

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2989

235

**RECORD OF CERTIFICATE OF TITLE**  
**UNDER THE TRANSFER OF LAND ACT 1893 AND THE**  
**STRATA TITLES ACT OF 1985**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

*BG Roberts*  
REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 104 ON STRATA PLAN 75504  
TOGETHER WITH A SHARE IN COMMON PROPERTY (IF ANY) AS SET OUT ON THE STRATA PLAN

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

[REDACTED] OF UNIT 507 7 CATTALINI LANE NORTH FREMANTLE WA 6159  
(T O898636 ) REGISTERED 7/10/2021

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. INTERESTS NOTIFIED ON THE STRATA PLAN AND ANY AMENDMENTS TO LOTS OR COMMON PROPERTY NOTIFIED THEREON BY VIRTUE OF THE PROVISIONS OF THE STRATA TITLES ACT OF 1985 AS AMENDED.
2. K622977 NOTIFICATION SECTION 165 PLANNING & DEVELOPMENT ACT 2005 LODGED 12/6/2008.
3. M364449 MEMORIAL. CONTAMINATED SITES ACT 2003 REGISTERED 7/8/2013.
4. N728194 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND. LODGED 29/9/2017.


Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: SP75504  
PREVIOUS TITLE: 2935-848  
PROPERTY STREET ADDRESS: UNIT 507 7 CATTALINI LANE, NORTH FREMANTLE.  
LOCAL GOVERNMENT AUTHORITY: CITY OF FREMANTLE

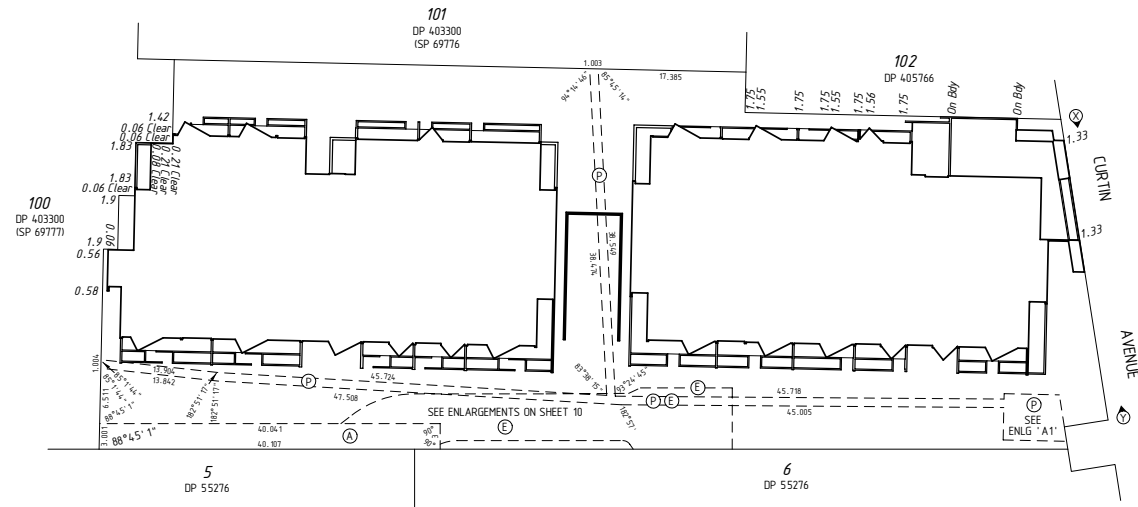
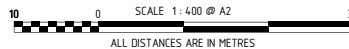
STRATA PLAN <b>75504</b> SHEET 01 OF 11 SHEETS	
TENURE TYPE	FREEHOLD
PLAN OF	LOT 103 ON DP 403300
CERTIFICATE OF TITLE	Volume 2935 Folio 848
LOCAL GOVERNMENT	CITY OF FREMANTLE
FIELD RECORD	151516
NAME OF SCHEME	COMPASS
ADDRESS OF PARCEL	5 CATTALINI LANE NORTH FREMANTLE, W.A., 6159
SCHEME BY-LAWS	YES
SURVEYOR'S CERTIFICATE - REG 54 I, Nigel J. SIMPSON hereby certify that this plan is accurate and is a correct representation of the - (a) *survey, and/or (b) *calculations from measurements recorded in the field records, [* delete if inapplicable] undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.  Nigel Simpson 2020.08.18 11:51:00 +08:00 LICENSED SURVEYOR DATE	
EXAMINED	20-Aug-2020 DATE
PLANNING APPROVAL	PLANNING AUTHORITY W.A.P.C. REFERENCE Delegated under S. 16 P&D Act 2005 DATE
IN ORDER FOR DEALINGS SUBJECT TO Modification of 136C Easement Prior Approval of DP419437 Application for Registration of Strata Titles Scheme Scheme By-Laws 3.9.2020 DATE	
FOR REGISTRAR OF TITLES	PLAN APPROVED 17.9.2020 DATE INSPECTOR OF PLANS AND SURVEYS (S. 18 Licensed Surveyors Act 1909)
REGISTERED	O500103 APPLICATION 17.9.2020 DATE REGISTRAR OF TITLES SEAL
 Landgate	

## LOCATION PLAN

HELD BY LANDGATE IN DIGITAL FORMAT ONLY

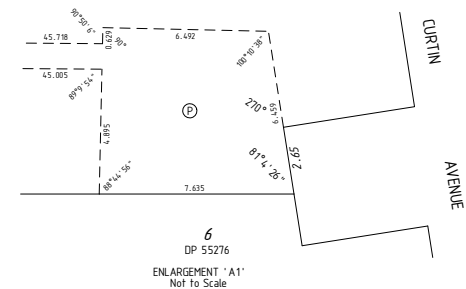
FOR REFERENCE TABLE  
SEE SHEET 11

VERSION	AMENDMENT	AUTHORISED BY	DATE
2	Plan Examination Requirements	Nigel J. SIMPSON	17/08/2020

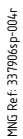
EASEMENT BENEFIT CREATED UNDER SECTION 136C T.L.A.  
FOR RIGHT OF CARRIAGEWAY PURPOSES SEE DP 55276

## INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(A)	RIGHT OF CARRIAGE WAY	SEC 136C OF THE TLA	DP 55276	COMMON PROPERTY	LOTS 5 & 6 ON DP 55276	MODIFIED BY DOC O476028
(X) (Y)	RESTRICTIVE COVENANT	SEC 129BA OF THE TLA	DOC K622978	ALL LOTS AND COMMON PROPERTY	MAIN ROADS WA	
(P)	EASEMENT (TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE)	SEC 136C OF THE TLA	DP 403300	COMMON PROPERTY	LOTS 100 & 101 ON DP 403300	LIMITED IN HEIGHT TO 3.8m AHD
(E)	EASEMENT		DOC O499985	COMMON PROPERTY	SEE DOC	LIMITED IN HEIGHT FROM RL's SHOWN ON ENLG 'A3' ON SHEET 10 AND DP 419437



SHEET 02 OF 11 SHEETS



NOTE : UNDERSIDE OF BASEMENT FLOOR SLAB IS 3.8m AHD.



STRATA PLAN

75504

SHEET 03 OF 11 SHEETS



MNG Ref: 337906sp-004r

AS TO THIS SHEET ONLY:  
UNDER SECTION 31(2)(A) OF THE STRATA TITLES ACT 1985, THE BOUNDARIES OF THE LOTS OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON THE STRATA PLAN ARE THE INNER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING.

THE STRATUM OF THE CARBAYS EXTENDS FROM THE UPPER SURFACE OF THE CARBAY FLOOR TO THE UNDER SURFACE OF THE CARBAY CEILING.

ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.

ALL DIMENSIONS FROM BUILDINGS ARE FROM EXTERNAL FACE OF WALLS UNLESS OTHERWISE STATED.

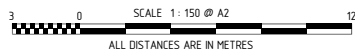
ALL ANGLES ON THE PLAN ARE MULTIPLES OF 45° UNLESS DEFINED BY STRUCTURES, PARCEL BOUNDARIES OR OTHERWISE STATED.

CB - CARBAY

S - STORE

■ - PILLAR (COMMON PROPERTY)

BASEMENT PLAN - ENLARGEMENT



HELD BY LANDGATE IN DIGITAL FORMAT ONLY

STRATA PLAN

75504

SHEET 04 OF 11 SHEETS

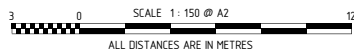


BASEMENT PLAN - ENLARGEMENT

AS TO THIS SHEET ONLY:  
UNDER SECTION 3(2)(A) OF THE STRATA TITLES ACT 1985, THE BOUNDARIES OF THE LOTS OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON THE STRATA PLAN ARE THE INNER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING.  
THE STRATUM OF THE CARBAYS EXTENDS FROM THE UPPER SURFACE OF THE CARBAY FLOOR TO THE UNDER SURFACE OF THE CARBAY CEILING.  
ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.  
ALL DIMENSIONS FROM BUILDINGS ARE FROM EXTERNAL FACE OF WALLS UNLESS OTHERWISE STATED.  
ALL ANGLES ON THE PLAN ARE MULTIPLES OF 45° UNLESS DEFINED BY STRUCTURES, PARCEL BOUNDARIES OR OTHERWISE STATED.

CB = CARBAY  
S = STORE

■ = PILLAR (COMMON PROPERTY)



HELD BY LANDGATE IN DIGITAL FORMAT ONLY

GROUND FLOOR PLAN

STRATA PLAN

75504

SHEET 05 OF 11 SHEETS



MNG Ref: 337906sp-004r

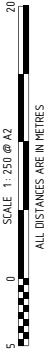
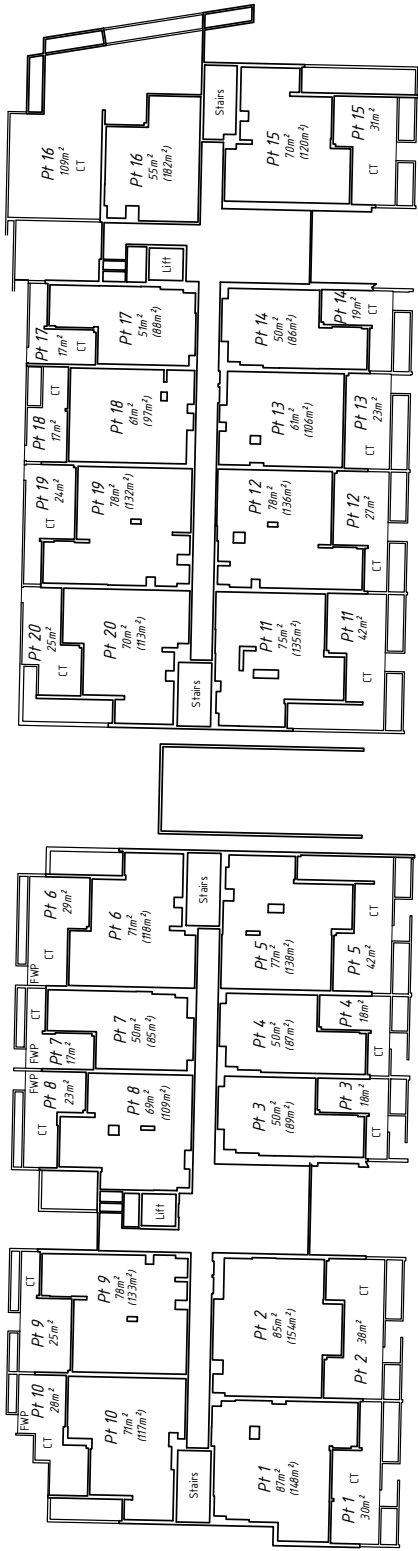
AS TO THIS SHEET ONLY: THE STRATA TILES ACT, 1985, THE BOUNDARIES OF THE STRATA PLAN ARE THE INNER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING. THE BOUNDARIES OF THE COURTYARDS ARE FROM THE EXTERNAL SURFACE OF THE BUILDING TO THE INNER SURFACE OF THE COURTYARD WALLS, UNLESS OTHERWISE ANNOTATED.

