



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 505/1151839

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:46 PM	1	7/6/2010

LAND

LOT 505 IN DEPOSITED PLAN 1151839
AT JUNCTION HILL
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF GREAT MARLOW COUNTY OF CLARENCE
TITLE DIAGRAM DP1151839

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1151839 EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT
AFFECTING THE SITE DESIGNATED (E) IN THE TITLE DIAGRAM
- 3 DP1151839 EASEMENT FOR FILL BATTER VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 DP1151839 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

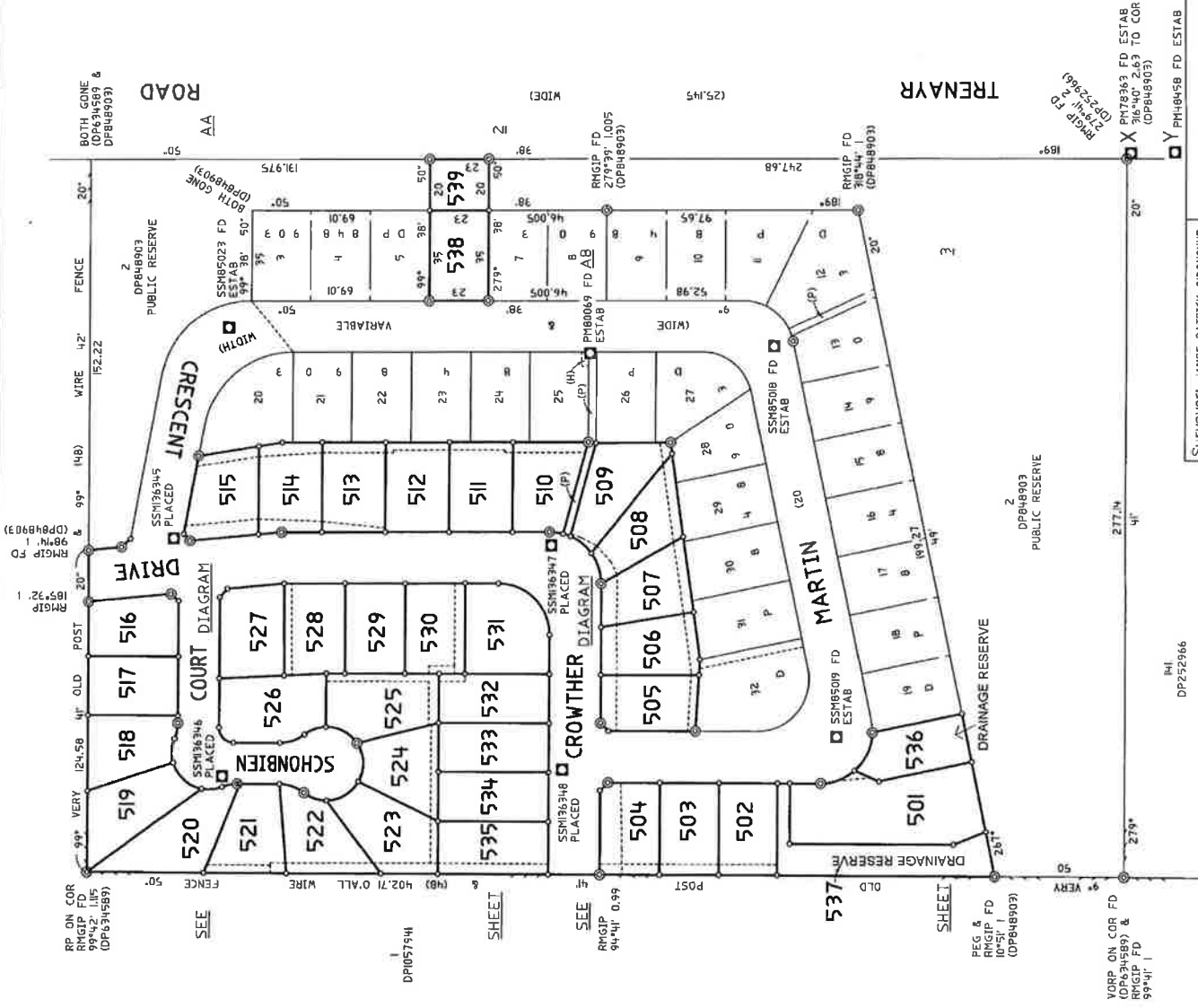
lpi:gra-ppritchard

PRINTED ON 17/6/2016

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE.
WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2(A2)



CLAUSE 35(1)(b) & CLAUSE 6(12) OF THE SURVEYING AND SPATIAL INFORMATION REGULATION 2006

MARK	MGA EASTING	MGA NORTHING	CLASS	ORDER	METHOD	ORIGIN
PH8458	493515.962	672000.623	B	2		SCIMS
PH7833	493558.108	6721399.767	B	2		SCIMS
PH80069	493516.722	6721619.287	B	2		SCIMS
SSH85018	493507.310	6721548.545	B	2		SCIMS
SSH85019	493514.315	6721549.524	B	2		SCIMS
SSH85023	493550.032	6721756.036	B	2		SCIMS
SSH85034	493472.86	6721790.79	B	2		SCIMS
SSH85037	493445.43	6721646.22	B	2		SCIMS
SSH85038	493359.16	6721656.44	B	2		SCIMS

MGA COORDINATES ADOPTED FROM SCIMS
AS AT 22ND FEBRUARY, 2000 ZONE 56
COMBINED SCALE FACTOR 0.99996
ALL DISTANCES SHOWN ARE GROUND DISTANCES

X-Y: PH7833 TO PH8458: 186°01'44" 401.536 ME
186°01'44" 401.525 MGA
PH7833 TO SSH85018: 344°08'23" 157.267 ME
344°08'51" 157.275 MGA
SSH85018 TO PH80069: 7°34'24" 71.395 ME
7°34'20" 71.393 MGA
PH80069 TO SSH85023: 134°18' 140.817 ME
13°41'23" 140.804 MGA
SSH85023 TO SSH85034: 294°09'42" 84.568
SSH85034 TO SSH85037: 190°44'34" 147.141
SSH85037 TO SSH85038: 276°45'24" 86.867
SSH85038 TO SSH85034: 82°44'5" 132.384
SSH85034 TO SSH85035: 87°56'45" 94.385
SSH85035 TO SSH85019: 182°59'35" 107.003
SSH85019 TO PH8458: 163°35'14" 572.431 ME
163°35'27" 572.437 MGA
SSH85019 TO SSH85018: 90°21'42" 153.083 ME
90°22'00" 153.067 MGA

CLAUSE 43 CONNECTIONS

PH8458 TO SW COR LOT 537: 335°42'20" 545.142
PH7833 TO SE COR LOT 539: 9°09'50" 249.26

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
- (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (H) EASEMENT FOR POWER RETICULATION 2.75 WIDE (DPH8903)
- (P) PATHWAY 3 WIDE

AMENDMENTS BY ME 21.05.2010
procedural

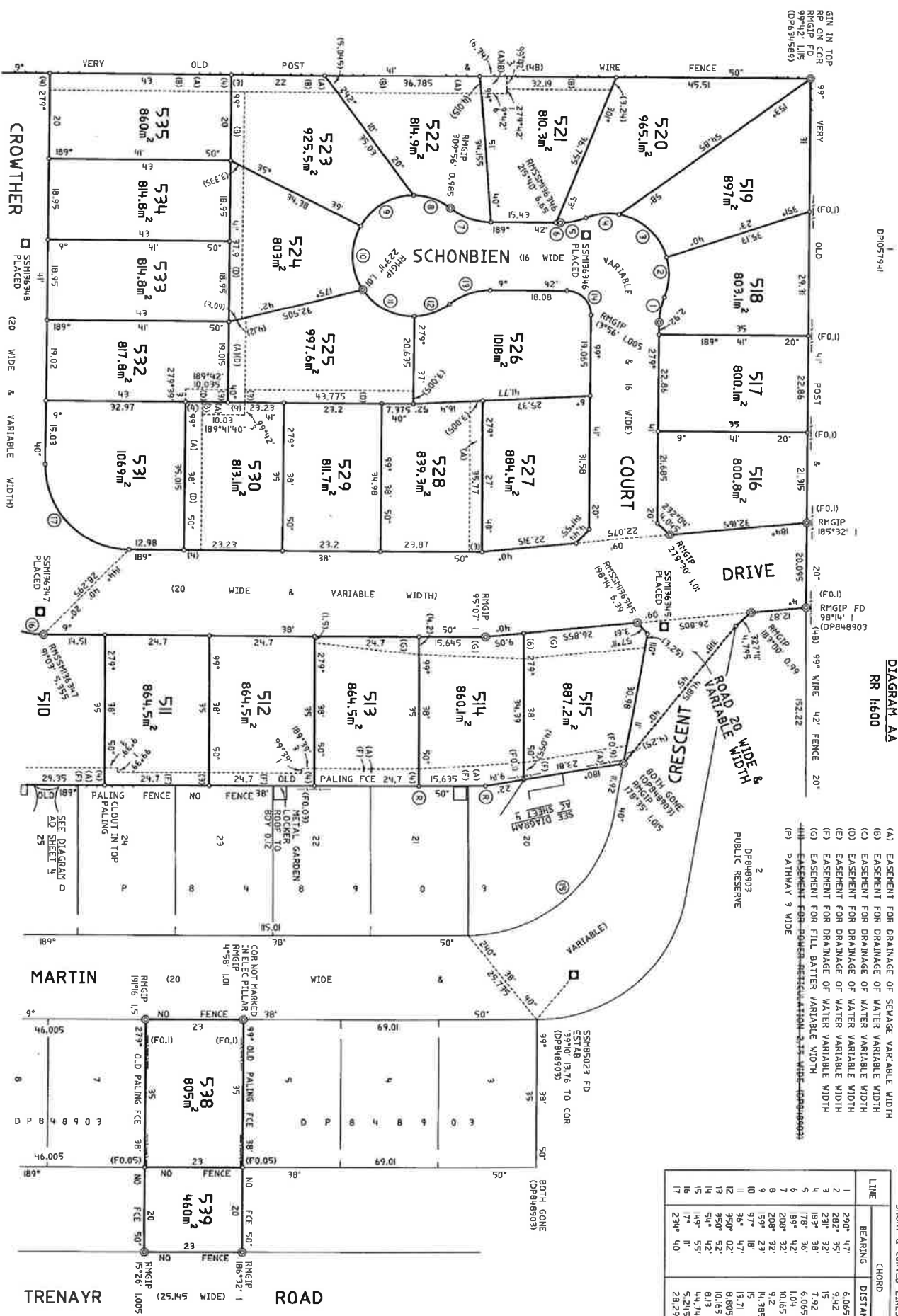
PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DPH8903

Surveyor: JAMES PATRICK O'DONOHUE
BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460
Date of Survey: 10.02.2010
Surveyor's Ref: 10932 CHECKLIST

LGA: CLARENCE VALLEY
Locality: JUNCTION HILL
Subdivision No: 20100022
Lengths are in metres. Reduction Ratio 1: 1250

