

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 1919

(Sheet 1 of 13 sheets)

Plan: DP1309626

Plan of Subdivision of Lot 2402 in DP1321083
and Easement & Restrictions affecting
Lot 2404 in DP1321083
covered by Subdivision Certificate No. 14.2023.292.4
Dated: 28/05/2026

**Full name and address
of the owner(s) of the land:**

Mirvac Residential Sub Co Pty Ltd
(ACN 672 683 797)
Level 28, 200 George Street,
Sydney NSW 2000

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 Support, Access and Maintenance 0.9 Wide (A1)	2301 2302 2303 2304 2305 2307 2308 2309 2310	2302 2303 2304 2305 2306 2308 2309 2310 2311
2	Easement for Drainage of Water 1.5 Wide (B)	2308 2309 2310	2309 – 2311 incl. 2310 & 2311 2311
3	Easement for Drainage of Water 2 Wide (C)	2307	2308 – 2311 incl.
4	Easement for Padmount Substation 5.05 Wide (F)	2404/1321083	Epsilon Distribution Ministerial Holding Corporation
5	Restriction on the Use of Land (G)	Pt 2404/1321083 (G)	Epsilon Distribution Ministerial Holding Corporation
6	Restriction on the Use of Land (H)	Pt 2404/1321083 (H)	Epsilon Distribution Ministerial Holding Corporation
7	Positive Covenant	Every lot	Camden Council

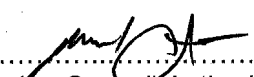
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Camden Council Authorised Person

(Sheet 2 of 13 sheets)

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Plan of Subdivision of Lot 2402 in DP1321083
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8	Restriction on the Use of Land	Every lot	Camden Council
9	Restriction on the Use of Land	Every lot	Camden Council
10	Restriction on the Use of Land	Every lot	Camden Council
11	Restriction on the Use of Land	Every lot	Every other lot
12	Restriction on the Use of Land	Every lot	Every other lot
13	Restriction on the Use of Land	2303, 2307 & 2311	Camden Council


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Camden Council Authorised Person

(Sheet 3 of 13 sheets)

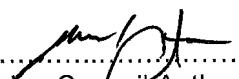
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Part 2 (Terms)

1. Terms of Easement numbered 1 in the abovementioned plan:

- 1.1. The Owner of the lot burdened grants to the Owner of the lot benefited the right for the lot benefited to be supported by the soil or any structure erected in the Easement Site that the dwelling and associated structures on the lot benefited derives support from.
- 1.2. The Owner of the lot burdened must not do anything which may affect or have tendency to affect the stability of the soil or any structures erected in the Easement Site.
- 1.3. Subject to clause 1.2, the Owner of the lot burdened may carry out repairs and maintenance or improvements to any landscaping within the Easement Site including installing a security gate.
- 1.4. The Owner of the lot benefited, and every person authorised by that person may, by any reasonable means:
 - (a) access and take anything onto the lot burdened, but only within the Easement Site, for the purpose of doing anything reasonably necessary for the purpose of constructing, renewing, replacing, painting, repairing and maintaining the dwelling and associated structures adjacent to the Easement Site, situated on the lot benefited, that may or may not be built up to the boundary line adjacent to the lot burdened; and
 - (b) remain on the Easement Site for any reasonable time for the purposes outlined in clause 1.4(a).
- 1.5. The Owner of the lot benefited, and every person authorised by that person, must:
 - (a) cause as little inconvenience as is practicable to the Owner and any occupier of the lot burdened whilst exercising their rights under this Easement;
 - (b) comply with all reasonable directions by the Owner of the lot burdened in connection with the use of the Easement Site including, without limitation, any direction in respect of the hours and method of access; and
 - (c) except in an emergency, provide the Owner and any occupier of the lot burdened reasonable notice of the times and methods of access.
- 1.6. In exercising the powers granted under this Easement, the Owner of the lot benefited must:
 - (a) ensure that all work is done properly;
 - (b) cause as little damage as is practicable to the lot burdened and any improvement on it;
 - (c) restore the Easement Site as nearly as is practicable to its former condition after any work has been carried out; and
 - (d) make good any collateral damage.
- 1.7. The grant of this easement is made subject to the existence of, and the right of the Owner of the lot burdened to construct eaves and guttering from the dwelling on the lot burdened that overhang the Easement Site.


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- 1.8. The Owner of the lot burdened and the Owner of the lot benefited acknowledge that it is not the responsibility of Camden Council to determine any dispute in relation to the Easement for Support, Access and Maintenance and any dispute is a civil matter to be resolved between the parties.

The Authority whose consent is required to release, vary or modify the Easement numbered 1 in the plan is **Camden Council**.

2. Terms of Easement numbered 2 in the abovementioned plan:

- 2.1. An Easement for Drainage of Water as set out in Schedule 8, Part 8 of the *Conveyancing Act 1919* (NSW), as amended, together with the following additions:
- (a) the Owners of the lot burdened must not make or permit, or suffer the making of, any alterations to the finished surface levels within the Easement Site; and
 - (b) any fencing erected across the Easement Site is to be open form fencing.

The Authority whose consent is required to release, vary or modify the Easement numbered 2 in the plan is **Camden Council**.

3. Terms of Easement numbered 3 in the abovementioned plan:

- 3.1. An Easement for Drainage of Water as set out in Schedule 8, Part 8 of the *Conveyancing Act 1919* (NSW), as amended, together with the following additions:
- (a) the Owners of the lot burdened must not make or permit, or suffer the making of, any alterations to the finished surface levels within the Easement Site; and
 - (b) any fencing erected across the Easement Site is to be open form fencing.

The Authority whose consent is required to release, vary or modify the Easement numbered 3 in the plan is **Camden Council**.

4. Terms of Easement numbered 4 in the abovementioned plan:

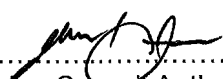
The terms set out in Section 1 of Memorandum AR578978 are incorporated into this document.

The Authority whose consent is required to release, vary or modify the Easement numbered 4 in the plan is **Epsilon Distribution Ministerial Holding Corporation**.

5. Terms of Restriction numbered 5 in the abovementioned plan:

The terms set out in Section 8 of Memorandum AR578978 are incorporated into this document.

The Authority whose consent is required to release, vary or modify the Restriction numbered 5 in the plan is **Epsilon Distribution Ministerial Holding Corporation**.


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Dated: *28/05/2026*

6. Terms of Restriction numbered 6 in the abovementioned plan:

The terms set out in Section 9 of Memorandum AR578978 are incorporated into this document.

The Authority whose consent is required to release, vary or modify the Restriction numbered 6 in the plan is **Epsilon Distribution Ministerial Holding Corporation**.

7. Terms of Positive Covenant numbered 7 in the abovementioned plan:

The Owner of the lot burdened must:

- (a) keep vegetation within the Inner Protection Area to a minimum level;
- (b) keep litter fuels within the Inner Protection Area below 1cm in height and be discontinuous;
- (c) comply with the following requirements as described in section A4.1.1 of the NSW Rural Fire Service document Planning for Bush Fire Protection 2019:

Trees

- (i) tree canopy cover should be less than 15% at maturity;
- (ii) trees at maturity should not touch or overhang the building;
- (iii) lower limbs should be removed up to a height of 2 metres above the ground;
- (iv) tree canopies should be separated by 2 to 5 metres;
- (v) preference should be given to smooth barked and evergreen trees;

Shrubs

- (vi) large discontinuities or gaps in the vegetation should be created to slow down or break the progress of fire towards buildings;
- (vii) shrubs should not be located under trees;
- (viii) shrubs should not form more than 10% ground cover;
- (ix) clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

Grass

- (x) grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- (xi) leaves and vegetation debris should be removed.

In this covenant, **"Inner Protection Area"** means the curtilage around the dwelling on the lot burdened, consisting of a mown lawn and well maintained gardens.

The Authority whose consent is required to release, vary or modify the Positive Covenant numbered 7 in the plan is **Camden Council**.


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Dated: **28/05/2026**

8. Terms of Restriction numbered 8 in the abovementioned plan:

No dwelling or structure shall be constructed on the lots hereby burdened unless its maximum height is less than 8.5 metres, in accordance with the Maximum Building Height Heat Map, prepared by Orion (Project No. 21-0258, Set No. 05, Plan 500, Revision C, Dated 16/01/2024).

The Authority whose consent is required to release, vary or modify the Restriction numbered 8 in the plan is **Camden Council**.

9. Terms of Restriction numbered 9 in the abovementioned plan:

No dwelling shall be permitted to be constructed on the lots burdened unless the footings of the building have been designed by a suitably qualified civil and/or structural engineer.

The Authority whose consent is required to release, vary or modify the Restriction numbered 9 in the plan is **Camden Council**.

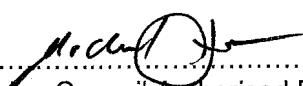
10. Terms of Restriction numbered 10 in the abovementioned plan:

10.1. No buildings or structures shall be constructed on the lots burdened unless all construction works, including earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land, are carried out in accordance with Council's engineering specifications and the salinity control measures outlined in the Salinity Management Plan.