THE STRATUM OF THE COURTYARDS EXTENDS FROM THE UPPER SURFACE OF THE COURTYARD FLOOR TO THE UNDER SURFACE OF THE COURTYARD CEILING, OR WHERE NOT COVERED, TO THE PROJECTION OF THE UNDER SURFACE OF THE COURTYARD CEILING.

ALL STRUCTURAL CURB SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.

CT = COURTYARD

FWP = FACE OF WALL PRODUCED



75504

SHEET 06 OF 11 SHEETS



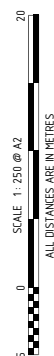
MNG Ref: 337906sp-004r

AS TO THIS SHEET ONLY: THE BOUNDARIES DERIVED ACCORDING TO THE STRATA TITLES ACT 1986, THE BOUNDARIES OF THE LOT OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON THE STRATA PLAN ARE THE UPPER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING. THE BOUNDARIES OF THE BALCONIES ARE FROM THE EXTERNAL SURFACE OF THE BUILDING TO THE INNER SURFACE OF THE BALCONY WALLS, OR THE INNER SURFACE OF THE BALUSTADING, UNLESS OTHERWISE STATED.

THE STRATUM OF THE BALCONY EXTENDS FROM THE UPPER SURFACE OF THE BALCONY FLOOR TO THE UNDER SURFACE OF THE BALCONY CEILING, OR WHERE NOT COVERED, TO THE PROJECTION OF THE UNDER SURFACE OF THE ADJOINING BUILDING LOT CEILING.

ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.

B = BALCONY



HELD BY LANDGATE IN DIGITAL FORMAT ONLY

STRATA PLAN

75504

SHEET 07 OF 11 SHEETS



MNG Ref: 337906sp-004r

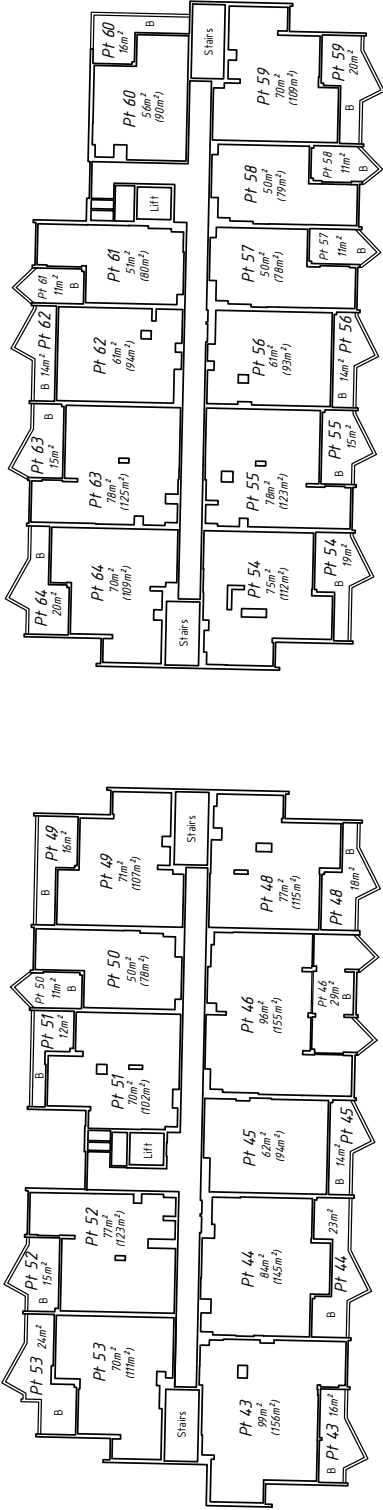
SECOND FLOOR PLAN

AS TO THIS SHEET ONLY, THE STRATA PLAN OF THE STRATA TITLES ACT, 1985, THE BOUNDARIES OF THE LOTS OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON THE STRATA PLAN ARE THE INNER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING. THE BOUNDARIES OF THE BALCONIES ARE FROM THE EXTERNAL SURFACE OF THE BUILDING TO THE INNER SURFACE OF THE BALCONY WALLS, OR THE INNER SURFACE OF THE BALUSTRADING, UNLESS OTHERWISE STATED.

THE STRATUM OF THE BALCONIES EXTENDS FROM THE UPPER SURFACE OF THE BALCONY FLOOR TO THE UNDER SURFACE OF THE BALCONY CEILING, UNLESS OTHERWISE STATED. THE STRATUM OF THE UNDER SURFACE OF THE ADDING BUILDING LOT CEILING.

ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.

B = BALCONY





STRATA PLAN  
75504

SHEET 08 OF 11 SHEETS



MNG Ref: 337906sp-004r

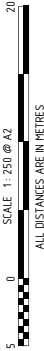
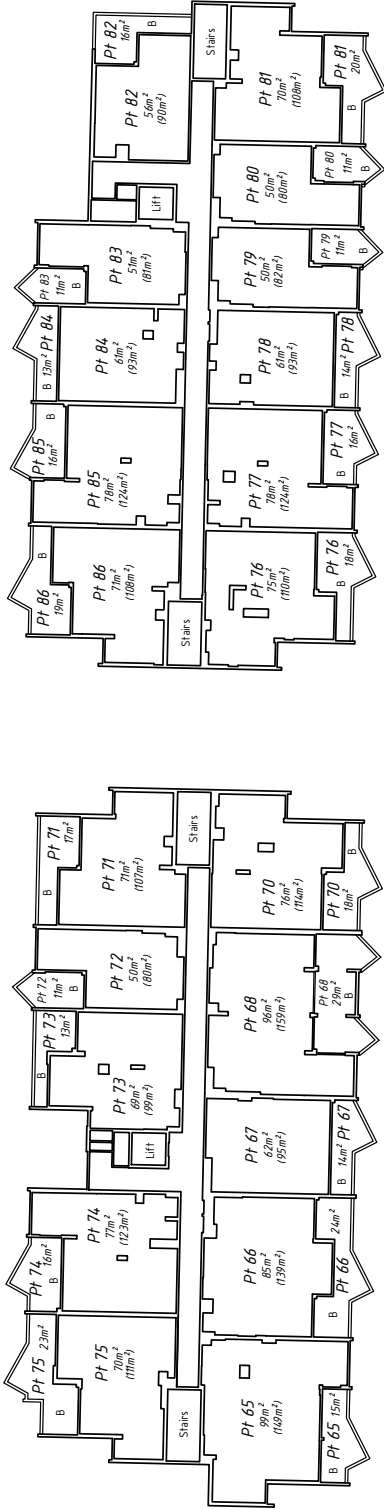
AS TO THIS SHEET ONLY:  
THE STRATA TITLES ACT 1985, THE BOUNDARIES  
OF THE LOTS OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON  
THE STRATA PLAN ARE: THE INNER SURFACES OF THE WALLS, THE UPPER  
SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING.  
THE BOUNDARIES OF THE BALCONIES ARE FROM THE EXTERNAL SURFACE  
OF THE BUILDING TO THE INNER SURFACE OF THE BALCONY WALLS, OR  
THE INNER SURFACE OF THE BALUSTADING, UNLESS OTHERWISE  
STATED.

THE STRATUM OF THE BALCONIES EXTENDS FROM THE UPPER SURFACE  
OF THE BALCONY FLOOR TO THE UNDER SURFACE OF THE BALCONY  
CEILING AND FROM THE EXTERNAL SURFACE OF THE BUILDING TO THE  
UNDER SURFACE OF THE ADJOINING BUILDING LOT CEILING.

ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING  
ARE COMMON PROPERTY.

B = BALCONY

THIRD FLOOR PLAN



HELD BY LANDGATE IN DIGITAL FORMAT ONLY

STRATA PLAN

75504

SHEET 09 OF 11 SHEETS



MNG

MNG Ref: 337906sp-004r

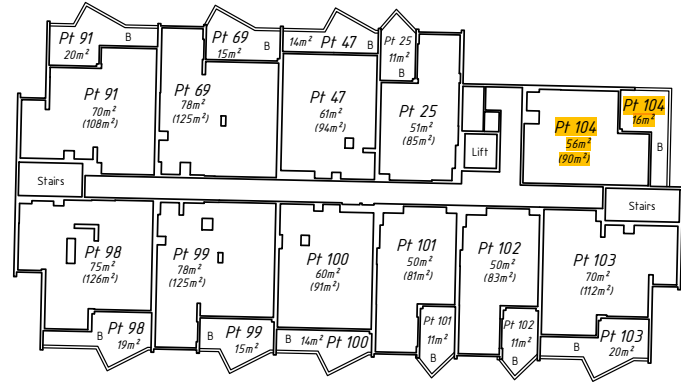
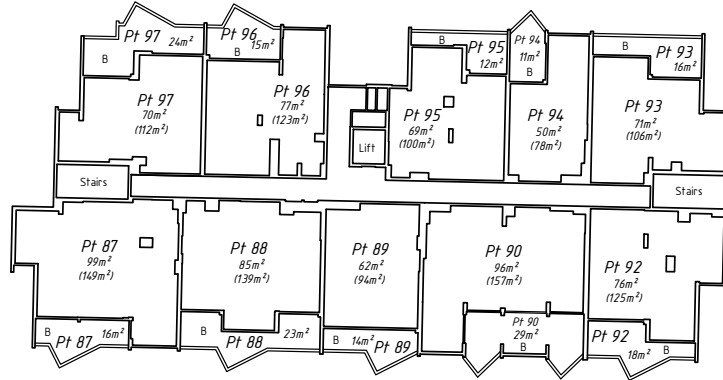
FOURTH FLOOR PLAN

AS TO THIS SHEET ONLY:  
UNDER SECTION 3(2)(A) OF THE STRATA TITLES ACT 1985, THE BOUNDARIES OF THE LOTS OR PARTS OF THE LOTS WHICH ARE BUILDINGS SHOWN ON THE STRATA PLAN ARE: THE INNER SURFACES OF THE WALLS, THE UPPER SURFACE OF THE FLOOR SLAB AND THE UNDER SURFACE OF THE CEILING.  
THE BOUNDARIES OF THE BALCONIES ARE FROM THE EXTERNAL SURFACE OF THE BUILDING TO THE INNER SURFACE OF THE BALCONY WALLS, OR THE INNER SURFACE OF THE BALUSTRADING, UNLESS OTHERWISE STATED.

THE STRATUM OF THE BALCONIES EXTENDS FROM THE UPPER SURFACE OF THE BALCONY FLOOR TO THE UNDER SURFACE OF THE BALCONY CEILING, OR WHERE NOT COVERED, TO THE PROJECTION OF THE UNDER SURFACE OF THE ADJOINING BUILDING LOT CEILING.

ALL STRUCTURAL CUBIC SPACE AND WALLS EXTERNAL TO THE BUILDING ARE COMMON PROPERTY.

