



Form: 21CSM
Release: 24

**AMENDMENT OF
MANAGEMENT STATEMENT**

AI800954Y

New South Wales
Section 39

Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE

DP270778	1/270778
----------	----------

HR

(B) LODGED BY

Document Collection Box IW	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 SYDNEY NSW 2000	CODE CS
Reference: EAA:11620378		

(C) APPLICANT

Community	Association	Deposited Plan No. 270778
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(D)

The applicant certifies that by a special resolution passed on 24 JULY, 2014 and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:

HR

(E) BY-LAWS

Repealed	Added
N/A	N/A as fully set out below

(F) TEXT OF ADDED BY-LAW

The Open Access Way Plan ~~at page 64~~ ^{sheet} of the Community Management Statement registered with DP270778 is replaced with the Open Access Way Plan shown at Annexure A-6 ~~by sheet 64A~~ ^{sheet 64A}

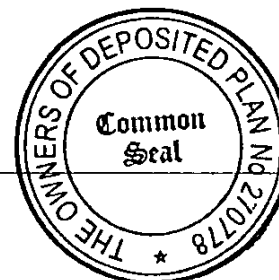
(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Date:

[Signature]
Brend Wood
28th July 2014



Form: 21CSM
Release: 24

**AMENDMENT OF
MANAGEMENT STATEMENT**



New South Wales
Section 39
Community Land Development Act

AK324297N

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE

DP270778 1/DP270778

(B) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	CODE
1W	Holding Redlich DX 529 Sydney 2000 Ph 808 30441 Reference: EAA:1462 0691	CS

(C) APPLICANT

Community Association	Deposited Plan No. 270778
-----------------------	---------------------------

(D)

The applicant certifies that by a special resolution passed on 03/03/2016 and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:

(E) BY-LAWS

Repealed	Added
N/A	N/A as fully set out below

(F) TEXT OF ADDED BY-LAW

The Open Access Way Plan sheet 64A of the Community Management Statement registered with DP270778 is replaced with sheet 64B.

(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

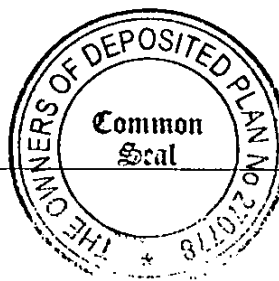
Signature of witness:

Name of witness:

Date:

Bred Wood

3/3/16



Form: 21CSM
Release: 24

**AMENDMENT OF
MANAGEMENT STATEMENT**

New South Wales
Section 39
Community Land Development Act 1989



AK792365H

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE**

1/DP270778

(B) **LODGED BY**

Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0740	CODE CS

(C) **APPLICANT**

Community Association	Deposited Plan No. 270778
-----------------------	---------------------------

(D) The applicant certifies that by a special resolution passed on 9 August 2016 and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:

(E) **BY-LAWS**

Repealed N/A	Added N/A as fully set out below
-----------------	-------------------------------------

(F) **TEXT OF ADDED BY-LAW**

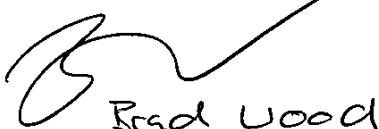
The Open Access Way Plan sheet 64B of the Community Management Statement registered with DP270778 is replaced with sheet 64C.

(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

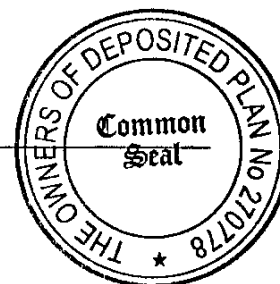
Name of witness:

Date:


Brad Wood
22/8/16.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

1111





AK810970U

Form: 21CSM
Release: 2-4

**AMENDMENT OF
MANAGEMENT STATEMENT**

pages to the top left-hand corner.

New South Wales
Section 39
Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	1/DP270778				
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0172	CODE CS		
(C) APPLICANT	Community Association Deposited Plan No. 270778				
(D)	The applicant certifies that by a special resolution passed on <u>9 August 2016</u> and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:				
(E) BY-LAWS	<table border="1"><tr><td>Repealed N/A</td><td>Added N/A as fully set out below</td></tr></table>			Repealed N/A	Added N/A as fully set out below
Repealed N/A	Added N/A as fully set out below				
(F) TEXT OF ADDED BY-LAW					

The Open Access Way Plan sheet 64C of the Community Management Statement registered with DP270778 is replaced with sheet 64D.

(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

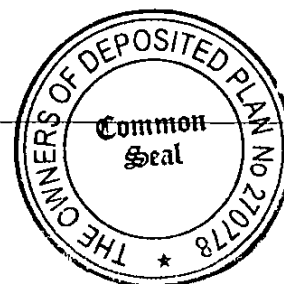
Date:

Brad Wood

22/8/16

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

1111



Form: 21CSM
Release: 24

**AMENDMENT OF
MANAGEMENT STATEMENT**



AK792363M

New South Wales
Section 39
Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	1/DP270778						
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0740	CODE CS				
(C) APPLICANT	<table border="1"><tr><td>Community Association</td><td>Deposited Plan No. 270778</td></tr></table>			Community Association	Deposited Plan No. 270778		
Community Association	Deposited Plan No. 270778						
(D)	The applicant certifies that by a special resolution passed on <u>9 August 2016</u> and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:						
(E) BY-LAWS	<table border="1"><tr><td>Repealed</td><td>Added</td></tr><tr><td></td><td>27.4 as fully set out below</td></tr></table>			Repealed	Added		27.4 as fully set out below
Repealed	Added						
	27.4 as fully set out below						
(F) TEXT OF ADDED BY-LAW	See Annexure A						

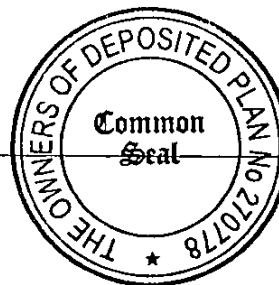
(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Date:

Brad Wood
22/08/16



ANNEXURE A TO AMENDMENT OF MANAGEMENT STATEMENT FORM

27.4 RMS

- (a) In this by-law:
 - (i) **Authorised Bridge Vehicles** means:
 - (A) public transport vehicles, such as buses;
 - (B) emergency service vehicles; and
 - (C) any other vehicles undertaking services for or on behalf of an Authority.
 - (ii) **Authorised Persons** means persons authorised by RMS.
 - (iii) **RMS** means Roads and Maritime Services (ABN 76 236 371 088).
- (b) By-law 27 does not apply to RMS, Authorised Bridge Vehicles and Authorised Persons.

Form: 21CSM
Release: 2.4

**AMENDMENT OF
MANAGEMENT STATEMENT**

New South Wales
Section 39
Community Land Development Act 1989



AK792364K

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	1/DP270778				
(B) LODGED BY	<table border="1"><tr><td>Document Collection Box 1W</td><td>Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0740</td></tr></table>	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0740	<table border="1"><tr><td>CODE CS</td></tr></table>	CODE CS
Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:1462 0740				
CODE CS					
(C) APPLICANT	<table border="1"><tr><td>Community Association</td><td>Deposited Plan No. 270778</td></tr></table>		Community Association	Deposited Plan No. 270778	
Community Association	Deposited Plan No. 270778				
(D)	The applicant certifies that by a special resolution passed on <u>9 August 2016</u> and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:				
(E) BY-LAWS	<table border="1"><tr><td>Repealed</td><td>Added 38 as fully set out below</td></tr></table>		Repealed	Added 38 as fully set out below	
Repealed	Added 38 as fully set out below				
(F) TEXT OF ADDED BY-LAW					

See Annexure A

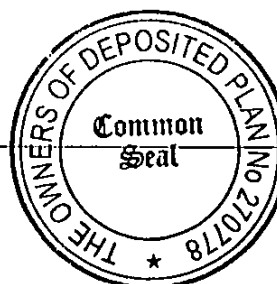
(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Date:

[Signature]
Brad Wood
22/8/16



ANNEXURE A TO AMENDMENT OF MANAGEMENT STATEMENT FORM

38. Roads and Maritime Services

38.1 Definitions

In this by-law:

- (a) **Authorised Bridge Vehicles** means:
 - (i) public transport vehicles, such as buses;
 - (ii) emergency services vehicles; and
 - (iii) any other vehicles undertaking services for or on behalf of an Authority;
- (b) **Authorised Persons** means persons authorised by RMS;
- (c) **RMS** means Roads and Maritime Services (ABN 76 236 371 088); and
- (d) **RMS Easements** means any easement and covenant burdening the Community Parcel in favour of RMS.

38.2 Purpose of by-law 38

This by-law 38:

- (a) relates to those parts of the Community Parcel burdened by RMS Easements (**RMS Access Way**);
- (b) binds the Community Association; and
- (c) is required by RMS and may only be amended with the written consent of RMS.

38.3 Rights of RMS

Despite any other provision in this Management Statement, including by-law 27.2, the Community Association acknowledges the rights of RMS under the RMS Easements, including the rights for RMS, Authorised Persons and Authorised Bridge Vehicles to use any part of the Community Parcel that is the subject of RMS Easements for access including open access ways.

38.4 Obligations on the Community Association

- (a) The Community Association must:
 - (i) at its cost, comply with all obligations under RMS Easements;
 - (ii) maintain the RMS Access Way to a safe and trafficable standard so that it can be used for its intended purpose as a road, to the satisfaction of RMS; and
 - (iii) not allow the RMS Access Way to be closed as an Open Access Way without the consent of RMS.

38.5 Indemnity

- (a) In this **clause 38.3**
 - (i) **Claim** includes all actions, suites, proceedings, losses, Costs, Damages, charges, claims and demands in any way arising out of or by reason of anything done or

omitted to be done by the Community Association including any damage to any person or property;

(ii) **Costs** includes costs, charges, taxes and expenses, including those incurred in connection with advisers and indirect costs; and

(iii) **Damages** includes loss, accident or damage to property.

(b) The Community Association:

(i) must defend and hold harmless, indemnify and keep indemnified RMS and its employees, officers, agents and contractors from and against all Claims, expenses, losses, including consequential losses, Damages and Costs (including costs on a solicitor and own client basis and whether incurred by or awarded against RMS) that RMS may sustain or incur as a result, whether directly or indirectly, arising out of or in connection with:

- (A) any breach of this by-law by, or act or omission of, the Community Association;
- (B) any injury to or death of any person including any injury to or death of the employees, officers, agents and contractors of the Community Association or RMS;
- (C) damage to or loss of any property, including any damage to or loss of the property of the Community Association or RMS;
- (D) performance by the Community Association of its obligations under this Management Statement, including Claims by a person who is not a party to this Management Statement; or

except to the extent caused or contributed to by the wrongful, negligence or unlawful act or omission of RMS, its contractors, employees and agents.

Form: 21CSM
Release: 2-4

**AMENDMENT OF
MANAGEMENT STATEMENT**

New South Wales
Section 39
Community Land Development Act 1989



AM384796E

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	1/DP270778				
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:14620702	CODE CS		
(C) APPLICANT	Community Association Deposited Plan No. 270778				
(D)	The applicant certifies that by a special <u> </u> resolution passed on <u>26/04/2017</u> and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:				
(E) BY-LAWS	<table border="1"><tr><td>Repealed N/A</td><td>Added N/A as fully set out below</td></tr></table>			Repealed N/A	Added N/A as fully set out below
Repealed N/A	Added N/A as fully set out below				
(F) TEXT OF ADDED BY-LAW	The Open Access Way Plan sheet 64D of the Community Management Statement registered with DP270778 is replaced with sheet 64E.				

(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

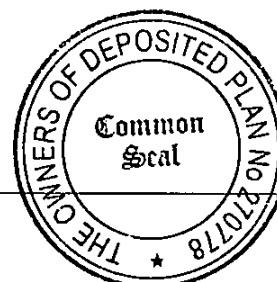
M Elliott

Name of witness:

Melissa Elliott

Date:

5/5/2017



ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

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Form: 21CSM
Release: 24

**AMENDMENT OF
MANAGEMENT STATEMENT**

New South Wales
Section 39
Community Land Development Act 1989



AN248908H

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE**

1/270778

(B) **LODGED BY**

Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Ph 8083 0441 Reference: EAA:14620748	CODE CS

(C) **APPLICANT**

<u>Community</u> Association	Deposited Plan No. <u>270778</u>
------------------------------	----------------------------------

(D)

The applicant certifies that by a special resolution passed on 6 March 2018 and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:

(E) **BY-LAWS**

Repealed N/A	Added N/A as fully set out below
-----------------	-------------------------------------

(F) **TEXT OF ADDED BY-LAW**

The Open Access Way Plan sheet 64E of the Community Management Statement registered with DP270778 is replaced with sheet 64F.

(G) The common seal of the Community association deposited plan 270778 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness: [Signature]

Name of witness: ANDREW TUNKS

Date: 6th MARCH, 2018

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

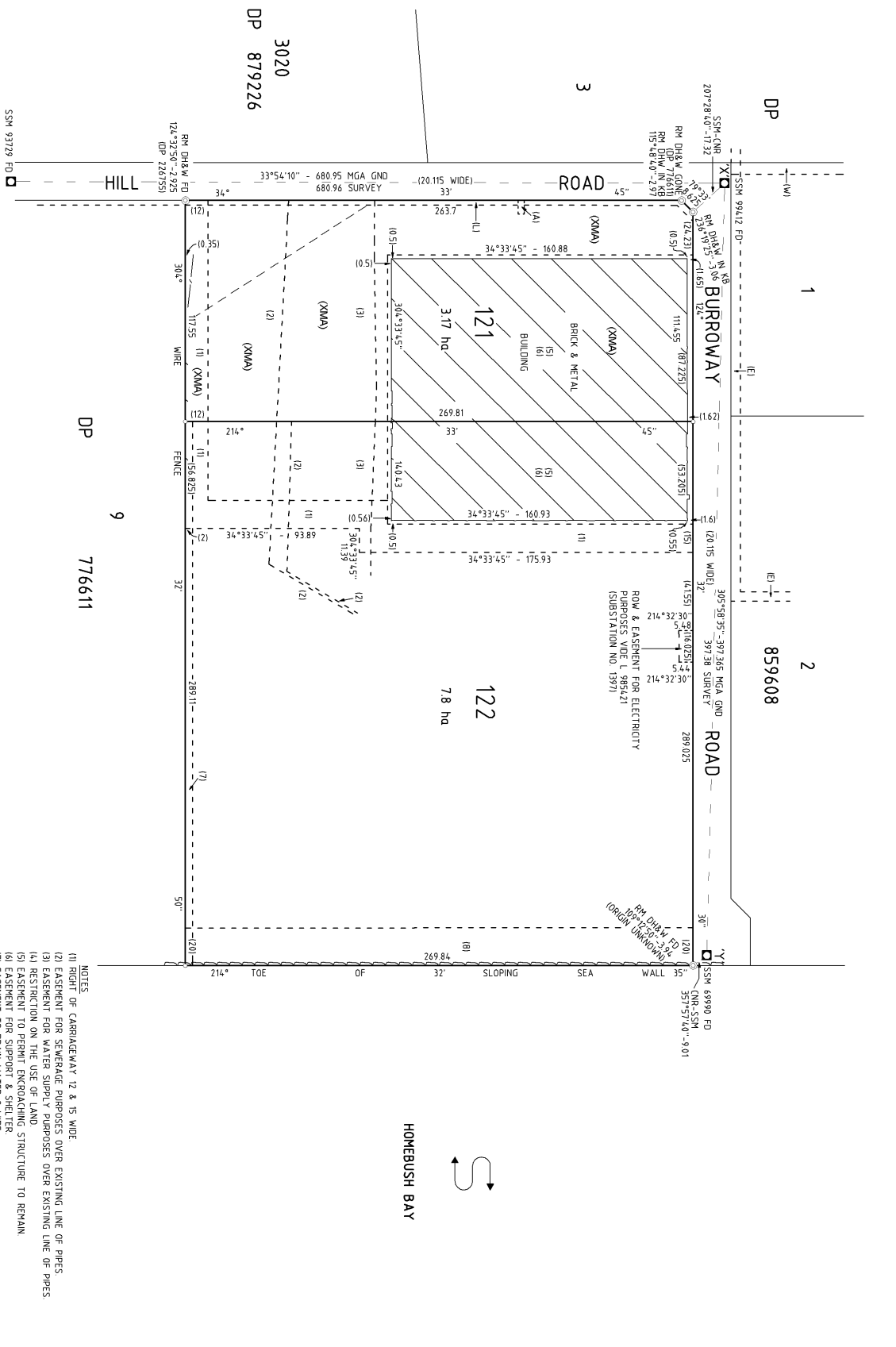
1111



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

ePlan Sheet 1 of 1 Sheets



CLAUSE 76(1)(B) AND CLAUSE 61(2) OF THE SURVEYING REGULATION 2006				
MARK	EASTING	NORTHING	ZONE	CLASS (ORDER METHOD) ORIGIN
SSM 69990	722 456.695	6 255 555.083	56	8 2 N/A
SSM 93729	721 755.313	6 255 223.343	56	8 2 N/A
SSM 99412	722 135.130	6 255 788.517	56	8 2 N/A
SCINS	CO-ORDINATES ADAPTED AS AT DATE 17-6-2010			
CONVERTED SCALE FACTOR	0.999989			

(XMA) LAND EXCLUDES MINERALS (SEC.141 PUBLIC WORKS ACT 1912) - SEE PA40660		NOTES	
Surveyor: IAN JAMES SOUTER SOUTER AND ASSOCIATES PRINCIPAL STREET MARINA, NEWPORT, N.S.W. 2106. Date of Survey: 17-6-2010 Surveyor's Ref: 23-115		PLAN OF SUBDIVISION OF LOT 10 IN DP 776611	
LGA: AUBURN Locality: WESTWORTH POINT Subdivision No: SC-18/2010 Lengths are in metres Reduction Ratio 1:500		Registered 29.9.2010	
		DP1156412	

PLAN FORM 6

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 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. RIGHT OF CARRIAGEWAY 12 & 15 WIDE.
2. EASEMENT FOR SEWERAGE PURPOSES OVER EXISTING LINE OF PIPES.
3. EASEMENT FOR WATER SUPPLY PURPOSES OVER EXISTING LINE OF PIPES.
4. RESTRICTION ON THE USE OF LAND.
5. EASEMENT TO PERMIT ENCROACHING STRUCTURE TO REMAIN.
6. EASEMENT FOR SUPPORT & SHELTER.
7. EASEMENT TO DRAIN WATER 2 WIDE.
8. ~~POSITIVE COVENANT. RIGHT OF PUBLIC ACCESS~~
9. ~~EASEMENT FOR SERVICES (AFFECTS THE WHOLE OF THE LOT).~~

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: AUBURN CITY COUNCIL
Date of Endorsement: 24 AUGUST 2010
Accreditation no:
Subdivision Certificate no: SC-18/2010
File no: SC-18/2010

* Delete whichever is inapplicable.

DP1156412

Registered:  29.9.2010

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF LOT 10 IN DP 776611

LGA: AUBURN

Locality: WENTWORTH POINT

Parish: ST. JOHN

County: CUMBERLAND

Surveying Regulation, 2006

I, Ian James Souter of Suite 18 Princes Street Marina,
16 Princes Street, Newport, N.S.W. 2106.
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 17-6-2010

The survey relates to Lots 121 & 122 .

