

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet **1** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.25

Full name & address of the
owners of the land

LEGPRO ORCHARD HILLS PTY LTD

ACN 619 780 559

Level 45 Suite 4502 25 Martin Place

Sydney NSW 2000

LEGPRO ORCHARD HILLS STAGE 1 PTY LTD

ACN 673 136 206

Level 45 Suite 4502 25 Martin Place

Sydney NSW 2000

LEGPRO ORCHARD HILLS STAGE 2 PTY LTD

ACN 673 759 209

Level 45 Suite 4502 25 Martin Place

Sydney NSW 2000

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit a 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 1.5 wide	1019 1022 1023 1024 1075 1074	1020 1021 1021 & 1022 1021-1023 Inclusive 1076 1075 & 1076
2	Easement to Drain Water 1.6 wide	1037 1040 1041 1047 1048 1078 1079	1038 1039 1039 & 1040 1046 1046 & 1047 1077 1077 & 1078
3	Easement to Drain Water 2.0 wide	1025 1026 1036 1035 1034	1021-1024 Inclusive 1021-1025 Inclusive 1037 & 1038 1036-1038 Inclusive 1035-1038 Inclusive

Approved by Penrith City Council



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Authorised Officer



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Registered Proprietor

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Sheet **2** of **22** Sheets


Plan of Subdivision of Lot 10 in
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12 in DP1309130

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<p>3 Continued</p>	<p>Easement to Drain Water 2.0 Wide</p>	<p>1033 1068 1042 1043 1044 1045 1046 1058 1049 1052 1053 1054 1073 1080 1081 1082 1083 Lot 11 in DP1309130</p>	<p>1034-1038 Inclusive 1033-1038 Inclusive 1039-1041 Inclusive 1039- 1042 Inclusive 1039-1043 Inclusive 1039-1044 Inclusive 1039 -1045 Inclusive 1039-1046 Inclusive 1046-1048 Inclusive 1046-1049 Inclusive 1046-1049 Inclusive 1074-1076 1077-1079 Inclusive 1077-1080 inclusive 1077-1081 Inclusive 1077-1082 Inclusive Penrith City Council</p>
<p>4</p>	<p>Easement for retaining wall support 0.5 wide</p>	<p>Lot 11 in DP1309130 1086 1085 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1032</p>	<p>1073-1083 Inclusive, 1083 1083 1049 1048 1047 1046 1044 & 1045 1042 & 1043 1041 & 1042 1037 & 1038 1037 1037 1036 1035 1034 1033 & 1069 1032 & 1033 1031</p>

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Sheet **3** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

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No.:sc25/0010

Dated:29.09.25

4 Continued	Easement for Retaining wall support 0.5 wide	1033	1034
		1027	1022-1025 Inclusive
		1028	1021 & 1022
		1029	1020
		1030	1019
		1018	'A' within Lot 2 DP1302831
		1017	'B' within Lot 2 DP1302831
		1016	'C' within Lot 2 DP1302831
		1015	'C' & 'D' within Lot 2 DP1302831
		1014	'D' & 'E' Within Lot 2 DP1302831
		1013	'E' & 'F' Within Lot 2 DP1302831
		1012	'F' & 'G' Within Lot 2 DP1302831
		1011	'G' Within Lot 2 DP1302831
		1010	'G' & 'H' Within Lot 2 DP1302831
		1009	'H' & 'J' Within Lot 2 DP1302831
		1008	'J', 'K' & 'L' Within Lot 2 DP1302831
		1007	'L', 'M' & 'N' Within Lot 2 DP1302831
		1006	'N' & 'P' Within Lot 2 DP1302831
		1005	'P' & 'Q' Within Lot 2 DP1302831
		1004	'Q' & 'R' Within Lot 2 DP1302831
		1038	1039 & 1040
		1052	1049
		1054	1053
		1070	1068
1071	1068		

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Sheet **4** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

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No.: sc25/0010 Dated: 29.09.25

