

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

(Sheet 1 of 3 Sheets)

Plan: DP1228246

Subdivision of Lot 401 DP 1197237 &
Lot 1 DP1221878

**Full name and address
of the proprietors of the land:**

Hunter New England Local Health District
Area Admin Bldg
Locked Bag 1
New Lambton 2305

PART 1 (Creation)

Number of item shown in the intension 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 Drainage of Water 2 wide and variable width (CC)	2	1
2	Easement for Services 2 wide (DD), (EE), (FF), (GG)	2	1
3	Easement for Services 5 wide (HH)	2	1
4	Easement for Outer Protection Zone variable width (JJ)	2	1
5	Easement for Inner Protection Zone variable width (KK)	2	1
6	Right of Carriageway 3.5 wide limited in height to RL88 (AHD) (LL)	2	1
7	Easement for Services variable width (MM)	2	1
8	Right of Carriageway 3.5, 7 and variable width (NN)	1 2	2 1
9	Easement for Drainage of Water 2 wide (PP)	2	1
10	Right of Footway 1.2 wide (UU)	1	2
11	Right of Cycleway 2 wide (VV)	2	1
12	Right of Carriageway Variable Width Limited in Height to RL 83 (WW)	1	2
13	Right of Carriageway 4 wide and variable width (YY)	1 2	2 1

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PART 2 (Terms)

1. **Terms of Easement for Outer Protection Zone variable width (JJ) fourthly referred to in the abovementioned plan.**

The area of any lot burdened shall be managed by the proprietor of the lot benefited as an Outer Protection Area (OPA) as outlined within Appendices 2 & 5 of "Planning for Bushfire Protection 2006" and the NSW Rural Fire Service's document "Standards for Asset Protection Zones".

2. **Terms of Easement for Inner Protection Zone variable width (KK) fifthly referred to in the abovementioned plan.**

The area of any lot burdened shall be managed by the proprietor of the lot benefited as an Inner Protection Area (IPA) as outlined within Appendices 2 & 5 of "Planning for Bushfire Protection 2006" and the NSW Rural Fire Service's document "Standards for Asset Protection Zones".

3. **Terms of Right of Carriageway 3.5 wide limited in height to RL88 AHD (LL) sixthly referred to in the abovementioned plan.**

The terms relating to the expression "right of carriageway" set out in Schedule 8 of the Conveyancing Act, 1919, provided that the upper limit of the easement is R.L.88 Australian Height Datum (AHD).

4. **Terms of Right of Cycleway 2 wide (VV) eleventhly referred to in the abovementioned plan.**

The terms relating to the expression "right of footway" set out in Schedule 8 of the Conveyancing Act, 1919, and extending the terms to include the use of bicycles.

5. **Terms of Right of Carriageway Variable Width limited in height to RL83 AHD (WW) twelfthly referred to in the abovementioned plan.**

The terms relating to the expression "right of carriageway" set out in Schedule 8 of the Conveyancing Act, 1919, provided that the upper limit of the easement is R.L.83 Australian Height Datum (AHD).

Name of the person empowered to release, vary or modify the easements firstly to thirteenthly referred to in abovementioned plan.

Newcastle City Council

Every person or body whether incorporated or otherwise who is at any time entitled to an interest in the land herein indicated as the lot benefited or any part thereof with which the rights hereby conferred are capable of enjoyment PROVIDED that the cost of any release variation or modification of the easement is borne in all respects by the person requesting such release variation or modification.

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(Sheet 3 of 3 Sheets)

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Executed by Hunter New England Local Health District

by:

Witness

Name of Witness

Address of Witness

Chief Executive
Print name:
