

Instrument setting out terms of Easements and Restrictions on Use of Land intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 1 of 4 Sheets)

Plan : Plan of subdivision of Lot 433 in DP 1013379 and covered by Subdivision Certificate No. dated

Full name and address of the owner of the land : The Council of Murrumbidgee  
35 Jerilderie Street, Jerilderie NSW 2716

**Part 1 (Creation)**

Number of item shown in the intention panel on the plan	Identity of easement to be created and referred to in the plan	Burdened Lots	Benefited Lots and Prescribed Authority
1	Easement for drainage of sewage 3 metres wide	Lots 45 to 53 inclusive	Murrumbidgee Council
		Lot 55	
		Lot 63	
		Lot 71	
		Lot 80	
2	Easement for drainage of sewage 5 metres wide	Lot 48	Murrumbidgee Council
		Lot 77	
3	Restrictions on Use of Land	Lots 41 to 77 inclusive	Every other Lot and Murrumbidgee Council

**Part 2 (Terms)**

**1. Terms of Restriction on Use of Land numbered 3 on the plan.**

- (a) The lots burdened shall not be used for any purpose other than residential development, as defined in the Jerilderie Local Environment Plan 2012 (or such replacement Environmental Planning Instrument).
- (b) No more than one dwelling house shall be erected or allowed to remain erected on the Lots burdened having an internal floor area of less than 180 square metres (excluding the area of any verandah, patio, attached garage or carport) provided however that the relevant authority may approve of a "Granny Flat" having an internal floor area of not more than 65 square metres.
- (c) No buildings shall be erected within the stated building lines except in exceptional circumstances and then only with the approval of Murrumbidgee Council.

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- (d) No dwelling house shall be erected within the building setback shown below:
  - Front setback 5 metres
  - Secondary road setback 5 metres
  - Side setbacks 900mm to walls; 675mm to gutter
- (e) No outbuildings shall be erected within the building setbacks as defined in (d) above.
- (f) No applications will be approved by the relevant authority unless the design and materials allow for quality style of development.
- (g) No external building materials will be utilized other than brick, masonry, weatherboard with tile or colorbond roofing materials. Small amounts of other materials may be used subject to relevant authority approval.
- (h) No colours are to be used other than of an earthen type and compatible with the surrounding developments, reflective material is not permitted.
- (i) No medium density housing will be permitted on Lots 41 to 73 inclusive.
- (j) No development will be approved by the relevant authority unless a minimum of two car parking spaces are provided for each allotment, with at least one being contained behind the building line, excluding Lots 74 to 77 inclusive.
- (k) No courtyards will be permitted within the building line except in cases where privacy is required and the construction is approved by the relevant authority.
- (l) No dwelling house shall be erected or allowed to remain erected on the lots burdened unless the roof is of a hipped or gabled design.
- (m) No second hand dwelling house shall be partially or wholly moved, placed on, re erected or permitted to remain on the lots burdened.
- (n) No structure of a temporary character; basement, tent, shack, garage, trailer, camper or caravan or any other outbuilding shall be used at any time or occupied as a temporary dwelling house.
- (o) No corrugated iron or reflective fencing shall be allowed.
- (p) No rear or side fences shall be erected exceeding 1800mm in height unless approved by Murrumbidgee Council.
- (q) No side fences within the 5 metre building lines shall be erected exceeding 900mm in height.
- (r) No fences shall be permitted across the road frontage of the allotment.
- (s) No fences shall be erected on the secondary road frontage of a corner allotment.

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- (t) No fence shall be erected on any lot to divide it from adjoining land owned by Murrumbidgee Council unless such fence is erected without expense to Murrumbidgee Council.

Name of Person empowered to Release, Vary or Modify restriction numbered 3 on the Plan.

Murrumbidgee Council

The Common Seal of THE COUNCIL OF MURRUMBIDGEE was hereunto affixed this 1st day of July 2016 in pursuance of a resolution of the Council passed on the 23rd day of June 2016



*AW Evans*

(Administrator)

*Craig Moffitt*

(Interim General Manager)

Signed for MURRUMBIDGEE COUNCIL in my presence by Austin Evans (Name of Administrator)

*AW Evans*

(Signature of Administrator)

who is personally known to me :

*Craig Moffitt*

Signature of Witness

CRAIG MOFFITT

Name of Witness (Block letter)

9 Goolgumbula Esp

JERILDERIE

Address of Witness

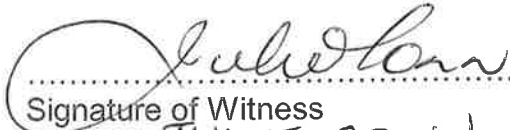
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Signed for **MURRUMBIDGEE COUNCIL** in my  
presence by CRAIG MOFFITT  
(Name of Interim General Manager)

  
.....  
(Signature of Interim General Manager)

who is personally known to me :

  
.....  
Signature of Witness

JULIE CONN  
.....  
Name of Witness (Block letter)

42 COREEN ST  
.....

JERIDORIE 2716  
.....  
Address of Witness