5	Easement for Retaining wall Support 0.5 wide	1085 1055 1061 1068 1032 1016 1012	1084 1052 1038 1067 1033 1015 1011
6	Easement for Access & maintenance 0.9 wide	1004 1005 1006 1009 1010 1011 1013 1014 1015 1017 1018 1025 1026 1034 1035 1036 1041 1042 1043 1045 1046 1048 1049 1050 1051 1052 1053 1054 1055 1056 1058 1059 1060 1063	1003 1004 1005 1008 1009 1010 1012 1013 1014 1016 1017 1024 1025 1035 1036 1037 1040 1041 1042 1044 1045 1047 1048 1051 1052 1053 1055 1056 1057 1059 1060 1061 1062

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Sheet **5** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

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No.: sc25/0010

Dated: 29.09.25

6 Continued	Easement for Access & maintenance 0.9 wide	1064 1065 1066 1067 1070 1071 1073 1075 1078 1080 1081 1082 1086 1087 1088	1063 1064 1065 1066 1069 1070 1074 1076 1077 1079 1080 1081 1085 1086 1087
7	Restriction on the use of Land	1027-1030	Penrith City Council
8	Easement for Padmount substation 2.75 wide	1022 Lot 12 in DP1309130	Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878
9	Restriction on the use of land	Part 1021 designated (R2) Part 1022 designated (R2) Part Lot 12 in DP1309130 designated (R2)	Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878
10	Restriction on the use of land	Part 1021 designated (R3) Part 1022 designated (R3) Part Lot 12 in DP1309130 designated (R3)	Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878
11	Positive Covenant	1044-1059 1072-1083 1086-1089	Penrith City Council
12	Restriction on the use of Land	Lot 11 in DP1302833	Penrith City Council

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Sheet **6** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

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No.: sc25/0010

Dated: 29.09.25

13	Positive Covenant	Lot 11 in DP1302833	Penrith City Council
14	Easement to Drain Water variable width	Lot 11 in DP1302833	Penrith City Council
15	Restriction on the Use of Land	1088 & 1089	Penrith City Council
16	Restriction on the Use of Land	1001,1019 & 1030	Penrith City Council
17	Restriction on the Use of Land	1001-1087 inclusive	Every other lot except 1088 & 1089
18	Restriction on the Use of Land	Lots 1001-1089 Inclusive	Every other lot
19	Restriction on the Use of land	Lots 1008-1010 Inclusive Lots 1012-1021 Inclusive Lots 1032-1038 Inclusive Lots 1041-1049 Inclusive Lots 1055-1068 Inclusive	Penrith City Council
20	Restriction on the use of Land	Lots 1004-1007 inclusive Lot 1011, Lots 1022-1025 Inclusive Lots 1039 & 1040 Inclusive Lot 1052 Lots 1069-1071 Inclusive Lots 1073-1083 Inclusive Lot 1085	Penrith City Council

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Sheet 7 of 22 Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.2025

Part 1A (Release)

1	Right of Carriageway 16 Wide Created by DP1302833	Lot 10 In DP1302833	Lot 11 & 12 In DP1302833
2	Easement to Drain water (whole of Lot) Created by DP1309130	Lot 11 in DP1309130	Penrith City Council

Part 2 (Terms)

Terms of Easement for retaining wall support 0.5 wide numbered 4 and 5 in the plan

1.1 The owner of the lot burdened must not:

- (a) interfere with the retaining wall or the support it offers, or
- (b) use the site of this easement, or any other part of the lot burdened, or any other land, in a way which may detract from the stability of or the support provided by the retaining wall.

1.2 If the owner of the lot burdened does or allows anything to be done which damages the retaining wall or impairs its effectiveness or fails to do something which results in damage to the retaining wall or the impairment of its effectiveness, the owner of the lot benefited may serve a notice on the owner of the lot burdened requiring the damage to be repaired or the impairment removed within 14 days.

1.3 If the owner of the lot burdened does not comply with the notice set out in clause 1.2 within 14 days, the owner of the lot benefited may:

- (a) enter the lot burdened and repair the damage or remove the impairment, and
- (b) recover its reasonable costs from the owner of the lot burdened.

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Sheet **8** of **22** Sheets

Plan of Subdivision of Lot 10 in
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Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

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

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

Terms of Easement for access and maintenance 0.9 wide numbered 6 in the plan

1.1 The owner of the lot benefited may, for the purposes of inspecting and surveying any structure on the lot benefited and undertaking any Works on the lot benefited::

- (a) enter and remain on the site of this easement (**Easement Site**) for a reasonable time and may bring anything necessary; and
- (b) do anything reasonably necessary for those purposes, including carrying out Works within the Easement Site.

