WESTERN AUSTRALIA

TITLE NUMBER	
Volume	Folio
2145	**836**

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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.

BGRoberts
REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 468 ON PLAN 22945

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

JOHNSON VINOO ROSS
SUMY ANTONY
BOTH OF 32 EVERLY CIRCUIT PAKENHAM VIC 3810
AS JOINT TENANTS

(T P883115) REGISTERED 12/2/2024

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

1. RESTRICTIVE COVENANT BENEFIT - SEE PLAN 22945 AND INSTRUMENT G900345.
2. Q188414 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 28/10/2024.

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. Lot as described in the land description may be a lot or location.

----------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:	2145-836 (468/P22945)
PREVIOUS TITLE:	2057-133
PROPERTY STREET ADDRESS:	24 COLCHESTER AV, ORELIA.
LOCAL GOVERNMENT AUTHORITY:	CITY OF KWINANA

Superseded - Copy for Sketch Only

LT.175

ORIGINAL: Not to be removed from the Department of Land Administration.

Application G924120

Volume 2057 Folio 133

WESTERN AUSTRALIA

VOLUME 2145 FOLIO 836

IN THE REGISTER

CERTIFICATE OF TITLE

UNDER THE " TRANSFER OF LAND ACT, 1893 " AS AMENDED

The person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements, encumbrances and notices shown in the Second Schedule hereto.

Dated 12th October, 1998

REGISTRAR OF TITLES

ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Kwinana Lot 349 and being Lot 468 on Plan 22945, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 12.19 metres, together with the benefit of restrictive covenants created on the said Plan under Section 136D TLA, as set out in Covenant G900345.

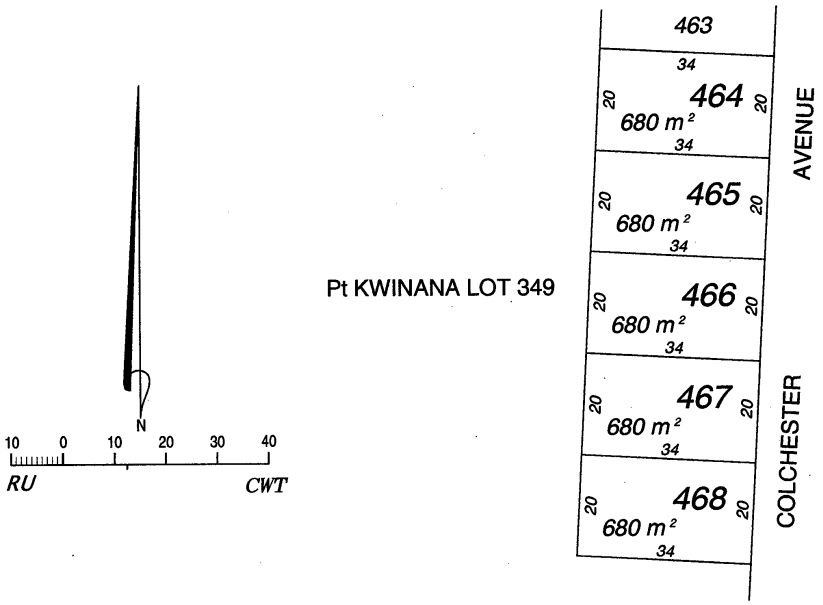
FIRST SCHEDULE (continued overleaf)

~~The State Housing Commission of 99 Plain Street, East Perth.~~

SECOND SCHEDULE (continued overleaf)

1. COVENANT G900345 created on Plan 22945 under Section 136D TLA. Registered 12.10.98 at 10.54 hrs.

THIRD SCHEDULE



NOTE: Entries may be affected by subsequent endorsements.