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

Signature  Dated: 17-6-2010
Surveyor registered under the *Surveying Act, 2002*

Datum Line: 'X' - 'Y'
Type: Urban

Plans used in the preparation of survey/compilation

DP 776611
DP 1041530
DP 859608
DP 270113

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

SURVEYOR'S REFERENCE: 23-115

* OFFICE USE ONLY

PLAN FORM 6A (Annexure Sheet)

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF LOT 10 IN DP 776611

DP1156412

Registered:



29.9.2010

Subdivision Certificate No: SC-18/2010

Date of Endorsement: 24 August 2010

Executed by Fairmead Business Pty Limited ACN 086 099 989
in accordance with section 127 of the
Corporations Act 2001 (Cth)

John Kinsella
Director
John Kinsella

W Kinsella
Director
William Kinsella

SIGNED SEALED & DELIVERED on behalf of
ING Bank (Australia) Limited
by its attorney under power of attorney registered
Book 4502 No. 58 in the presence of:

MARK JOSEPH SKINNER

Nathalie Burgess
Nathalie Burgess
Gadens Lawyers
77 Castlereagh Street, Sydney

Signed at Sydney the 10th day of September
2010 for Investec Bank (Australia) Limited
ACN 071 292 594 by its duly appointed
Attorney under Power of Attorney
Book 4592 No. 942 dated 24.06.10

Witness

Jodie Kelleher

Attorney

Attorney

* OFFICE USE ONLY

ePlan

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A PRENDRE
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE
USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.**

DP1156412

(Sheet 1 of 14)

Plan of subdivision of lot 10
in DP 776611 covered by
subdivision certificate
number SC-18/2010

Full name and address of the owner of the land: Fairmead Business Pty Limited
ACN 086 099 989 of 5 Bay Drive Meadowbank
NSW 2114

Part 1

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	Right of carriageway 12 & 15 wide	121 122	122 121
2	Easement for sewerage purposes over existing line of pipes	121 122	122 121
3	Easement for water supply purposes over existing line of pipes	121 122	122 121
4	Restriction on the use of land	121 122	122 121
5	Easement to permit encroaching structure to remain	121 122	122 121
6	Easement for support and shelter	121 122	122 121
7	Easement to drain water 2 wide	122	121
8	Right of public access	122	Auburn Council

ePlan

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A PRENDRE
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE
USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.**

(Sheet 2 of 14)

DP1156412

Plan of subdivision of lot 10
in DP 776611 covered by
subdivision certificate
number SC-18/2010

Part 2

1. Terms of right of carriageway 12 & 15 wide numbered 1 in the Plan

- 1.1. The Grantee and Authorised Persons have at all times the unrestricted right to go, pass and repass over the Lot Burdened by vehicle and by foot for all lawful purposes and with or without tools, machinery and equipment.
- 1.2. In exercising the powers conferred by this Easement, the Grantee and Authorised Persons:
 - (a) must not park or stand vehicles on any part of the Lot Burdened, whether temporary or otherwise;
 - (b) must not deposit or leave any item on the Lot Burdened, whether temporary or otherwise;
 - (c) must exercise their respective rights consistently with the rights of all other parties who have the same or similar rights;
 - (d) must cause as little inconvenience as is practicable to the Grantor and any occupier of the Lot Burdened; and
 - (e) must cause no damage to the Lot Burdened and any improvement on it.
- 1.3. The Grantee must make good any damage caused to the Lot Burdened and any improvement on it as a result of the Grantee or any Authorised Person exercising their rights and obligations in this Easement.
- 1.4. The Grantee and Authorised Persons may only do a thing under this Easement within the Easement Site.



ePlan

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS A PRENDRE
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE
USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.**

DP1156412

(Sheet 3 of 14)

Plan of subdivision of lot 10
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Part 2 (continued)

2. Terms of easement for sewerage purposes over existing line of pipes numbered 2 in the Plan

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by them, from time to time and at all times by means of pipes to drain sewage and other waste material and fluids in any quantities across and through the land herein indicated as the servient tenement, together with the right to use, for the purposes of this Easement, any line of pipes already laid within the servient tenement for the purpose of draining sewage or any pipe or pipes in replacement or in substitution therefore and together with the right for the Grantee and every person authorised by them with any tools, implements or machinery necessary for the purpose, to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining or renewing such pipe line or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the Grantee and the persons authorised by them will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition and this Easement shall not be released, varied or modified without the written consent of Sydney Water Corporation.

3. Terms of easement for water supply purposes over existing line of pipes numbered 3 in the Plan

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by them, from time to time and at all times by means of pipes to supply water in any quantities across and through the land herein indicated as the servient tenement, together with the right to use, for the purposes of this Easement, any line of pipes already laid within the servient tenement for the purpose of supplying water or any pipe or pipes in replacement or in substitution therefore and together with the right for the Grantee and every person authorised by them with any tools, implements or machinery necessary for the purpose, to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining or renewing such pipe line or any part thereof



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Part 2 (continued)

and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the Grantee and the persons authorised by them will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition and this Easement shall not be released, varied or modified without the written consent of Sydney Water Corporation.

4. Terms of restriction on the use of land numbered 4 in the Plan

No building or other structure shall be erected, constructed or placed on the land shown as "Easement for Sewerage Purposes Over Existing Line of Pipes" and "Easement for Water Supply Purposes Over Existing Line of Pipes" on the Plan without the prior consent in writing of Sydney Water Corporation first had and obtained nor otherwise than in strict compliance with such conditions as the said Sydney Water Corporation may impose and this restriction shall not be released, varied or modified without the written consent of the said Sydney Water Corporation.

5. Terms of easement to permit encroaching structure to remain numbered 5 in the Plan

5.1. The Grantee has the right at all times:

- (a) to insist that the parts of the Building (the "Encroaching Structures") on the Lot Benefited which, when this Easement was created, encroached on the Lot Burdened remain, but only to the extent they are within the Easement Site;
- (b) to insist that the Services Apparatus providing Services to the Building on the Lot Benefited (the "Encroaching Services Apparatus") which, when this Easement was created, encroached on or were installed on or in the Lot Burdened remain, but only to the extent they are within the Easement Site;
- (c) the full and free right to the subjacent and lateral support by the Lot Burdened of the Encroaching Structures and the Encroaching Services Apparatus;



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Plan of subdivision of lot 10
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Part 2 (continued)

- (d) to access to all relevant parts of the Lot Burdened (either with or without workmen, tools and equipment) for the purposes of inspecting and Repairing the Encroaching Structures and the Encroaching Services Apparatus;
- (e) to insist the Encroaching Structures and the Encroaching Services Apparatus remain; and
- (f) to do all other things necessary in connection with ownership of the Encroaching Structures and the Encroaching Services Apparatus.

5.2. The Grantor must not do or allow anything to be done to damage or interfere with the Encroaching Structures and the Encroaching Services Apparatus.

5.3. The Grantee may only do a thing under this Easement within the Easement Site.

6. Terms of easement for support and shelter numbered 6 in the Plan

- 6.1. Full and free right for the subjacent and lateral support of that part of the Building erected on the Lot Benefited by all such other parts of the Building erected on the Lot Burdened as are capable of affording support and all ancillary rights and obligations reasonably necessary to make this Easement effective.
- 6.2. Full and free right for the shelter of that part of the Building erected on the Lot Benefited by all such other parts of the Building erected on the Lot Burdened as are capable of affording shelter and all ancillary rights and obligations reasonably necessary to make this Easement effective.

7. Terms of easement to drain water 2 wide numbered 7 in the Plan

7.1. The Grantee has at all times the unrestricted right:

- (a) to the free and uninterrupted storage and passage of water along, through or in all those items of Services Apparatus within the Lot Burdened at the date of registration of this Instrument; and



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Part 2 (continued)

- (b) to use, operate and Repair those items of Services Apparatus contained within the Lot Burdened at the date of registration of this Instrument.
- 7.2. The Services Apparatus the subject of this Easement must be maintained in good order and operated, insured and Repaired by the Grantee at the Grantee's expense.
- 7.3. To enable the Grantee to exercise its rights and obligations in this Easement, the Grantee has the unrestricted right:
 - (a) after giving reasonable notice to the Grantor (except in an emergency when notice is not required), to enter such part of the Lot Burdened in such manner and by such route as is reasonable in the circumstances and with such workmen and materials as is reasonable and necessary in the circumstances;
 - (b) to remain on the Lot Burdened for such reasonable time as may be necessary in the circumstances;
 - (c) to take anything on to the Lot Burdened for purposes associated with the Grantee's rights and obligations; and
 - (d) to carry out work to the Lot Burdened for purposes associated with the Grantee's rights and obligations.
- 7.4. In exercising the powers conferred by this Easement, the Grantee must:
 - (a) ensure all work is done properly;
 - (b) cause as little inconvenience as is practicable to the Grantor and any occupier of the Lot Burdened;
 - (c) cause as little damage as is practicable to the Lot Burdened and any improvement on it;
 - (d) restore the Lot Burdened as nearly as practicable to its former condition; and



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Plan of subdivision of lot 10
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Part 2 (continued)

- (e) make good any damage attributable to the activities referred to in this Easement.

7.5. Where the Grantee:

- (a) has failed to carry out an obligation imposed by clause 7.2 of this Easement and the failure is likely to cause damage to the Lot Burdened; and
- (b) the Grantor has given the Grantor written notice of such failure and the Grantor has failed to carry out its obligation within a reasonable time after receipt of the notice,

the Grantor may take all lawful steps necessary to ensure the obligation is carried out and may recover from the Grantee any reasonable expense incurred by the Grantee.

7.6. The Grantor may relocate any item of Services Apparatus the subject of this Easement to another location within the Easement Site or the Lot Burdened.