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

- (a) obtain approvals from the relevant authority as necessary;
- (b) subject to **clause 1.3**, before entering into the lot burdened, provide at least 7 days' notice that it wishes to exercise its rights to the owner of the lot burdened;
- (c) ensure all work is done in a proper workmanlike manner and in accordance with any applicable law and the requirements of all relevant authorities;
- (d) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened;
- (e) cause as little damage as is practicable to the lot burdened and any improvements on it;
- (f) restore the lot burdened as nearly as practicable to its former condition; and
- (g) make good any collateral damage.

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Sheet **9** of **22** Sheets

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Part 2 (Terms Continued)

- 1.3 The owner of the lot burdened is not required to comply with **clause 1.2(b)** where, in the opinion of the owner of the lot benefited, reasonably held, there is an Emergency.
- 1.4 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, a security gate or any permanent underground services to the main building; or
 - (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.
- 1.5 Subject to **clause 1.4** immediately above, this easement does not limit the right of the owner of the lot burdened to carry out repairs and maintenance or improvements to any landscaping within the Easement Site.

Terms of Restriction on the Use of Land numbered 7 in the plan

- 1.1 The owner of the lot burdened must not construct a dwelling on the lot burdened unless that dwelling complies with Council's requirements for a full-split level house or half-split level house as applicable.
- 1.2 For these lots burdened, no additional retaining walls will be permitted onto the burdened lots within 6 meters of the rear boundary, other than that constructed as part of the original subdivision effected by the registration of this plan.
- 1.3 For the purpose clause 1.2 in this restriction the rear boundary of Lot 1027 is considered to be the boundary of Lot 1027 which is shared with Lot 1022.

Name of person empowered to release, vary or modify Restriction

Penrith City Council

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Sheet **10** of **22** Sheets

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No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

Terms of Easement for Padmount substation 2.75 wide numbered 8 in the plan

The terms of the Easement for Padmount Substation set out in Section 1 Memorandum Number AR578978, are incorporated into this document.

Name of person empowered to release, vary or modify Easement

Epsilon Distribution Ministerial Holding Corporation

Terms of Restriction on the Use of Land numbered 9 in the plan

1.0 Definitions

- 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.
- 1.2 **building** means a substantial structure with a roof and walls and includes any projections from the external walls.
- 1.3 **erect** includes construct, install, build and maintain.
- 1.4 **owner** means the registered proprietor of the lot or Torrens title land that is affected by this restriction and its successors (including those claiming under or through the registered proprietor)
- 1.5 **prescribed authority** means Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878 and its successors (who may exercise its rights by any person authorised by it).
- 1.6 **restriction site** means that part of the lot burdened affected by the restriction on the use of land as shown on the plan.

2.0 No building shall be erected or permitted to remain within the restriction site unless:

- 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

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Sheet **11** of **22** Sheets

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No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

- 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
- 2.3 the owner provides the prescribed authority with an engineer's certificate to this effect.
- 3.0 The 120-120/120 fire rating and 60/60/60 fire rating must be achieved without the use of fire fighting systems such as automatic sprinklers.
- 4.0 No doors or opening windows are permitted to be erected within the restriction site on the external surface of a building within 3 meters from the substation footing.
- 5.0 Electricity Network Assets (Authorised Transactions) Act 2015
 - 5.1 Notwithstanding any other provision in this Restriction on the Use of Land, the owner acknowledges and agrees that any lessee of the prescribed authority's system, and any nominee of such lessee (which may include a sublessee of the prescribed authority's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of the prescribed authority as if that lessee or nominee were the prescribed authority, but only for so long as the lessee leases the prescribed authority's distribution system from the prescribed authority.
 - 5.2 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 the prescribed authority.

Name of person empowered to release, vary or modify Restriction

Epsilon Distribution Ministerial Holding Corporation

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Sheet **12** of **22** Sheets

Plan of Subdivision of Lot 10 in
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12 in DP1309130

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No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

Terms of Restriction on the Use of Land numbered 10 in the plan

1.0 Definitions

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

1.2 **Owner** means the registered proprietor of the lot or Torrens title land that is affected by this restriction and its successors(including those claiming under or through the registered proprietor)

1.3 **prescribed authority** means Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878 and its successors (who may exercise its rights by any person authorised by it).