ORIGINAL CERTIFICATE OF TITLE

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VOLUME 2145 FOLIO 836 IN THE REGISTER

FIRST SCHEDULE (continued) NOTE : ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

PARTICULARS	INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	TIME	SEAL & INITIAL
Simon Mark Jeffs and **Peta Melissa Doherty** both of 6 Borell Place, Kardinya, **as joint tenants.**	Transfer	H5870	19.1.99	15.39	

SECOND SCHEDULE (continued)	REGISTERED or LODGED	TIME	SEAL & INITIAL	CANCELLATION NATURE	CANCELLATION NUMBER	REGISTERED or LODGED	SEAL & INITIAL
MORTGAGE H5871 to **Keystart Loans Ltd.**	19.1.99	15.39					

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GOVERNMENT OF WESTERN AUSTRALIA

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Mortgage

Document number Q188414
Lodgement date 28/10/2024 11:14:14

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Jurisdiction

Western Australia

Legislation

Transfer of Land Act 1893

Document details

Document type	Mortgage	ELN lodgement case id	1244758468
ELN id	PEXA	ELN document id	2839810202
ELN workspace id	12553689	ELN counterpart id/s	2839810202-1116208973

Responsible subscriber and contact details

Name	COMMONWEALTH BANK OF AUSTRALIA	Contact fax	08 9369 6484
Customer code	EFA141	Contact phone	0436 651 593
Contact name	Sian McDonald	Contact email	settlements@bankwest.com.au
Contact address	BANKWEST PLACE LEVEL 10 300 MURRAY STREET PERTH WA 6000	Client reference	13605329 EW sim sett

Lodgement fees

Fee description	Net	Gst	Fees
ELNO - Mortgage (per interest)	$210.30	$0.00	$210.30
		Total	$210.30

Land

Title(volume-folio)	Extent	Land description	Estate and/or interest
2145-836	Whole	468/P22945	FEE SIMPLE

Mortgagor(s)

JOHNSON VINOO ROSS

SUMY ANTONY

Mortgagee(s)

COMMONWEALTH BANK OF AUSTRALIA (ABN 48123123124) OF COMMONWEALTH BANK PLACE SOUTH LEVEL 1 11 HARBOUR STREET SYDNEY NSW 2000

Terms and conditions of this mortgage

Document Reference	P713906
Additional terms and conditions	NIL

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Attachments

NIL

Mortgage date

15/10/2024

Operative clause

The mortgagor mortgages the estate and/or interest in land specified in this mortgage to the mortgagee as security for the debt or liability described in the terms and conditions set out or referred to in this mortgage, and covenants with the mortgagee to comply with those terms and conditions.

Subscriber Certification and Execution on behalf of the Mortgagee(s)

Subscriber document reference 13605329 EW sim sett

COMMONWEALTH BANK OF AUSTRALIA (ABN 48123123124) makes the following certifications:

1. The Certifier has retained the evidence supporting this Registry Instrument or Document.
2. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.
3. The Certifier, or the Certifier is reasonably satisfied that the mortgagee it represents,: (a) has taken reasonable steps to verify the identity of the mortgagor or his, her or its administrator or attorney; and (b) holds a mortgage granted by the mortgagor on the same terms as this Registry Instrument or Document.

Digitally signed by EMMA MURDOCH on behalf of COMMONWEALTH BANK OF AUSTRALIA (ABN 48123123124) on 24 October 2024

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OFFICE USE ONLY

G 900345 RC

Lodged 11 Sep, 1998 16:06:17 Perth

REG. $ 64.00

Registered 12 Oct, 1998 10:54:11

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.

LODGED BY	McCusker & Harmer Solicitors
ADDRESS	3rd Floor 45 St George's Tce PERTH WA 6000
PHONE No.	9325 4100
FAX No.	9221 2264
REFERENCE No.	SHC-DEED DJC:GR 141400
ISSUING BOX No.	1
PREPARED BY	AS ABOVE
ADDRESS	
PHONE No.	FAX No.

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

(1) 4

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. Letter
2.
3.
4.
5.
6.

Received Items

Nos.