B = BALCONY



SCALE 1 : 250 @ A2  
ALL DISTANCES ARE IN METRES

STRATA PLAN

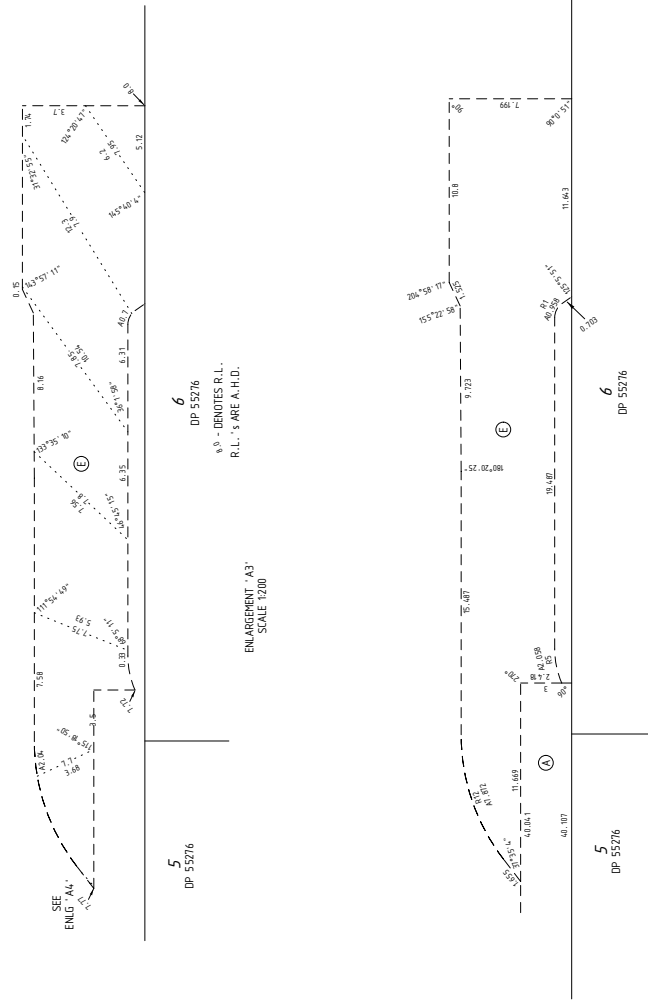
75504

SHEET 10 OF 11 SHEETS



MNG Ref: 337906sp-004r

LOCATION PLAN - ENLARGEMENT



ENLARGEMENT 'A4'  
Not To Scale



HELD BY LANDGATE IN DIGITAL FORMAT ONLY

STRATA PLAN

75504

SHEET 11 OF 11 SHEETS



REFERENCE TABLE

LOT	TOTAL AREA	FLOORS	SHEETS
1	148	B, G	2, 3, 5
2	154	B, G	2, 3, 5
3	89	B, G	2, 3, 5
4	87	B, G	2, 3, 5
5	138	B, G	2, 3, 5
6	118	B, G	2, 3, 5
7	85	B, G	2, 3, 5
8	109	B, G	2, 3, 5
9	133	B, G	2, 4, 5
10	117	B, G	2, 3, 5
11	135	B, G	2, 4, 5
12	136	B, G	2, 4, 5
13	106	B, G	2, 4, 5
14	86	B, G	2, 3, 4, 5
15	120	B, G	2, 4, 5
16	182	B, G	2, 3, 4, 5
17	88	B, G	2, 3, 5
18	97	B, G	2, 4, 5
19	132	B, G	2, 4, 5
20	113	B, G	2, 4, 5
21	147	B, 1	2, 3, 6
22	146	B, 1	2, 3, 6
23	94	B, 1	2, 3, 6
24	159	B, 1	2, 3, 6
25	85	B, 4	2, 4, 9
26	111	B, 1	2, 3, 6
27	106	B, 1	2, 3, 6
28	78	B, 1	2, 3, 6
29	98	B, 1	2, 3, 6
30	131	B, 1	2, 4, 6
31	113	B, 1	2, 3, 6
32	112	B, 1	2, 4, 6
33	123	B, 1	2, 4, 6
34	92	B, 1	2, 4, 6
35	79	B, 1	2, 3, 4, 6
36	79	B, 1	2, 3, 4, 6
37	108	B, 1	2, 4, 6
38	89	B, 1	2, 3, 4, 6
39	79	B, 1	2, 3, 6
40	94	B, 1	2, 4, 6

LOT	TOTAL AREA	FLOORS	SHEETS
41	127	B, 1	2, 4, 6
42	110	B, 1	2, 4, 6
43	156	B, 2	2, 3, 7
44	145	B, 2	2, 3, 7
45	94	B, 2	2, 3, 7
46	155	B, 2	2, 3, 7
47	94	B, 4	2, 4, 9
48	115	B, 2	2, 3, 7
49	107	B, 2	2, 3, 7
50	78	B, 2	2, 3, 7
51	102	B, 2	2, 3, 7
52	123	B, 2	2, 4, 7
53	111	B, 2	2, 3, 7
54	112	B, 2	2, 4, 7
55	123	B, 2	2, 4, 7
56	93	B, 2	2, 4, 7
57	78	B, 2	2, 4, 7
58	79	B, 2	2, 4, 7
59	109	B, 2	2, 4, 7
60	90	B, 2	2, 3, 4, 7
61	80	B, 2	2, 3, 7
62	94	B, 2	2, 4, 7
63	125	B, 2	2, 4, 7
64	109	B, 2	2, 4, 7
65	149	B, 3	2, 3, 8
66	139	B, 3	2, 3, 8
67	95	B, 3	2, 3, 8
68	159	B, 3	2, 3, 8
69	125	B, 4	2, 4, 9
70	114	B, 3	2, 3, 8
71	107	B, 3	2, 3, 8
72	80	B, 3	2, 3, 8
73	99	B, 3	2, 3, 8
74	123	B, 3	2, 4, 8
75	111	B, 3	2, 3, 8
76	110	B, 3	2, 4, 8
77	124	B, 3	2, 4, 8
78	93	B, 3	2, 4, 8
79	82	B, 3	2, 4, 8
80	80	B, 3	2, 3, 4, 8

LOT	TOTAL AREA	FLOORS	SHEETS
81	108	B, 3	2, 4, 8
82	90	B, 3	2, 3, 4, 8
83	81	B, 3	2, 3, 8
84	93	B, 3	2, 4, 8
85	124	B, 3	2, 4, 8
86	108	B, 3	2, 4, 8
87	149	B, 4	2, 3, 9
88	139	B, 4	2, 3, 9
89	94	B, 4	2, 3, 9
90	157	B, 4	2, 3, 9
91	108	B, 4	2, 4, 9
92	125	B, 4	2, 4, 9
93	106	B, 4	2, 3, 9
94	78	B, 4	2, 3, 9
95	100	B, 4	2, 3, 9
96	123	B, 4	2, 3, 9
97	112	B, 4	2, 3, 9
98	126	B, 4	2, 4, 9
99	125	B, 4	2, 4, 9
100	91	B, 4	2, 4, 9
101	81	B, 4	2, 4, 9
102	83	B, 4	2, 4, 9
103	112	B, 4	2, 4, 9
104	90	B, 4	2, 3, 4, 9

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 or 

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*Building Act 2011, section 46, 47, 48, 49, 51, 52, 61*  
*Building Regulations 2012, regulation 4*

Pr 00000000  
OP003020

## 1. Details of building or structure

<p>Pr<small>o</small>cessed in accordance with the provisions of the <b>Access to Information Act</b> and the <b>Access to Information Regulations</b>.</p>	<p>Unprocessed</p>	<p>Stratford</p>	<p>L103</p>
<p>Stratford City Council</p>	<p>Stratford City Council</p>	<p>Stratford City Council</p>	<p>Stratford City Council</p>
<p>Stratford City Council</p>	<p>Stratford City Council</p>	<p>Stratford City Council</p>	<p>Stratford City Council</p>
<p>Information Act / Loi sur l'accès à l'information: <i>Strata Titles Act 1985</i></p>			
<p>75504</p>			
<p>Model BCA / Modèle de la Loi sur l'accès à l'information: 2</p>			
<p>Stratford City Council</p>	<p>7</p>	<p>Stratford City Council</p>	<p>N/A</p>
<p>Unprocessed</p>		<p>Processed</p>	
<p>Residential &amp; Private Basement Carpark</p>		<p>Processed</p>	

## 2. Certificate of construction compliance or certificate of building compliance

**Certificate of construction compliance or certificate of building compliance issued by:**

B□□□□□□□□□□ □□□□□□□□□□ authority's name	<b>John Massey Group Pty Ltd</b>	
	P□□□□□□ □□□9316 2508	F□□
E□□□□□□□□□□	<a href="mailto:admin@jmgbuildingsurveyors.com">admin@jmgbuildingsurveyors.com</a>	D□□□ 27 A□□□□□ 2020

### 3. Permit details

[illegible]

Permit holder must ensure that the building is maintained in accordance with the National Construction Code (NCC) and Building Regulations 2012.

1. The building's fire safety measures and overall compliance with the National Construction Code must be maintained at all times. The owner must comply with all parts of regulation 48A (2) (Maintenance of Buildings) - Building Regulations 2012
2. A copy of this occupancy permit must be displayed at (or near) the principal entrance to the building in accordance with s.42 Building Act 2011, and must be clearly visible to occupiers and other people using the building.

Issuing officer

N B	Pr
T	B
S	D
2 S	2020
City of Fremantle	

**Note:** The permit holder must ensure that the building is maintained in accordance with the National Construction Code (NCC) and Building Regulations 2012.



# Form 15C

## ENDORSEMENT CERTIFICATE

LG/WAPC Ref: **FS0006/20**

Strata Plan No: **75504**

### *Strata Titles Act 1985*

### Section 15 (4)

## Certificate Endorsing Strata Plan or Amendment to a Strata Plan by Western Australian Planning Commission

Proposal Description: Strata Plan / Amendment to Strata Plan\*

Property Description: **5 Cattalini Lane, North Fremantle**

Lot (or Strata Plan) No.: **103**

Location: **SUCCESS WA**

Locality: **6964**

Local Government: **City of Fremantle**

Lodged by: **PO BOX 7488**

Date Submitted: **26.08.2020**

It is hereby certified that the approval of the Western Australian Planning Commission  
has been granted pursuant to section 15 (4) of the *Strata Titles Act 1985*.

Signed:

Dated:

**3/9/20**

For and on behalf of the Western Australian Planning Commission  
and /or the ~~City / Town / Shire~~\* of:

**City of Fremantle**

(Delegated under section 16 (3)(e) of the *Planning and Development Act 2005*)

\* Strike out as required

## Schedule of Unit Entitlements

*Strata Titles Act 1985*

Section 37, Schedule 2A cl. 21T(1)(d) & Schedule 2A cl. 31E(1)(c)

Scheme Number: 75504

Scheme Name: COMPASS

Lot Number	Lot Type <sup>1</sup>	Unit Entitlement	Lot Number	Lot Type <sup>1</sup>	Unit Entitlement
1	Residential	120	36	Residential	68
2	Residential	120	37	Residential	86
3	Residential	71	38	Residential	64
4	Residential	71	39	Residential	65
5	Residential	104	40	Residential	80
6	Residential	96	41	Residential	110
7	Residential	71	42	Residential	96
8	Residential	98	43	Residential	154
9	Residential	112	44	Residential	124
10	Residential	96	45	Residential	83
11	Residential	104	46	Residential	141
12	Residential	109	47	Residential	83
13	Residential	80	48	Residential	107
14	Residential	68	49	Residential	97
15	Residential	86	50	Residential	72
16	Residential	69	51	Residential	99
17	Residential	65	52	Residential	113
18	Residential	79	53	Residential	98
19	Residential	109	54	Residential	106
20	Residential	95	55	Residential	110
21	Residential	148	56	Residential	81
22	Residential	121	57	Residential	69
23	Residential	81	58	Residential	68
24	Residential	139	59	Residential	87
25	Residential	67	60	Residential	65
26	Residential	104	61	Residential	65
27	Residential	96	62	Residential	81
28	Residential	71	63	Residential	111
29	Residential	98	64	Residential	97
30	Residential	112	65	Residential	158
31	Residential	97	66	Residential	126
32	Residential	104	67	Residential	84
33	Residential	109	68	Residential	143
34	Residential	80	69	Residential	114
35	Residential	68	70	Residential	108

<sup>1</sup> Select Residential/Commercial/Industrial/Vacant Land/Other.





[illegible]

**Sum of the unit entitlements of all lots in the strata titles scheme:** 10,000

## CERTIFICATE OF LICENSED VALUER

I, Bradley J Dawson, being a Licensed Valuer, licensed under the *Land Valuers Licensing Act 1978* certify that the proportion that the unit entitlement of a lot as stated in the Schedule of Unit Entitlements above bears to the sum of the unit entitlements of all lots in the strata titles scheme is not greater than 5% more or 5% less than the proportion that the value (as that term is defined in section 37(3) of the *Strata Titles Act 1985*) of that lot bears to the sum of the value of all the lots in the strata titles scheme.