1.4 **restriction site** means that part of the lot burdened affected by the restriction on the use of land as shown on the plan.

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

3.0 Electricity network assets (Authorised Transactions) Act 2015

3.1 Notwithstanding any other provision in this restriction, the owner acknowledged and agrees that any lessee of the prescribed authority's distribution system, and any nominee of such lessee (which may include a sublessee of the prescribed authority's distribution system from that lease), may , without the need for any further approvals or agreements, exercise the rights and perform the obligations of the prescribed authority as if that lessee or nominee were the prescribed authority, but only for so long as the lessee leases the prescribed authority's distribution system form the prescribed authority.

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 the prescribed authority.

Name of person empowered to release, vary or modify Restriction

Epsilon Distribution Ministerial Holding Corporation

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Sheet **13** of **22** Sheets

Plan of Subdivision of Lot 10 in
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Part 2 (Terms Continued)

Terms of Positive Covenant numbered 11 in the plan

- 1.1 The owner of the lot burdened must construct any dwelling on the lot burdened in accordance with the acoustic report 'Noise Impact Assessment Proposed Subdivision Orchard Hills North - Stage 1 (Report Number 230424R1" as prepared by Rodney Stevens Acoustic dated 9 July 2024 (**Noise Report**) including the noise criteria set out in the Noise Report.
- 1.2 Without limiting **clause 1.1**, in order to effect **clause 1.1** immediately above, the owner of the lot burdened must implement the recommendations set out in section 5 of the Noise Report.
- 1.3 Prior to the approval of any residential development on the burdened lot, a statement is required from an appropriately qualified acoustic consultant verifying acoustic compliance.

Name of person empowered to release, vary or modify Restriction

Penrith City Council

Terms of Restriction on the Use of Land numbered 12 in the plan

The registered proprietor of the burdened lot shall not:

- (a) Erect, construct or place any building or other structure,
- (b) Make alterations to the ground surface levels, grates, pipes, pits, kerbs, tanks, gutters, drains, walls or any other structure associated with the on-site detention system and water sensitive urban design measures

Within the land so burdened without the prior written consent of Penrith City Council.

The terms of this Restriction on the use of land will cease to apply and the obligations will be released by the Penrith City Council on the date that all satisfactory arrangements have been made with Penrith City council for stormwater management systems on future stage.

Name of person empowered to release, vary or modify Restriction

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Sheet **14** of **22** Sheets

Plan of Subdivision of Lot 10 in
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No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

Terms of Positive Covenant numbered 13 in the plan

- (1) The registered proprietor of the burdened lot from time to time shall do all things necessary to maintain, repair and replace the grates, pipes, pits, kerbs, tanks, gutters, drains, walls, chambers or any other structures of and incidental to the on-site detention system, overland flow path works, water sensitive urban design measures and flood control works within the land so burdened to the satisfaction of Penrith City Council and in this regard must also comply with any reasonable written request of the Council within such time period nominated.
- (2) Where the registered proprietor of the burdened lots fails to comply with any written request of the Penrith City Council referred to in (1) above the proprietor shall meet any reasonable cost incurred by the Council in completing the work requested.
- (3) Full and free right for the Penrith City Council and every person authorised by it to enter upon the burdened lot in order to inspect, maintain, cleanse, replace, repair any grates, pipes, pits, kerbs, tanks, gutters, drains, walls, chambers, basins or any other structure or alter surface levels to ensure the on-site detention system and water sensitive urban design measures within the land so burdened functions in accordance with the approved Construction Certificate (Council Reference: DA 23/0969).
- (4) The terms of this Positive Covenant will cease to apply and the obligations will be released by the Penrith City Council on the date that all satisfactory arrangements have been made with Penrith City council for stormwater management systems on Lot 20 in DP1304679

Name of person empowered to release, vary or modify Positive Covenant.

Penrith City Council.

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Sheet **15** of **22** Sheets

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Part 2 (Terms Continued)

Terms of Restriction on the use of land numbered 15 in the plan

No development or building shall be allowed or be permitted to remain on the burdened lot unless satisfactory arrangements have been made with Penrith City Council for services (water, sewer, electricity and telephone), any outstanding contributions or consolidation with adjoining lots.

The terms of this restriction on the use of land will cease to apply and the obligations will be released by the Penrith City Council on the date that all satisfactory arrangements have been made with Penrith City council for services (water, sewer, electricity and telephone), any outstanding contributions or consolidation with adjoining lot.

Name of person empowered to release, vary or modify Restriction

Penrith City Council

Terms of Restriction on the use of land numbered 16 in the plan

The owner of the lot burdened must not install any side boundary fencing addressing Caddens Road unless

- It is of high quality material and finish and
- Metal sheet fencing is not permitted and
- The fencing must provide filtered viewing to ensure privacy whilst avoiding solid construction and
- The Height of the fencing shall be reduced wherever possible to avoid retaining wall and fencing cumulative visual impact, but maintain privacy.

Name of person empowered to release, vary or modify Restriction

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No.: sc25/0010 Dated: 29.09.25

Part 2 (Terms Continued)

Terms of Restriction on the Use of Land numbered 17 in the plan

(1) In this restriction on use:

Design Guidelines means the 'Design Guidelines' applicable to the Burdened lot which are published on the Orchard Hills North website or in another medium at the Developer's discretion and which the Developer may amend from time to time;

Design Review Panel means the design review panel constituted by the Developer being the panel required to approve the house and landscaping plans of houses in the Orchard Hills North development;

Developer means Legacy Property Pty Limited; and

Sunset Date means the date that is 10 years after the date of registration of the Plan.

(2) The Owner of a Burdened lot must not construct a dwelling or any ancillary landscaping, driveway and fencing on the Burdened lot unless that dwelling and any ancillary landscaping, driveway and fencing:

comply with the Design Guidelines and any other conditions required by the Developer or any relevant consent authority; and

have been approved by the Design Review Panel.

(3) The terms of this restriction on use will cease to apply and the obligations will be released by all Benefited lots and by the Developer on the Sunset Date.

Name of person empowered to release, vary or modify Restriction

Legacy Property Pty Limited

Approved by Penrith City Council



Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

.....
Authorised Officer



.....
Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet **17** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.25

Terms of Restriction on the use of land numbered 18 in the plan

For so long as LEGPRO ORCHARD HILLS STAGE 1 PTY LTD (hereafter referred to as Legpro) remains the registered proprietor of any of the 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.

Name of person empowered to release, vary or modify Restriction

Legacy Property Pty Limited

Terms of Restriction on the use of land numbered 19 in the plan

- (1) No additional retaining walls will be permitted onto the burdened lots within 6 meters of the rear boundary, other than that constructed as part of the original subdivision effected by the registration of this plan
- (2) For the purpose of this restriction for Lot 1061 the rear boundary is the boundary which is shared with Lots 1038, Lot 1041 and Lot 1042

Name of person empowered to release, vary or modify Restriction

Penrith City Council

Terms of Restriction on the use of land numbered 20 in the plan

- (1) The combined height of the existing retaining walls constructed as part of the original subdivision effected by the registration of this plan and any proposed wall in the rear yard shall not exceed 1.8m.
- (2) Any retaining wall constructed after the registration of this plan shall be located at least 1.0m in front of the existing wall and shall have a maximum height of 1.0m.

Name of person empowered to release, vary or modify Restriction

Penrith City Council

Approved by Penrith City Council



Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

.....
Authorised Officer



.....
Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet 18 of 22 Sheets

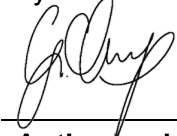
Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: SC25/0010 Dated: 29-09-2025

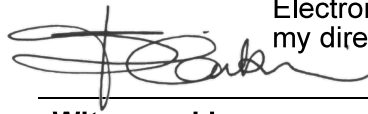
Signed on behalf of Penrith City Council by its Authorised Officer in accordance with
S378 Local Government Act 1993

Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM



Authorised Officer

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



Witnessed by

Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

Name: Gavin Cherry

Name: Jenny Blaikie

Position: Development Assessment
Coordinator

c/- Penrith City Council
~~Box 60~~ 601-611 High Street
Penrith NSW 2751

Approved by Penrith City Council



Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

Authorised Officer



Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet **19** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.25

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:



Digitally signed
by Natasha Issac
Date: 04.06.2025



Digitally signed
by Simon Lawton
Date: 04-Jun-25

Name of witness:

Name and position of attorney:

Natasha Issac

Simon Lawton, Strategic Property Manager

Address of witness:

c/- Endeavour Energy
Level 41, 8 Parramatta Square
10 Darcy Street
Parramatta NSW 2150

Power of attorney:

Book: 4833 No: 383

EE reference:

NRS3798

This document was signed in counterpart and witnessed over audio visual link in accordance with Section 14G of the Electronic Transactions Act 2000.