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.

EXAMINED

Restrictive Covenant SECTION 136D TLA

REGISTRAR OF TITLES

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ANNEXURE "C"

KWINANA - WINDSOR HILLS

Development Conditions & Building Guidelines

Introduction

In order to ensure the attainment of a minimum standard and to encourage home design excellence at Kwinana, these guidelines set out the minimum standards and conditions under which residential development within the estate will normally be approved.

Appreciating that design is subjective and that new products are being continually developed the Vendors may and reserve the right to approve alternative materials or finishes provided such materials and finishes, in their opinion maintain the minimum standards set out below.

Building Plan Approval

Two full sets of plans and specifications must be submitted to the Vendor or its Agent simultaneously with any plans submitted to Town of Kwinana under the normal building approval procedure. Vendor or his Agent will peruse such plans for compliance with the Restrictive Covenants and Development Conditions and Building Guidelines and if considered to comply will return an approved set of plans to the applicant.

Dwelling

The minimum dwelling size in each stage varies, therefore before commencing the design of your home refer to the minimum size of the floor area allowed for a dwelling within your particular stage. The minimum floor area is the area of the dwelling excluding porches, carports, garages, verandahs etc.

Carports

All dwellings constructed must incorporate a single/double carport or garage.

Materials

- Walls: All external walls must be constructed, unless otherwise approved, with clay bricks finished in face brickwork or render. Use of other materials may be approved at the discretion of the Vendor.
- Roofing: Clay, concrete tiles, colourbond metal and zincalume are acceptable. Any flat roof must be shielded from front view by parapet walling.
- Driveways: Each dwelling is to be provided with a driveway and crossover to be completed at the same time as the residence and before occupation and shall be no closer than 0.6m from any side boundary. Grano, Bitumen, Brick or similar paving driveways to the front boundary are acceptable.

Outbuildings

Outbuildings greater than 20sq.m must be constructed in materials exactly the same as the main building. Sheds and other outbuildings with a floor area of less than 20sq.m may be approved if constructed in other materials.

Fencing

For general boundary fencing no fencing known as "super six" or similar material is to extend forward of the building line. All side & rear boundary fencing must be fully installed on completion of construction of the dwelling.

Corner Lots

Fencing to street frontage must be constructed in masonry or timber or colourbond - fibro-cement fencing (known as super-six) is not permitted.

Retaining Walls & Site Levels

Limestone retaining or other walls provided may NOT BE ALTERED IN ANY WAY.
The general level of the site may not be altered where retaining walls have been provided, without the written approval of the developers.
On all lots the finished site level shall not be raised by more than 0.5 metres excepting where retaining walls have been constructed the levels shall not be altered.

Air Conditioning/Solar Hot Water Units

Air conditioning units must be hidden from view from the street and must be of similar colour to the roof. Solar hot water units must be integrated with and match the roof profile of the dwelling.

Landscaping

All garden areas within public view to be completely landscaped within three months of occupation of the dwelling.

Street Trees

The Vendor will provide a street tree (Agonis Flexuosa - Weeping Peppermint) to enhance the streetscape of the suburb. Maintenance of this tree will be the responsibility of the house owner.

Windblown Litter

a. For the benefit of tidiness and good housekeeping the owner and the Town of Kwinana has resolved that a provision be made on building sites for the containment of builders materials, that would otherwise be likely to be blown by the wind. The minimum requirement is a "Pen" constructed of 4 star pickets and wire mesh secured to all sides and a top, located on each Lot, during the construction period.

b. Windblown sand prior to and during construction: the purchaser shall take all steps necessary to stabilise the soil and prevent litter accumulating. Should the Project Managers be forced to carry out this exercise they reserve the right to claim the cost back from the allotment owner.

Rubbish Disposal Containers

Must be screened from public view with the use of approved screening materials.

Commercial Vehicles

Commercial vehicles including caravans, boats etc shall not be parked or stored on a property unless contained within carport/garage or screened from public view with the use of approved screening materials.