7.7. In exercising the powers conferred by clause 7.6 of this Easement, the Grantor must:

- (a) give reasonable notice to the Grantee of its intention to carry out any of the activities in clause 7.6;
- (b) carry out all work at its own cost;
- (c) ensure the work is only carried out by properly qualified and licensed tradesmen;
- (d) cause as little disruption to a Service the subject of this Easement as is practicable in the circumstances;
- (e) ensure all work is done properly;



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Part 2 (continued)

- (f) ensure the relocated site for the relevant item of Services Apparatus is suitable;
- (g) ensure after relocation the relevant item of Services Apparatus is properly functioning;
- (h) cause as little inconvenience as is practicable to the Grantee and any occupier of the Lot Benefited; and
- (i) make good any damage attributable to the activities referred to in this Easement.

7.8. The Grantee may only do a thing under this Easement within the Easement Site.

8. Terms of right of public access numbered 8 in the Plan

- 8.1. The Grantor will not construct any building or wall closer than 20 metres from the eastern outer edge of the top of the seawall used to protect the Lot Burdened from the tides in Homebush Bay ("20 metre zone"). The landward or western extent of the 20 metre zone coincides with the right of public access within the Lot Burdened as shown on the plan as (8) (the "Easement Site").
- 8.2. The Grantor grants to the Grantee, including (without limitation) members of the public, the full and frees right to go, pass and repass over the Easement Site on the terms set out in this Easement.
- 8.3. The rights granted under this Easement:
 - (a) are subject to the right of the Grantor and other persons lawfully entitled to use the Lot Burdened from time to time, to continue to use the Easement Site in any manner whatsoever that does not prevent the exercise of the rights and the public access granted under this Easement;
 - (b) are for the Grantee and the public to utilise the Easement Site on a non-exclusive basis;



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Part 2 (continued)

- (c) may be exercised on foot or using wheelchairs or disabled access aids or by vehicles less than 2 tonnes in weight;
- (d) may be exercised with or without animals;
- (e) may be exercised for recreational purposes only; and
- (f) are subject to possible temporary restrictions imposed by the Grantor for reasons of maintenance, public security or safety or any restrictions imposed by a government agency for any reason.

8.4. The Grantor and the Grantee agree that:

- (a) the Easement Site (other than such parts as the Consent Authority agrees are reasonable to exempt from the Easement Site) is available for dedication or transfer to a public authority to create public open space (classified as community land categorised as a park under Chapter 6 Part 2 of the Local Government Act 1993 (NSW)) for a term no less than the life of the Strata Scheme at any time in the future at any time in the future and at no cost to the public authority; and
- (b) the dedication or transfer of the Easement Site will occur at a time agreed between the Grantor and the Grantee.

9. Definitions

In this Instrument, the following words have the following meaning:

“Authorised Person” means a person, body or Authority authorised by the Grantee and without limitation, where applicable, includes the Grantee’s tenants, licensees, visitors, employees and contractors.

“Authority” means any governmental agency or any other authority or body having authority over or jurisdiction in respect of the Building.



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Part 2 (continued)

“Building” means the building or buildings erected on the Land: the expression includes all modifications, additions, alterations and extensions to the building or buildings (regardless of whether they are made before or after the date of registration of this Instrument).

“Conducting Media” means more than one Conducting Medium.

“Conducting Medium” means any wire, cable, pipe, line, duct or chute through which a Service passes including without limitation chutes, garbage chutes, drains, exhaust flues, kitchen flues, ducts, exhaust ducts, kitchen ducts, riser ducts and service ducts.

“Consent Authority” means Auburn Council or the relevant consent authority at the time.

“Easement” means a new restriction, easement or covenant the subject of this Instrument.

“Easement Site” means the site of an Easement.

“Grantee” means the owner, or if more than one, the owners jointly, of an estate in fee simple of a Lot Benefited or Auburn Council or the relevant consent authority at the time that any request for consent to release, vary or modify Easement number 8 is made.

“Grantor” means the owner, or if more than one, the owners jointly, of an estate in fee simple of a Lot Burdened.

“Instrument” means this instrument.

“Land” means the land subdivided by the Plan.

“Lot” means a lot in the Plan.

“Lot Benefited” in connection with an Easement means the Lot benefited by the relevant Easement.

“Lot Burdened” in connection with an Easement means the Lot burdened by the relevant Easement.

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Part 2 (continued)

“Plan” means the plan to which this Instrument relates.

“Repair” means to clean, maintain, repair, renew or replace.

“Service” includes water, hot water, stormwater, sewerage, drainage, sullage, fluid wastes, gas, electricity, oil, ventilation, exhaust, air, ducted air, conditioned air, garbage, telephone, telecommunications, television impulses or signal, radio impulses or signals and any other prescribed service.

“Services Apparatus” means any item of Services Equipment or any item of Conducting Media.

“Services Equipment” means any item of plant or equipment in which a Service is generated, contained or stored.

“Strata Plan” means a strata plan registered in accordance with the *Strata Schemes (Freehold Development) Act 1973 (NSW)*.

“Strata Scheme” means the strata scheme created on the registration of a Strata Plan.

10. Interpretation

10.1. The expression “Grantor” includes the Grantor, its successors and every person who is entitled to an estate or interest in possession of the Lot Burdened or any part of it with which the right is capable of enjoyment.

10.2. The expression “Grantee” includes the Grantee, its successors and every person who is entitled to an estate or interest in possession of the Lot Benefited or any part of it with which the right is capable of enjoyment.

10.3. Each Grantor and Grantee:

- (a) is bound by, and must comply with, the terms of each Easement; and
- (b) must use reasonable endeavours to ensure its Authorised Persons comply with the terms each relevant Easement when exercising their rights and



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Plan of subdivision of lot 10
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Part 2 (continued)

obligations in this Instrument.

- 10.4. The rights and obligations attaching to an Easement are granted subject to the provisions of this Instrument and any conditions in the relevant Easement.
- 10.5. The rights attaching to an Easement are not exclusive to the Grantee or any Authorised Person unless stated otherwise in the terms of the relevant Easement.
- 10.6. If the costs relevant to the use, operation, insurance or Repair of an Easement Site or an item of Services Apparatus are not covered by this Instrument, then the Grantor is responsible for those costs.
- 10.7. Notwithstanding anything to the contrary in this Instrument, where an Easement Site includes a structure, the right to use the Easement Site does not extend to the structure unless otherwise stated in the terms of the relevant Easement.
- 10.8. Reference in an Easement to go, pass and repass by foot includes the right to go, pass and repass in a vehicle for disabled purposes unless the relevant Easement Site is not designed for disabled access.
- 10.9. In this Instrument, unless the contrary intention appears:
 - (a) legislation includes later legislation which changes it, including regulations, proclamations, ordinances and by-laws issued under the later legislation;
 - (b) a reference to a thing or land includes the whole or each part of that thing or land;
 - (c) the singular includes the plural and vice versa;
 - (d) headings do not affect the interpretation of this Instrument; and
 - (e) an obligation, representation or warranty:
 - (i) in favour of two or more persons is for their benefit jointly and severally; and



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Plan of subdivision of lot 10
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Part 2 (continued)

(ii) by two or more person binds them jointly and severally.

10.10. Subject to clause 10.11:

- (a) if a provision of this Instrument is void or voidable, unenforceable or illegal but would not be void, voidable, unenforceable or illegal if it were read down and it is capable of being read down, the provision must be read down;
- (b) if, despite clause 10.10(a) a provision is still void, voidable, unenforceable or illegal and the provision would not be void, voidable, unenforceable or illegal if words were severed, those words must be severed; or
- (c) in any other case, the whole provision must be severed.

10.11. If an event under clause 10.10 occurs, the remainder of this Instrument continues in full force and effect.



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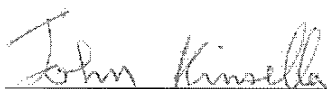
(Sheet 14 of 14)

Plan of subdivision of lot 10
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DATED:

Execution by registered proprietor:

Executed by Fairmead Business Pty
Limited ACN 086 099 989
in accordance section 127
of the *Corporations Act 2001 (C'th)*



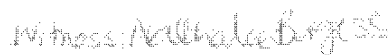
Director
John Kinsella



Director
William Kinsella


Execution by registered mortgagee:

SIGNED SEALED & DELIVERED on behalf of
ING Bank (Australia) Limited
by its attorney under power of attorney registered
Book 4502 No. 58 in the presence of:

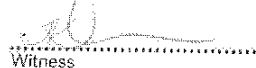


Nathalie Burgess
Gadens Lawyers
77 Castlereagh Street, Sydney

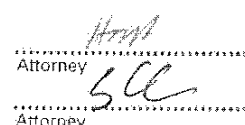
MARK JOSEPH SKINNER


GRAHAM
MARK JOSEPH SKINNER
BANKING CLERK

Signed at Sydney the 28 day of September
2010 for Investec Bank (Australia) Limited
ACN 071 292 594 by its duly appointed
Attorney under Power of Attorney
Book 4592 No. 942 dated 28/09/10


Witness

Jodie Kelleher


Attorney

REGISTERED



29.9.2010

Form: 20EV
Release: 4-1

**VARIATION
OF EASEMENT**
New South Wales



AP139555Y

Section 47(5A) Real Property Act

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar-General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE

Servient Tenement	Dominant Tenement
1/270778	City of Parramatta Council

(B) EASEMENT
VARIED

Number of Easement	Nature of Easement
DP270778 DOC. 2	See Annexure A

(C) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	CODE
IW	Legal Department Billbergia Locked Bag 1400, Meadowbank NSW	88786961
	Reference: Christina DP270778	2114
		EV

(D) APPLICANT (1)

Registered proprietor of the servient tenement
Community Association DP270778

(E) APPLICANT (2)

Registered proprietor of the dominant tenement
See Annexure A

(F) The applicants, having varied the above easement as set out in annexure B hereto, apply to have the
(G) variation recorded on the relevant Torrens Title(s).
(H) The consent of any registered lessee of the dominant tenement or the servient tenement is annexed hereto and marked
DATE
(I) I certify I am an eligible witness and that the registered proprietor of the servient tenement signed this dealing in my presence.[See note* below] Certified correct for the purposes of the Real Property Act 1900 by the registered proprietor of the servient tenement.

