

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 2 Sheets)

Plan: Plan of Subdivision covered by Subdivision Certificate No.

Full name and address of owner of the land: Propel Byron Villa Development Pty Ltd ACN 655 723 194
851 Bangalow Road, Talofa NSW 2481

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.	Restriction on the Use of Land	Lots 1-24	Byron Shire Council
2.	Restriction on the Use of Land	Lots 3, 4 & 5	Byron Shire Council

PART 2 (Terms)

Terms of easement, profit à prendre, restriction, or positive covenant numbered 1 in the plan.

The owner or occupier of the Burdened Lot must, except as otherwise permissible by law, ensure that the keeping of cats and dogs are managed at all times and on the following conditions:-

- (a) erection and maintenance of a dog-proof fence enclosing the private open space of the Burdened Lot;
- (b) ensure that any dog is only permitted outside of a Burdened Lot if the animal is on a leash and suitably controlled under the supervision of a responsible person; and
- (c) ensure that any cats are kept inside of the dwelling on the Burdened Lot unless confined to suitable enclosures at all times.

Name of person empowered to release, vary or modify easement, profit à prendre, restriction or positive covenant numbered 1 in the plan.

Byron Shire Council

Terms of easement, profit à prendre, restriction, or positive covenant numbered 2 in the plan.

1. For ten (10) years from the date of issue of the Occupation Certificate, the Burdened Lot is only to be used for the purposes of Affordable Housing and the dwelling on the Burdened Lot is to be managed by a Registered community housing provider.

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2. For the purposes of this instrument:

- (a) "Affordable Housing" means as defined in the *Environmental Planning and Assessment Act 1979* (NSW) and *State Environmental Planning Policy (Affordable Rental Housing) 2009*.
- (b) "Registered community housing provider" has the same meaning as in the *Housing Act 2001* (NSW).

Name of person empowered to release, vary or modify easement, profit à prendre, restriction or positive covenant numbered 2 in the plan.

Byron Shire Council

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

Corporation: Propel Byron Villa Development Pty Ltd
ACN 655 723 194
Authority: Section 127 of Corporations Act 2001 (Cth)

Signature of authorised person:

Signature of authorised person:

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Name of authorised person:
Office held:

Name of authorised person:
Office held: