

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 of the Conveyancing Act 1919.

ePlan
 (Sheet 1 of 3 sheets)

Plan: **DP1256167**

Plan of subdivision of Lot 5 and 6 in DP777510 and Right of Way over Lot 12 in DP 566924 covered by Subdivision Certificate No *SUB 52/2020*
24/3/2020

Full name and address of the owner of the land:

Canterbury Bankstown Council
 ABN 45 985 891 846 of Upper Ground Floor,
 Bankstown Civic Tower
 66-72 Rickard Road, Bankstown NSW 2200

Part 1 (Creation)

| Number of item shown in the intention panel on the plan | Identity of easement, profit à prendre, restriction on the use of land 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 way variable width (X) | Lot 15 DP1256167 * | Canterbury Bankstown Council |
| 2 | Right of way 6.6 wide (Y) | Lot 12 DP566924 | Lot 15 DP 1256167 * |

PART 1A (Release)

| Number of item shown in the intention panel on the plan | Identity of easement or profit à prendre 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 carriageway created by DP777510 | 6 and 7 DP777510 | Lot 5 and Lot 12 in DP 566924 |

PART 2 (Terms)

1. **Terms of RIGHT OF WAY numbered 1 in the plan**
 - 1.1 Full and free right to Canterbury Bankstown Council (**Council**), and every person authorised by it (**Authorised Users**), to go, pass and repass at all times and for all purposes with or without animals or vehicles or both over that part of the burdened lot shown (X) (**Easement Site**).
 - 1.2 The following actions are prohibited over the Easement Site without the prior written consent of the Council (which consent maybe withheld in the Council's absolute discretion):
 - (a) excavation, construction, or building works under or over the Easement Site;

* Amended 20/5/2020 G-J. BOTTARO - Surveyor G. J. BOTTARO

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(Sheet 2 of 3 sheets)

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and Right of Way over Lot 12 in DP 566924
covered by Subdivision Certificate No.

SUB52/2020
24/3/2020

- (b) any encroachment on to the Easement Site; or
 - (c) parking of vehicles on the Easement Site.
- 1.3 If the owner of the lot burdened wishes to carry out emergency repair works to buildings located on the lot burdened and these works affect the Easement Site (**Emergency Repair Works**), Council will act expeditiously in considering any request by the owner of the lot burdened for consent to the Emergency Repair Works.
- 1.4 Council must, at its cost, keep, repair and maintain the Easement Site in a clean, tidy, safe, unobstructed, level and trafficable condition.
2. **Terms of RIGHT OF WAY numbered 2 in the plan**
- 2.1 Full and free right for the owner of the lot benefitted and every person authorised by it (**Authorised Users**) to go, pass and repass at all times and for all purposes with or without animals or vehicles or both over that part of the burdened lot shown (Y) (**Easement Site**).
- 2.2 The following actions are prohibited over the Easement Site :
- (a) excavation, construction, or building works under or over the Easement Site or access over the Easement Site in support of construction work on the benefitted lot;
 - (b) any encroachment on to the Easement Site; or
 - (c) parking of vehicles on the Easement Site.
- 2.3 If the owner of the lot benefitted or its Authorised Users wish to carry out emergency repair works to buildings located on the lot benefitted and these works affect the Easement Site (**Emergency Repair Works**), the owner of the lot burdened will act expeditiously in considering and responding to any request by the owner of the lot benefitted or its Authorised Users for consent to the part of the Emergency Repair Works which affects the Easement Site. The owner of the lot burdened must not unreasonably withhold its consent.
3. Council must, at its cost, keep, repair and maintain the Easement Site in a clean, tidy, safe, unobstructed, level and trafficable condition


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 of the Conveyancing Act 1919.

ePlan
(Sheet 3 of 3 sheets)

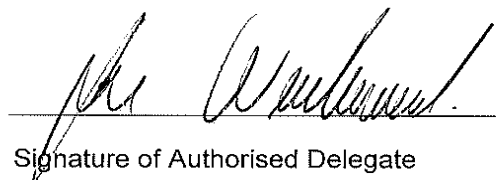
Plan: **DP1256167**

Plan of subdivision of Lot 5 and 6 in DP777510
and Right of Way over Lot 12 in DP 566924
covered by Subdivision Certificate No *SUB 52/2020*
24/3/2020