Signature of witness: Signature of registered proprietor of the servient tenement:

Name of witness: See Annexure C
Address of witness:

RELODGED

13 MAY 2019

TIME

I certify I am an eligible witness and that the registered proprietor of the dominant tenement signed this dealing in my presence.[See note* below] Certified correct for the purposes of the Real Property Act 1900 by the registered proprietor of the dominant tenement.

Signature of witness: Signature of registered proprietor of the dominant tenement:

Name of witness: See Annexure C
Address of witness:

(J) I certify that I am an eligible witness and that the N/A signed this dealing in my presence. [See note* below]. Certified correct for the purposes of the Real Property Act 1900 by the under No. shown on folio of the Register Signature of the NOT APPLICABLE

Signature of witness:
Name of witness:
Address of witness:

ANNEXURE A TO VARIATION OF EASEMENT FORM

Item (B)

RIGHT OF PBUBLIC ACCESS 12.5, 14.5 AND 16 WIDE (LIMITED IN STRATUM) (P)

Item (E)

City of Parramatta Council, prescribed authority pursuant to the *Local Government (City of Parramatta and Cumberland) Proclamation 2016*



ANNEXURE B TO VARIATION OF EASEMENT FORM

RIGHT OF PUBLIC ACCESS 12.5, 14.5 AND 16 WIDE (LIMITED IN STRATUM) (P) is varied by deleting clause 15.3 and replacing with new clause 15.3 in the terms set out below.

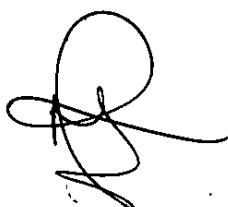
15.3 In exercising rights under this easement, the Council and Council Authorised Persons must:

- (a) not exercise its rights under this easement in a manner which permits the Click and Collect Bay to become a hazard or a nuisance;
- (b) cause as little disturbance and inconvenience as practicable to the owner or any occupier of the Burdened lot or any other person entitled to use the Click and Collect Bay;
- (c) only use the Click and Collect Bay for their intended purpose so as not to cause or permit any hazards or nuisances;
- (d) only park or stand a motor vehicle on the site of this easement where expressly permitted and for the time permitted;
- (e) comply with the reasonable directions on any signage erected on the Burdened lot;
- (f) take all reasonable precautions so that no damage is caused to the Click and Collect Bay, Easement Site or any other part of the Burdened lot; and
- (g) comply with all Laws and the requirements of all Authorities regarding the Easement Site.

RIGHT OF PUBLIC ACCESS 12.5, 14.5 AND 16 WIDE (LIMITED IN STRATUM) (P) is varied by inserting new clause 15.5 in the terms set out below.

15.5 In this easement:

- (a) **Click and Collect Bay** means the click and collect parking bays located within the Easement Site; and
- (b) **Council Authorised Persons** means persons authorised by Council, which persons include members of the public.



ANNEXURE C TO VARIATION OF EASEMENT FORM

Item (I)

Execution by registered proprietor of servient tenement (1/270778) – Community Association DP270778

Approved Form 21

COMMUNITY LAND DEVELOPMENT ACT

CERTIFICATE OF ASSOCIATION

CONSENTING TO DOCUMENTS AFFECTING THE SCHEME

The ~~*Community/*Precinct/*Neighbourhood~~ Association Deposited Plan No. 270778
certifies that on.....1/11/18..... it passed a unanimous resolution consenting to
the:

Variation of an easement which burdens association property.

Approved Form 18

COMMUNITY LAND DEVELOPMENT ACT

ATTESTATION

The common seal of the ~~*Community/*Precinct/*Neighbourhood~~ Association Deposited
Plan No. 270778 was affixed hereto on.....1/11/18..... in the presence of;

.....Michael Thompson.....
and

Signature(s).....
.....

being the person(s) authorised by section 8 Community Land Management Act 1989 to
attest to the affixing of the seal.



Execution by statutory authority – City of Parramatta Council

EXECUTED by CITY OF PARRAMATTA)
COUNCIL by its authorised delegate)
pursuant to section 377 of the *Local*)
Government Act 1993 (NSW))

SUE

~~SUE~~ COLEMAN

Name of Delegate (block letters)

30 DARCY ST,
PARRAMATTA, 2150.

Acting Chief Executive Officer

Position of Delegate



Signature of Delegate

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

FVA COSENTINO

Name of Witness (block letters)



Signature of Witness

126 CHURCH ST PARRAMATTA

Address of Witness

Form: 2ICE
Release: 4.1

**INSTRUMENT C
CONVERSION**
New South Wales
Sections 14 or 20



AK324282C

Community Land Development

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	18/DP270778 (formerly part of lot 7 in DP270778)				
(B) LODGED BY	<table border="1"><tr><td>Document Collection Box 1W</td><td>Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Phone: 8083 0441 Reference: EAA 14620691</td></tr></table>	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Phone: 8083 0441 Reference: EAA 14620691	<table border="1"><tr><td>CODE CE</td></tr></table>	CODE CE
Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX 529 Sydney NSW 2000 Phone: 8083 0441 Reference: EAA 14620691				
CODE CE					
(C) APPLICANT	Fairmead Business Pty Ltd ACN 069 006 426				
(D) ASSOCIATION	Community Association	Deposited Plan No. 270778			

- (E) The applicant and the association referred to above hereby notify the Register General pursuant to section 14 of the Community Land Development Act 1989 that the above lot has been converted to Community property.

DATE

3/3/16

- (F) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.
Company: Fairmead Business Pty Ltd ACN 069 006 426
Authority: section 127 of the Corporations Law

Signature of authorised person:

John Kinsella

Signature of authorised person:

William Kinsella

Name of authorised person:

John Kinsella

Name of authorised person:

William Kinsella

Office held:

Director

Office held:

DIRECTOR / SECRETARY

(G) **ASSOCIATION'S CERTIFICATION**

The association referred to above hereby certifies that—

- by a unanimous resolution it has consented to the conversion to association property of the lot specified above;
- by a unanimous resolution it has agreed to each proposed unit entitlement shown in the replacement schedule of unit entitlement set out in sheet No. 3 dated 19/01/2016 of the deposited plan;

- (H) • the initial period as defined in section 3 of the Community Land Development Act 1989 has expired.
The common seal of the association was affixed hereto on 3/3/16 in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Brad Wood
Director of Netstrata

(I) **COUNCIL'S CERTIFICATE**

The Council of Auburn City

- the conversion is not inconsistent with the conditions of the development consent,
 - any development contract has been amended accordingly, and
- (J) • the relevant association has consented by unanimous resolution,

approves the conversion to Community

property of lot 18

in deposited plan No. 270778

Signature of authorised officer:

Position: MANAGER DEVELOPMENT ASSESSMENT

Name of authorised officer:

KARL OKORN

Date:

7/3/16

(K) The applicant

certifies that the eNOS data relevant to this dealing has been submitted and stored under

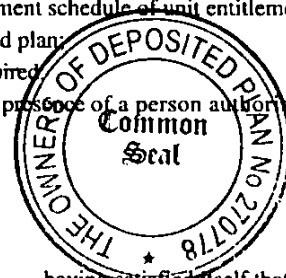
eNOS ID No.

Full name:

Signature:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

authorised to amend (Yunsi Feng)
15/04/2016



Form: 2ICE
Release: 4-1

25 OCT 2015

**INSTRUMENT OF
CONVERSION**
New South Wales
Sections 14 or 20



AK792366F

TIME: 9.15

Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE**

21/270778, 22/270778 (formerly part of lots 12/270778, 13/270778 + 14/270778)

(B) **LODGED BY**

Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX529 Sydney NSW 2000 Reference: 14620740	CODE CE
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(C) **APPLICANT**

Fairmead Business Pty Ltd (ACN 069 006 426) WP BLOCK H PTY LTD (ACN 606 790 872)

(D) **ASSOCIATION**

Community Association Deposited Plan No. 270778

- (E) The applicant and the association referred to above hereby notify the Register General pursuant to section 14 of the Community Land Development Act 1989 that the above lot has been converted to Community property.

authorised to amend by the parties
15/10/16

DATE

- (F) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Company: Fairmead Business Pty Ltd (ACN 069 006 426)

Authority: section 127 of the Corporations Law

Signature of authorised person:

John Fitzgerald
John Fitzgerald
Secretary

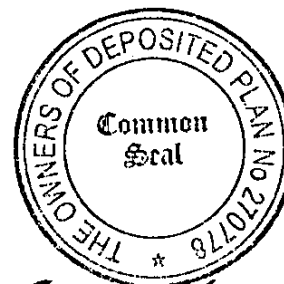
Name of authorised person:
Office held:

Signature of authorised person:

John Kinsella

Name of authorised person:
Office held:

John Kinsella
DIRECTOR



(G) **ASSOCIATION'S CERTIFICATION**

The association referred to above hereby certifies that—

- by a unanimous resolution it has consented to the conversion to association property of the lot specified above;
- by a unanimous resolution it has agreed to each proposed unit entitlement shown in the replacement schedule of unit entitlement set out in sheet No. 3 dated 9/8/2016 of the deposited plan;

- (H) ~~the initial period as defined in section 3 of the Community Land Development Act 1989 has expired~~

The common seal of the association was affixed hereto on 22/8/2016 in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Brad Wood
Brad Wood

(I) **COUNCIL'S CERTIFICATE**

The Council of *City of Parramatta*

, having satisfied itself that—

- the conversion is not inconsistent with the conditions of the development consent,
- any development contract has been amended accordingly, and
- (J) • the relevant association has consented by unanimous resolution,

approves the conversion to Community

property of lot 21, 22 in deposited plan No. 270778

Signature of authorised officer:

Mark Leotta

Position: **MANAGER-DEVELOPMENT & TRAFFIC**

Name of authorised officer:

MARK LEOTTA

Date: **7/9/2016**

- (K) The applicant certifies that the eNOS data relevant to this dealing has been submitted and stored under

eNOS ID No.