If applicable:

I have determined that in the Schedule of Unit Entitlements above there ☒ is / ☐ is not<sup>2</sup>  
a significant variation of the kind described in Regulation 49(1)(a) to the proposed Schedule of Unit  
Entitlements in the agreed stage of subdivision in staged subdivision by-laws number(s)  
\_\_\_\_\_ registered on \_\_\_\_\_.

11/08/2020

Date

Digitally signed by Brad Dawson  
Date: 2020.08.11 12:54:00 +08'00'

Licensed Valuer Signature

<sup>2</sup> Select one.

## REGISTRAR OF TITLES



B. Roberts

# Strata Plan 75504

Lot	Certificate of Title	Lot Status	Part Lot
1	2989/132	Registered	
2	2989/133	Registered	
3	2989/134	Registered	
4	2989/135	Registered	
5	2989/136	Registered	
6	2989/137	Registered	
7	2989/138	Registered	
8	2989/139	Registered	
9	2989/140	Registered	
10	2989/141	Registered	
11	2989/142	Registered	
12	2989/143	Registered	
13	2989/144	Registered	
14	2989/145	Registered	
15	2989/146	Registered	
16	2989/147	Registered	
17	2989/148	Registered	
18	2989/149	Registered	
19	2989/150	Registered	
20	2989/151	Registered	
21	2989/152	Registered	
22	2989/153	Registered	
23	2989/154	Registered	
24	2989/155	Registered	
25	2989/156	Registered	
26	2989/157	Registered	
27	2989/158	Registered	
28	2989/159	Registered	
29	2989/160	Registered	
30	2989/161	Registered	
31	2989/162	Registered	
32	2989/163	Registered	
33	2989/164	Registered	
34	2989/165	Registered	
35	2989/166	Registered	
36	2989/167	Registered	
37	2989/168	Registered	
38	2989/169	Registered	
39	2989/170	Registered	
40	2989/171	Registered	
41	2989/172	Registered	
42	2989/173	Registered	
43	2989/174	Registered	
44	2989/175	Registered	
45	2989/176	Registered	

# Strata Plan 75504

Lot	Certificate of Title	Lot Status	Part Lot
46	2989/177	Registered	
47	2989/178	Registered	
48	2989/179	Registered	
49	2989/180	Registered	
50	2989/181	Registered	
51	2989/182	Registered	
52	2989/183	Registered	
53	2989/184	Registered	
54	2989/185	Registered	
55	2989/186	Registered	
56	2989/187	Registered	
57	2989/188	Registered	
58	2989/189	Registered	
59	2989/190	Registered	
60	2989/191	Registered	
61	2989/192	Registered	
62	2989/193	Registered	
63	2989/194	Registered	
64	2989/195	Registered	
65	2989/196	Registered	
66	2989/197	Registered	
67	2989/198	Registered	
68	2989/199	Registered	
69	2989/200	Registered	
70	2989/201	Registered	
71	2989/202	Registered	
72	2989/203	Registered	
73	2989/204	Registered	
74	2989/205	Registered	
75	2989/206	Registered	
76	2989/207	Registered	
77	2989/208	Registered	
78	2989/209	Registered	
79	2989/210	Registered	
80	2989/211	Registered	
81	2989/212	Registered	
82	2989/213	Registered	
83	2989/214	Registered	
84	2989/215	Registered	
85	2989/216	Registered	
86	2989/217	Registered	
87	2989/218	Registered	
88	2989/219	Registered	
89	2989/220	Registered	
90	2989/221	Registered	

# Strata Plan 75504

Lot	Certificate of Title	Lot Status	Part Lot
91	2989/222	Registered	
92	2989/223	Registered	
93	2989/224	Registered	
94	2989/225	Registered	
95	2989/226	Registered	
96	2989/227	Registered	
97	2989/228	Registered	
98	2989/229	Registered	
99	2989/230	Registered	
100	2989/231	Registered	
101	2989/232	Registered	
102	2989/233	Registered	
103	2989/234	Registered	
104	2989/235	Registered	

**K622977 NO**

12 Jun 2008 09:45:37 Midland



REG \$ 85.00

## NOTIFICATION

LODGED BY Whelans (WA) Pty Ltd

ADDRESS 133 Scarborough Beach Road  
Mt Hawthorn WA 6016

PHONE NO. 94431511

FAX NO. 94443901

REFERENCE NO. 09601

ISSUING BOX NO.

PREPARED BY Whelans (WA) Pty Ltd

ADDRESS 133 Scarborough Beach Road  
Mt Hawthorne WA 6016

PHONE NO. 93324453

FAX NO. 94443901

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER  
THAN LODGING PARTY

2/3

TITLES, LEASES, DECLARATIONS ETC LODGED  
HEREWITH

1. _____	Received items
2. _____	Nos.
3. _____	
4. _____	
5. _____	
6. _____	Receiving Clerk

ENDORSING INSTRUCTIONS

EXAMINED

Initials of  
signing  
officer

*(Handwritten initials)*



**REGISTRAR OF TITLES**



TO REGISTRAR OF TITLES  
REGISTRAR OF DEEDS AND TRANSFERS

## NOTIFICATION

PLANNING AND DEVELOPMENT ACT 2005

THE LAND SET OUT IN THE  
SCHEDULE IS LAND TO WHICH SECTION 165 OF  
THE PLANNING AND DEVELOPMENT ACT 2005 APPLIES

### SCHEDULE

DESCRIPTION OF LAND	EXTENT	VOLUME	FOLIO
Lots 3, 5 & 6 on DP55276	ALL WHOLE	2692	912, 913 and 914.

#### REGISTERED PROPRIETOR OF LAND

Western Australian Land Authority of Level 3,  
40 The Esplanade, Perth

#### HAZARDS OR OTHER FACTORS SERIOUSLY AFFECTING THE LAND

This lot is in proximity to the Fremantle Port inner harbour, associated industries, rail freight route and oversize road freight route. The Fremantle Port inner harbour operates 24 hours a day, seven days a week. Amenity may be subjected to impacts arising from port operations with regard to light, noise, odour and vibration. As a result, there is a need to incorporate appropriate features in the design and construction of buildings where appropriate, to mitigate against any impacts.

Dated this

30<sup>TH</sup> day of MARCH

20 07

  
For: WESTERN AUSTRALIAN PLANNING COMMISSION

NOLA C HULL



### INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1, should be used with appropriate headings. The boxed sections should only contain the words "see page....."
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

### NOTES

1. **DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated. If this document relates to only part of the land comprised in the Certificate of Title further narrative or graphic description may be necessary. The volume and folio number to be stated.
2. **REGISTERED PROPRIETOR**  
State full name and address of the Registered Proprietors as shown on the Certificate of Title and the address / addresses to which future notices can be sent.
3. **INFORMATION CONCERNING SITE CLASSIFICATION**  
Include information concerning site classification as either: contaminated - restricted use, contamination - remediation required, remediated for restricted use or possibly contaminated - investigation required.
4. **CHIEF EXECUTIVE OFFICER'S ATTESTATION**  
This document must be signed by or on behalf of the Chief Executive Officer, Department of Environment Regulation under Section 91 of Contaminated Sites Act 2003. An Adult Person should witness this signature. The address and occupation of the witness must be stated.

EXAMINED

M364449 ML

07 Aug 2013 08:45:38 Midland



REG \$ 160.00

## MEMORIAL CONTAMINATED SITES ACT 2003

LODGED BY  
Department of Environment Regulation

ADDRESS  
Level 4, 168 St Georges Terrace  
Perth, WA 6000

PHONE No. 1300 762 982

FAX No. (08) 9333 7575

REFERENCE No. 21586

ISSUING BOX No. 888V

PREPARED BY  
Contaminated Sites Branch  
Department of Environment Regulation

ADDRESS  
Level 4, 168 St Georges Terrace  
Perth, WA 6000

PHONE No. 1300 762 982 FAX No. (08) 9333 7575

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER  
THAN LODGING PARTY

3/10

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____	Received Items
2. _____	Nos. 0.
3. _____	
4. _____	
5. _____	Receiving Clerk
6. _____	

Lodged pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.



APPROVAL NUMBER

DEPARTMENT OF ENVIRONMENT  
REGULATION

Client ID 3473

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED

## MEMORIAL

### CONTAMINATED SITES ACT 2003

#### SECTION 58(1) (a) (i) (I) (II) (III) (IV)

##### DESCRIPTION OF LAND (Note 1)

LOT 3 ON DEPOSITED PLAN 55276

##### EXTENT

Whole

##### VOLUME

2692

##### FOLIO

912

##### REGISTERED PROPRIETOR (Note 2)

MIRVAC (WA) PTY LTD OF 1002 HAY STREET, PERTH

##### INFORMATION CONCERNING SITE CLASSIFICATION (Note 3)

Under the Contaminated Sites Act 2003, this site has been classified as "remediated for restricted use". For further information on the contamination status of this site, please contact the Contaminated Sites section of the Department of Environment Regulation.

Dated this

Fifth

day of

August

Year 2013

##### CHIEF EXECUTIVE OFFICER'S ATTESTATION (Note 4)



**Paul Newell**  
A/SECTION MANAGER

DELEGATE OF THE CHIEF EXECUTIVE OFFICER  
DEPARTMENT OF ENVIRONMENT REGULATION  
UNDER SECTION 91 OF THE  
CONTAMINATED SITES ACT 2003

FULL NAME:

ADDRESS:

OCCUPATION:



SIGNATURE OF WITNESS

**Amanda Sample**  
168 St Georges Terrace,  
Perth WA 6000

Data Management Officer

### INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1, should be used with appropriate headings. The boxed sections should only contain the words "see page...."
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialed by the persons signing this document and their witnesses.

### NOTES

1. **DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.  
The Volume and Folio number to be stated.
2. **REGISTERED PROPRIETOR**  
State full name and address of the Registered Proprietors as shown on the Certificate of Title and the address / addresses to which future Notices can be sent.
3. **LOCAL GOVERNMENT / PUBLIC AUTHORITY**  
State the name of the Local Government or the Public Authority preparing and lodging this notification.
4. **FACTOR AFFECTING THE USE AND ENJOYMENT OF LAND**  
Describe the factor affecting the use or enjoyment of land.
5. **ATTESTATION OF LOCAL GOVERNMENT / PUBLIC AUTHORITY**  
To be attested in the manner prescribed by the Local Government Act or as prescribed by the Act constituting the Public Authority.
6. **REGISTERED PROPRIETOR'S EXECUTION**  
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The full name, address and occupation of the witness must be stated. Execution by a corporation or body corporate must be in accordance with the Corporation Act



EXAMINED

N728194 NR

27 Sep 2017 12:52:10 Perth



### NOTIFICATION

LODGED BY

ADDRESS

**Herbert Smith Freehills  
QV.1 Building  
250 St Georges Terrace  
PERTH WA 6000  
Tel: 9211 7777  
Fax: 9211 7878  
LTO Box 116D Perth**

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY McMullen Nolan Group Pty Ltd

ADDRESS Level 1, 2 Sabre Crescent  
JANDAKOT WA 6164

PHONE No. 6436 1599

FAX No. 6436 1500

REFERENCE No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

2/3

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

Received Items

Nos.

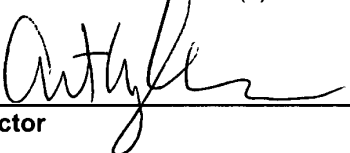
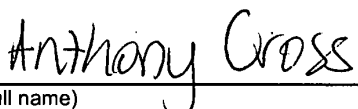
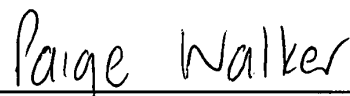
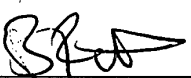
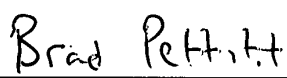
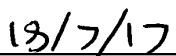
Receiving Clerk

Lodged pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.