Registered
07.06.2010

DP1151839 P



LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
1	290° 43'	6.065	6.05	15.75
2	232° 35'	9.42	9.35	14.25
3	232° 32'	15	14.75	14.25
4	188° 36'	7.92	8.025	14.25
5	178° 30'	6.05	6.1	15.75
6	189° 42'	1.04		
7	208° 32'	10.65	10.35	15.75
8	208° 32'	9.2	9.365	14.25
9	153° 23'	14.385	15.08	14.25
10	97° 18'	15	15.795	14.25
11	36° 47'	13.71	14.305	14.25
12	350° 02'	8.805	8.95	15.75
13	350° 02'	5.2	5.35	14.25
14	54° 42'	10.65	10.35	15.75
15	174° 11'	13.74	14.355	14.25
16	174° 11'	5.215	5.355	15.75
17	234° 40'	28.295	30.9	20

SHORT & CURVED LINES & BOUNDARIES

DIAGRAM AA
RR 1:600

(A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (I) PATHWAY 3' WIDE

DP848903
PUBLIC RESERVE

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
1	290° 43'	6.065	6.05	15.75
2	232° 35'	9.42	9.35	14.25
3	232° 32'	15	14.75	14.25
4	188° 36'	7.92	8.025	14.25
5	178° 30'	6.05	6.1	15.75
6	189° 42'	1.04		
7	208° 32'	10.65	10.35	15.75
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SHORT & CURVED LINES & BOUNDARIES

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 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (I) PATHWAY 3' WIDE

DP848903
PUBLIC RESERVE

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
1	290° 43'	6.065	6.05	15.75
2	232° 35'	9.42	9.35	14.25
3	232° 32'	15	14.75	14.25
4	188° 36'	7.92	8.025	14.25
5	178° 30'	6.05	6.1	15.75
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15	174° 11'	13.74	14.355	14.25
16	174° 11'	5.215	5.355	15.75
17	234° 40'	28.295	30.9	20

SHORT & CURVED LINES & BOUNDARIES

DIAGRAM AA
RR 1:600

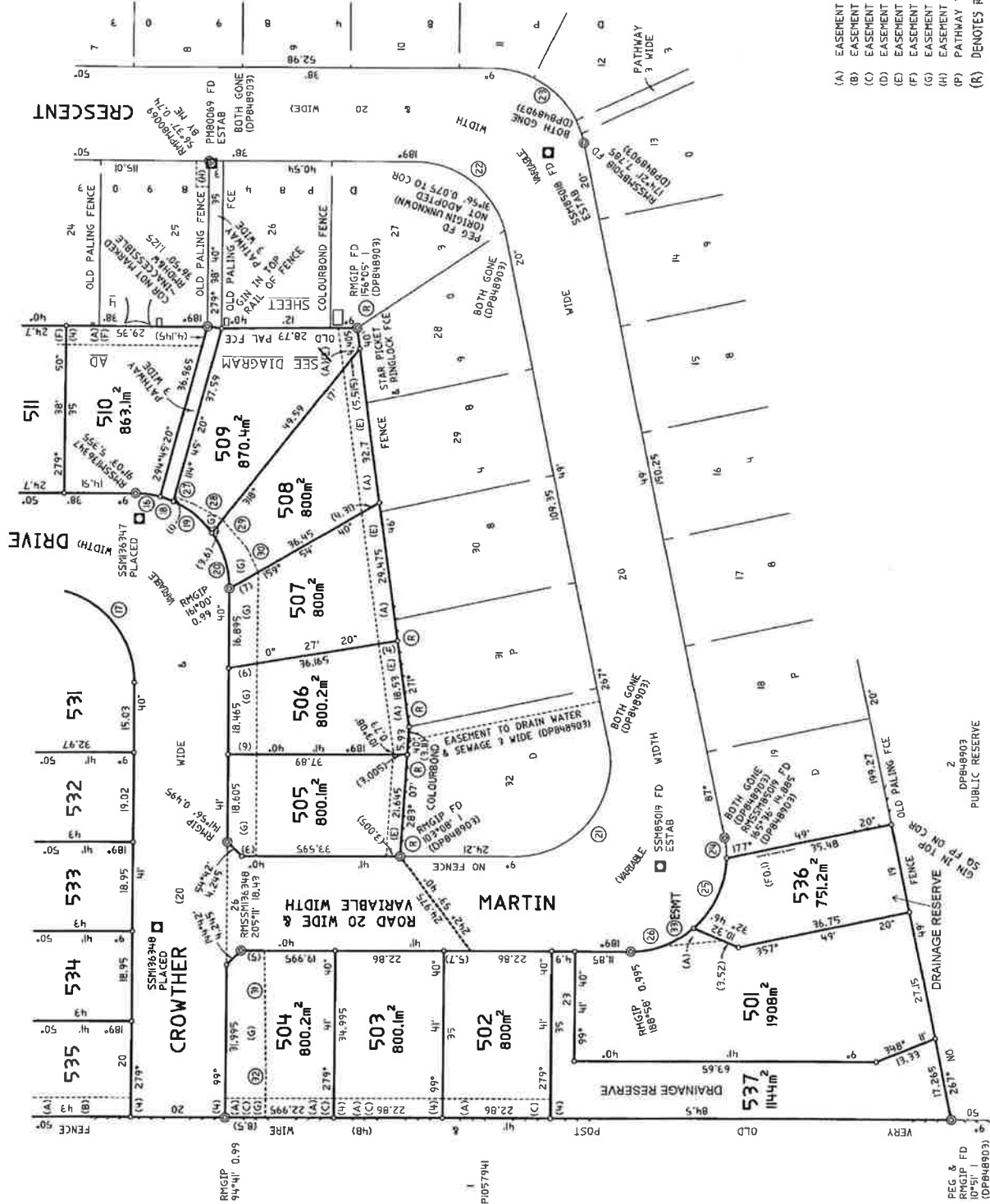
(A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
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 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (I) PATHWAY 3' WIDE

DP848903
PUBLIC RESERVE

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
1	290° 43'	6.065	6.05	15.75
2	232° 35'	9.42	9.35	14.25
3	232° 32'	15	14.75	14.25
4	188° 36'	7.92	8.025	14.25
5	178° 30'	6.05	6.1	15.75
6	189° 42'	1.04		
7	208° 32'	10.65	10.35	15.75
8	208° 32'	9.2	9.365	14.25
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13	350° 02'	5.2	5.35	14.25
14	54° 42'	10.65	10.35	15.75
15	174° 11'	13.74	14.355	14.25
16	174° 11'	5.215	5.355	15.75
17	234° 40'	28.295	30.9	20

SHORT & CURVED LINES & BOUNDARIES

DIAGRAM AB
RR 1:600



SCHEDULE OF SHORT & CURVED BOUNDARIES & LINES

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
16	17° 11'	5.245	5.26	20
17	234° 40'	28.295	31.43	20
18	209° 02'	3.01	3.01	20
19	228° 34'	10.5	10.625	20
20	26° 44'	12.33	12.595	20
21	198° 46'	31.06	35.565	20
22	228° 44'	25.22	27.29	20
23	228° 44'	4.35	4.35	20
24	308° 01'	14.375	14.375	20
25	308° 27'	14.055	14.365	20
26	349° 06'	4.2	4.2	20
27	210° 15'	7.035	7.035	20
28	217° 22'	8	8	20
29	239° 10'	5.55	5.55	20
30	253° 41'	25.5	25.5	20
31	276° 35'	9.5	9.5	20
32	279° 40'	7.635	7.635	20
33	159° 32'	7.635	7.635	20

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (I) EASEMENT FOR POWER RETICULATION 2.75 WIDE (DP848903)
 (J) PATHWAY 3 WIDE
 (K) DENOTES RAYSET NAIL IN TOP COLOURBOND FENCE

Surveyor: JAMES PATRICK O'DONOHUE
 BOTHANLEY & O'DONOHUE PTY LTD
 12 PRINCE STREET GRAFTON 2460
 Date of Survey: 10.02.2010
 Surveyor's Ref: 10832 CHECKLIST

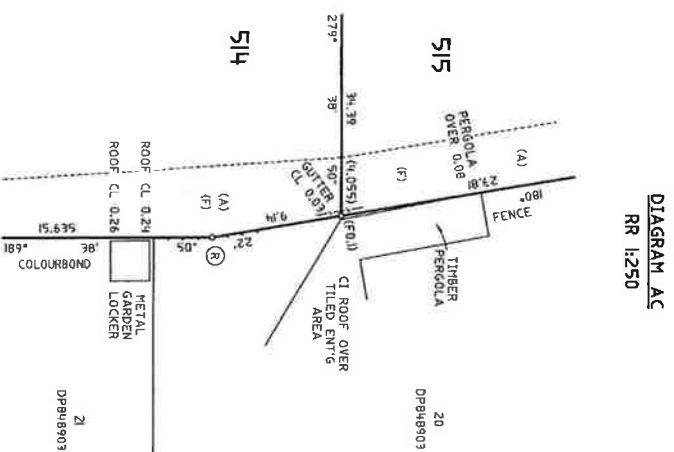
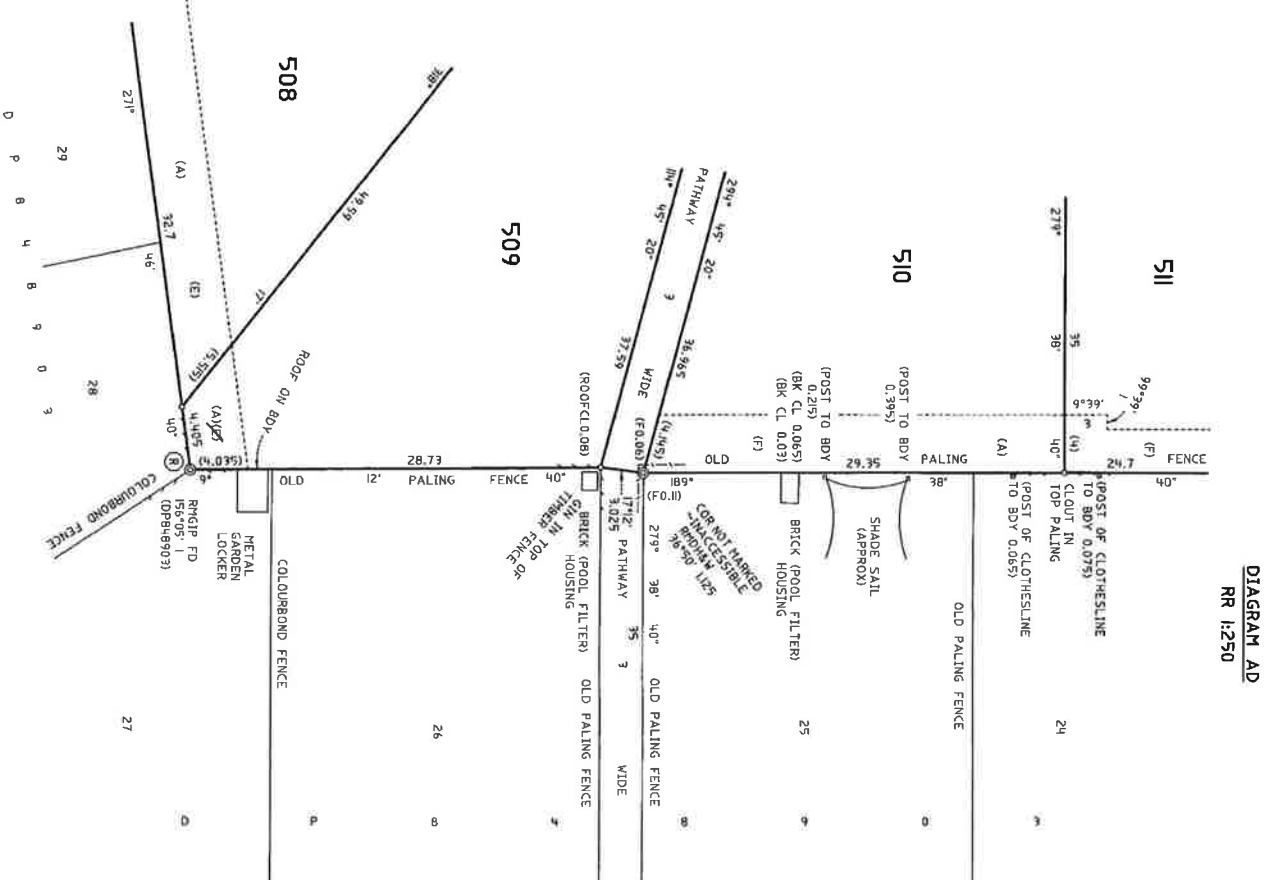
PLAN OF SUBDIVISION OF
 LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY
 Locality: JUNCTION HILL
 Subdivision No: 2010/0022
 Lengths are in metres. Reduction Ratio 1:

Registered

07.06.2010

DP1151839



- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
- (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
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- (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (I) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (J) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (K) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (L) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (M) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (N) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (O) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (P) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (Q) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (R) DENOTES RAMPSET NAIL IN TOP COLOURBOND FENCE

Surveyor: JAMES PATRICK O'DONOHUE
BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460
Date of Survey : 10.02.2010
Surveyor's Ref : 00832 CHECKLIST

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY
Locality : JUNCTION HILL
Subdivision No: 201000022
Lengths are in metres Reduction Ratio 1 :

Registered
07/06/2010

DP1151839

PLAN FORM 6

WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

* OFFICE USE ONLY

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 AS AMENDED IT IS INTENDED TO CREATE:-

1. EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
2. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
3. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
4. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
5. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
6. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
7. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
8. EASEMENT FOR FILL BATTER VARIABLE WIDTH
9. RESTRICTIONS ON THE USE OF LAND

.....CONTINUED ON SHEET 2.....

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:.....CLARENCE VALLEY COUNCIL.....

Date of Endorsement: 23 April 2010

Accreditation no:

Subdivision Certificate no: 10022

File no: GS09/0032

* Delete whichever is inapplicable.



DP1151839 S

Registered: 07.06.2010

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY

Locality: JUNCTION HILL

Parish: GREAT MARLOW

County: CLARENCE

Surveying Regulation, 2006

I, JAMES PATRICK O'DONOHUE
of BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON NSW 2460

a surveyor registered under the *Surveying and Spatial Information Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying and Spatial Information Regulation, 2006* and was completed on: 10.02.2010

The survey relates to LOTS 501 TO 539, ROADS & PATHWAY
(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature: [Signature] Dated: 19.03.2010
Surveyor registered under the *Surveying Act, 2002*

Datum Line: X - Y

Type: Urban/Rural

Plans used in the preparation of survey/compilation

DP252966
DP634589
DP848903

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

SURVEYOR'S REFERENCE: 10832 CHECKLIST

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

DP1151839

Registered:



07.06.2010

Subdivision Certificate No:

Subd 200/0022

Date of Endorsement:

23 April 2010

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.

....CONTINUED FROM SHEET 1...

IT IS INTENDED TO:-

1. DEDICATE LOTS 538 & 539, THE EXTENSIONS OF MARTIN CRESCENT 20 WIDE & VARIABLE WIDTH, CROWTHER DRIVE 20 WIDE & VARIABLE WIDTH, SCHONBIEN COURT 16 WIDE & VARIABLE WIDTH AND THE PATHWAY 3 WIDE TO THE PUBLIC AS ROAD;

AND

2. CREATE LOTS 536 & 537 AS DRAINAGE RESERVE.

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

MAYOR

GENERAL MANAGER



SURVEYOR'S REFERENCE:

10832 CHECKLIST

* OFFICE USE ONLY

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 Conveyancing Act 1919¹



Plan: **DP1151839 B**

(Sheet 1 of 3 Sheets)

Lots 1 and 6 DP 84 8903
 and

Plan of subdivision of Lot 33 DP848903
 covered by Subdivision Certificate No. 200/0022

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

Clarence Valley Council
 Locked Bag 23 Grafton, NSW 2460

PART 1 (Creation)

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	Easement for drainage of sewage variable width Shown (A)	501,502,503,504, 506,507,508,509, 510,513,514,515, 521,522,523,525, 528,530,535	Clarence Valley Council
2	Easement for drainage of water variable width shown (B)	521,522,523,535 521 522 523 535	Clarence Valley Council 520 520,521 520,521,522,524 520,521,522,523 524
3	Easement for drainage of water variable width shown (B) and (C)	502,503,504, 521,522,523,535	Lot 1 DP1057941
4	Easement for drainage of water variable width shown (C)	502,503,504 502 503	Clarence Valley Council 503,504 504
5	Easement for drainage of water variable width shown (D)	524 525 530 532	523,525 524,526 524,525,526,532 524,525,526,530
6	Easement for drainage of water variable width shown (E)	505 506 507 508	506,507,508,509 507,508,509 508,509 509

DP1151839

(Sheet 2of 3 Sheets)

Plan:

Plan of ... covered by Subdivision Certificate No. *2010/0022*

7	Easement for drainage of water variable width shown (F)	510 511 512 513 514 515	511,512 512 511 511,512 511,512,513 511,512,513,514
8	Easement for Fill batter Variable width (G)	504,505,506,507, 508,509, 513,514,515	Clarence Valley Council
9	Restrictions on the use of land	501,502,503,504, 505,506,507,508, 509,510,511,512, 513,514,515,516, 517,518,519,520, 521,522,523,524, 525,526,527,528, 529,530,531,532, 533,534,535	Clarence Valley Council

PART 2 (Terms)

Terms of easement numbered 3 in the plan.

An easement for drainage of water as defined by Part 8 of Schedule 8 of the Conveyancing Act 1919 with the addition of clause 3 below:

"3. In exercising those powers, the owner of the lot benefitted must not drain any water:-

- (a) from any source other than from residential lots created in a subdivision of the lot benefitted and solely for the purpose of providing inter allotment drainage of those residential lots, and
- (b) without first obtaining development consent of the Clarence Valley Council."

Terms of easement numbered 8 in the plan.

An easement for batter within the meaning of Part 6 of Schedule 8 of the Conveyancing Act 1919 except that the words "The owner of the lot benefitted" shall be removed and the words "The body having the benefit of this easement" shall be inserted in their place.

Terms of restrictions on the use of land numbered 9 in the plan.

- (a) No fence shall be erected on any Lot hereby burdened to divide the same from any adjoining land or Lot whilst such land or Lot is owned by the said Clarence Valley Council or its successors other than Purchasers on sale

DP1151839

(Sheet 3 of 3 Sheets)

Plan: **DP1151839**

Plan of ... covered by Subdivision Certificate No. **220/0022**

without the consent of the said Clarence Valley Council or its successors other than Purchasers on sale but such consent shall not be withheld if such fence is erected without expense to the said Clarence Valley Council or its successors other than Purchasers on sale and in favour of any person dealing with a transferee from the said Clarence Valley Council or its successors such consent shall be deemed to have been given in respect of every such fence for the time being erected.

- (b) No building shall be constructed on the lot burdened of other than new materials and no building which has previously been prefabricated or constructed on another parcel of land shall be erected or permitted to remain erected on the lot burdened.

The instrument should be signed in accordance with Item 9 Schedule 4 Conveyancing (General) Regulation 1998.

I certify that , the owner, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by , the owner.

Signature of :

Signature of witness **R Essex**

Name of witness: **RHONDA ESSEX**

Address of witness: **201 BENT ST
SOUTH GRAFTON**

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

[Signature]
MAYOR
[Signature]
GENERAL MANAGER



[Signature]
Authorised officer

Consent Authority: **Clarence Valley Council**

DP1151839



Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lot 506 DP 1151839, 8 Crowther Drive, Junction Hill	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Refer also to items 3 & 14 below.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned R2 Low Density Residential and is currently vacant residential land that forms part of the Baileys Estate. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council. It has been zoned for Residential since 1984.
4. Who owns the land(s)?	Council owns Lot 506 DP 1151839, 8 Crowther Drive, Junction Hill.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The land is subject to an instrument specifying a range of "Easements or profit à prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants created pursuant to Section 88B Conveyancing Act 1919 (e.g. drainage of water, sewage). Council is nominated in some of the instruments items as either benefiting from or being a prescribed authority in relation to an easement or restriction. There is no intention to change any of the existing easements, restrictions etc in the instrument.
6. How and when were the interests in the lands first acquired?	The only other interest in the land is the standard (to all certificates of title) Reservations and conditions in the Crown Grant(s) alluding to the "original Crown Grant". Again there is no intention to change or extinguish this standard interest or notation.
7. What are the reasons for Council acquiring an interest	Council's interest (as land owner) in the land was acquired on 27 July 1993. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council. The reasons for Council's interest as land owner arises from its ownership and development of the

in the lands?	Baileys Estate residential development, the original stages of which were first undertaken by the former Copmanhurst Shire Council, with the first lots/stage being registered in 1995. Lot 506 is part of Stage 2 Baileys Estate, with Deposited Plan 1151839 being registered in 2010.
8. Are there any agreements over the lands?	There are no agreements over the land.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.	Council has a listed sale price of \$94000 for Lot 506.
10a. What asset management objectives are being pursued?	10a. The asset management objectives for the land are simple - to dispose of Lot 506 by means of private treaty sale.
10b. How will the objectives be achieved?	10b. The objectives will be achieved by the settlement of a sale to a third party purchaser.
10c. What type of benefits the do council wants (financial and non-financial)?	10c. The proceeds of the sale of Lot 506 will contribute to Council's Strategic Building Reserve.
11a. Are there any agreements for the sale or lease of the lands?	Refer to comments opposite Items 8. and 9. above.
11b. If so what are the basic details of any such agreement?	
12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The strategic and site specific merits of the reclassification of the land to operational include: (a) It will enable Council to resume the land sale process and ultimately release this vacant and serviced urban land to the market so that it can be converted to the available housing supply once it is built on. (b) The proceeds of the sale of Lot 506 will contribute to Council's Strategic Building Reserve.
15. Maps indicating the location of each parcel, while each	A location plan of the land is at Map 1 on page 7 of the planning proposal.

parcel needs to be located it is not necessary to provide a separate map for each parcel ie locality maps indicating a number of parcels is acceptable	
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used	The reclassification of the land to operational will enable Council to resume the land sale process. The proceeds of the sale of Lot 506 (likely to be \$94000 less transaction costs) will contribute to Council's Strategic Building Reserve.
20. What percentage of Councils landholdings the planning proposal relates to.	Lot 506 DP 1151839 has an area of 0.08002ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lot 506 constitutes 0.00126% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land is a vacant and serviced residential lot.
22. Any lease or the like present on any of the parcels	There are no leases on the land.