Full name:

Signature:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

ANNEXURE A TO INSTRUMENT OF CONVERSION

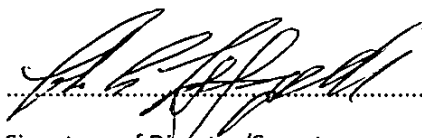
EXECUTED by WP BLOCK H PTY LTD (ACN 606 790)
872) in accordance with section 127 of the)
Corporations Act:)



Signature of Director

John Kinsella

Name of Director (block letters)



Signature of Director/Secretary

John Fitzgerald
Secretary

Name of Director/Secretary (block letters)

Form: 21CE
Release: 4-1

**INSTRUMENT OF
CONVERSION**
New South Wales
Sections 14 or 20



AK810972Q

Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	15/270778, 29/270778 (formerly lot 13/270778)		
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX529 Sydney NSW 2000 Reference: 14620172	CODE CE
(C) APPLICANT	Fairmead Business Pty Ltd (ACN 069 006 426)		
(D) ASSOCIATION	Community Association		Deposited Plan No. 270778

- (E) The applicant and the association referred to above hereby notify the Register General pursuant to section 14 of the Community Land Development Act 1989 that the above lot has been converted to Community property.

DATE

- (F) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Company: FAIRMEAD BUSINESS PTY LTD
Authority: S 127 of the Corporations Act 2001

Signature of authorised person:

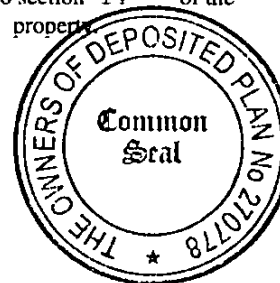
Name of authorised person:
Office held:

John Fitzgerald
Secretary

Signature of authorised person:

Name of authorised person:
Office held:

John Kinsella
DIRECTOR



(G) **ASSOCIATION'S CERTIFICATION**

The association referred to above hereby certifies that—

- by a unanimous resolution it has consented to the conversion to association property of the lot specified above;
- by a unanimous resolution it has agreed to each proposed unit entitlement shown in the replacement schedule of unit entitlement set out in sheet No. 3 dated 9/8/2016 of the deposited plan;

- (H) • the initial period as defined in section 3 of the Community Land Development Act 1989 has expired.

The common seal of the association was affixed hereto on 22/8/16 in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness:

Name of witness:

Brad Wood

(I) **COUNCIL'S CERTIFICATE**

The Council of ~~Parramatta~~ **City of Parramatta**, having satisfied itself that—

- the conversion is not inconsistent with the conditions of the development consent,
- any development contract has been amended accordingly, and

- (J) • the relevant association has consented by unanimous resolution,

approves the conversion to Community

property of lot 15, 29 in deposited plan No. 270778

Signature of authorised officer:

Position: **MANAGER- DEVELOPMENT & TRAFFIC**

Name of authorised officer: **MARK LEOTTA**

Date: **7/9/2016**

- (K) The applicant certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. Full name: Signature:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

Form: 2ICE
Release: 4-1

**INSTRUMENT OF
CONVERSION**

New South Wales
Sections 14 or 20

Community Land Development Act



AM384797C

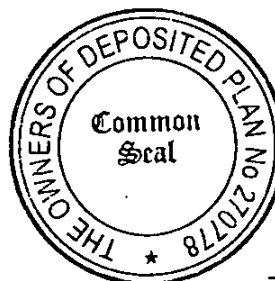
PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	34/270778 (formerly lot 20 in DP270778)				
(B) LODGED BY	<table border="1"><tr><td>Document Collection Box IW</td><td>Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX529 Sydney NSW 2000 Reference: 14620702</td></tr></table>	Document Collection Box IW	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX529 Sydney NSW 2000 Reference: 14620702	<table border="1"><tr><td>CODE CE</td></tr></table>	CODE CE
Document Collection Box IW	Name, Address or DX, Telephone, and Customer Account Number if any Holding Redlich DX529 Sydney NSW 2000 Reference: 14620702				
CODE CE					
(C) APPLICANT	Fairmead Business Pty Ltd (ACN 069 006 426)				
(D) ASSOCIATION	Community Association	Deposited Plan No. 270778			

- (E) The applicant and the association referred to above hereby notify the Register General pursuant to section 14 of the Community Land Development Act 1989 that the above lot has been converted to Community property.

DATE 26-4-2017

- (F) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.
Company: Fairmead Business Pty Ltd (ACN 069 006 426)
Authority: section 127 of the Corporations Law



Signature of authorised person: *W Kinsella*

Signature of authorised person: *J. Kinsella*

Name of authorised person: William Kinsella
Office held: DIRECTOR

Name of authorised person: Joseph Kinsella
Office held: Director

(G) **ASSOCIATION'S CERTIFICATION**

The association referred to above hereby certifies that—

- by a unanimous resolution it has consented to the conversion to association property of the lot specified above;
- by a unanimous resolution it has agreed to each proposed unit entitlement shown in the replacement schedule of unit entitlement set out in sheet No. 3 dated 24/5/2017 of the deposited plan;

- (H) ~~the initial period as defined in section 3 of the Community Land Development Act 1989 has expired.~~

The common seal of the association was affixed hereto on 5/5/2017 in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness: *Mellish*
Name of witness: Melissa Elliott

(I) **COUNCIL'S CERTIFICATE**

The Council of City of Parramatta, having satisfied itself that—

- the conversion is not inconsistent with the conditions of the development consent,
- any development contract has been amended accordingly, and

- (J) • the relevant association has consented by unanimous resolution,

approves the conversion to Community property of lot 34 in deposited plan No. 270778

Signature of authorised officer: *Mark Leotta*

Position: MANAGER DEVELOPMENT & TRAFFIC

Name of authorised officer: MARK LEOTTA

Date: 1/5/2017

- (K) The applicant certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. [] Full name: [] Signature: []

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

Form: 21CE
Release: 41

**INSTRUMENT OF
CONVERSION**

New South Wales
Sections 14 or 20

Community Land Development Act 1989



AN248907K

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	39/270778 Part of 14230778							
(B) LODGED BY	<table border="1"><tr><td>Document Collection Box</td><td>Name, Address or DX, Telephone, and Customer Account Number if any</td></tr><tr><td></td><td>Holding Redlich DX529 Sydney NSW 2000 Reference: EAA 14620748</td></tr></table>	Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any		Holding Redlich DX529 Sydney NSW 2000 Reference: EAA 14620748	<table border="1"><tr><td>CODE</td></tr><tr><td>CE</td></tr></table>	CODE	CE
Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any							
	Holding Redlich DX529 Sydney NSW 2000 Reference: EAA 14620748							
CODE								
CE								
(C) APPLICANT	Fairmead Business Pty Ltd (ACN 069 006 426)							
(D) ASSOCIATION	Community Association	Deposited Plan No. 270778						

(E) The applicant and the association referred to above hereby notify the Register General pursuant to section 14 of the Community Land Development Act 1989 that the above lot has been converted to Community property.

DATE _____

(F) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.
Company: Fairmead Business Pty Ltd (ACN 069 006 426)
Authority: section 127 of the Corporations Law

Signature of authorised person: J. Kinsella
Name of authorised person: Joseph Kinsella
Office held: Director

Signature of authorised person: W. Kinsella
Name of authorised person: William Kinsella
Office held: Director

(G) ASSOCIATION'S CERTIFICATION

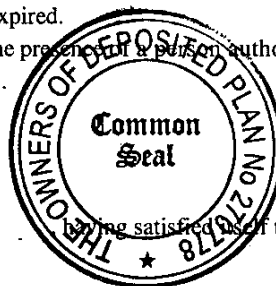
The association referred to above hereby certifies that—

- by a unanimous resolution it has consented to the conversion to association property of the lot specified above;
- by a unanimous resolution it has agreed to each proposed unit entitlement shown in the replacement schedule of unit entitlement set out in sheet No. 30/8 dated _____ of the deposited plan;

(H) • the initial period as defined in section 3 of the Community Land Development Act 1989 has expired.