10.2. In this Restriction, "Salinity Management Plan" means:

- (a) Detail Salinity Assessment Report, 421 The Northern Road, Cobbitty Lot 2005 in DP1162239, prepared by Geotest Services Pty Ltd, Ref: P33603.1_R01, dated 2 February 2022, and
- (b) Report on Lot Classification and Salinity Assessment: 'Light Green' Stages 2 and 3, 593 Cobbitty Road, Cobbitty NSW, prepared by Douglas Partners, Ref: 92323.27.R.002.Rev0, dated 30 April 2026.

The Authority whose consent is required to release, vary or modify the Restriction numbered 10 in the plan is **Camden Council**.


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Camden Council Authorised Person

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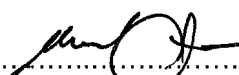
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11. Terms of Restriction numbered 11 in the abovementioned plan:

- 11.1. No fence shall be erected on a lot burdened to divide it from any adjoining land owned by Mirvac without the consent of Mirvac.
- 11.2. No air-conditioning unit is to be installed:
 - (a) in any front porch/balcony of a lot burdened; or
 - (b) in any area on or in a lot burdened where the air conditioning unit is visible from ground level outside the lot burdened.
- 11.3. No garbage containers and recyclable materials are to be stored on or in any lot burdened unless secured or stored so that they are hidden from view from outside the lot burdened and do not emit odours.
- 11.4. No vehicle may be parked on a lot burdened unless it is parked:
 - (a) in a garage or driveway on the lot burdened; or
 - (b) in an area designated as being an area where a vehicle may be parked.
- 11.5. No boats, trailers, caravans or any other towable item may be parked on or in a lot burdened if the boat, trailer, caravan or any other towable item is visible from ground level outside the lot burdened.
- 11.6. No retaining wall that is visible from ground level outside a lot burdened shall be constructed or permitted to remain constructed unless the retaining wall is constructed of a masonry material.
- 11.7. In this Restriction, "**Mirvac**" means Mirvac Residential Sub Co Pty Ltd (ACN 672 683 797) and its successors, nominees or assigns other than purchases on sale.

The Corporation whose consent is required to release, vary or modify the Restriction numbered 11 in the plan is **Mirvac Residential Sub Co Pty Ltd ACN 672 683 797** and/or its successors, nominees and/or assigns, other than purchases on sales, for such period as it is the Owner of land in the plan and thereafter the Owners of the lots benefited PROVIDED THAT any release, variation or modification of these restrictions shall be made and done in all respects at the cost and expense of the person or persons requesting the release, variation or modification.


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12. Terms of Restriction numbered 12 in the abovementioned plan:

12.1. No building shall be constructed on the lot burdened, and the Owner of the lot burdened must not make an application to Camden Council for a development consent to approve a building to be constructed on the lot burdened, unless the building and ancillary landscaping and fencing complies with:

- (a) the Design Guidelines; and
- (b) any other conditions required by any relevant Authority.

12.2. The Owner of the lot burdened must not do any of the following unless and until the Owner of the lot burdened obtains the prior written approval of the Review Panel:

- (a) erect any building or structure;
- (b) carry out any siteworks (including fencing, excavation, filling or retaining walls);
- (c) erect a fence or wall;
- (d) erect any external sign, hoarding, tank, clothes line, letter box, mast, pole, television antenna, satellite dish or radio aerial either freestanding or fixed to any building; or
- (e) erect or place any external floodlights or spotlights to any lights illuminating any pool or other similar enclosure.

12.3. These restrictions shall expire and have no further force or effect on the date being the first to occur of:

- (a) 15 October 2027; and
- (b) one year after the date an occupancy certificate is issued to the registered proprietor of a dwelling approved by the Review Panel on the last remaining lot in the Development such that there are no further vacant lots in the Development (excluding any lots upon which no dwelling is permitted to be erected).

The Corporation whose consent is required to release, vary or modify the Restriction numbered 12 in the plan is **Mirvac Residential Sub Co Pty Ltd ACN 672 683 797** and/or its successors, nominees and/or assigns, other than purchases on sales, for such period as it is the Owner of land in the plan and thereafter the Owners of the lots benefited PROVIDED THAT any release, variation or modification of these restrictions shall be made and done in all respects at the cost and expense of the person or persons requesting the release, variation or modification.


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Dated: **28/03/2026**

13. Terms of Restriction numbered 13 in the abovementioned plan:

No driveway shall be constructed unless it is more than 1 metre from any pram ramp (otherwise known as a kerb ramp) and does not conflict with other road related infrastructure.

The Authority whose consent is required to release, vary or modify the Restriction numbered 13 in the plan is **Camden Council**.

14. Definitions

In this Instrument:

- (a) **Authority** means a government or governmental, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency or entity and includes Camden Council (or its successor).
- (b) **Benefited Authority** means the Authority having the benefit of an easement under this Instrument.
- (c) **Design Guidelines** means the design guidelines (as may be varied from time to time) specified by the Review Panel which regulate all building and ancillary landscaping work as applicable to the Development.
- (d) **Development** means the development known as "Cobbitty by Mirvac" comprised in Lots 1, 2, 3, 4, 5 and 6 in Deposited Plan 1276275 or any future lots created from the subdivision of these parcels.
- (e) **Easement Site** means in relation to an easement in this Instrument:
 - (i) the site of an easement on the plan; and
 - (ii) all items within the site of the easement identified on the plan which are the subject of the easement.
- (f) **Instrument** means this section 88B instrument.
- (g) **Owner** means a person who is entitled to an estate or interest in possession in a lot.
- (h) **Review Panel** means the Mirvac Design Review Panel.


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Dated: **28/05/2026**

Signatures

Consent of Owner:

I certify that the attorney signed this
instrument in my presence.

Signature of witness:

Signed by:

Peter Ioannou

F1D90B848A3A433...

Name of witness:

Peter Ioannou

Address of witness:

Level 28, 200 George Street Sydney
NSW 2000

Digitally signed by Peter
Ioannou. Date 28/05/2026

Signed by the attorney named below who signed
this instrument pursuant to the power of attorney
specified for **Mirvac Residential Sub Co Pty Ltd**
(ACN 672 683 797)

Signature of attorney:

DocuSigned by:

Adam Perrott

9733096D9E78491...

Attorney name: Adam Perrott

Attorney position: Development Director

Power of attorney: Book 4843

No 111

Signature of attorney:

Digitally signed by Adam
Perrott. Date 28/05/2026

Signed by:

Ayberk Sahin

AA3E16957C86463...

Attorney name: Ayberk Sahin

Attorney position: Development Manager

Power of attorney: Book 4843

No 111

Digitally signed by Ayberk
Sahin. Date 28/05/2026

[Signature]
Camden Council Authorised Person

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Signatures

Consent of Mortgagee:

I certify that the attorney signed this
instrument in my presence.

Signature of witness:

Signed by:

Peter Ioannou

F1D90B848A3A433...

Name of witness:

Peter Ioannou

Address of witness:

Level 28, 200 George Street Sydney
NSW 2000

Digitally signed by Peter
Ioannou. Date 28/05/2026

Signed by the attorney named below who signed
this instrument pursuant to the power of attorney
specified for **Mirvac Cobbitty Pty Ltd**
(ABN 14 682 963 533)

Signature of attorney:

DocuSigned by:

Adam Perrott

9733096D9E78491...

Attorney name: Adam Perrott

Attorney position: Development Director

Power of attorney: Book 4843

No 64

Signature of attorney:

Digitally signed by Adam
Perrott. Date 28/05/2026

Signed by:

Ayberk Sahin

AA3E16957C86463...

Attorney name: Ayberk Sahin

Attorney position: Development Manager

Power of attorney: Book 4843

No 64

Digitally signed by Ayberk
Sahin. Date 28/05/2026

[Signature]
Camden Council Authorised Person

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Dated: **28/05/2026**

Signatures

I certify that the attorney signed this
instrument in my presence.

Signed by the attorney named below who signed
this instrument pursuant to the power of attorney
specified for **Endeavour Energy Network Asset
Partnership (ABN 30 586 412 717)** on behalf of
**Epsilon Distribution Ministerial Holding
Corporation (ABN 59 253 130 878)** pursuant to
section 36 of the Electricity Network Assets
(Authorised Transactions) Act 2015 (NSW)

Signature of witness:

 Digitally signed
by Megan Dowds
Date: 06.05.2026

Signature of attorney:

 Digitally signed
by Simon Lawton
Date: 06-May-26

Name of witness:

Megan Dowds

Attorney name: Simon Lawton

Attorney position: Strategic Property Manager

Address of witness:

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

Power of attorney: Book 4846

No 203

EE reference: URS29808

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

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Signatures

Executed by Camden Council by its authorised delegate pursuant to Section 378 of the Local Government Act 1993



Signature of Delegate

MICHAEL GRASSO

Name of Delegate

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



Signature of Witness

BRIAN WIOAJA

Name of Witness

70 CENTRAL AVENUE GRAN PARK 2570

Address of Witness

REGISTERED:



3/06/2026