THIS PAGE HAS BEEN LEFT BLANK

## ADDITIONAL PAGE TO NOTIFICATION

Dated 26 September 2017

Executed by Mirvac (WA) Pty Ltd ACN 095 901 769 in  
accordance with section 127(1) of the Corporations Act  
\_\_\_\_\_  
Director  
\_\_\_\_\_  
(Print full name)  
\_\_\_\_\_  
Director / Secretary  
\_\_\_\_\_  
(Print full name)THE COMMON SEAL of the )  
CITY OF FREMANTLE )  
was hereunto affixed by authority )  
of a resolution of the Council )  
in the presence of )  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
(Print full name)  
\_\_\_\_\_  
Chief Executive Officer  
\_\_\_\_\_  
(Print full name)PHILIP ST JOHN  
Chief Executive Officer

**NOTIFICATION  
UNDER SECTION 70A**

DESCRIPTION OF LAND (Note 1)

LOTS 100, 101 &amp; 103 ON DEPOSITED PLAN 403300

EXTENT

whole

VOLUME

FOLIO

REGISTERED PROPRIETOR (Note 2)

MIRVAC (WA) PTY LTD OF LEVEL 3, 502 HAY STREET, SUBIACO ACN 095 901 769

LOCAL GOVERNMENT / PUBLIC AUTHORITY (Note 3)

CITY OF FREMANTLE, 8 WILLIAM STREET, FREMANTLE

FACTOR AFFECTING USE OR ENJOYMENT OF LAND (Note 4)

"THE LOTS ARE SITUATED IN THE VICINITY OF A TRANSPORT CORRIDOR AND ARE CURRENTLY  
AFFECTED, OR MAY IN THE FUTURE BE AFFECTED BY TRANSPORT NOISE."

Dated this

26<sup>th</sup>

day of

September

Year 2017

LOCAL GOVERNMENT/PUBLIC AUTHORITY ATTESTATION (Note 5)

SEE ADDITIONAL PAGE

REGISTERED PROPRIETOR/S SIGN HERE (Note 6)

Signed

SEE ADDITIONAL PAGE

in the  
presence of

Signed

in the  
presence of

**Document Notes:**

IMPORTANT: THIS PAGE FORMS PART OF DOCUMENT [N728194] AND MAY CONTAIN REFERENCES TO AMENDMENTS OR CORRECTIONS TO THE DOCUMENT

---

24/10/2017 14:35:04

NOTIFICATION RE-TIMECLOCKED TO 29 SEPTEMBER 2017. SEE LETTER DATED 24 OCTOBER 2017.



HERBERT  
SMITH  
FREEHILLS

Attention: Linda Ivulich  
Landgate

24 October 2017  
Matter 82377552  
By email

Dear Linda

**Dealing - N728193 to N728195**

We are the lodging party of the above dealings.

We authorise you to amend the time clock of the above dealings to 29 September 2017.

Kind regards

**Jenny Allpike**  
Senior Associate  
Herbert Smith Freehills

+61 8 9211 7231  
jenny.allpike@hsf.com

Herbert Smith Freehills LLP and its subsidiaries and Herbert Smith Freehills, an Australian Partnership, are separate member firms of the international legal practice known as Herbert Smith Freehills.

---

Doc I.67535925.1







## Deposited Plan 55276

Lot	Certificate of Title	Lot Status	Part Lot
3	2692/912 (Cancelled)	Retired	
5	2692/913	Registered	
6	2692/914	Registered	

### INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet, Form B1, should be used with appropriate headings. The boxed sections should only contain the words "see page ..."
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

### NOTES

1. **DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.  
The Volume and Folio or Crown Lease number, to be stated.
2. **APPLICANT**  
State full name of the Applicant/Applicants and the address/addresses to which future notices can be sent.
3. **REASON FOR APPLICATION**  
The request to amend the register to be clearly stated. When referring to the land use the words "land above described".
4. **APPLICANTS EXECUTION**  
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

EXAMINED

OFFICE USE ONLY

**O476028 AE**

20 Aug 2020 08:30:00 Perth



### APPLICATION

LODGED BY **HS Freehills**

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No. **116D**

PREPARED BY **Herbert Smith Freehills  
Barristers & Solicitors  
Level 36 QV1 Building  
250 St Georges Terrace  
Perth WA 6000**  
PHONE No. **(08) 9211 7777**  
FAX No. **(08) 9211 7878**  
REFERENCE No. **JMA 82377552**

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

TITLES, LEASES, DECLARATIONS ETC. LODGED  
HEREWITH

- |          |                 |
|----------|-----------------|
| 1. _____ | Received Items  |
| 2. _____ | Nos.            |
| 3. _____ |                 |
| 4. _____ |                 |
| 5. _____ |                 |
| 6. _____ | Receiving Clerk |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

86866138

## APPLICATION

## DESCRIPTION OF LAND (Note 1)

Lot 103 on Deposited Plan 403300

## EXTENT

Whole

## VOLUME

2935

## FOLIO

848

## APPLICANT (Note 2)

Mirvac (WA) Pty Ltd ACN 095 901 769 of Level 3 502 Hay Street SUBIACO WA 6008

## REASON FOR APPLICATION (Note 3)

THE APPLICANT HEREBY APPLIES pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

Dated this

3

day of

August

2020

## SIGNATURE OF APPLICANT/S (Note 4)

Executed by

Mirvac (WA) Pty Ltd ACN 095 901 769

by its Attorneys pursuant to power of attorney O371487 dated 20 March 2020

sign here ▶

Attorney

Attorney

print full name

DAVID MICHAEL PARSONS

TONY ALEKSOVSKI

in the presence of:

sign here ▶

Witness

Witness

print full name of witness

JACALYN LOUISE DONNELLY

JACALYN LOUISE DONNELLY

print address of witness

L39, 108 ST GEORGES TERRACE, PERTH

L39, 108 ST GEORGES TERRACE, PERTH

print occupation of witness

DEVELOPMENT MANAGER

DEVELOPMENT MANAGER

---

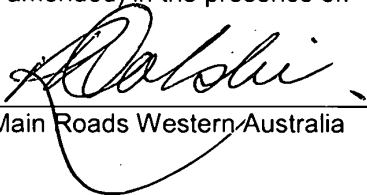
## Consent – Main Roads

The **Commissioner of Main Roads** in accordance with its registered interest pursuant to Restrictive Covenant K622978 consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.



**Gregory Robert Fraser**  
**Manager Property Management**  
**Main Roads Western Australia**

Signed for and on behalf of the COMMISSIONER OF MAIN ROADS by officer duly delegated this authority by the Commissioner of Main Roads under section 10B(1) of the Main Roads Act 1930 (as amended) in the presence of:



Officer, Main Roads Western Australia

Richard Wolski  
LAND ADMINISTRATION MANAGER  
Main Roads Western Australia

Name and Title

EV001478943 CONST



18/05/2025 10:00 AM  
LANDGATE COPY OF ORIGINAL NOT TO SCALE  
Request number: 68269612

18/05/2025 10:00 AM  
LANDGATE COPY OF ORIGINAL NOT TO SCALE  
Request number: 68269612

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86866138

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## Consent – Western Australian Land Authority

**Western Australian Land Authority** in accordance with its registered interests pursuant to Caveat N241967, Caveat N263812 and Caveat K639757 consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

Signed on behalf of the WESTERN AUSTRALIAN LAND AUTHORITY by persons authorised by its Board in accordance with Section 45(2)(b) of the Western Australian Land Authority Act 1992.

  
\_\_\_\_\_  
Authorised Officer

SARAH CHRISTINE RUSSELL

  
\_\_\_\_\_  
Authorised Officer

Kylie Joanne Reeves





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86866138

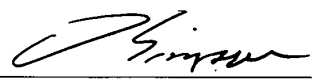
## Consent – Rockingham Park Pty Ltd

**Rockingham Park Pty Ltd ACN 008 687 965** as the registered proprietor of Lot 6 on Deposited Plan 55276 and pursuant to its registered interest under the easement benefit and burden marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276 consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

Executed by  
**Rockingham Park Pty Ltd**  
**ACN 008 687 965**  
in accordance with section 127(1) of the Corporations Act

sign here ►   
Company Secretary/Director

print name **GAIL LOUISE HACKETT**

sign here ►   
Director

print name **DAVID GEORGE SIMPSON**

**EV001479065 CONST**



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86866138

86866138

## Consent – Meridian Strata Plan No 69776

The Owners of Meridian Strata Plan No 69776 as registered proprietor of the common property on Strata Plan 69776 and pursuant to its registered interests under:

1. the easement benefit and burden marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276;
2. the easement benefit for underground electricity purposes marked 'P' on Deposited Plan 403300; and
3. the easement benefit for right of carriageway purposes marked 'D' on Deposited Plan 403300,

consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

The common seal of  
**The Owners of Meridian Strata Plan No 69776**  
is fixed to this document by authority of the Council  
in the presence of:



sign here ▶

*IP Worrell*

Council Member

print name

IAN PATRICK WORRELL

sign here ▶

*Grant Revell*

Council Member

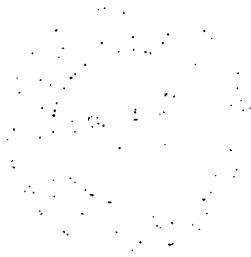
print name

GRANT REVELL

EV001479066 CONST



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86866138

## Consent – Prima Strata Plan No 69777

**The Owners of Prima Strata Plan No 69777** as registered proprietor of the common property on Strata Plan 69777 and pursuant to its registered interests under:

1. the easement benefit and burden marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276; and
2. the easement benefit for underground electricity purposes marked 'P' on Deposited Plan 403300,

consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

The common seal of  
**The Owners of Prima Strata Plan No 69777**  
is fixed to this document by authority of the Council  
in the presence of:



sign here ►

Council Member

print name

GRAEME WOOD

sign here ►

Council Member

print name

NORE CRUTCHER JONES

EV001479067 CONST



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86866138



HERBERT  
SMITH  
FREEHILLS

The Registrar of Titles  
Landgate  
1 Midland Square  
MIDLAND WA 6056

20 August 2020  
Matter 82377552  
By Hand

Dear Sir/Madam

**Application to vary Easement  
Lot 103 on Deposited Plan 403300**

We represent Mirvac (WA) Pty Ltd.

Rockingham Park Pty Ltd as registered proprietor of Lot 6 on Deposited Plan 55276 have provided consent to the above dealing and have not provided their duplicate Certificate of Title Volume 2692 Folio 914 for recording the modification of the easement area.

The modification relates to a subterranean part of the land the subject of the easement (that cannot be accessed), and accordingly we understand that the registered proprietors were satisfied to consent to the modification on that basis and did not provide their Certificates of Title.

Yours sincerely

**Marissa Darling**  
Paralegal  
Herbert Smith Freehills  
+61 8 9211 7976

marissa.darling@hsf.com

EV001479068 LTR



Herbert Smith Freehills LLP and its subsidiaries and Herbert Smith Freehills, an Australian Partnership ABN 98 773 882 646, are separate member firms of the international legal practice known as Herbert Smith Freehills.

Doc 87725074.1

QV1 Building 250 St Georges Terrace Perth WA 6000 Australia  
GPO Box U1942 Perth WA 6845 Australia

T +61 8 9211 7777 F +61 8 9211 7878  
herbertsmithfreehills.com DX 104 Perth



1800



EV001486817 CONST



## Consent – Resort Home Development Pty Ltd

**Resort Home Development Pty Ltd ACN 609 925 911** as registered proprietor of Lot 5 on Deposited Plan 55276 and pursuant to its registered interest under the easement benefit and burden marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276 consents to the Application pursuant to section 136J of the Transfer of Land Act 1893, for a release/discharge/modification of easement so as to modify the right of carriageway easement marked 'A' on Deposited Plan 403300 and created under section 136C of the Transfer of Land Act 1893 on Deposited Plan 55276, so that the easement on Lot 103 on Deposited Plan 403300 is extinguished from 7.35 metres AHD and below.