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 506/1151839

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:47 PM	1	7/6/2010

LAND

LOT 506 IN DEPOSITED PLAN 1151839
AT JUNCTION HILL
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF GREAT MARLOW COUNTY OF CLARENCE
TITLE DIAGRAM DP1151839

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1151839 EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM
- 3 DP1151839 EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT
AFFECTING THE SITE DESIGNATED (E) IN THE TITLE DIAGRAM
- 4 DP1151839 EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 5 DP1151839 EASEMENT FOR FILL BATTER VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP1151839 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

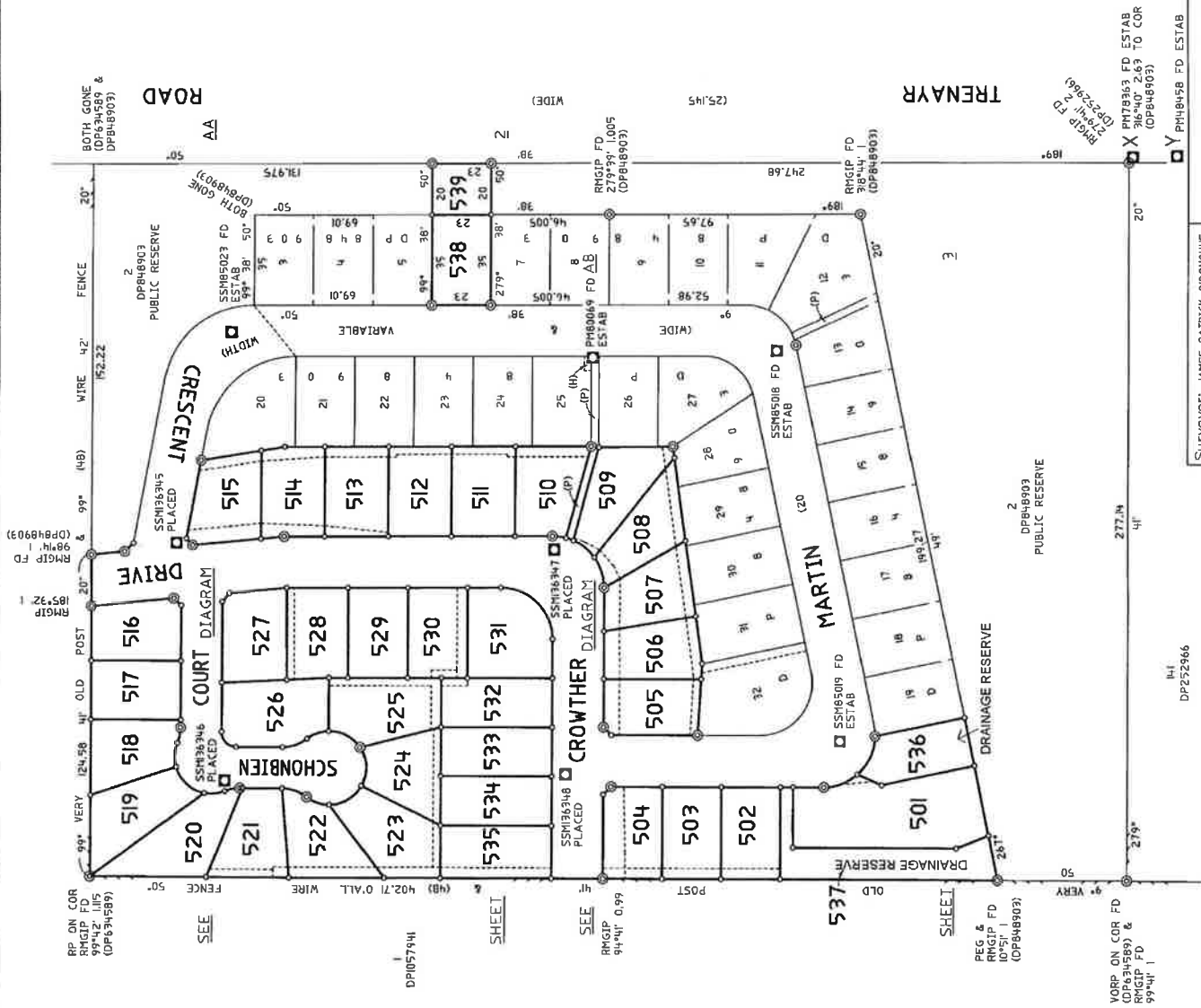
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE.
WARNING THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



CLAUSE 35(10) & CLAUSE 6(2) OF THE SURVEYING AND SPATIAL INFORMATION REGULATION 2006

MARK	MGA EASTING	MGA NORTHING	CLASS	ORDER	METHOD	ORIGIN
PM8458	493945.962	672000.623	B	2		SCMS
PM78363	493958.18	672399.767	B	2		SCMS
PM80069	493951.722	672619.287	B	2		SCMS
SSM8508	493907.38	672548.545	B	2		SCMS
SSM8509	493954.915	672549.524	B	2		SCMS
SSM85023	493950.032	6721756.036	B	2		SCMS
SSM136345	4939472.86	6721790.79				SURVEY
SSM136346	4939378.53	6721787.4				SURVEY
SSM136347	4939445.43	6721646.22				SURVEY
SSM136348	4939359.16	6721656.44				SURVEY

MGA COORDINATES ADOPTED FROM SCMS AS AT 22ND FEBRUARY 2000 ZONE 56
COMBINED SCALE FACTOR 0.9996
ALL DISTANCES SHOWN ARE GROUND DISTANCES

- X-Y:
- PM78363 TO PM8458: 186°01'44" 401.536 ME
 - PM78363 TO SSM8508: 34°08'23" 157.267 ME
 - SSM8508 TO PM80069: 7°34'24" 71.395 ME
 - PM80069 TO SSM85023: 13°41'18" 140.817 ME
 - SSM85023 TO SSM136345: 29°40'42" 84.568
 - SSM136345 TO SSM136347: 190°44'34" 147.141
 - SSM136347 TO SSM136348: 276°45'24" 86.867
 - SSM136348 TO SSM136346: 8°24'45" 192.384
 - SSM136346 TO SSM136345: 87°56'45" 94.385
 - SSM136348 TO SSM8509: 182°39'35" 107.003
 - SSM8509 TO PM8458: 169°35'14" 572.431 ME
 - SSM8509 TO SSM8508: 90°24'42" 153.083 ME
 - SSM8508 TO SSM85023: 90°22'00" 153.067 ME

CLAUSE 43 CONNECTIONS

- PM8458 TO SW COR LOT 537: 335°42'20" 545.442
- PM78363 TO SE COR LOT 539: 9°09'50" 249.26

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
- (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (H) EASEMENT FOR POWER RETICULATION 2.75 WIDE (DP848903)
- (P) PATHWAY 3 WIDE

AMENDMENTS BY ME 21.05.2010
Macdonald

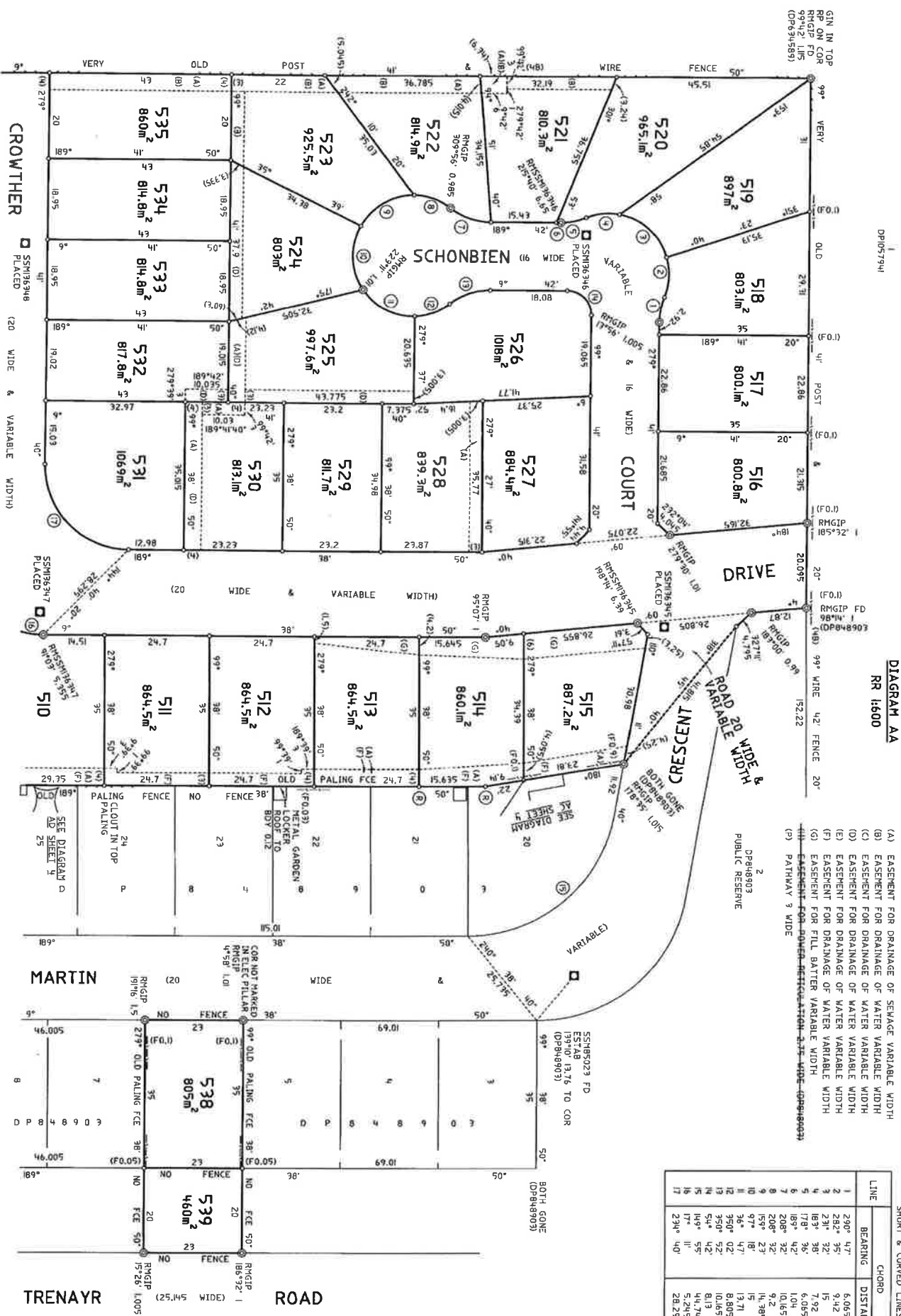
Surveyor: JAMES PATRICK O'DONOHUE
BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GYTHAM 2340
Date of Survey: 10.02.2010
Surveyor's Ref: 10932 CHECKLIST

