan

1.1 The owner of the lot benefited may:

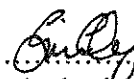
- (a) use the easement site to assist in undertaking any works on the lot benefited including construction, repair, painting, landscaping and maintenance;
- (b) enter onto the lot burdened to inspect and survey any structure on the lot benefited; and
- (c) do anything reasonably necessary for those purposes, including:
 - entering the lot burdened;
 - taking anything on to the lot burdened; and
 - carrying out works within the site of this easement.

1.2 In exercising those powers, the owner of the lot benefited must:

- (a) ensure all work is done properly;
- (b) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened;
- (b) cause as little damage as is practicable to the lot burdened and any improvements on it;
- (d) restore the lot burdened as nearly as practicable to its former condition; and
- (e) make good any collateral damage.



.....
(Signatory Legpro 54E & 54F)



.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. *SC19/0012*

(Sheet 7 of 13 Sheets)

Part 2 (Terms)

1.3 The owner of the lot burdened must not :-

- (a) allow any building or other structure to be erected or placed on the easement site except an eave or gutter of the main building on the lot burdened or any permanent underground services to the main building;
- (b) carry out any excavation or filling greater than 500mm. Any excavation or filling shall be located and retained so as not to impact on any adjoining building, structure or property.

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 across the easement site from the building structure on the lot burdened.

2. Terms of Easement for Padmount Substation (E41) 2.75 wide numbered four in the abovementioned plan

The terms set out in Memorandum N^o AK104621 registered at NSW Land Registry Services are incorporated into this document subject to replacing the words 'Endeavour Energy' with 'Epsilon Distribution Ministerial Holding Corporation'.

3. Terms of Restriction on the Use of Land (R11) numbered five in the abovementioned plan

3.1 Definitions:

3.1.1 **120/120/120 fire rating and 60/60/60 fire rating** means 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;

.....
(Signatory Legpro 54E & 54F)

.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SC19/0012

(Sheet 8 of 13 Sheets)

Part 2 (Terms)

- 3.1.2 **building** means a substantial structure with a roof and walls and includes any projections from the external walls;
- 3.1.3 **erect** includes construct, install, build and maintain;
- 3.1.4 **restriction site** means that part of the lot burdened affected by the restriction on the use of land shown as (R11) on the plan.
- 3.2 No building shall be erected or permitted to remain within the restriction site unless:
- 3.2.1 the external surface of the building erected within 1.5 metres from the substation footing has a 120/120/120 fire rating; and
- 3.2.2 the external surface of the building erected more than 1.5 metres from the substation footing has a 60/60/60 fire rating; and
- 3.2.3 the owner provides the authority benefited with an engineer's certificate to this effect.
- 3.3 The fire ratings mentioned in clause 3.2 must be achieved without the use of fire fighting systems such as automatic sprinklers.
- 3.4 Lessee of Epsilon Distribution Ministerial Holding Corporation's Distribution System
- 3.4.1 Notwithstanding any other provision in this Restriction on the Use of Land, the owner acknowledges and agrees that any lessee of Epsilon Distribution Ministerial Holding Corporation's distribution system, and any nominee of such lessee (which may include a sublessee of Epsilon Distribution Ministerial Holding Corporation's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Epsilon Distribution Ministerial Holding Corporation as if that lessee or nominee were Epsilon Distribution Ministerial Holding Corporation, but only for so long as the lessee leases Epsilon Distribution Ministerial Holding Corporation's distribution system from Epsilon Distribution Ministerial Holding Corporation.

.....
(Signatory Legpro 54E & 54F)

.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SC19/002

(Sheet 9 of 13 Sheets)

Part 2 (Terms)

3.4.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Epsilon Distribution Ministerial Holding Corporation.

4. Terms of Restriction on the Use of Land (R21) numbered six in the abovementioned plan

4.1 Definitions:

4.1.1 **erect** includes construct, install, build and maintain.

4.1.2 **restriction site** means that part of the lot burdened affected by the restriction on the use of land shown as (R21) on the plan.

4.2 No swimming pool or spa shall be erected or permitted to remain within the restriction site.

4.3 Lessee of Epsilon Distribution Ministerial Holding Corporation's Distribution System

4.3.1 Notwithstanding any other provision in this Restriction on the Use of Land, the owner acknowledges and agrees that any lessee of Epsilon Distribution Ministerial Holding Corporation's distribution system, and any nominee of such lessee (which may include a sublessee of Epsilon Distribution Ministerial Holding Corporation's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Epsilon Distribution Ministerial Holding Corporation as if that lessee or nominee were Epsilon Distribution Ministerial Holding Corporation, but only for so long as the lessee leases Epsilon Distribution Ministerial Holding Corporation's distribution system from Epsilon Distribution Ministerial Holding Corporation.