Executed by  
**Resort Home Development Pty Ltd**  
**ACN 609 925 911**  
in accordance with section 127(1) of the Corporations Act

sign here ▶

~~Company Secretary/Director~~

print name

GOH CHOON AUN

sign here ▶

Director

print name

ALBERT JONATHAN MARR

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86866138

13:04:33s-28AUG'20



HERBERT  
SMITH  
FREEHILLS

EV001486818 LTR



The Registrar of Titles  
Landgate  
1 Midland Square  
MIDLAND WA 6056

28 August 2020  
Matter 82377552  
By Hand

Dear Sir/Madam

**O476028 - Application to vary Easement  
Lot 103 on Deposited Plan 403300**

We represent Mirvac (WA) Pty Ltd and are the lodging party of the above dealing.

Please find enclosed here consent from Resort Home Development Pty Ltd as registered proprietor of Lot 5 on Deposited Plan 55276.

Apologies, this consent was omitted from lodgement and forms part of the Application to vary the Easement.

Can you please add the enclosed document to dealing O476028.

The variation relates to a subterranean part of the land the subject of the Easement (that cannot be accessed), and accordingly we understand that the Resort Home Development Pty Ltd has provided consent to the above dealing and have not provided their duplicate Certificate of Title Volume 2692 Folio 914 for recording the variation of the Easement area.

Yours sincerely

**Marissa Darling**  
Paralegal  
Herbert Smith Freehills  
+61 8 9211 7976

marissa.darling@hsf.com

Herbert Smith Freehills LLP and its subsidiaries and Herbert Smith Freehills, an Australian Partnership ABN 98 773 882 646, are separate member firms of the international legal practice known as Herbert Smith Freehills.

Doc 87906377.1

QV1 Building 250 St Georges Terrace Perth WA 6000 Australia  
GPO Box U1942 Perth WA 6845 Australia

T +61 8 9211 7777 F +61 8 9211 7878  
herbertsmithfreehills.com DX 104 Perth



## DIRECTION UNDER SECTION 136J

### REGISTRAR OF TITLES

#### APPLICATION O476028 – MIRVAC (WA) PTY LTD

As it appears to me, the undersigned Commissioner of Titles, that written consent to the Modification of the Easement for right of carriageway purposes shown on Deposited Plan 403300 as created on Deposited Plan 55276 and marked "A" thereon under Section 136C of the *Transfer of Land Act 1893* in the manner provided in Application O476028 has been received from all persons required under section 136J of *Transfer of Land Act 1893*, to provide that consent;

**TAKE NOTE THAT**, in pursuance of the powers conferred upon the Commissioner of Titles by section 136J of the *Transfer of Land Act 1893* and delegated to me pursuant to Section 15 (1)(a) of the said Act and in pursuance of every power in me in this behalf enabling, **I HEREBY DIRECT** that the Easement shown on Deposited Plan 403300 as created on Deposited Plan 55276 under Section 136C of the *Transfer of Land Act 1893* and marked "A" thereon be Modified in the manner set out in Application O476028.

  
SHANE NELSON  
DEPUTY COMMISSIONER OF TITLES

25 September 2020

EV001513587 DIRN



**NOTE:** The Registrar shall enter a memorandum of the Modification on Certificate of Titles

LOT 103 ON DEPOSITED PLAN 403300 - VOLUME 2935 FOLIO 848  
LOT 5 ON DEPOSITED PLAN 55276 – VOLUME 2692 FOLIO 913  
LOT 6 ON DEPOSITED PLAN 55276 – VOLUME 2692 FOLIO 914

S:\Valerie\Commissioner's Directions\136J Application to Modify Easements\O476028 - Modification of Easements.doc

## **DIRECTION UNDER SECTION 136J**

### **REGISTRAR OF TITLES**

#### **APPLICATION O476028 – MIRVAC (WA) PTY LTD**

As it appears to me, the undersigned Commissioner of Titles, that written consent to the Modification of the Easement for right of carriageway purposes shown on Deposited Plan 403300 as created on Deposited Plan 55276 and marked "A" thereon under Section 136C of the *Transfer of Land Act 1893* in the manner provided in Application O476028 has been received from all persons required under section 136J of *Transfer of Land Act 1893*, to provide that consent;

**TAKE NOTE THAT**, in pursuance of the powers conferred on the Commissioner of Titles by section 136J of the *Transfer of Land Act 1893* and delegated to me pursuant to Section 15 (1) (a) of the said Act and in pursuance of every power in me in this behalf enabling, **I HEREBY DIRECT** that the Easement shown on Deposited Plan 403300 as created on Deposited Plan 55276 under Section 136C of the *Transfer of Land Act 1893* and marked "A" thereon be Modified in the manner set out in Application O476028

**SUSAN DUKES**  
**COMMISSIONER OF TITLES**

2020

**NOTE:** The Registrar shall enter a memorandum of the Modification on Certificate of Titles

LOT 103 ON DEPOSITED PLAN 403300 - VOLUME 2935 FOLIO 848  
LOT 5 ON DEPOSITED PLAN 55276 – VOLUME 2692 FOLIO 913  
LOT 6 ON DEPOSITED PLAN 55276 – VOLUME 2692 FOLIO 914

S:\Valerie\Commissioner's Directions\136J Application to Modify Easements\O476028 - Modification of Easements.doc

### INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1, should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

### NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The address and occupation of the witness must be stated.

EXAMINED

**K622978 RC**

12 Jun 2008 09:45:37 Midland



REG \$ 85.00

LODGED BY Lavan Legal  
ADDRESS 1 William St Perth  
PHONE No. 9288 6000  
FAX No. 9288 6001  
REFERENCE No. 621293596\_1075961.doc  
ISSUING BOX No. 99A

PREPARED BY Lavan Legal  
ADDRESS 1 William St Perth  
PHONE NO. 9288 6000 FAX NO. 9288 6001

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

3/3

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1.	_____	Received items
2.	_____	Nos.
3.	_____	
4.	_____	
5.	_____	
6.	_____	

Receiving Clerk

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.





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Dated this

10

day of

MAY

2007

**EXECUTED as a Deed**

The Common Seal of  
Western Australian Land Authority  
was affixed by authority of its Board  
in the presence of:

Signed on behalf of the WESTERN AUSTRALIAN  
LAND AUTHORITY by persons authorised by its  
Board in accordance with Section 45(2)(b) of  
the Western Australian Land Authority Act 1992.

)  
) JENNIFER ROSE HANNA  
)  
)  
) Authorised Officer  
)  
) JENNA MARIE WOODWARD  
)  
) Authorised Officer

Signature of Chief Executive Officer

Signature of Board Member

Print name of Chief Executive Officer

Print name of Board Member

Signed for and on behalf of the **COMMISSIONER  
OF MAIN ROADS** by the officer duly delegated  
this authority by the Commissioner of Main Roads  
under section 10B(1) of the Main Roads Act 1930  
(as amended) in the presence of:

Officer, Main Roads Western Australia

Witness Signature

Officer Name and Title

Witness Name

**COLIN JOHN NICHOLLS  
LAND PROJECT CO-ORDINATOR  
MAIN ROADS WESTERN AUSTRALIA**

**ERLE DUTTON  
MANAGER PROPERTY MANAGEMENT**

Witness Address

Witness occupation

Signed for and on behalf of the **COMMISSIONER OF  
MAIN ROADS** by officer duly delegated this authority by  
the Commissioner of Main Roads under Section 10B(1) of  
the Main Roads Act 1930 (as amended) in the presence of:

(Officer, Main Roads Western Australia)

(Name & Title)

**ERLE DUTTON  
MANAGER PROPERTY MANAGEMENT**

**5 COSTS**

LandCorp bears the cost of the preparation, negotiation, execution, stamping and registration of this Deed.

**6 AUTHORITY**

LandCorp and Main Roads authorises Lavan Legal of 1 William Street, Perth, Western Australia to comply with any requisitions issued by Landgate and within this general authority and power to make any minor alterations which may be necessary to effect registration of this Deed.

THIS DEED IS A COPY OF THE ORIGINAL  
AND IS NOT A COPY OF A COPY  
AND IS NOT A COPY OF A COPY

**'Specified Limitations, Interests, Encumbrances and Notifications'** means:

- (a) Memorial K080144 created under the Contaminated Sites Act 2003 – see Deposited Plan 44080.

## **1.2 Interpretation**

In this Deed unless the context otherwise requires:

- 1.2.1 words importing the singular include the plural and vice versa;
- 1.2.2 words importing any gender include the other genders;
- 1.2.3 references to persons include corporations;
- 1.2.4 references to a party hereto or to any other person include the legal personal representatives, successors and permitted assigns of that party or person;
- 1.2.5 if a word or phrase is defined cognate words and phrases have corresponding definitions;
- 1.2.6 an obligation incurred by two or more parties shall bind them jointly and severally and an obligation incurred in favour of two or more parties shall be enforceable by them jointly and severally.

Headings shall be ignored in construing this Deed.

## **2 RESTRICTIVE COVENANT**

LandCorp for itself and its successors in title, covenants with Main Roads NOT to use or permit the use of:

- 2.1 Lot 3 or Lot 6 on the Plan for any vehicle access to the Curtin Avenue Metropolitan Region Scheme 'Primary Regional Roads' reserve between the points marked X to Y on the Plan; or
- 2.2 the Curtin Avenue Metropolitan Region Scheme 'Primary Regional Roads' reserve between the points marked X to Y on the Plan for any vehicle access to Lot 3 or Lot 6 on the Plan.

## **3 BENEFIT OF RESTRICTIVE COVENANT**

The Restrictive Covenants shall benefit Main Roads pursuant to section 129BA of the Act.

## **4 CONSENT**

LandCorp must obtain all the consents necessary for the registration of this Deed with Landgate.

FORM B2

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED

## BLANK INSTRUMENT FORM

### RESTRICTIVE COVENANT

under Section 129BA of the TLA

(Note 1)

BY

**WESTERN AUSTRALIAN LAND AUTHORITY** of Level 3, Wesfarmers Building, 40 The Esplanade, Perth, Western Australia together with their successors in title to the Lots ('**LandCorp**')

**COMMISSIONER OF MAIN ROADS (ABN 50 860 676 021)** of the Don Aitken Centre, Waterloo Crescent, East Perth, Western Australia ('**Main Roads**')

### RECITALS

- A LandCorp is the registered proprietor of the Land. The Land is the subject of the Specified Limitations, Interests, Encumbrances and Notifications.
- B LandCorp intends to subdivide the Land in the manner shown on the Plan and has obtained the approval of the Commission to such subdivision.
- C LandCorp is required by Main Roads to restrict access to and from the Lots to the abutting road shown on the Plan as Curtin Avenue.
- D LandCorp enters into this Deed for itself and its successors in title pursuant to section 129BA of the Act to comply with Main Road's requirements.

### OPERATIVE PART

#### 1 DEFINITIONS AND INTERPRETATION

##### 1.1 Definitions

In this Deed the following words and expressions shall have the following meanings:

'**Act**' means the Transfer of Land Act 1893 (WA) as amended;

'**Commission**' means the Western Australian Planning Commission;

'**Land**' means Lot 9000 on Deposited Plan 55274;

'**Lots**' means Lots 3 and 6 on the Plan and, where the context permits, means either of them;

'**Plan**' means Landgate Deposited Plan 55276;

'**Restrictive Covenants**' means the restrictive covenants, the subject of this Deed, more specifically the covenants referred in Clause 2;



Department of Treasury and Finance  
Office of State Revenue  
Government of Western Australia



# Certificate of Stamp Duty

## Deed - Restrictive Covenant

Stamp Duty - Under Taxation Administration Act 2003 (WA), Section 49

---

Certificate Number:	1012504068	Certificate Issue Date:	10-05-2007
Document Reference:	6814-32-1	Client Reference:	DP55276 LEIGHTON
Instrument Date:	10-05-2007		
<b>Original Stamp Duty:</b>	<b>\$20.00</b>		
Penalty Tax:	\$0.00		

---

Land:	Lot 3000, Plan 44080	Volume/Folio:	2600/3
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---

Party names:	WESTERN AUSTRALIAN LAND AUTHORITY COMMISSIONER OF MAIN ROADS
--------------	---

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### Related Certificate Summary

**INSTRUCTIONS**

1. This form may be used only when a "Box Type" Form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

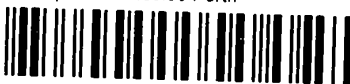
**NOTES**

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The full name, address and occupation of the witness must be stated. Execution by a corporation or body corporate must be in accordance with the *Corporation Act*.