The common seal of the association was affixed hereto on 6th MARCH 2018 in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness: Andrew Tunks
Name of witness: ANDREW TUNKS



(I) COUNCIL'S CERTIFICATE

The Council of City of Parramatta

- the conversion is not inconsistent with the conditions of the development consent,
- any development contract has been amended accordingly, and

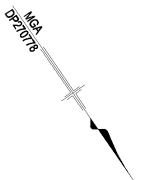
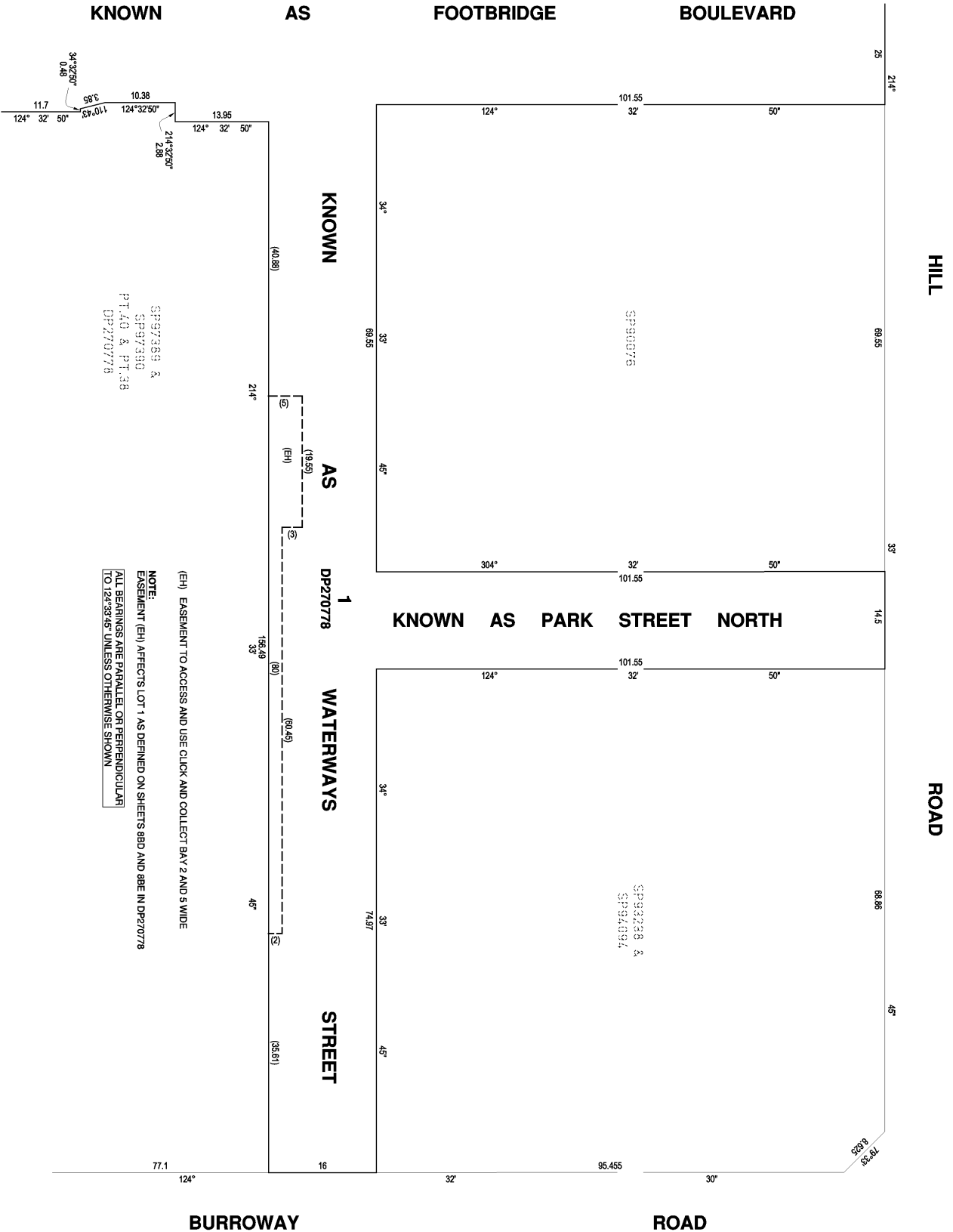
(J) • the relevant association has consented by unanimous resolution,

approves the conversion to Community property of lot 39 in deposited plan No. 270778

Signature of authorised officer: Mark Leotta Position: MANAGER DEVELOPMENT & TRAFFIC
Name of authorised officer: MARK LEOTTA Date: 22/3/2018

(K) The applicant certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. _____ Full name: _____ Signature: _____

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.



Surveyor: MICHAEL TRIFIRO
Date of Survey: 12/10/2018
Surveyor's Ref: 6543-3


PLAN OF EASEMENT AFFECTING LOT 1 IN DP270778


LGA: CITY OF PARRAMATTA
Locality: WENTWORTH POINT
Reduction Ratio 1:400
Lengths are in metres.

REGISTERED

11/04/2019

DP1252563


PLAN FORM 6 (2017)		DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 3 sheet(s)	
Registered:  11/04/2019 Title System: TORRENS		Office Use Only		Office Use Only	
		<h1 style="text-align: center;">DP1252563</h1>			
PLAN OF EASEMENT AFFECTING LOT 1 IN DP270778		LGA: CITY OF PARRAMATTA Locality: WENTWORTH POINT Parish: ST JOHN County: CUMBERLAND			
Survey Certificate I, MICHAEL TRIFIRO of SDG LAND DEVELOPMENT SOLUTIONS P.O. Box 2572, NORTH PARRAMATTA 1750 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 Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on or *(b) The part of the land shown in the plan (*being/*excluding **.....) was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, 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: Type: *Urban/*Rural The terrain is *Level Undulating / *Steep Mountainous. Signature:  Dated: 12/10/18 Surveyor Identification No: 8624 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		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:			
		Subdivision Certificate I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <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: Accreditation number: Consent Authority: Date of endorsement: Subdivision Certificate number: File number: *Strike through if inapplicable.			
Plans used in the preparation of survey/compilation. DP270778		Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.			
Surveyor's Reference: 6543-3		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)	
Office Use Only		Office Use Only			
Registered:  11/04/2019		DP1252563			
PLAN OF EASEMENT AFFECTING LOT 1 IN DP270778					
Subdivision Certificate number:		<p>This sheet is for the provision of the following information as required:</p> <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.			
Date of Endorsement:					
<p>PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919 AS AMENDED,</p> <p>IT IS INTENDED TO CREATE:</p> <p>1. EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2 AND 5 WIDE (EH)</p> <p>IT IS INTENDED TO RELEASE:</p> <p>1. EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2.6 AND 5 WIDE (LIMITED IN STRATUM) (DP270778 DOC.6)</p>					
If space is insufficient use additional annexure sheet					
Surveyor's Reference: 6543-3					

PLAN FORM 6A (2017)

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 3 of 3 sheet(s)

Office Use Only
Registered:  11/04/2019

PLAN OF EASEMENT AFFECTING LOT 1
IN DP270778

Subdivision Certificate number:

Date of Endorsement:

Office Use Only

DP1252563

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

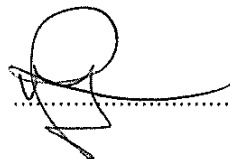
Approved Form 18
COMMUNITY LAND DEVELOPMENT ACT

ATTESTATION

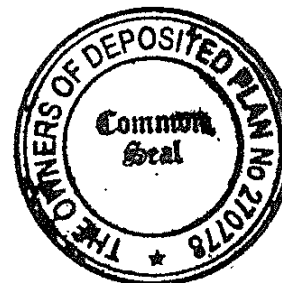
The common seal of the *Community/*Precinct/*Neighbourhood Association
Deposited Plan No. 270778 was affixed hereto on ...1./11./18... On the presence of;

Michael Thompson... and

Signature(s)



Being the person(s) authorised by section 8 Community Land Management Act 1989 to attest
to the affixing of the seal.



Approved Form 21
COMMUNITY LAND DEVELOPMENT ACT

CERTIFICATE OF ASSOCIATION CONSENTING TO DOCUMENTS AFFECTING THE SCHEME

The *Community/*Precinct/*Neighbourhood Association Deposited Plan No. 270778
certifies that on ...1./11./18... it passed a unanimous resolution consenting to the:
Creation of an easement which burdens association property

If space is insufficient use additional annexure sheet

Surveyor's Reference: 6543-3

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 12 sheets)

Plan:
DP1252563

Plan of easement affecting Lot 1 in
DP270778

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

Community Association DP270778
c/ - Netstrata
298 Railway Parade
CARLTON NSW 2218

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	EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2 AND 5 WIDE (EH)	Lot 1 in DP270778	City of Parramatta Council and Lot 40 in DP270778



.....
Council Authorised Delegate

(Sheet 2 of 12 sheets)

Plan:

DP1252563

Plan of easement affecting Lot 1 in
DP270778

Part 1A (Release)

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 released and referred to in the Plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2.6 AND 5 WIDE (LIMITED IN STRATUM) (AM) (DP270778 DOC. 6)	Lot 1 in DP270778	City of Parramatta Council and Lot 40 in DP270778



.....
Council Authorised Delegate

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 3 of 12 sheets)

Plan:
DP1252563

Plan of easement affecting Lot 1 in
DP270778

Full name and
address of the
owner of the
land:

Community Association DP270778
c/ - Netstrata
298 Railway Parade
CARLTON NSW 2218

PART 2 (Terms)

1 DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this instrument, unless the context clearly indicates otherwise:


Authorised Person means every person authorised by the owner of a Benefited lot for the purposes of an easement, positive covenant or restriction on the use of land created by this instrument. Subject to the terms of the relevant easement, positive covenant or restriction on the use of land, as the case may be, an Authorised Person includes, for the purposes of all other easements, positive covenants and restrictions on the use of land, the tenants, lessees, sub-lessees, employees, agents, contractors, licensees and invitees of the owner of the Benefited lot.

Authorised Vehicles means:

- (a) public transport vehicles;
- (b) emergency service vehicles;
- (c) any other vehicles undertaking services for or on behalf of an Authority, such as garbage trucks; and
- (d) any other vehicles of less than 2 tonnes in weight.

Authority means any national, state or local government, semi-government, quasi-government or other judicial body or relevant authority and includes without limitation the Council.

Community Management Statement means the community management statement registered with DP270778.


.....
Council Authorised Delegate

Plan:

DP1252563

Plan of easement affecting Lot 1 in
DP270778

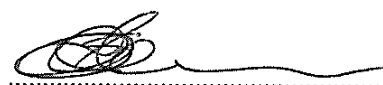
Council means City of Parramatta Council, prescribed authority pursuant to the
Local Government (City of Parramatta and Cumberland) Proclamation 2016.