Approved by Penrith City Council



Electronic signature affixed by me or at my direction on 29-09-2025 at 3:47PM

.....
Authorised Officer



.....
Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet **20** of **22** Sheets

Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: scsc25/0010 Dated: 29.09.25

EXECUTED by

LEGPRO ORCHARD HILLS PTY LTD

ACN 619 780 559

Authority: Section 127 of the Corporations Act 2001



electronically endorsed by me
or at my direction on 10.09.2025

Signature of Authorised Person

ELTON MATTHEW HYDER IV

Name of Authorised Person

Position – SOLE DIRECTOR / SOLE SECRETARY

EXECUTED by

LEGPRO ORCHARD HILLS STAGE 2 PTY LTD

ACN 673 759 209

Authority: Section 127 of the Corporations Act 2001



electronically endorsed by me
or at my direction on 10.09.2025

Signature of Authorised Person

ELTON MATTHEW HYDER IV

Name of Authorised Person

Position – SOLE DIRECTOR / SOLE SECRETARY

EXECUTED by

LEGPRO ORCHARD HILLS STAGE 1 PTY LTD

ACN 673 136 206

Authority: Section 127 of the Corporations Act 2001



electronically endorsed by me
or at my direction on 10.09.2025

Signature of Authorised Person

ELTON MATTHEW HYDER IV

Name of Authorised Person

Position – SOLE DIRECTOR / SOLE SECRETARY

Approved by Penrith City Council



Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

Authorised Officer



Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .

DP

DP1306994

Sheet **21** of **22** Sheets


Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
12 in DP1309130

Covered by Council Certificate

No.: sc25/0010 Dated: 29.09.25

EXECUTED by MORTGAGEE
MCH AGENCY SERVICES PTY LTD
ACN 636 392 928

Authority: Section 127 of the Corporations Act 2001


 electronically endorsed
by me or at my direction
on 10.09.2025

Signature of Authorised Person

Graham McNamara

Name of Authorised Person

Position –DIRECTOR /SECRETARY

 electronically endorsed
by me or at my direction
on 10.09.2025


Signature of Authorised Person

Andrew Tremain

Name of Authorised Person

Position- DIRECTOR

Approved by Penrith City Council

 Electronic signature affixed by me or at
my direction on 29-09-2025 at 3:47PM

Authorised Officer



Registered Proprietor

Instrument setting out terms of easements or Profits a Prendre intended to be created or released and of Restrictions or Positive Covenants intended to be created pursuant to section 88B of the conveyancing act, 1919 .


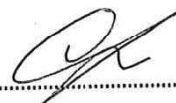
DP
DP1306994

Sheet 22 of 22 Sheets
Plan of Subdivision of Lot 10 in
DP1302833 & Easement over lots 11 &
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Covered by Council Certificate
No.: sc25/0010 Dated: 29.09.25

EXECUTED by MORTGAGEE

COMMONWEALTH BANK OF AUSTRALIA

As mortgagee under registered Mortgage No.s
AV7435 and AU570860

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.	Certified 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: 	Signature of attorney: 
Name of witness: <u>Georgina Murray</u>	Attorney's name: <u>Lana Kuznetsova</u>
Address of witness: <u>Level 8, 11</u>	Attorney's position: <u>Director</u>
<u>Harbour St, Sydney NSW</u> <u>2000</u>	Signing on behalf of: COMMONWEALTH BANK OF AUSTRALIA ABN 48 123 123 124
Power of attorney - Book: <u>4651</u> No. <u>555(1)</u>	

Approved by Penrith City Council

Authorised Officer

Registered Proprietor



REGISTERED:



03/10/2025