EXAMINED

O499985 E ONLY

17 Sep 2020 08:30:00 Perth



LODGED BY

**Herbert Smith Freehills**  
**QV.1 Building**  
**250 St Georges Terrace**  
**PERTH WA 6000**  
**Tel: 9211 7777**  
**Fax: 9211 7878**  
**LTO Box 116D Perth**

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY Herbert Smith Freehills

ADDRESS Level 36  
 QV1 Building  
 250 St Georges Terrace  
 PERTH WA 6000

PHONE No. (08) 9211 7777

FAX No. (08) 9211 7878

Reference No. JMA 82377552

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

3/4

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

- |                               |                                    |
|-------------------------------|------------------------------------|
| 1. <u>Certificate of Duty</u> | Received Items                     |
| 2. _____                      | Nos. <u>1/1</u>                    |
| 3. _____                      |                                    |
| 4. _____                      |                                    |
| 5. _____                      |                                    |
| 6. _____                      | Receiving Clerk <u>[Signature]</u> |

Registered pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.

87142684

**Executed as a deed:**

Executed by

**Mirvac (WA) Pty Ltd ACN 095 901 769**

by its Attorneys pursuant to power of attorney O371487 dated 20 March 2020

sign here ▶

Attorney

Attorney

MICHAEL

print full name

Steven Kavalisky

DAVID PARSONS

in the presence of:

sign here ▶

Witness

Witness

print full name of witness

Jacalyn Donnelly

Jacalyn Donnelly

print address of witness

Level 39, 108 St Georges Tce  
Perth WA 6000Level 39, 108 St Georges Tce  
Perth WA 6000

print occupation of witness

Development Manager

Development Manager

Executed by

**Rockingham Park Pty Ltd****ACN 008 687 965**

sign here ▶

Director/Secretary

print name

GAIL LOUISE HACKETT

sign here ▶

Director

print name

DAVID GEORGE SIMPSON

87142684



**Schedule - Limitations, interests, encumbrances and notifications**

1. NOTIFICATION K622977
2. RESTRICTIVE COVENANT K622978
3. EASEMENT BURDEN CREATED UNDER SECTION 136C T.L.A. FOR RIGHT OF CARRIAGEWAY PURPOSES -SEE DEPOSITED PLAN 403300
4. MEMORIAL M364449
5. EASEMENT BURDEN CREATED UNDER SECTION 136C T.L.A. FOR UNDERGROUND ELECTRICITY PURPOSES - SEE DEPOSITED PLAN 403300
6. NOTIFICATION N728194

87142684

agents, contractors or invitees.

## **5 Benefit and burden of Easements**

- (a) In respect to the easement referred to in this deed:
  - (1) the land burdened by the easement is the Owner Lot; and
  - (2) the land benefited by the easement is the User Lot.
- (b) The easement referred to in this deed is intended to:
  - (1) run with the Owner Lot and the User Lot;
  - (2) bind the owner of the Owner Lot and every registered proprietor from time to time of the Owner Lot; and
  - (3) bind the owner of the User Lot and every registered proprietor from time to time of the User Lot.

## **6 Dedication of Road**

The User acknowledges and agrees that:

- (a) the Easement Area may become a dedicated road; and
- (b) if the Easement Area becomes a dedicated road, then the User must surrender this easement on written notice from the Owner.

## **7 Notices**

Any notice, or other communication given under this deed:

- (a) must be in writing and delivered or sent to:
  - (1) the address of the relevant lot; or
  - (2) the address of the owner of the relevant lot as shown on the Certificate of Title for that relevant lot, or to any other address specified by any party to the sender by notice;
- (b) must be signed by the sender or an attorney, a director or secretary of the sender or by a solicitor on behalf of the sender; and
- (c) will be treated as having been given by the sender and received by or served on the addressee:
  - (1) if by delivery in person - when delivered to the addressee; and
  - (2) if by registered post - on the day which is the third day (excluding weekends and public holidays) after the date of posting.

## 2 Easement

Subject to clause 3, the Owner as owner of the Owner Lot creates in favour of the User as owner of the User Lot the right to pass over the Easement Area for the purposes of pedestrian and vehicular access to and egress from the User Lot over the Easement Area.

## 3 Conditions applying to easement

- (a) The easement:
  - (1) is granted subject to the Specified Encumbrances;
  - (2) creates a non-exclusive right in favour of the User as owner of the User Lot;
  - (3) reserves the right of the Owner as owner of the Owner Lot to use the Easement Area for pedestrian and motor vehicle movement;
  - (4) may be exercised at any time by the User provided that the User causes as little inconvenience as is reasonably practicable to the Owner and any other party entitled to use the Owner Lot; and
  - (5) may not be exercised for any other purposes or by any vehicle which will, or may, cause damage to the Easement Area.
- (b) The Owner may access pipes and other services beneath and above the Easement Area where necessary for repair, maintenance or replacement purposes but must at all times cause as little disruption as is practicable to the rights of the User created by this deed.
- (c) The User must remedy and make good any damage to the Owner Lot or Easement Area caused or contributed to by the User or the User's Authorised Users, including but not limited to, any breach of its obligations under this deed.

## 4 Indemnity

The User covenants with the Owner to indemnify and keep indemnified, and release and keep released, the Owner from and against all actions, claims, proceedings, demands, losses, costs and expenses (including the costs of defending or settling any action claim proceeding suit or demand) which may at any time be brought or made against or incurred by the Owner:

- (a) in respect of any destruction, loss (including loss of use), injury or damage of any nature or kind of or to property of any person whether or not on the Easement Area (other than fair wear and tear); and
- (b) in respect of the death of, injury to or illness of, any person on the Easement Area,

to the extent caused by or arising out of or in connection with:

- (c) the use of the Easement Area by the User, the User's Authorised Users, or the employees, agents, contractors, workmen, lessees, licensees and invitees of the User; or
- (d) any default by the User in the due and punctual performance of or compliance with any of the terms or covenants contained in this deed,

except to the extent caused or contributed to by the Owner or its employees,

FORM B2

Form Approval No: B1134

WESTERN AUSTRALIA

TRANSFER OF LAND ACT 1893 AS AMENDED

Date 25/08/2020

**BLANK INSTRUMENT FORM****Easement – Lot 103**

(Note 1)

**This deed of easement**

is made on 25<sup>th</sup> August 2020  
by:

1. **Mirvac (WA) Pty Ltd**  
ACN 095 901 769 of Level 3 502 Hay Street SUBIACO WA 6008  
(Owner)
2. **Rockingham Park Pty Ltd**  
ACN 008 687 965 of Level 12, QBE House, 200 St Georges Terrace,  
PERTH WA 6000  
(User)

**Recitals**

- A. The Owner is the registered proprietor for the time being of the Owner Lot.
- B. The User is the registered proprietor for the time being of the User Lot.
- C. The Owner wishes to create an easement over the Owner Lot as shown on Deposited Plan 419437 in favour of the User Lot.

**The deed witnesses as follows****1 Definitions**

In this deed:

**Easement Area** means that part of the Owner Lot marked easement 'E' on Deposited Plan 419437, as limited in height as shown on Deposited Plan 419437.

**Owner Lot** means Lot 103 on Deposited Plan 403300 being the whole of the land in Certificate of Title Volume 2935 Folio 848.

**Specified Encumbrances** means the limitations, interests, encumbrances and notifications set out in the schedule to this deed.

**User's Authorised Users** means all occupiers of and lawful visitors to the User Lot.

**User Lot** means Lot 6 on Deposited Plan 55276 being the whole of the land comprised in Certificate of Title Volume 2692 Folio 914.

87142684.4



Government of Western Australia  
Department of Finance  
Office of State Revenue

EV001505767 DUTY



# Certificate of Duty

## Transfer - (General Rate)

Duties Act 2008

Certificate Number:	1033302695	Certificate Issue Date:	10-09-2020
Bundle ID	202466339	Client Reference:	JMA 82377552
Transaction Date:	25-08-2020		
Dutiable Value:	\$ 6,000.00		
<b>Transfer Duty:</b>	<b>\$ 114.00</b>		
Penalty Tax:	\$ 0.00		

Dutiable Transaction: Acquisition Of New Dutiable Property On Its Creation, Grant Or Issue (s 17)

### Description of Property:

Servient Tenement:	Lot 6, Plan 55276	Extent: Whole	Volume/Folio 2692/914
Dominant Tenement:	Lot 103, Plan 403300	Extent: Whole	Volume/Folio 2935/848

Grantor(s): ROCKINGHAM PARK PTY LTD

Grantee(s): MIRVAC (WA) PTY LTD



**INSTRUCTIONS**

1. This form may be used only when a "Box Type" Form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

**NOTES**

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The full name, address and occupation of the witness must be stated. Execution by a corporation or body corporate must be in accordance with the *Corporation Act*.

EXAMINED

OFFICE USE ONLY  
**0499986 E**

17 Sep 2020 08:30:00 Perth



LODGED BY

**Herbert Smith Freehills**  
**QV1 Building**  
**250 St Georges Terrace**  
**PERTH WA 6000**  
**Tel: 9211 7777**  
**Fax: 9211 7878**  
**LTO Box 116D Perth**

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY Herbert Smith Freehills

ADDRESS

Level 36  
 QV1 Building  
 250 St Georges Terrace  
 PERTH WA 6000

PHONE No.

(08) 9211 7777

FAX No.

(08) 9211 7878

Reference No.

JMA 82377552

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

- |                        | Received Items |
|------------------------|----------------|
| 1. dup CT 2692/914     | Nos. 1/2       |
| 2. Certificate of Duty |                |
| 3. _____               |                |
| 4. _____               |                |
| 5. _____               |                |
| 6. _____               |                |
- Receiving Clerk

Registered pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.

87420511

**Executed as a deed:**

Executed by

**Mirvac (WA) Pty Ltd ACN 095 901 769**

by its Attorneys pursuant to power of attorney O371487 dated 20 March 2020

sign here ▶

Attorney

Attorney

MICHAEL

print full name

Steven Kavalsky

DAVID<sup>1</sup> PARSONS

in the presence of:

sign here ▶

Witness

Witness

print full name of witness

Jacalyn Donnelly

Jacalyn Donnelly

print address of witness

Level 39, 108 St Georges Tce  
Perth WA 6000Level 39, 108 St Georges Tce  
Perth WA 6000

print occupation of witness

Development Manager

Development Manager

Executed by

**Rockingham Park Pty Ltd****ACN 008 687 965**

sign here ▶

Director/Secretary

print name

GAIL LOUISE HACKETT

sign here ▶

Director

print name

DAVID GEORGE SIMPSON

87420511



**Schedule - Limitations, interests, encumbrances and notifications**

1. NOTIFICATION K622977
2. RESTRICTIVE COVENANT K622978
3. EASEMENT BURDEN CREATED UNDER SECTION 136C T.L.A. FOR RIGHT OF CARRIAGEWAY PURPOSES -SEE DEPOSITED PLAN 55276
4. MEMORIAL M364451

87420511

agents, contractors or invitees.

## **5 Benefit and burden of Easements**

- (a) In respect to the easement referred to in this deed:
  - (1) the land burdened by the easement is the Owner Lot; and
  - (2) the land benefited by the easement is the User Lot.
- (b) The easement referred to in this deed is intended to:
  - (1) run with the Owner Lot and the User Lot;
  - (2) bind the owner of the Owner Lot and every registered proprietor from time to time of the Owner Lot; and
  - (3) bind the owner of the User Lot and every registered proprietor from time to time of the User Lot.