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY
Locality: JUNCTION HILL
Subdivision No: 2010/0022
Lengths are in metres. Reduction Ratio 1 : 1250

Registered
07.06.2010

DP1151839 P



LIME	CEMENT	CHORD	ARC	RADIUS
1	280°	6,055	6,105	15,75
2	52°	15,442	16,5	14,25
3	32°	15,15	16,5	14,25
4	168°	7,82	8,025	14,25
5	178°	6,055	6,105	15,75
6	188°	1,04	6,1	
7	208°	10,65	10,35	15,75
8	208°	9,2	9,365	14,25
9	159°	14,385	15,795	14,25
10	97°	18°	15,795	14,25
11	36°	4,7	14,705	14,25
12	390°	0,2	8,805	15,75
13	350°	3,2	10,65	15,75
14	17°	14,74	16,235	5,75
15	10°	5,5	5,245	35
16	17°	5,5	5,245	35
17	234°	40°	28,295	304,3

Surveyor: JAMES PATRICK O'DONOHUE
BOHANELEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460

Date of Survey : 10.02.2010

Surveyor's Ref : 100872 CHECKLIST

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

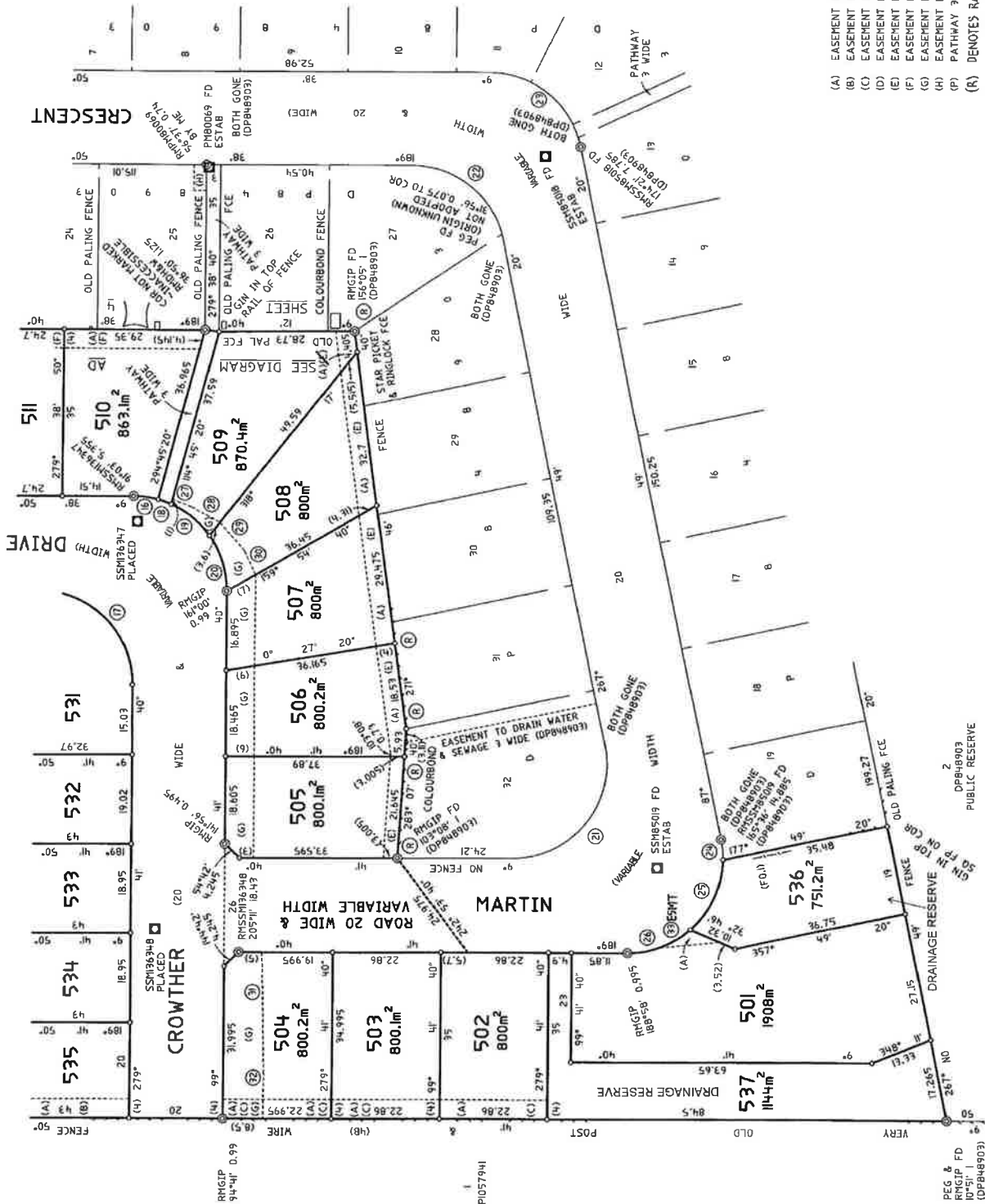
LGA: CLARENCE VALLEY
Locality: JUNCTION HILL
Subdivision No: 2010/0022
Lengths are in metres. Reduction Ratio 1:

Registered
07.06.2010

DP1151839

DIAGRAM AB

RR 1:600



SCHEDULE OF SHORT & CURVED BOUNDARIES & LINES

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
16	17° 11'	5.245	5.26	20
17	234° 40'	28.295	31.43	20
18	208° 02'	3.01	3.01	20
19	228° 34'	10.5	10.855	20
20	268° 44'	12.93	12.595	20
21	298° 46'	31.06	35.565	20
22	228° 44'	25.22	27.29	20
23	228° 44'	25.22	27.29	20
24	91° 06'	4.355	4.329	20
25	304° 27'	16.31	16.8	20
26	349° 06'	14.055	14.365	20
27	210° 15'	4.2	4.2	20
28	217° 22'	7.095	8	20
29	239° 10'	5.55	5.55	20
30	253° 41'	25.5	25.5	20
31	278° 35'	9.5	9.5	20
32	279° 40'	7.695	7.695	20
33	159° 32'			20

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (I) EASEMENT FOR POWER RETICULATION 2.75 WIDE (DPH4903)
 (J) PATHWAY 3 WIDE
 (K) DENOTES RAMSET NAIL IN TOP COLOURBOND FENCE

Surveyor: JAMES PATRICK O'DONOHUE
 BOTANLEY & O'DONOHUE PTY LTD
 12 PRINCE STREET GRAFTON 2460
 Date of Survey: 10.02.2010
 Surveyor's Ref: 10832 CHECKLIST

PLAN OF SUBDIVISION OF
 LOTS 1, 6 & 33 IN DPH4903

LCA: CLARENCE VALLEY
 Locality: JUNCTION HILL
 Subdivision No: 2010/0022
 Lengths are in metres, Reduction Ratio 1:

Registered
 07.06.2010

DP1151839

DIAGRAM AD
RR 1:250

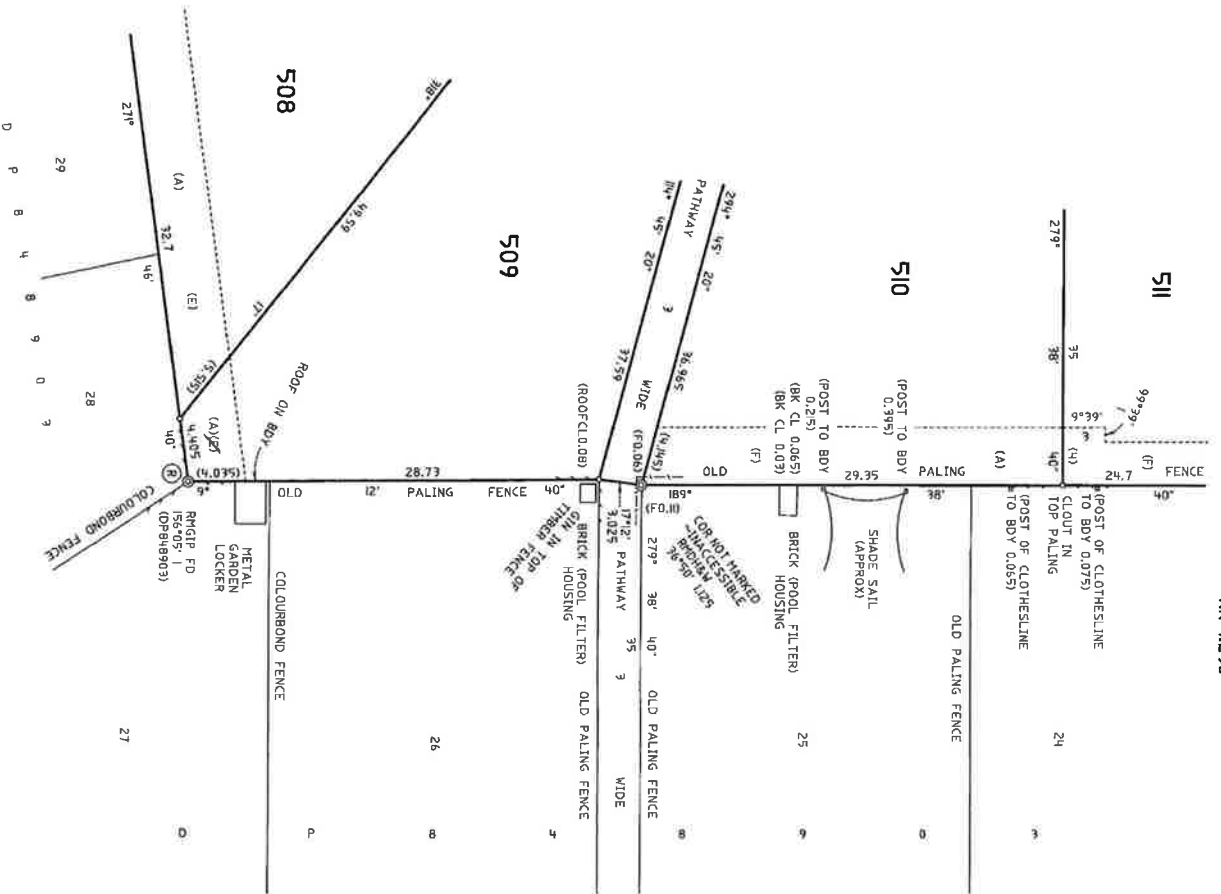
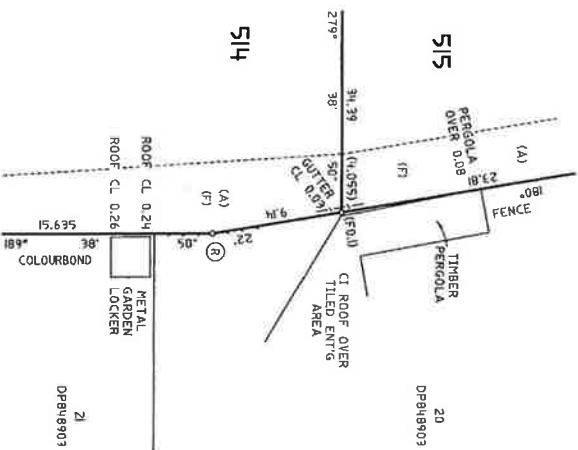


DIAGRAM AC
RR 1:250



- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
- (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
- (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (H) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (I) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (J) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (K) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (L) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (M) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (N) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (O) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (P) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (Q) EASEMENT FOR FILL BATTER VARIABLE WIDTH
- (R) DENOTES RAMPOST NAIL IN TOP COLOURBOND FENCE

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

Surveyor: JAMES PATRICK O'DONOHUE
BOTSWALEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460
Date of Survey: 10.02.2010
Surveyor's Ref: 10632 CHECKLIST

LGA: CLARENCE VALLEY
Locality: JUNCTION HILL
Subdivision No: 2010/00022

Registered
07.06.2010

DP1151839

PLAN FORM 6

WARNING: Creasing or folding will lead to rejection

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 AS AMENDED IT IS INTENDED TO CREATE:-

1. EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
2. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
3. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
4. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
5. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
6. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
7. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
8. EASEMENT FOR FILL BATTER VARIABLE WIDTH
9. RESTRICTIONS ON THE USE OF LAND

.....CONTINUED ON SHEET 2.....