4.3.2. The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Epsilon Distribution Ministerial Holding Corporation .

.....
(Signatory Legpro 54E & 54F)

.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SC19/0012

(Sheet 10 of 13 Sheets)

Part 2 (Terms)

5. Terms of restriction on the use of land numbered seven in the abovementioned plan

For so long as Legpro 54E & 54F Pty Limited, (hereafter referred to as Legpro) 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 without their consent but such consent shall not be withheld if such fence is erected without expense to, Legpro. This restriction shall remain in force only during such time as, Legpro is the registered proprietor of that adjoining land.

6. Terms of Easement for underground cables 1 wide (E31) numbered eight in the abovementioned plan

The terms set out in Memorandum No AK104616 registered at NSW Land Registry Services are incorporated into this document, subject to changing "Endeavour Energy" to "Epsilon Distribution Ministerial Holding Corporation".

Name of Authority empowered to release, vary or modify terms of easement numbered one in the abovementioned plan

Penrith City Council.

Name of Authority whose consent is required to release, vary or modify terms of Easements and Restrictions numbered four, five, six and eight in the abovementioned plan

Epsilon Distribution Ministerial Holding Corporation.

.....
(Signatory Legpro 54E & 54F)

.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

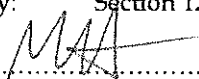
Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SC14/0012

(Sheet 11 of 13 Sheets)

Executed on behalf of the Corporation named below
by the authorised persons whose signatures appear
below pursuant to the authority specified.
Corporation: Legpro 54E Pty Limited ACN 619 214 818
Authority: Section 127 Corporations Act 2001

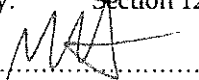


Signature of authorised person:

Elton Matthew Hyder IV

Name of authorised person:
Office held: Sole Director / Secretary
27.04, 19-29 Martin Place,
Sydney NSW 2000
Address of authorised person:

Executed on behalf of the Corporation named below
by the authorised persons whose signatures appear
below pursuant to the authority specified.
Corporation: Legpro 54F Pty Limited ACN 619 215 002
Authority: Section 127 Corporations Act 2001



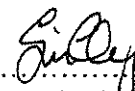
Signature of authorised person:

Elton Matthew Hyder IV

Name of authorised person:
Office held: Sole Director / Secretary
27.04, 19-29 Martin Place,
Sydney NSW 2000
Address of authorised person:



(Signatory Legpro 54E & 54F)



Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:


DP1230585


Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. *SC19/0012*

(Sheet 12 of 13 Sheets)

I certify that the attorney signed this instrument in my presence

Signed by the attorney named below who signed this instrument pursuant to the power of attorney specified for Endeavour Energy Network Asset Partnership (ABN 30 586 412 717) on behalf of Epsilon Distribution Ministerial Holding Corporation (ABN 59 253 130 878) pursuant to Section 36 of the Electricity Network Assets (Authorised Transactions) Act 2015 (NSW)


.....
Signature of Witness


.....
Signature of Attorney

NATASHA ISSAC
.....
Name of Witness

Name and position of Attorney: Helen Smith
Manager Property and Fleet

.....
Address of Witness:
c/- Endeavour Energy
51 Huntingwood Drive
HUNTINGWOOD NSW 2148

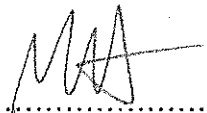
Power of Attorney: Book ~~4734~~ N° ~~883~~
54 402 *CM*

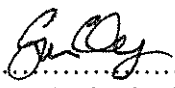
Signing on behalf of:
Endeavour Energy Network Asset Partnership
ABN 30 586 412 717

Endeavour Energy reference:

URS19779 & ARP3557
.....

Date of signature: *11 March 2019*
.....


.....
(Signatory Legpro 54E & 54F)


.....
Authorised Person
Penrith City Council

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 Conveyancing Act 1919.

Plan:

DP1230585

Plan of Subdivision of Lot 6 DP1229890
and easements over Lot 606 DP1230584
covered by Subdivision Certificate No. SC19/0012

(Sheet 13 of 13 Sheets)

Penrith City Council by its authorised delegate
pursuant to s.377 Local Govt. Act, 1993

.....
Signature of delegate

.....
Name of delegate

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

.....
Signature of Witness

.....
Name of Witness

.....
Address of Witness

Land and Property Information NEW SOUTH WALES	
I certify the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.	I certify correct for the purposes of the Real Property Act 1900 by the person(s) named below who signed this instrument pursuant to the power of attorney specified
Signature of witness: <i>[Signature]</i>	Signature of attorney: <i>[Signature]</i>
Name of witness: CHRIS ALDER	Attorney's name: Stephen Nichol
Address of witness: 2/19, 201 SUSSEX ST SYDNEY NSW 2000	Attorney's position: Executive Manager
	Signing on behalf of: COMMONWEALTH BANK OF AUSTRALIA ABN 48 123 123 124
	Power of attorney -Book: 4548 -No: 494

.....
(Signatory Legpro 54E & 54F)

.....
Authorised Person
Penrith City Council

Ref: B20467-6C