Use of Property

The carrying out of any repairs or restorations of any motor vehicle, boat, trailer, aircraft or any other vehicle is prohibited unless screened from public view.

Signs

NO advertising or business signage shall be placed on the verge of the property or in the front window or on the walls of the dwelling excepting real estate signage associated with the sale of the property. In the case of the latter this will only be allowed 12 months from purchase of the lot.

Washing Lines

Shall not be visible from the street.

Other

No completed residence or unit shall be used for display purposes without the written approval of the Vendor or its agent.
The benefit of the preceding building guidelines shall be for the benefit of every other lot in the plan of subdivision referred to herein and the burden of the preceding guidelines shall be attached to the property.

WINDSOR HILLS

Initials _____

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(8) Not to breach or cause to be breached the Development conditions and Building guidelines relating to the land which are annexed hereto and marked "C".

2. The registered proprietor agrees that prior to commencement of any construction on the land, the registered proprietor shall submit plans and specifications to SHC or it's agents for approval. Approval shall automatically be given if such plans and specifications comply with the covenants hereinbefore contained.

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(j) Any fence which does not match or compliment the residence, or if comprised of super six fibro-cement, which extends forward of the building frontage set back line.

(k) Any fence which is comprised partly or wholly of super six fibro-cement on any boundary of the land which is adjacent to a public accessway or roadway.

(l) A letter box which is not located adjacent to the driveway, is not clearly numbered or does not match or complement the residence.

(m) An air conditioner or evaporative cooler, unless contained wholly within the residence below the ridge line and being of similar colour to the roof, or within the roof space between the ceilings of the residence, and the underside of the roof of the residence.

(n) A solar hot water heater, unless it is screened from public view, fits the roof profile and otherwise matches or compliments the residence.

(o) A clothes line or rain water tank except in accordance with the manufacturers instructions and which is not screened from public view.

(2) Not to subdivide or attempt to further subdivide the land or any part thereof or to amalgamate or attempt to amalgamate the land or any part thereof with any other land.

(3) Not to park or allow to be parked on the land or on the road or on any other land near or next to the land any commercial vehicles including but not limited to trucks, utilities, caravans, trailers, boats or any other mobile machinery ("commercial vehicles") unless such commercial vehicles are housed or contained wholly within a carport or garage on the land or are screened from public view.

(4) That where retaining walls or fences have been erected on any of the boundaries of the land by SHC, NOT to alter or remove any of the retaining walls or fences, NOT to allow or permit the retaining walls or fences to fall into a state of disrepair, and NOT to repair or renew such retaining walls or fences except in the same style and colour as the existing retaining walls and fences.

(5) That if retaining walls or fences have been erected on any of the boundaries of the land by the SHC, NOT to alter the level of the surface of the land by elevating the level by more than one half of the one metre.

(6) Subject to the proviso, NOT to erect or display or cause to be erected or displayed on the land any sign hoarding or advertising of any description whatsoever PROVIDED THAT A FOR SALE SIGN shall not be erected or displayed on the land prior to one year from the date of registration of the land from the SHC to the registered proprietor.

(7) Not to use or open or allow to be used or opened, any residence erected on the land for display purposes.

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ANNEXURE "B"

RESTRICTIVE COVENANTS

1. The registered proprietor of each of the lots ("the land") shall not construct, erect or install or permit to be constructed, erected or installed on the land:

(a) More than one permanent non-transportable private residence ("a residence")

(b) A residence with a total floor area of less than 125 square metres inclusive of external walls but exclusive of carports, garages, verandahs and other unenclosed areas.

(c) A residence or any alteration or addition to a residence.

(i) Using wall materials which are not either predominantly concrete, clay bricks or stone or other similar material in facework or render.

(ii) Using roof materials, which are not concrete, or clay tiles, slate, colourbond metal, or zincalume.

(d) A residence which does not contain a carport or garage making provision for parking of not less than one motor vehicle.

(e) A carport or garage, which, if not located under the main roof of the residence, does not match or compliment the residence, in respect of the pitch of the roof material used, the design and external appearance including colour and the quality of construction.

(f) Any structure with walls and a roof exceeding 20 square metres which has a flat roof or which does not match or complement the residence in respect of materials used, the design, external appearance, including colour and the quality of construction.

(g) A residence, unless a driveway and the crossover between the road and the parking area on the land are constructed and completed prior to occupation of the residence.

(h) A driveway which is wider than 6 metres at the street boundary of the land, is less than 0.6 metres from any side boundary of the land or which is not constructed of grano, bitumen, brick paving or other similar surface.

(i) A residence, unless all ground areas which are visible from the street or to a neighbouring owner ("Visible areas") are properly landscaped within 3 months after occupation of the residence. "Properly landscaped" means that all visible areas must be cleared and grassed, planted or otherwise covered with a beautifying surface.

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ANNEXURE "A"

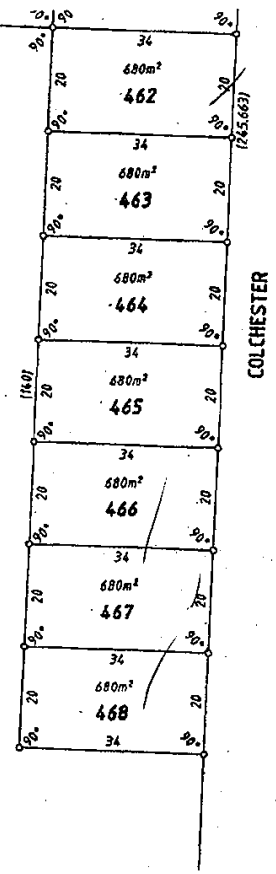
Pt. KWINANA LOT 349

CS PLAN 18686

SUBJECT TO MATERIAL CHANGE UNTIL APPROVED BY STATE PLANNING COMMISSION

N

RESTRICTIVE COVENANT UNDER SEC 136D OF THE T.L.A. (G.) EXPIRING ON 31st DECEMBER 2008 ALL LOTS HEREON ARE BURDENED TO THE BENEFIT OF ALL THE SAID LOTS.



McMULLEN NOLAN AND PARTNERS SURVEYORS PTY LTD

Unit 9, 89 Richardson Street, PO Box 117, South Perth WA 6951 Telephone: (08) 9474 1999 Facsimile: (08) 9474 1998

SURVEYOR'S CERTIFICATE - Reg 54

I J. A. McMULLEN hereby certify that this plan of survey is a correct and accurate representation of the survey and/or calculations from measurements recorded in the fieldbook lodged 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 ..... Date 5-8-98

SURVEYOR'S CERTIFICATE - Compiled

I ..... hereby certify that this compiled plan
(a) is a correct and accurate representation of the survey(s) of the subject land ; and
(b) is in accordance with the relevant law in relation to which it is lodged.

Licensed Surveyor ..... Date .....

APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION

FILE 107085

24

FOR CHAIRMAN

DATE

EARLY ISSUE ☑

LODGED

DATE 7. 8. 98

FEE PAID $1243

ASSESSMENT No. 286786

TYPE OF VALIDATION

FULL AUDIT

LEBAL COMPONENT

DOCKET

PLAN/DIAGRAM CERTIFIED CORRECT

F.B.O. No.