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:.....CLARENCE VALLEY COUNCIL.....

Date of Endorsement: 23 April 2010

Accreditation no:

Subdivision Certificate no: 10022

File no: GS09/0032

* Delete whichever is inapplicable.



DP1151839 S

Registered: 07.06.2010

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY

Locality: JUNCTION HILL

Parish: GREAT MARLOW

County: CLARENCE

Surveying Regulation, 2006

I, JAMES PATRICK O'DONOHUE
of BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON NSW 2460

a surveyor registered under the *Surveying and Spatial Information Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying and Spatial Information Regulation, 2006* and was completed on: 10.02.2010

The survey relates to LOTS 501 TO 539, ROADS & PATHWAY
(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature: [Signature] Dated: 19.03.2010
Surveyor registered under the *Surveying Act, 2002*

Datum Line: X - Y

Type: Urban/Rural

Plans used in the preparation of survey/compilation

DP252966
DP634589
DP848903

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

SURVEYOR'S REFERENCE: 10832 CHECKLIST

* OFFICE USE ONLY

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

DP1151839

Registered:



07.06.2010

Subdivision Certificate No:

Subd 200/0022

Date of Endorsement:

23 April 2010

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.

....CONTINUED FROM SHEET 1...

IT IS INTENDED TO:-

1. DEDICATE LOTS 538 & 539, THE EXTENSIONS OF MARTIN CRESCENT 20 WIDE & VARIABLE WIDTH, CROWTHER DRIVE 20 WIDE & VARIABLE WIDTH, SCHONBIEN COURT 16 WIDE & VARIABLE WIDTH AND THE PATHWAY 3 WIDE TO THE PUBLIC AS ROAD;

AND

2. CREATE LOTS 536 & 537 AS DRAINAGE RESERVE.

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

MAYOR

GENERAL MANAGER



SURVEYOR'S REFERENCE:

10832 CHECKLIST

* OFFICE USE ONLY

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 Conveyancing Act 1919¹



Plan: **DP1151839 B**

(Sheet 1 of 3 Sheets)

Lots 1 and 6 DP 84 8903
Vond

Plan of subdivision of Lot 33 DP848903
 covered by Subdivision Certificate No. *200/0022*

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

Clarence Valley Council
 Locked Bag 23 Grafton, NSW 2460

PART 1 (Creation)

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	Easement for drainage of sewage variable width Shown (A)	501,502,503,504, 506,507,508,509, 510,513,514,515, 521,522,523,525, 528,530,535	Clarence Valley Council
2	Easement for drainage of water variable width shown (B)	521,522,523,535 521 522 523 535	Clarence Valley Council 520 520,521 520,521,522,524 520,521,522,523 524
3	Easement for drainage of water variable width shown (B) and (C)	502,503,504, 521,522,523,535	Lot 1 DP1057941
4	Easement for drainage of water variable width shown (C)	502,503,504 502 503	Clarence Valley Council 503,504 504
5	Easement for drainage of water variable width shown (D)	524 525 530 532	523,525 524,526 524,525,526,532 524,525,526,530
6	Easement for drainage of water variable width shown (E)	505 506 507 508	506,507,508,509 507,508,509 508,509 509

DP1151839

(Sheet 2 of 3 Sheets)

Plan:

Plan of ... covered by Subdivision Certificate No. 2010/0022

7	Easement for drainage of water variable width shown (F)	510 511 512 513 514 515	511,512 512 511 511,512 511,512,513 511,512,513,514
8	Easement for Fill batter Variable width (G)	504,505,506,507, 508,509, 513,514,515	Clarence Valley Council
9	Restrictions on the use of land	501,502,503,504, 505,506,507,508, 509,510,511,512, 513,514,515,516, 517,518,519,520, 521,522,523,524, 525,526,527,528, 529,530,531,532, 533,534,535	Clarence Valley Council

PART 2 (Terms)

Terms of easement numbered 3 in the plan.

An easement for drainage of water as defined by Part 8 of Schedule 8 of the Conveyancing Act 1919 with the addition of clause 3 below:

"3. In exercising those powers, the owner of the lot benefitted must not drain any water:-

- (a) from any source other than from residential lots created in a subdivision of the lot benefitted and solely for the purpose of providing inter allotment drainage of those residential lots, and
- (b) without first obtaining development consent of the Clarence Valley Council."

Terms of easement numbered 8 in the plan.

An easement for batter within the meaning of Part 6 of Schedule 8 of the Conveyancing Act 1919 except that the words "The owner of the lot benefitted" shall be removed and the words "The body having the benefit of this easement" shall be inserted in their place.

Terms of restrictions on the use of land numbered 9 in the plan.

- (a) No fence shall be erected on any Lot hereby burdened to divide the same from any adjoining land or Lot whilst such land or Lot is owned by the said Clarence Valley Council or its successors other than Purchasers on sale

DP1151839

(Sheet 3of 3 Sheets)

Plan: **DP1151839**

Plan of ... covered by Subdivision Certificate No. **220/0022**

without the consent of the said Clarence Valley Council or its successors other than Purchasers on sale but such consent shall not be withheld if such fence is erected without expense to the said Clarence Valley Council or its successors other than Purchasers on sale and in favour of any person dealing with a transferee from the said Clarence Valley Council or its successors such consent shall be deemed to have been given in respect of every such fence for the time being erected.

- (b) No building shall be constructed on the lot burdened of other than new materials and no building which has previously been prefabricated or constructed on another parcel of land shall be erected or permitted to remain erected on the lot burdened.

The instrument should be signed in accordance with Item 9 Schedule 4 Conveyancing (General) Regulation 1998.

I certify that , the owner, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by , the owner.

Signature of :

Signature of witness **R Essex**

Name of witness: **RHONDA ESSEX**

Address of witness: **201 BENT ST
SOUTH GRAFTON**

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

[Signature]
MAYOR
[Signature]
GENERAL MANAGER



[Signature]
Authorised officer

Consent Authority: **Clarence Valley Council**

DP1151839

Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lot 507 DP 1151839, 10 Crowther Drive, Junction Hill	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Refer also to items 3 & 14 below.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned R2 Low Density Residential and is currently vacant residential land that forms part of the Baileys Estate. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council. It has been zoned for Residential since 1984.
4. Who owns the land(s)?	Council owns Lot 507 DP 1151839, 10 Crowther Drive, Junction Hill.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The land is subject to an instrument specifying a range of "Easements or profit à prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants created pursuant to Section 88B Conveyancing Act 1919 (e.g. drainage of water, sewage). Council is nominated in some of the instruments items as either benefiting from or being a prescribed authority in relation to an easement or restriction. There is no intention to change any of the existing easements, restrictions etc in the instrument. The only other interest in the land is the standard (to all certificates of title) Reservations and conditions in the Crown Grant(s) alluding to the "original Crown Grant". Again there is no intention to change or extinguish this standard interest or notation.
6. How and when were the interests in the lands first acquired?	Council's interest (as land owner) in the land was acquired on 27 July 1993. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council.
7. What are the reasons for Council acquiring an interest	The reasons for Council's interest as land owner arises from its ownership and development of the

in the lands?	Baileys Estate residential development, the original stages of which were first undertaken by the former Copmanhurst Shire Council, with the first lots/stage being registered in 1995. Lot 507 is part of Stage 2 Baileys Estate, with Deposited Plan 1151839 being registered in 2010.
8. Are there any agreements over the lands?	There are no agreements over the land.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.	Council has a listed sale price of \$94000 for Lot 507.
10a. What asset management objectives are being pursued?	10a. The asset management objectives for the land are simple - to dispose of the land by means of private treaty sale.
10b. How will the objectives be achieved?	10b. The objectives will be achieved by the settlement of a sale to a third party purchaser.
10c. What type of benefits the do council wants (financial and non-financial?	10c. The proceeds of the sale of Lot 507 will contribute to Council's Strategic Building Reserve.
11a. Are there any agreements for the sale or lease of the lands?	Refer to comments opposite Items 8. and 9. above.
11b. If so what are the basic details of any such agreement?	
12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The strategic and site specific merits of the reclassification of the land to operational include: (a) It will enable Council to resume the land sale process and ultimately release this vacant and serviced urban land to the market so that it can be converted to the available housing supply once it is built on. (b) The proceeds of the sale of Lot 507 will contribute to Council's Strategic Building Reserve.

15. Maps indicating the location of each parcel, while each parcel needs to be located it is not necessary to provide a separate map for each parcel ie locality maps indicating a number of parcels is acceptable	A location plan of the land is at Map 1 on page 7 of the planning proposal.
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used	The reclassification of the land to operational will enable Council to resume the land sale process. The proceeds of the sale of Lot 507 (likely to be \$94000 less transaction costs) will contribute to Council's Strategic Building Reserve.
20. What percentage of Councils landholdings the planning proposal relates to.	Lot 507 DP 1151839 has an area of 0.08ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lot 507 constitutes 0.00126% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land is a vacant and serviced residential lot.
22. Any lease or the like present on any of the parcels	There are no leases on the land.