Improvements means all improvements, structures and fixtures constructed,
erected or installed at any time, including, any walls, support columns, slabs,
foundations and footings.

Law means any act, ordinance, regulation, by-law, order, award and proclamation of
the Commonwealth of Australia and State of New South Wales.

Service means any service in the Building including:

- (a) water supply;
- (b) gas supply;
- (c) electricity supply;
- (d) air conditioning;
- (e) a telephone service;
- (f) a high speed internet service;
- (g) a digital transmission service;
- (h) a radio service;
- (i) a television service;
- (j) any service received and dispersed by a Special Receiving Facility;
- (k) a system for the removal and passage of sewage;
- (l) a system for the removal and passage of trade waste;
- (m) a system for the passage of water;
- (n) a mechanical ventilation system;
- (o) a fire safety or control system;
- (p) hydraulic services;
- (q) a security system;
- (r) escalators;


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- (s) lifts;
- (t) closed circuit television video and audio services; and
- (u) any other service, system or facility which contributes to the amenity, or enhances the enjoyment or safety, of the Building.

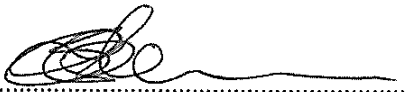
Service Equipment means the structures, machinery, plant, equipment and things in the Building for the purposes of providing or facilitating the provision of a Service, including any pump, pipe, conduit, wire, cable, duct, drain, gully, trap, pit, sump, tank, mast, motor, pole, aerial or other means by or through which a Service is or is to be provided or its provision to be facilitated.

Special Receiving Facility means a facility for receiving and dispersing signals in connection with free to air television, pay television and other forms of service and any associated equipment.

1.2 References to certain terms

In this instrument unless the context clearly indicates otherwise:

- (a) words implying a person imply a natural person, company, statutory corporation, partnership, the Crown, an owners corporation and any other organisation or type of legal entity;
- (b) **including** is not a word of limitation;
- (c) the words **at any time** mean at any time and from time to time;
- (d) a reference to a right or obligation of a person is a reference to a right or obligation of that person under this instrument;
- (e) a reference to any thing (including any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any 2 or more of them collectively and to each of them individually;
- (f) a reference to a natural person includes their personal representatives, successors, and permitted assigns;
- (g) a reference to a corporation includes its successors and permitted assigns;
- (h) a reference to a document is a reference to a document of any kind, including a plan;


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- (i) where this instrument refers to a body or authority which no longer exists, unless otherwise prescribed by law, there is taken to be substituted a body or authority having substantially the same objects as the named body or authority;
- (j) a reference to legislation or a legislative provision includes any statutory modification or substitution of that legislation or legislative provision and any subordinate legislation issued under that legislation or legislative provision;
- (k) a reference to a time is to that time in Sydney;
- (l) if a period of time is specified to start from a certain day or the day of an act or event, the period is to be calculated exclusive of that day;
- (m) a requirement to do any thing includes a requirement to cause that thing to be done;
- (n) a word that is derived from a defined word has a corresponding meaning;
- (o) the singular includes the plural and vice-versa;
- (p) words importing one gender include all other genders; and
- (q) a reference to a **Burdened lot** or a **Benefited lot** includes, where the context permits, any Improvements on such a lot.

Any notice, demand, approval, request, application or communication under this instrument must be in writing.

1.3 Complying with the Strata Management Statement and Community Management Statement

For each easement in this instrument, each owner of a Benefited lot must take all reasonable steps to ensure that its Authorised Persons:

- (a) comply with the terms of this instrument when exercising rights or complying with obligations under this instrument; and
- (b) comply with the Community Management Statement, where applicable.

2 Terms of EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2 AND 5 WIDE (EH) numbered 1 in the Plan



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- 2.1 The Council and persons authorised by the Council, which persons include members of the public (**Council Authorised Persons**), have the right to pass across the site of this easement (**Easement Site**), subject to complying with the terms set out in this easement.
- 2.2 The owner of the Benefited lot and persons authorised by the owner of the Benefited lot (**Click and Collect Authorised Persons**), have the right, consistent with the rights of other persons having the same or similar rights, to access and use the parking bays which are located on the site of this easement (**Click and Collect Bay**).
- 2.3 The owner of the Benefited lot has the right to:
- (a) erect signage and place line markings on or around the Click and Collect Bay; and
 - (b) impose limitations on the length of time that a motor vehicle can remain within the Click and Collect Bay.
- 2.4 The owner of the Benefited lot must, whilst undertaking any works, including placing line marks, in the Burdened lot under this easement, take all reasonable steps to:
- (a) minimise interruption to or interference with the use and enjoyment of the Burdened lot;
 - (b) minimise interruption to or interference with any Service and any associated Service Equipment; and
 - (c) ensure that:
 - (i) all necessary safety measures are taken;
 - (ii) the works are carried out in a proper and workmanlike manner and in accordance with any applicable Law and the requirements of any relevant Authority;
 - (iii) all reasonable precautions are taken to ensure as little damage as possible is caused to the Burdened lot; and
 - (iv) as soon as reasonably practicable after completing the carrying out of the works, the Burdened lot is restored as nearly as reasonably practicable to its condition before the carrying out of the works.



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2.5 The rights granted under this easement:

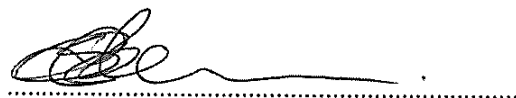
- (a) are subject to the rights of the owner and any occupier of the Burdened lot and other persons lawfully entitled to use the Burdened lot from time to time, to continue to use the Easement Site in any manner whatsoever that does not prevent the exercise of the rights granted under this easement;
- (b) are for the Council, Council Authorised Persons, owner of the Benefited lot and Click and Collect Authorised Persons to use the Easement Site on a non-exclusive basis; and
- (c) may only be exercised on foot or using wheelchairs or disabled access aids or by Authorised Vehicles.

2.6 When exercising rights or complying with obligations under this easement, the Council, Council Authorised Persons, owner of the Benefited lot and Click and Collect Authorised Persons must:

- (a) not exercise its rights under this easement in a manner which permits the Click and Collect Bay to become a hazard or a nuisance;
- (b) cause as little disturbance and inconvenience as practicable to the owner or any occupier of the Burdened lot or any other person entitled to use the Click and Collect Bay;
- (c) only use the Click and Collect Bay for their intended purpose so as not to cause or permit any hazards or nuisances;
- (d) only park or stand a motor vehicle on the site of this easement where expressly permitted and for the time permitted;
- (e) comply with the reasonable directions on any signage erected on the Burdened lot;
- (f) take all reasonable precautions so that no damage is caused to the Click and Collect Bay, Easement Site or any other part of the Burdened lot; and
- (g) comply with all Laws and the requirements of all Authorities regarding the Easement Site.

Name of Authority empowered to release, vary or modify the EASEMENT TO ACCESS AND USE CLICK AND COLLECT BAY 2 AND 5 WIDE (EH) numbered 1 in the Plan

City of Parramatta Council



Council Authorised Delegate

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EXECUTED by MARINA SQUARE)
RETAIL PTY LTD (ACN 605 329 637) in)
accordance with section 127 of the)
Corporations Act 2001 (Cth):)


.....
Signature of Director

Joseph Kinsella
Director
.....
Name of Director (block letters)


.....
Signature of Director/Secretary

William Kinsella
.....
Name of Director/Secretary (block letters)


.....
Council Authorised Delegate

(Sheet 10 of 12 sheets)

Plan:

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SIGNED SEALED AND DELIVERED for)
and on behalf of NATIONAL AUSTRALIA)
BANK LIMITED (ACN 004 044 937) by its)
attorney under registered power of attorney)
Book 4730 No. 423 dated)
in the presence of:)

.....
Signature of witness

GERARDINE MERCADO

.....
Name of witness (block letters)

LEVEL 2, 28 GEORGE ST. SYDNEY 2150

.....
Address of witness (block letters)



.....
By executing this instrument the attorney
states that the attorney has received no
notice of revocation of the power of attorney

KEVIN KIM

.....
Name of attorney



.....
Council Authorised Delegate

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Approved Form 21

COMMUNITY LAND DEVELOPMENT ACT

CERTIFICATE OF ASSOCIATION

CONSENTING TO DOCUMENTS AFFECTING THE SCHEME

The *Community/*Precinct/*Neighbourhood Association Deposited Plan No. 270778
certifies that on.....1/11/18..... it passed a unanimous resolution consenting to the:
Creation of an easement which burdens association property.

Approved Form 18

COMMUNITY LAND DEVELOPMENT ACT

ATTESTATION

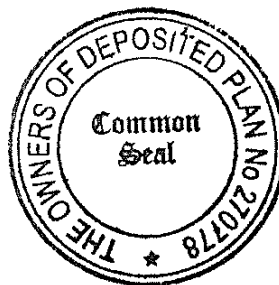
The common seal of the *Community/*Precinct/*Neighbourhood Association Deposited
Plan No. 270778. was affixed hereto on.....1/11/18..... in the presence of;


.....*Michael Thompson*.....

and

Signature(s)..........

being the person(s) authorised by section 8 Community Land Management Act 1989 to
attest to the affixing of the seal.




.....
Council Authorised Delegate


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EXECUTED by CITY OF PARRAMATTA)
COUNCIL by its authorised delegate)
pursuant to section 377 of the Local)
Government Act 1993 (NSW))

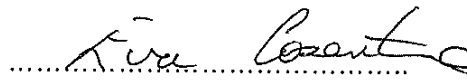
SUE COLEMAN
Name of Delegate (block letters)


Signature of Delegate


Acting Chief Executive Officer
Position of Delegate

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

EVA COSENTINO
Name of Witness (block letters)


Signature of Witness

126 Church St Parramatta
Address of Witness


Council Authorised Delegate

REGISTERED



11/04/2019