## **6 Dedication of Road**

The User acknowledges and agrees that:

- (a) the Easement Area may become a dedicated road; and
- (b) if the Easement Area becomes a dedicated road, then the User must surrender this easement on written notice from the Owner.

## **7 Notices**

Any notice, or other communication given under this deed:

- (a) must be in writing and delivered or sent to:
  - (1) the address of the relevant lot; or
  - (2) the address of the owner of the relevant lot as shown on the Certificate of Title for that relevant lot, or to any other address specified by any party to the sender by notice;
- (b) must be signed by the sender or an attorney, a director or secretary of the sender or by a solicitor on behalf of the sender; and
- (c) will be treated as having been given by the sender and received by or served on the addressee:
  - (1) if by delivery in person - when delivered to the addressee; and
  - (2) if by registered post - on the day which is the third day (excluding weekends and public holidays) after the date of posting.

## 2 Easement

Subject to clause 3, the Owner as owner of the Owner Lot creates in favour of the User as owner of the User Lot the right to pass over the Easement Area for the purposes of pedestrian and vehicular access to and egress from the User Lot over the Easement Area.

## 3 Conditions applying to easement

- (a) The easement:
  - (1) is granted subject to the Specified Encumbrances;
  - (2) creates a non-exclusive right in favour of the User as owner of the User Lot;
  - (3) reserves the right of the Owner as owner of the Owner Lot to use the Easement Area for pedestrian and motor vehicle movement;
  - (4) may be exercised at any time by the User provided that the User causes as little inconvenience as is reasonably practicable to the Owner and any other party entitled to use the Owner Lot; and
  - (5) may not be exercised for any other purposes or by any vehicle which will, or may, cause damage to the Easement Area.
- (b) The Owner may access pipes and other services beneath and above the Easement Area where necessary for repair, maintenance or replacement purposes but must at all times cause as little disruption as is practicable to the rights of the User created by this deed.
- (c) The User must remedy and make good any damage to the Owner Lot or Easement Area caused or contributed to by the User or the User's Authorised Users, including but not limited to, any breach of its obligations under this deed.

## 4 Indemnity

The User covenants with the Owner to indemnify and keep indemnified, and release and keep released, the Owner from and against all actions, claims, proceedings, demands, losses, costs and expenses (including the costs of defending or settling any action claim proceeding suit or demand) which may at any time be brought or made against or incurred by the Owner:

- (a) in respect of any destruction, loss (including loss of use), injury or damage of any nature or kind of or to property of any person whether or not on the Easement Area (other than fair wear and tear); and
- (b) in respect of the death of, injury to or illness of, any person on the Easement Area,

to the extent caused by or arising out of or in connection with:

- (c) the use of the Easement Area by the User, the User's Authorised Users, or the employees, agents, contractors, workmen, lessees, licensees and invitees of the User; or
  - (d) any default by the User in the due and punctual performance of or compliance with any of the terms or covenants contained in this deed,
- except to the extent caused or contributed to by the Owner or its employees,

FORM B2

Form Approval No: B1134

WESTERN AUSTRALIA

TRANSFER OF LAND ACT 1893 AS AMENDED

Date 25/08/2020

**BLANK INSTRUMENT FORM****Easement – Lot 6**

(Note 1)

**This deed of easement**

is made on 25<sup>th</sup> August 2020  
by:

1. **Mirvac (WA) Pty Ltd**  
ACN 095 901 769 of Level 3 502 Hay Street SUBIACO WA 6008  
(User)
2. **Rockingham Park Pty Ltd**  
ACN 008 687 965 of Level 12, QBE House, 200 St Georges Terrace,  
PERTH WA 6000  
(Owner)

**Recitals**

- A. The Owner is the registered proprietor for the time being of the Owner Lot.
- B. The User is the registered proprietor for the time being of the User Lot.
- C. The Owner wishes to create an easement over the Owner Lot as shown on Deposited Plan 419831 in favour of the User Lot.

**The deed witnesses as follows****1 Definitions**

In this deed:

**Easement Area** means those parts of the Owner Lot marked easements 'F' and 'G' on Deposited Plan 419831, as limited in height as shown on Deposited Plan 419831.

**Owner Lot** means Lot 6 on Deposited Plan 55276 being the whole of the land comprised in Certificate of Title Volume 2692 Folio 914.

**Specified Encumbrances** means the limitations, interests, encumbrances and notifications set out in the schedule to this deed.

**User's Authorised Users** means all occupiers of and lawful visitors to the User Lot.

**User Lot** means Lot 103 on Deposited Plan 403300 being the whole of the land in Certificate of Title Volume 2935 Folio 848.

87420511.3

EV001505768 DUTY



Government of Western Australia  
Department of Finance  
Office of State Revenue



# Certificate of Duty

## Transfer - (General Rate)

Duties Act 2008

Certificate Number:	1033302687	Certificate Issue Date:	10-09-2020
Bundle ID	202466339	Client Reference:	JMA 82377552
Transaction Date:	25-08-2020		
Dutiable Value:	\$ 99,000.00		
<b>Transfer Duty:</b>	<b>\$ 2,061.50</b>		
Penalty Tax:	\$ 0.00		

Dutiable Transaction: Acquisition Of New Dutiable Property On Its Creation, Grant Or Issue (s 17)

Description of Property:

Servient Tenement:	Lot 103, Plan 403300	Extent: Whole	Volume/Folio 2935/848
Dominant Tenement:	Lot 6, Plan 55276	Extent: Whole	Volume/Folio 2692/914



Grantor(s): MIRVAC (WA) PTY LTD

Grantee(s): ROCKINGHAM PARK PTY LTD





VERSION	AMENDMENT	AUTHORIZED BY	DATE
HELD BY LANDGATE IN DIGITAL FORMAT ONLY FOR INTERESTS PURPOSES ONLY			

TYPE	FREEHOLD	S.S.A.	YES
PURPOSE	INTEREST		
PLAN OF	EASEMENT AND / OR OTHER INTERESTS OVER LOT 103 ON DP 403300		
FORMER TENURE	N.A.		
LOCAL AUTHORITY	CITY OF FREMANTLE		
LOCALITY	NORTH FREMANTLE		
D.P.L.H. FILE			
FIELD RECORD	N.A.		
SURVEYOR'S CERTIFICATE - REG 54 I, Nigel J. SIMPSON herby certify that this plan is accurate and is a correct representation of the - (a) survey, and/or (b) measurements recorded in the field records, (c) documents and/or (d) data used in the preparation of this plan and that it undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.			
LICENSED SURVEYOR	Nigel Simpson 2020.08.12 10:18:40 +0800 DATE		
LOGGED			
12-Aug-2020	DATE	FEE PAID	ASSESS No.
I.S.C.			
G.FONG	EXAMINED	13-Aug-2020 DATE	
WESTERN AUSTRALIAN PLANNING COMMISSION			
FILE			
Delegated under S. 16 P&O Act 2005 DATE			
SUBJECT TO			
IN ORDER FOR DEALINGS			
FOR INSPECTOR OF PLANS AND SURVEYS DATE 13-Aug-2020			
APPROVED			
INSPECTOR OF PLANS AND SURVEYS DATE 17 9 2020			
IS. 18 Licensed Surveyors Act 1909			
			
			
DEPOSITED PLAN 4 19437 SHEET 01 OF 01 SHEETS VERSION 1			

100  
DP 403300  
C.T. 2935 / 84.0

103  
DP 403300  
C.T. 2935 / 84.8

5  
DP 55276

6  
DP 55276

ENLARGEMENT - A2  
Not To Scale

SCALE 1:200 @ A2

ALL DISTANCES ARE IN METRES

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
①	EASEMENT		DOC O499985	LOT 103 ON DP 403300	SEE DOC	LIMITED IN HEIGHT FROM R.L.'S SHOWN SEE ENL A2

100  
DP 403300  
C.T. 2935 / 84.0

103  
DP 403300  
C.T. 2935 / 84.8

5  
DP 55276

6  
DP 55276

ENLARGEMENT - A2  
Not To Scale

SCALE 1:200 @ A2

ALL DISTANCES ARE IN METRES



O500104 SN

17 Sep 2020 08:30:00 Perth



SN

Scheme Notice

Lodged by:<sup>5</sup> Corrs Chambers Westgarth  
Address: 6/123 St Georges Terrace, Perth  
Phone Number: (08) 9460 1666  
Fax Number: (08) 9460 1667  
Reference Number: 9122861  
Issuing Box Number: 95J

Instruct if any documents are to issue  
to other than Lodging Party

Prepared by: Corrs Chambers Westgarth  
Address: 6/123 St Georges Terrace, Perth  
Phone Number: (08) 9460 1666  
Fax Number: (08) 9460 1667  
Reference Number: 9122861

Titles, Leases, Evidence, Declarations etc. lodged herewith

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**OFFICE USE ONLY**

Landgate Officer

Number of Items Received: 0

Landgate Officer Initial: [Signature]

<sup>5</sup> Lodging Party Name may differ from Applicant Name.





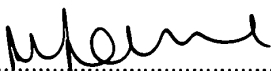


Approved Form 2019-74762

### EXECUTION<sup>3</sup>

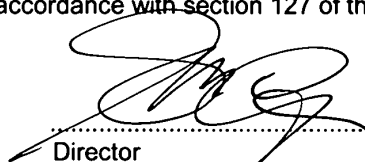
Date of Execution: 21 AUG 2020

Executed by Mirvac (WA) Pty Ltd ACN 095 901 769 in accordance with section 127 of the Corporations Act 2001 (Cth):

  
.....  
Company Secretary/Director

**Michelle Favelle**

.....  
Name of Company Secretary/Director (print)

  
.....  
Director

**Shane Michael Gannon**

.....  
Name of Director (print)

See above.

.....  
Signature of Owner<sup>4</sup>

.....  
Full Name

In the presence of:

N/A

.....  
Witness Signature

.....  
Full Name

.....  
Address

.....  
Occupation

See above.

.....  
Signature of Owner<sup>4</sup>

.....  
Full Name

In the presence of:

N/A

.....  
Witness Signature

.....  
Full Name

.....  
Address

.....  
Occupation

<sup>3</sup> See Land Titles Policy & Procedure Guide "SIG-01 Signing of Documents" (and associated guides) in relation to execution requirements.

<sup>4</sup> To be signed by owner of the land described in the above-mentioned Certificate of Title.

11:06:17-17SEP-20



Approved Form 2019-74762

SN

## Scheme Notice

Strata Titles Act 1985  
Section 29

Scheme Number: 75504

Certificate of Title Volume/Folio Number: 2935 / 848

Scheme Name: Compass

Address for Service of the Strata Company: 5 Cattalini Lane, North Fremantle, Western Australia

Email address for Strata Company<sup>1</sup>: \_\_\_\_\_

Is this a Leasehold Scheme? ☐ Yes / ☒ No

Leasehold Scheme Term<sup>2</sup>: \_\_\_\_\_ year(s) / \_\_\_\_\_ month(s) / \_\_\_\_\_ day(s)  
commencing on registration of the scheme.

<sup>1</sup> Optional.

<sup>2</sup> Not required unless this is a Leasehold Scheme and must be stated in years, months and days.



**[SB] Scheme By-laws – New Scheme**

Lodged by: <sup>12</sup>	Corrs Chambers Westgarth
Address:	6/123 St Georges Terrace, Perth
Phone Number:	(08) 9460 1666
Fax Number:	(08) 9460 1667
Reference Number:	9122861
Issuing Box Number:	95J

Instruct if any documents are to issue to other than Lodging Party

Prepared by:	Corrs Chambers Westgarth
Address:	6/123 St Georges Terrace, Perth
Phone Number:	(08) 9460 1666
Fax Number:	(08) 9460 1667
Reference Number:	9122861

Titles, Leases, Evidence, Declarations etc. lodged herewith	
1.	
2.	
3.	
4.	
5.	

**OFFICE USE ONLY**

Landgate Officer

Number of Items Received: 0

Landgate Officer Initial: [Signature]

<sup>12</sup> Lodging Party Name may differ from Applicant Name.

