

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND
RESTRICTIONS ON THE USE OF LAND INTENDED TO BE CREATED
PURSUANT TO SECTION 88B AND 88E, CONVEYANCING ACT, 1919.**



DP1131340 B

(Sheet 1 of 3)

Plan of Subdivision of Lot 1077
In D.P.1097651.

Full name and address of
proprietor of the land.

Minister for Education and Training
Level 13, 55 Market Street
SYDNEY NSW 2000

PART 1

Number of item Shown in the Intention panel on the plan	Identity of easement or profit a prendre, restriction or positive covenant to be created and referred to in plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement for Padmount Substation 2.75 wide.	1	Integral Energy Australia
2	Restriction on the Use of Land.	1	Integral Energy Australia

PART 2

1: Terms of Easement numbered 1 in the plan.

The terms of the easement for padmount substation set out in Memorandum number 9262886 are incorporated in this document, with the addition of the following clause:

AND PROVIDE FURTHER the Authority Benefited shall indemnify and keep indemnified the Owner from and against all actions, suits, claims and demands of whatsoever nature which may be brought against the Owner and all costs, charges and expenses which the Owner may incur in respect of any accident and injury and damage to any person or property which may occur through any cause which may be consequent upon the use of the lot burdened by the Authority Benefited notwithstanding that the conditions and covenants herein contained or referred to shall in all respects have been observed by the Authority Benefited or that such accident, injury and/or damage shall arise from any act or thing which the Authority Benefited may be authorised or compelled to do in respect of the conditions attaching to this easement PROVIDED HOWEVER that this indemnity shall not be deemed to cover any action, suit, claim, demand, cost, charge or expense arising from the negligence on the part of the Owner, its servant or agents.

NAME OF AUTHORITY having the power to release, vary or modify the EASEMENT numbered 1 in the plan is **INTEGRAL ENERGY AUSTRALIA**

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND
RESTRICTIONS ON THE USE OF LAND INTENDED TO BE CREATED
PURSUANT TO SECTION 88B AND 88E, CONVEYANCING ACT, 1919.**

Lengths are in Metres

(Sheet 2 of 3)

DP1131340

Plan of Subdivision of Lot 1077
In D.P.1097651.

PART 2 (cont.)

2: Terms of Restriction numbered 2 in the plan.

1. No building shall be erected or permitted to remain within the restriction site unless:
 - 1.1 the external surface of the building erected within 1.5 metres from the substation footing has a 120/120/120/fire rating and
 - 1.2 the external surface of the building erected more than 1.5 metres from the substation footing has a 60/60/60/fire ratingand the owner provides the authority benefited with an engineers certificate to this effect.
2. The fire ratings mentioned in clause 1 must be achieved without the use of fire fighting systems such as automatic sprinklers.
3. Definitions:
 - 3.1 **"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 the Australian Standard 1530.
 - 3.2 **"building"** means a substantial structure with a roof and walls and includes any projections from the external walls.
 - 3.3 **"Erect"** includes construct, install, build and maintain.
 - 3.4 **"Restriction Site"** means that part of the lot burdened affected by the restriction on the use of land as shown on the plan up to a maximum height of 6 metres from the level of the substation footing.

NAME OF AUTHORITY empowered to release, vary or modify the RESTRICTION numbered 2 in the plan is **INTEGRAL ENERGY AUSTRALIA**

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND
RESTRICTIONS ON THE USE OF LAND INTENDED TO BE CREATED
PURSUANT TO SECTION 88B AND 88E, CONVEYANCING ACT, 1919.**

Lengths are in Metres

(Sheet 3 of 3)

DP1131340

Plan of Subdivision of Lot 1077
In D.P.1097651.

PART 2 (cont.)

Signed in my presence by

.....
Who is personally known to me

.....
Signature of Witness

.....
Name of Witness

Signed by me Ray Masterton as
Delegate of the Minister for Education and Training
pursuant to Section 125 of the Education Act 1990
and I hereby certify that I have no notice of the
revocation of such delegate.

.....
Proprietor

R Miller
ROGER MILLOTT
70 LASEY DR WYONG
WITNESS

Signed on behalf of Integral Energy Australia
By it Attorney pursuant to Power of Attorney
Book 4509 No 838 in the presence of:

R Simmonds
.....
Signature of Witness

Ray Simmonds
.....
Name of Witness

**C/- Integral Energy
51 Huntingwood Drive
Huntingwood 2148**

G. Riethmuller
.....
Signature of Attorney

Name: Geoffrey Riethmuller

Position: Network Property Manager

18 March 2008
.....

Date of Execution

ULL 0650

BLACKTOWN CITY COUNCIL

Gareth Ponton
.....
Gareth Ponton

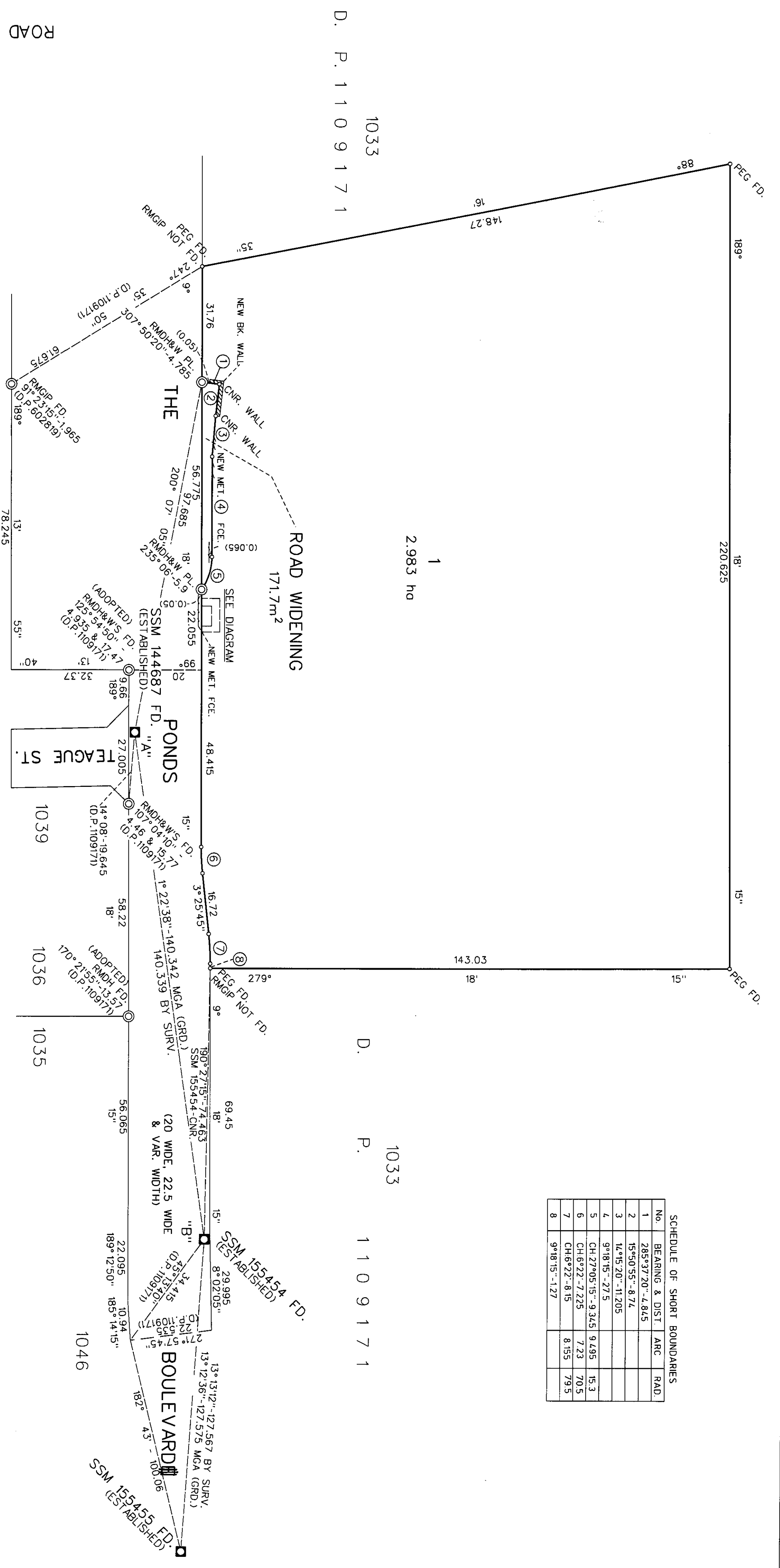
Manager Development Services

REGISTERED



2.10.2008

SCHEDULE OF SHORT BOUNDARIES			
No.	BEARING & DIST	ARC	RAD.
1	285°37'20"-2.845		
2	155°05'55"-8.74		
3	14°05'20"-11.205		
4	9°18'15"-27.5		
5	CH 27°00'55"-9.345	9.495	15.3
6	CH 6°52'-7.225	7.23	70.5
7	CH 6°22'-8.15	8.155	79.5



SURVEYOR: MICHAEL J. PALMER Date of Survey: 02-11-2007 Surveyor's Ref: 206030 "CHECKLIST"	PLAN OF SUBDIVISION OF LOT 1077 IN D.P. 1097651.	LGA: BLACKTOWN Locality: THE PONDS SUBDIVISION No: 12120 Lengths are in metres. Reduction Ratio is 800	REGISTERED  2.10.2008	DP1131340
--	--	--	--	------------------

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 1 sheet(s)

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:-

1. EASEMENT FOR PADMOUNT SUBSTATION 2.75 WIDE.
2. RESTRICTION ON THE USE OF LAND.

IT IS INTENDED TO DEDICATE THE ROAD WIDENING TO THE PUBLIC AS ROAD.

SIGNATURE

SIGNED BY (NAME)

AS DELEGATE OF THE MINISTER FOR EDUCATION AND TRAINING PURSUANT TO SECTION 125 OF THE EDUCATION ACT 1990 AND I HEREBY CERTIFY THAT I HAVE NO NOTICE OF THE REVOCATION OF SUCH DELEGATION.

Use PLAN FORM 6A

for additional certificates, signatures, seals and statements

Crown Lands NSW/Western Lands Office Approval

I.....in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature:.....

Date:.....

File Number:.....

Office:.....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed..... SUBDIVISION..... set out herein
(insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:..... BLACKTOWN CITY COUNCIL.....

Date of Endorsement:..... 19th August 2008.....

Accreditation no:..... Not Applicable.....

Subdivision Certificate no:..... 12120.....

File no:..... DA-06-2607.....

* Delete whichever is inapplicable.



DP1131340 S

Registered:..... 2.10.2008.....

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF LOT 1077 IN
D.P. 1097651.

LGA: BLACKTOWN

Locality:..... ~~SEELYVILLE RIDGE~~ THE PONDS

Parish: GIDLEY

County: CUMBERLAND

Surveying Regulation, 2006

I, MICHAEL J. PALMER
of FRANKHAM ENGINEERING SURVEYS P/L
PO BOX 281, WENTWORTHVILLE NSW 2145
a surveyor registered under the *Surveying Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying Regulation, 2006* and was completed on: 2nd November 2007

The survey relates to LOT 1077

(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature..... Dated: 02/11/2007
Surveyor registered under the *Surveying Act, 2002*

Datum Line: "A"- "B"
Type: Urban

Plans used in the preparation of survey
D.P. 602819, D.P.1109171, D.P.1097651.

(if insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE: 206030 CHECKLIST

* OFFICE USE ONLY