Signed, sealed and delivered for and on behalf of **Canterbury Bankstown Council** by its Authorised Delegate pursuant to section 377 *Local Government Act 1993*:



Signature of eligible witness



Signature of Authorised Delegate

Anika Aley

Full name of witness (print)

Ian Woodward

Name of Authorised Delegate (print)

66-72 Leland Rd Sutherland NSW
1885

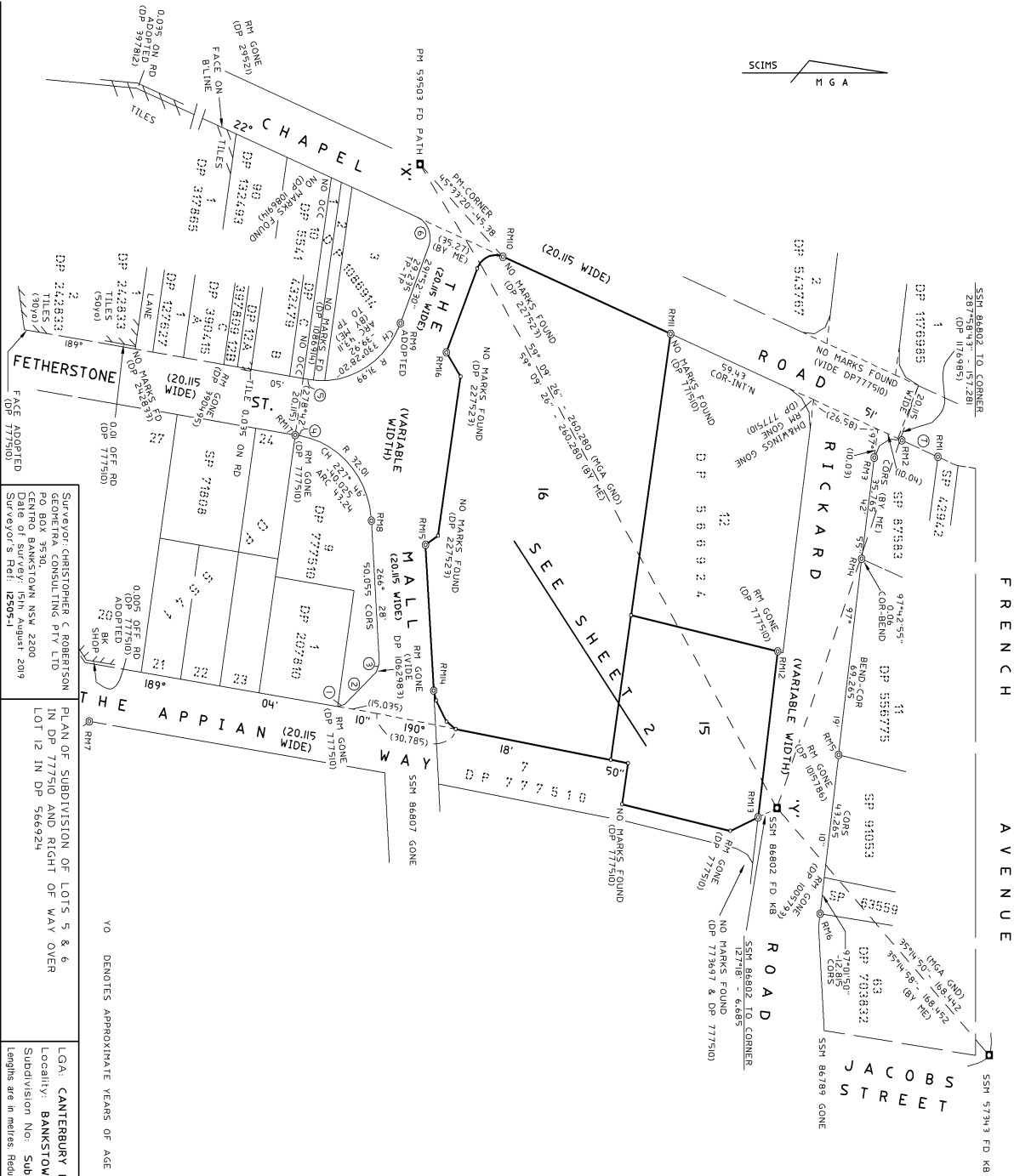
Address of witness (print)

Manager - Development

Position of Authorised Delegate (print)

REGISTERED  9.6.2020

Ian W.



Surveyor: CHRISTOPHER C. ROBERTSON
 GEOMETRICAL CONSULTING PTY LTD
 PO BOX 9530
 CENTRAL BANKSTOWN NSW 2200
 Date of Survey: August 2019
 Surveyor's Ref: 12505-1

PLAN OF SUBDIVISION OF LOTS 5 & 6
 IN DP 777510 AND RIGHT OF WAY OVER
 LOT 12 IN DP 566924

LGA: CANTERBURY BANKSTOWN
 Locality: BANKSTOWN
 Subdivision No: Sub 52/2020
 Lengths are in metres. Reduction Ratio 1:1000

Registered
 9.6.2020

DP1256167

YO DENOTES APPROXIMATE YEARS OF AGE

TABLE OF REFERENCE MARKS

| NO. | BEARING | DISTANCE | DESCRIPTION |
|------|------------|----------|-------------------------------------|
| RH1 | 125°38'00" | 3.605 | DRAW FOUND KERB (VIDE DP 1229220) |
| RH2 | 118°37'00" | 3.715 | DRAW FOUND KERB (VIDE DP 1229220) |
| RH3 | 2°41'00" | 3.317 | DRAW FOUND KERB (DP 1174581) |
| RH4 | 358°34'00" | 3.225 | DRAW FOUND KERB (DP 1174581) |
| RH5 | 73°41'00" | 7.805 | DRAW FOUND PATH (DP 1156098) |
| RH6 | 290°40'00" | 10.56 | DRAW FOUND KERB (DP 1005793) |
| RH7 | 99°04'00" | 3.63 | DRAW FOUND KERB (DP 7799937) |
| RH8 | 258°28'00" | 3.4 | DRAW FOUND KERB (DP 777510) (BY ME) |
| RH9 | 102°13'00" | 6.075 | DRAW FOUND KERB ADOPTED (DP 777510) |
| RH10 | 203°13'00" | 6.075 | DRAW SET KERB |
| RH11 | 148°52'00" | 4.35 | DRAW SET KERB |
| RH12 | 187°06'25" | 24.345 | DRAW SET KERB |
| RH13 | 184°47'00" | 21.24 | DRAW SET KERB |
| RH14 | 311°34'30" | 16.145 | DRAW SET KERB (TRAFFIC ISLAND) |
| RH15 | 375°18'00" | 3.665 | DRAW SET KERB |
| RH16 | 265°57'00" | 3.06 | DRAW FOUND KERB (FORGOTTEN JUNGLE) |
| RH17 | 94°53'00" | 4.61 | DRAW FOUND KERB (FORGOTTEN JUNGLE) |
| RH18 | 168°33'00" | 4.61 | DRAW SET KERB |
| RH19 | 293°22'00" | 6.355 | DRAW SET KERB |

TABLE OF BOUNDARIES

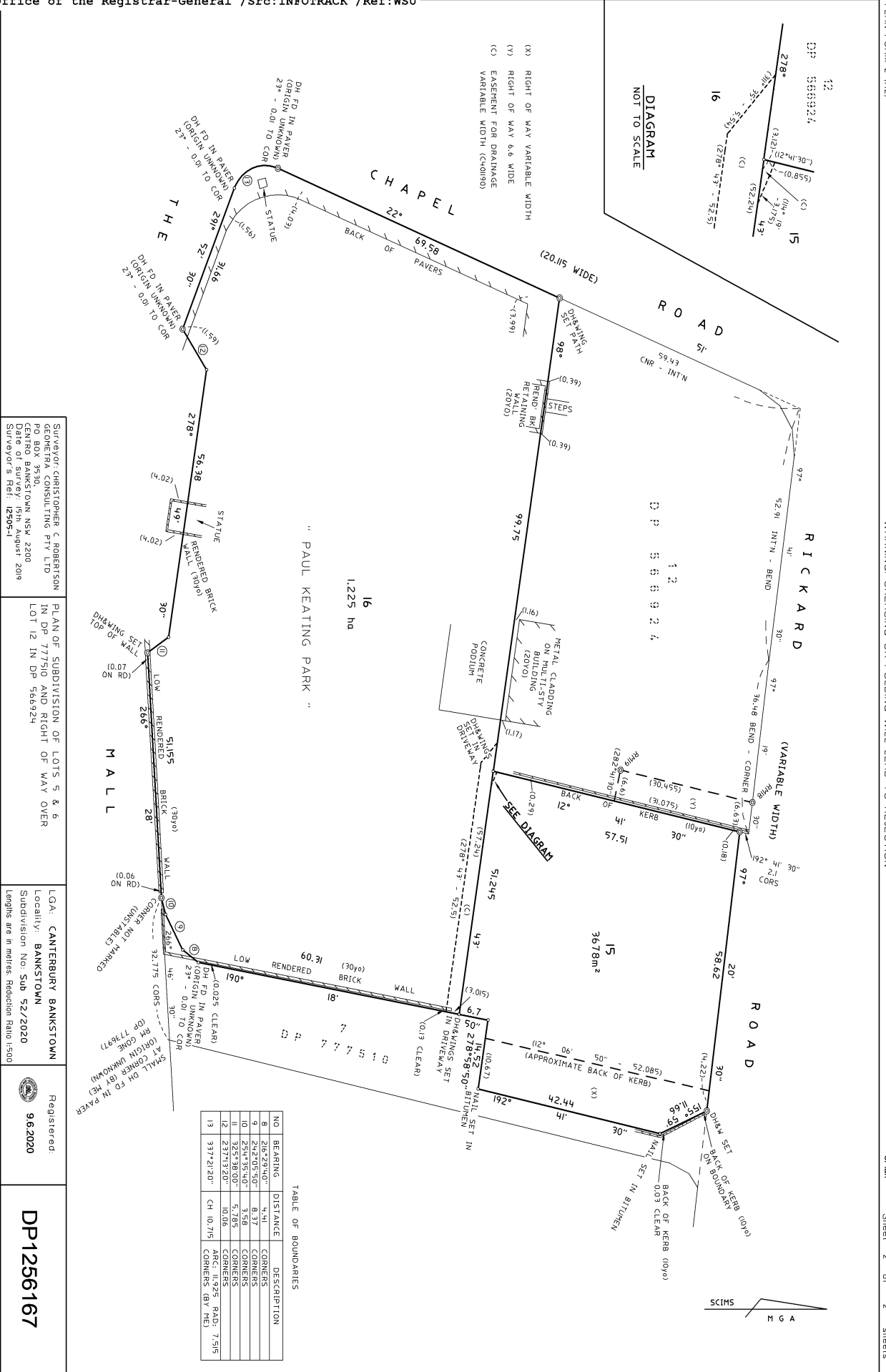
| NO. | BEARING | DISTANCE | DESCRIPTION |
|-----|------------|----------|---|
| 1 | 343°03'00" | 2.735 | CORNERS |
| 2 | 317°02'30" | 16.57 | CORNERS |
| 3 | 297°45'00" | 3.305 | CORNERS |
| 4 | 189°04'00" | 2.285 | CORNERS |
| 5 | 9°04'00" | 2.149 | CORNERS |
| 6 | 27°49'00" | 6.0705 | ACQUISITION PAID: 7.835 CORNERS (BY ME) |
| 7 | 22°49'30" | 5.665 | CORNERS |

| MARK | EASTING | NORTHING | CLASS | ORDER | METHOD | STATE |
|-----------|-----------|------------|-------|-------|-------------|-------|
| SSM 57343 | 78522.894 | 624690.945 | B | 2 | SCIMS FOUND | |
| SSM 57344 | 78522.894 | 624690.945 | B | 2 | SCIMS FOUND | |
| PM 59503 | 78202.214 | 624549.942 | B | 2 | SCIMS FOUND | |