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 507/1151839

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:47 PM	1	7/6/2010

LAND

LOT 507 IN DEPOSITED PLAN 1151839
AT JUNCTION HILL
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF GREAT MARLOW COUNTY OF CLARENCE
TITLE DIAGRAM DP1151839

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1151839 EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM
- 3 DP1151839 EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT
AFFECTING THE SITE DESIGNATED (E) IN THE TITLE DIAGRAM
- 4 DP1151839 EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 5 DP1151839 EASEMENT FOR FILL BATTER VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP1151839 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

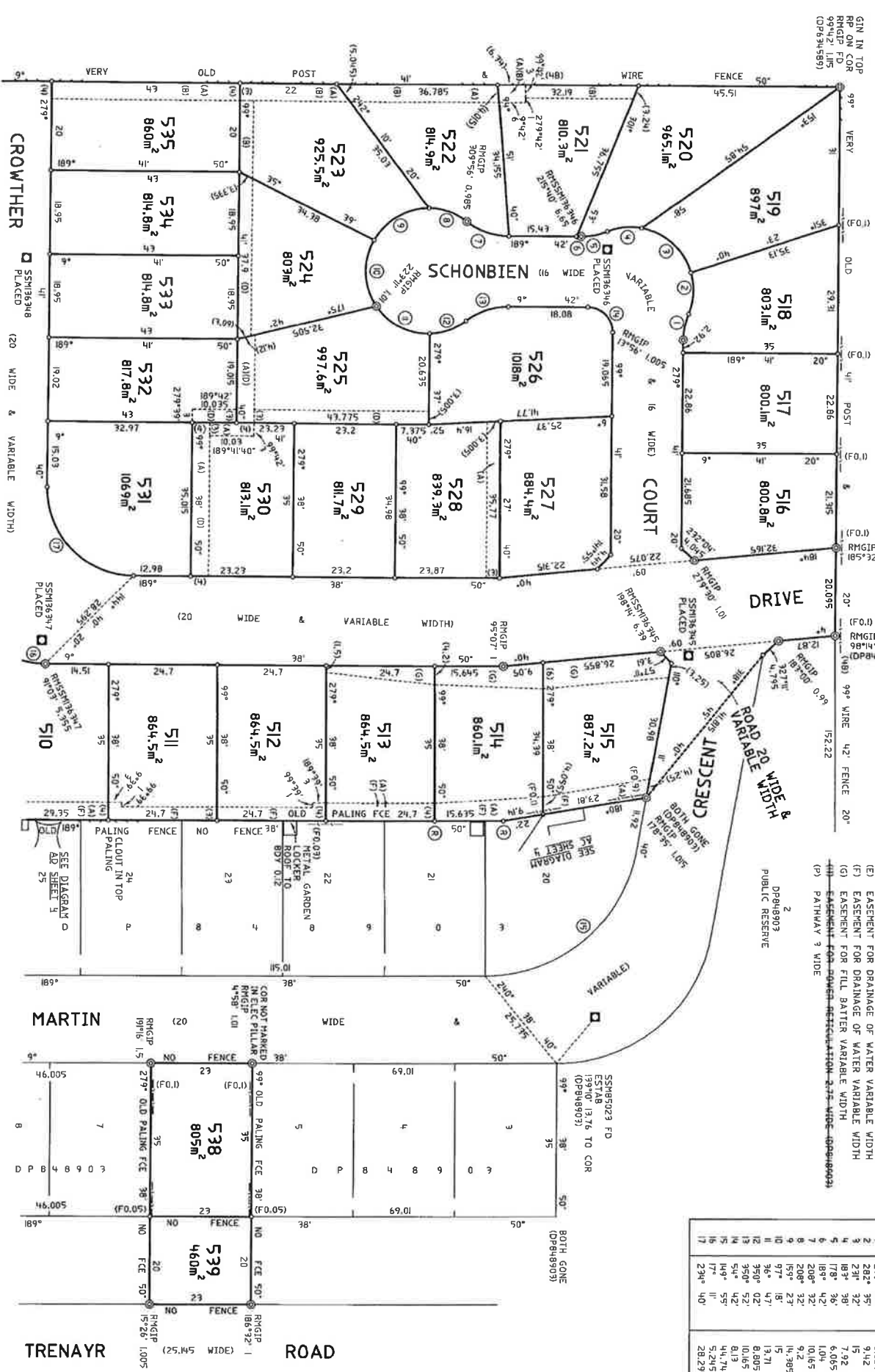
PRINTED ON 17/6/2016

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE.
WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

DIAGRAM AA
RR 1:600

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
(B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(G) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(H) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(I) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(J) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
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(P) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(Q) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(R) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(S) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(T) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(U) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(V) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(W) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(X) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(Y) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
(Z) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH

LINE	CHORD		ARC	RADIUS
	BEARING	DISTANCE		
1	290° 47'	6.065	6.05	15.75
2	282° 35'	9.42	9.6	14.25
3	281° 32'	19.92	20.25	14.25
4	187° 38'	7.92	8.025	14.25
5	178° 20'	6.065	6.1	15.75
6	178° 42'	10.165	10.35	15.75
7	208° 32'	10.165	10.35	15.75
8	208° 32'	10.165	10.35	15.75
9	159° 27'	14.385	14.5	15.75
10	159° 27'	14.385	14.5	15.75
11	137° 18'	15.795	15.9	15.75
12	350° 02'	10.165	10.35	15.75
13	350° 02'	10.165	10.35	15.75
14	54° 42'	8.13	8.25	15.75
15	149° 55'	44.74	45.5	15.75
16	17° 17'	5.245	5.26	20
17	234° 40'	28.295	28.4	20



Surveyor: JAMES PATRICK O'DONOHUE
BOTHALEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRANVILLE NSW 2160
Date of Survey: 10.02.2000
Surveyor's Ref: 10832 CHECKLIST

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

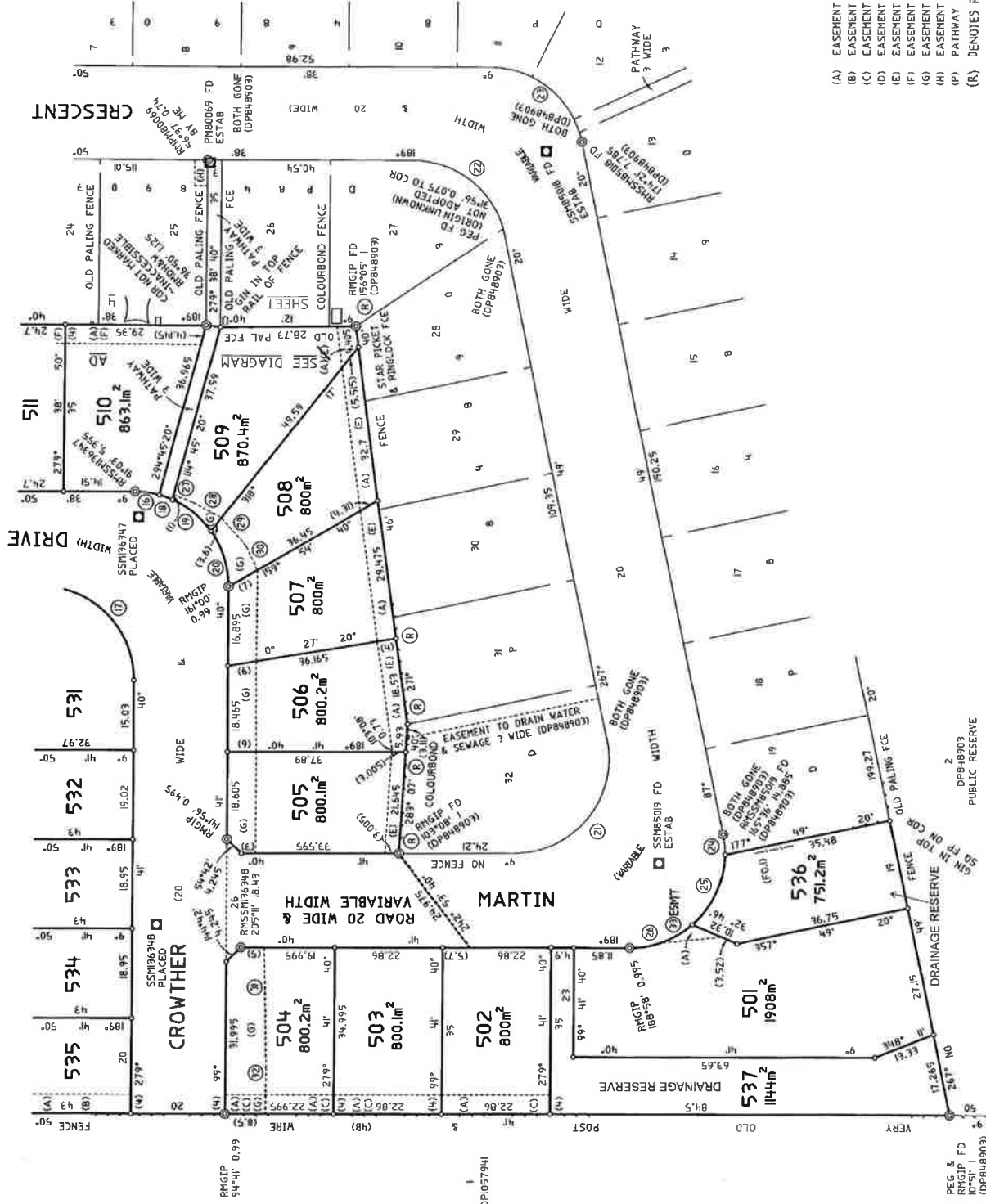
LGA: CLARENCE VALLEY
Locality: JUNCTION HILL
Subdivision No: 2010/0022

Registered
07.06.2010

DP1151839

DIAGRAM AB

RR 1:600



SCHEDULE OF SHORT & CURVED BOUNDARIES & LINES

LINE	BEARING	CHORD		ARC	RADIUS
		DISTANCE			
16	17° 11'	5.245		5.26	20
17	234° 40'	28.295		31.43	20
18	208° 02'	3.01		3.01	20
19	228° 34'	10.5		10.625	20
20	261° 44'	12.33		12.595	20
21	198° 46'	31.06		35.565	20
22	228° 44'	25.22		27.29	20
23	91° 06'	4.365		4.429	20
24	304° 27'	14.3		16.8	20
25	349° 06'	14.055		14.365	20
26	210° 15'	4.2		4.2	20
27	217° 22'	7.095		7.095	20
28	239° 10'	8		8	20
29	253° 41'	5.55		5.55	20
30	278° 35'	25.5		25.5	20
31	279° 40'	9.5		9.5	20
32	279° 40'	7.635		7.635	20
33	159° 32'	7.635		7.635	20

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (H) EASEMENT FOR POWER RETICULATION 2.75 WIDE (DP848903)
 (P) PATHWAY 3 WIDE
 (R) DENOTES RAYSET NAIL IN TOP COLOURBOND FENCE

Surveyor: JAMES PATRICK O'DONOHUE
 BOTHAMLEY & O'DONOHUE PTY LTD
 12 PRINCE STREET GRAFTON 2460
 Date of Survey: 10.02.2010
 Surveyor's Ref: 10832 CHECKLIST