COMBINED SCALE FACTOR (CSF) = 0.9999999

SOURCE: MGA COORDINATES ADOPTED FROM SCIMS AS AT 30/07/2019

SSM 57343 - PM 59503
 229° 47' 57" - 419,885 (MGA GND)
 229° 47' 57" - 419,883 (BY ME)



1.225 ha

"PAUL KEATING PARK"

TABLE OF BOUNDARIES

| NO | BEARING | DISTANCE | DESCRIPTION |
|----|------------|-----------|--|
| 8 | 216°29'40" | 4.41 | CORNERS |
| 9 | 242°05'50" | 8.37 | CORNERS |
| 10 | 325°48'00" | 5.785 | CORNERS |
| 12 | 237°13'20" | 10.06 | CORNERS |
| 13 | 317°21'20" | CH 10.715 | ARC: 11.925 RAD: 7.515 CORNERS (BY ME) |

Surveyor: CHRISTOPHER C ROBERTSON
 GEOMETRA CONSULTING PTY LTD
 PO BOX 8530,
 CENTRAL BANKSTOWN NSW 2200
 Surveyor's Ref: 12595-1

PLAN OF SUBDIVISION OF LOTS 5 & 6
 IN DP 77750 AND RIGHT OF WAY OVER
 LOT 12 IN DP 566924


LGA: CANTERBURY BANKSTOWN
 Locality: BANKSTOWN
 Subdivision No: Sub 52/2020
 Lengths are in metres. Reduction Ratio 1:500


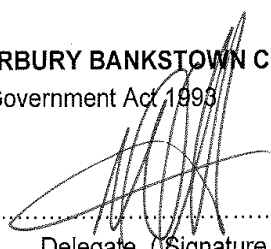
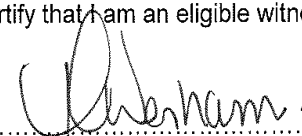
Registered
 9.6.2020

DP1256167

SCIMS MGA

| | | |
|--|---|-----------------------|
| PLAN FORM 6 (2018) | DEPOSITED PLAN ADMINISTRATION SHEET | Sheet 1 of 3 sheet(s) |
| Registered: 9.6.2020 | Office Use Only | Office Use Only |
| Title System: TORRENS | DP1256167 | |
| PLAN OF SUBDIVISION OF LOTS 5 & 6 IN DP 777510 AND RIGHT OF WAY OVER LOT 12 IN DP 566924 | LGA: CANTERBURY BANKSTOWN Locality: BANKSTOWN Parish: BANKSTOWN County: CUMBERLAND | |
| Survey Certificate I, CHRISTOPHER C ROBERTSON Of GEOMETRA CONSULTING PTY LTD PO BOX 3530 CENTRO BANKSTOWN NSW 2200 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , is accurate and the survey was completed on 15th AUGUST 2019 *(b) The part of the land shown in the plan (*being/*excluding**.....) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on..... the part not surveyed was compiled in accordance with that Regulation, or *(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> Datum Line: 'X' - 'Y' Type: *Urban/*Rural The terrain is *Level-Undulating / *Steep-Mountainous: Signature: <i>C.C. Robert</i> Dated: 5/2/20 Surveyor Identification No: 1908 Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> *Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey. | Crown Lands NSW/Western Lands Office Approval I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office: | |
| Plans used in the preparation of survey/compilation: DP 227523 DP 237384 DP 739993 DP 773697 DP 777510 DP 1005793 DP 1062983 DP 1086914 DP 1176985 DP 1212420 DP 1231000 PPN DP 1256167 | Subdivision Certificate I, <i>Jan Woodward</i> *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of section 6.15 <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: <i>Jan Woodward</i> Accreditation number: Consent Authority: <i>Canterbury Bankstown Council</i> Date of endorsement: <i>24/8/2020</i> Subdivision Certificate number: <i>Sub 52/2020</i> File number: <i>Sub 52/2020</i> *Strike through if inapplicable. | |
| Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. | Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. | |
| Surveyor's Reference: 12505-1 | Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A | |

| PLAN FORM 6A (2017) DEPOSITED PLAN ADMINISTRATION SHEET Sheet 2 of 3 sheet(s) | | | | | | | | | | | | | | | | |
|--|---|-------------|-------------|-------------|-------------|----------|----|----|---------|------|-----------|----|-----|--------|------|-----------|
| Registered:  9.6.2020 Office Use Only | Office Use Only <h1 style="margin: 0;">DP1256167</h1> | | | | | | | | | | | | | | | |
| PLAN OF SUBDIVISION OF LOTS 5 & 6 IN DP 777510 AND RIGHT OF WAY OVER LOT 12 IN DP 566924 | | | | | | | | | | | | | | | | |
| Subdivision Certificate number: <u>SUB 52/2020</u> Date of Endorsement: <u>24.3.2020</u> | This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> Signatures and seals- see 195D <i>Conveyancing Act 1919</i> Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. | | | | | | | | | | | | | | | |
| SURVEYING & SPATIAL INFORMATION REGULATION 2017 CLAUSE 60 (C) | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 15%;">LOT</th> <th style="width: 15%;">STREET No.</th> <th style="width: 25%;">STREET NAME</th> <th style="width: 15%;">STREET TYPE</th> <th style="width: 30%;">LOCALITY</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>74</td> <td>RICKARD</td> <td>ROAD</td> <td>BANKSTOWN</td> </tr> <tr> <td>16</td> <td>375</td> <td>CHAPEL</td> <td>ROAD</td> <td>BANKSTOWN</td> </tr> </tbody> </table> | | LOT | STREET No. | STREET NAME | STREET TYPE | LOCALITY | 15 | 74 | RICKARD | ROAD | BANKSTOWN | 16 | 375 | CHAPEL | ROAD | BANKSTOWN |
| LOT | STREET No. | STREET NAME | STREET TYPE | LOCALITY | | | | | | | | | | | | |
| 15 | 74 | RICKARD | ROAD | BANKSTOWN | | | | | | | | | | | | |
| 16 | 375 | CHAPEL | ROAD | BANKSTOWN | | | | | | | | | | | | |
| PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE : <ol style="list-style-type: none"> 1. RIGHT OF WAY VARIABLE WIDTH SHOWN AS (X) 2. RIGHT OF WAY 6.6 WIDE SHOWN AS (Y) | | | | | | | | | | | | | | | | |
| IT IS INTENDED TO RELEASE : <ol style="list-style-type: none"> 1. RIGHT OF CARRIAGEWAY VARIABLE WIDTH (VIDE DP 777510) | | | | | | | | | | | | | | | | |
| If space is insufficient use additional annexure sheet | | | | | | | | | | | | | | | | |
| Surveyor's Reference: 12505-1 | | | | | | | | | | | | | | | | |

| | |
|--|--|
| PLAN FORM 6A (2017) DEPOSITED PLAN ADMINISTRATION SHEET Sheet 3 of 3 sheet(s) | |
| Registered:  9.6.2020 Office Use Only | Office Use Only |
| PLAN OF SUBDIVISION OF LOTS 5 & 6 IN DP 777510 AND RIGHT OF WAY OVER LOT 12 IN DP 566924 | DP1256167 |
| Subdivision Certificate number: <u>Sub 57/2020</u> Date of Endorsement: <u>24/3/2020</u> | This sheet is for the provision of the following information as required: <ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>• Signatures and seals- see 195D <i>Conveyancing Act 1919</i>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. |
| SIGNATURES AND SEALS | |
| CANTERBURY BANKSTOWN COUNCIL by its authorized delegate pursuant to Section 377 Local Government Act 1993 | |
|  Delegate (Signature) | |
| <u>Mathew Stewart</u> Delegate (Print Full Name) | |
| I certify that I am an eligible witness and that the delegate signed in my presence | |
|  Witness (Signature) | |
| <u>Heidi Wenham</u> Witness (Print Full Name) | |
| <u>66-72 Rickard Rd Bankstown NSW 2200</u> Address of Witness | |
| If space is insufficient use additional annexure sheet | |
| Surveyor's Reference: 12505-1 | |