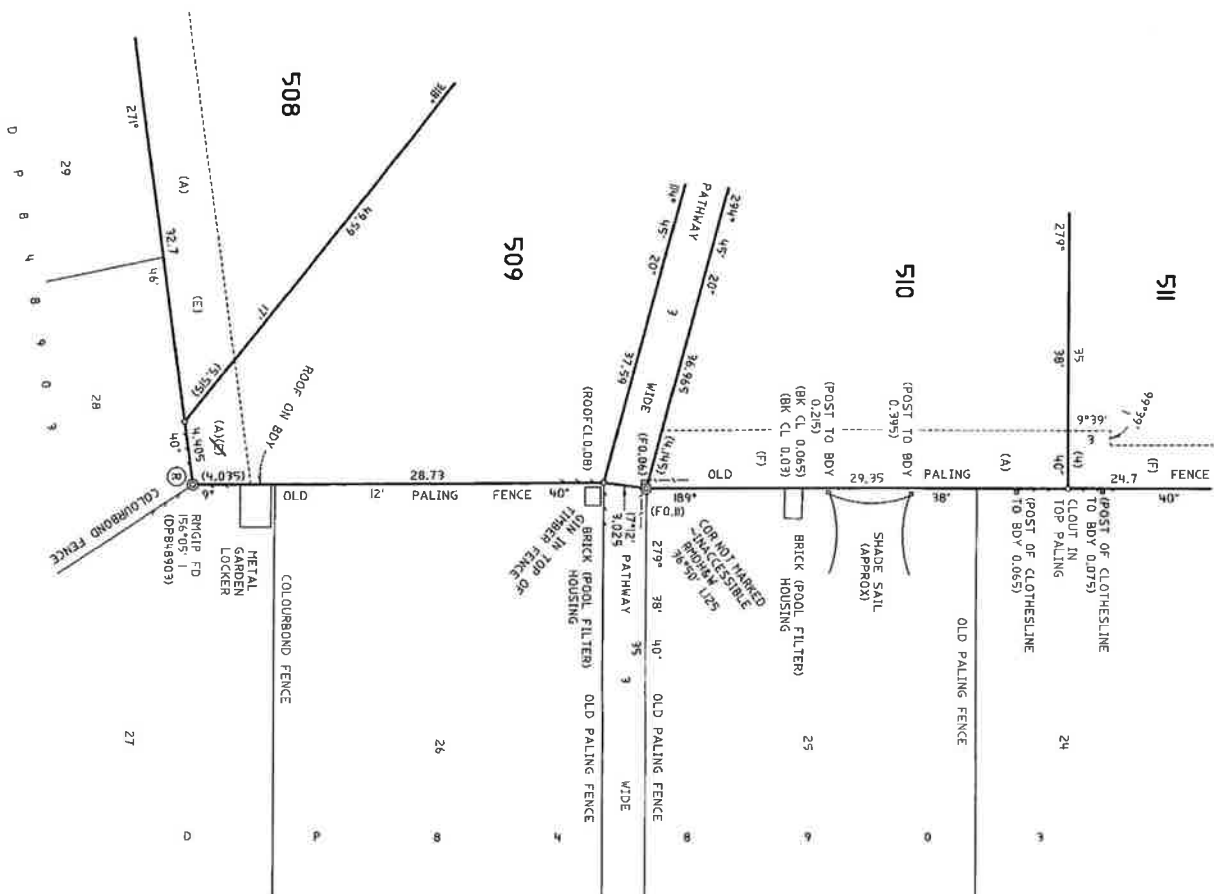
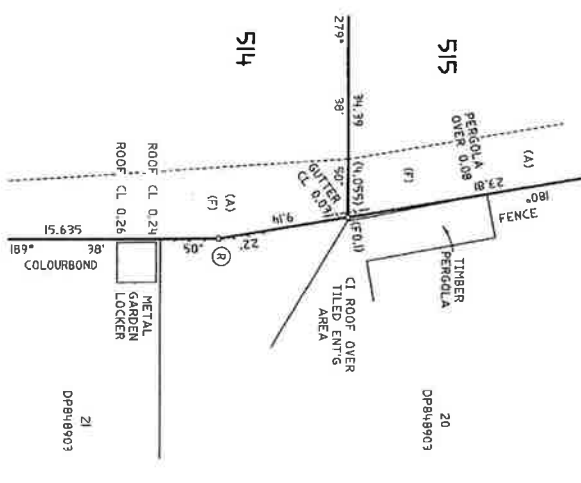
PLAN OF SUBDIVISION OF
 LOTS 1, 6 & 33 IN DP848903

LCA: CLARENCE VALLEY
 Locality: JUNCTION HILL
 Subdivision No: 2010/0022
 Lengths are in metres. Reduction Ratio 1:

Registered

07.06.2010

DP1151839

DIAGRAM AD
RR 1:250DIAGRAM AC
RR 1:250

- (A) EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
 (B) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (C) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (D) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (E) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (F) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 (G) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (H) EASEMENT FOR POWER NETWORK VARIABLE WIDTH
 (I) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (J) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (K) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (L) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (M) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (N) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (O) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (P) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (Q) EASEMENT FOR FILL BATTER VARIABLE WIDTH
 (R) DENOTES RAMPS/ET NAIL IN TOP COLOURBOND FENCE

Surveyor: JAMES PATRICK O'DONOGHUE
 BOTANLEY & O'DONOGHUE PTY LTD
 12 PRINCE STREET GRAFTON 2460
 Date of Survey : 10.02.2010
 Surveyor's Ref : 10832 CHECKLIST

PLAN OF SUBDIVISION OF LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY
 Locality : JUNCTION HILL
 Subdivision No: 2010/0022

Registered
 07/06/2010

DP1151839

PLAN FORM 6

WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

* OFFICE USE ONLY

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 AS AMENDED IT IS INTENDED TO CREATE:-

1. EASEMENT FOR DRAINAGE OF SEWAGE VARIABLE WIDTH
2. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
3. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
4. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
5. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
6. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
7. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
8. EASEMENT FOR FILL BATTER VARIABLE WIDTH
9. RESTRICTIONS ON THE USE OF LAND

.....CONTINUED ON SHEET 2.....

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:.....CLARENCE VALLEY COUNCIL.....

Date of Endorsement: 23 April 2010

Accreditation no:

Subdivision Certificate no: 23042010/0022

File no: GS09/0032

* Delete whichever is inapplicable.



DP1151839 S

Registered: 07.06.2010

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

LGA: CLARENCE VALLEY

Locality: JUNCTION HILL

Parish: GREAT MARLOW

County: CLARENCE

Surveying Regulation, 2006

I, JAMES PATRICK O'DONOHUE
of BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON NSW 2460

a surveyor registered under the *Surveying and Spatial Information Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying and Spatial Information Regulation, 2006* and was completed on: 10.02.2010

The survey relates to LOTS 501 TO 539, ROADS & PATHWAY
(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature: Dated: 19.03.2010
Surveyor registered under the *Surveying Act, 2002*

Datum Line: X - Y

Type: Urban/Rural

Plans used in the preparation of survey/compilation

DP252966
DP634589
DP848903

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

SURVEYOR'S REFERENCE: 10832 CHECKLIST

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF
LOTS 1, 6 & 33 IN DP848903

DP1151839

Registered:



07.06.2010

Subdivision Certificate No:

Subd 200/0022

Date of Endorsement:

23 April 2010

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.

....CONTINUED FROM SHEET 1...

IT IS INTENDED TO:-

1. DEDICATE LOTS 538 & 539, THE EXTENSIONS OF MARTIN CRESCENT 20 WIDE & VARIABLE WIDTH, CROWTHER DRIVE 20 WIDE & VARIABLE WIDTH, SCHONBIEN COURT 16 WIDE & VARIABLE WIDTH AND THE PATHWAY 3 WIDE TO THE PUBLIC AS ROAD;

AND

2. CREATE LOTS 536 & 537 AS DRAINAGE RESERVE.

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

MAYOR

GENERAL MANAGER



SURVEYOR'S REFERENCE:

10832 CHECKLIST

* OFFICE USE ONLY

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 Conveyancing Act 1919¹



Plan: **DP1151839 B**

(Sheet 1 of 3 Sheets)

Lots 1 and 6 DP 84 8903
 and

Plan of subdivision of Lot 33 DP848903
 covered by Subdivision Certificate No. 200/0022

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

Clarence Valley Council
 Locked Bag 23 Grafton, NSW 2460

PART 1 (Creation)

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	Easement for drainage of sewage variable width Shown (A)	501,502,503,504, 506,507,508,509, 510,513,514,515, 521,522,523,525, 528,530,535	Clarence Valley Council
2	Easement for drainage of water variable width shown (B)	521,522,523,535 521 522 523 535	Clarence Valley Council 520 520,521 520,521,522,524 520,521,522,523 524
3	Easement for drainage of water variable width shown (B) and (C)	502,503,504, 521,522,523,535	Lot 1 DP1057941
4	Easement for drainage of water variable width shown (C)	502,503,504 502 503	Clarence Valley Council 503,504 504
5	Easement for drainage of water variable width shown (D)	524 525 530 532	523,525 524,526 524,525,526,532 524,525,526,530
6	Easement for drainage of water variable width shown (E)	505 506 507 508	506,507,508,509 507,508,509 508,509 509

DP1151839

(Sheet 2 of 3 Sheets)

Plan:

Plan of ... covered by Subdivision Certificate No. 2010/0022

7	Easement for drainage of water variable width shown (F)	510 511 512 513 514 515	511,512 512 511 511,512 511,512,513 511,512,513,514
8	Easement for Fill batter Variable width (G)	504,505,506,507, 508,509, 513,514,515	Clarence Valley Council
9	Restrictions on the use of land	501,502,503,504, 505,506,507,508, 509,510,511,512, 513,514,515,516, 517,518,519,520, 521,522,523,524, 525,526,527,528, 529,530,531,532, 533,534,535	Clarence Valley Council

PART 2 (Terms)

Terms of easement numbered 3 in the plan.

An easement for drainage of water as defined by Part 8 of Schedule 8 of the Conveyancing Act 1919 with the addition of clause 3 below:

"3. In exercising those powers, the owner of the lot benefitted must not drain any water:-

- (a) from any source other than from residential lots created in a subdivision of the lot benefitted and solely for the purpose of providing inter allotment drainage of those residential lots, and
- (b) without first obtaining development consent of the Clarence Valley Council."

Terms of easement numbered 8 in the plan.

An easement for batter within the meaning of Part 6 of Schedule 8 of the Conveyancing Act 1919 except that the words "The owner of the lot benefitted" shall be removed and the words "The body having the benefit of this easement" shall be inserted in their place.

Terms of restrictions on the use of land numbered 9 in the plan.

- (a) No fence shall be erected on any Lot hereby burdened to divide the same from any adjoining land or Lot whilst such land or Lot is owned by the said Clarence Valley Council or its successors other than Purchasers on sale

DP1151839

(Sheet 3 of 3 Sheets)

Plan: **DP1151839** Plan of ... covered by Subdivision Certificate No. **220/0022**

without the consent of the said Clarence Valley Council or its successors other than Purchasers on sale but such consent shall not be withheld if such fence is erected without expense to the said Clarence Valley Council or its successors other than Purchasers on sale and in favour of any person dealing with a transferee from the said Clarence Valley Council or its successors such consent shall be deemed to have been given in respect of every such fence for the time being erected.

- (b) No building shall be constructed on the lot burdened of other than new materials and no building which has previously been prefabricated or constructed on another parcel of land shall be erected or permitted to remain erected on the lot burdened.

The instrument should be signed in accordance with Item 9 Schedule 4 Conveyancing (General) Regulation 1998.

I certify that , the owner, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by , the owner.

Signature of :

Signature of witness **R Essex**

Name of witness: **RHONDA ESSEX**

Address of witness: **201 BENT ST
SOUTH GRAFTON**

THE COMMON SEAL OF
CLARENCE VALLEY COUNCIL
WAS HEREUNTO AFFIXED
PURSUANT TO A RESOLUTION
OF COUNCIL DATED
20TH OF APRIL, 2010

[Signature]
MAYOR
[Signature]
GENERAL MANAGER



[Signature]
Authorised officer

Consent Authority: **Clarence Valley Council**

DP1151839