20 0 SCALE 1:750 60

ALL DISTANCES ARE IN METRES

IN ORDER FOR DEALINGS

SUBJECT TO

FOR INSPECTOR OF PLANS & SURVEYS DATE

APPROVED DATE

INSPECTOR OF PLANS & SURVEYS

DOLA Department of LAND ADMINISTRATION

OFFICE OF TITLES

PLAN 22945

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ANNEXURE "A"

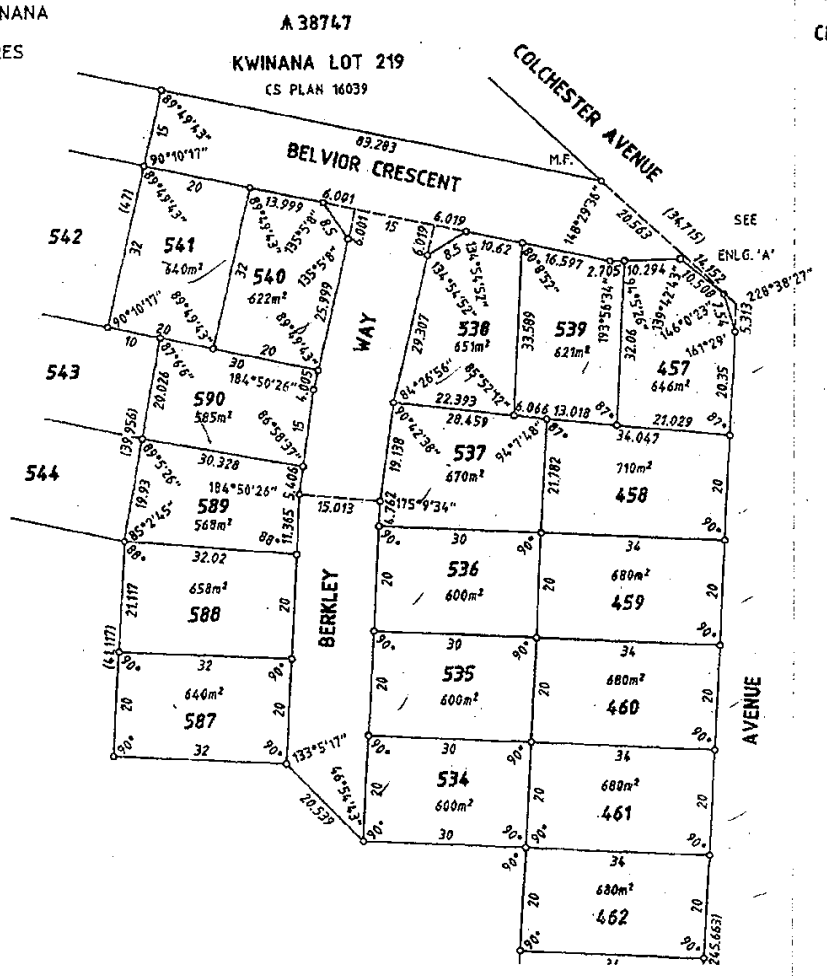
PLAN 22945

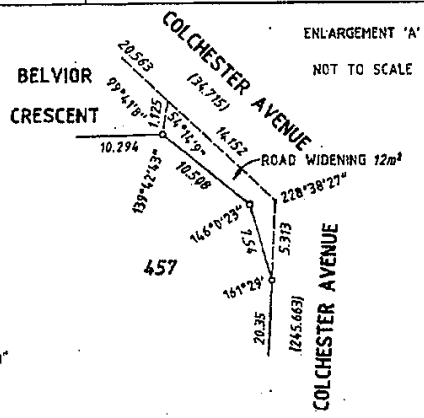
LAND DESCRIPTION	ON	CERTIFICATE OF TITLE		FIELD BOOK	TOTAL AREA
SUBDIVISION OF Pt. KWINANA LOT 349	PLAN CS PLAN 18686 DIAGRAM INDEX BG33 (2) 11.34 PUBLIC	VOLUME 2057	FOLIO 133	69649	1.8761 ha.

LOCALITY - ORELIA

LOCAL AUTHORITY - TOWN OF KWINANA

LIMITED IN DEPTH TO 12.19 METRES





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IN WITNESS WHEREOF The State Housing Commission has executed this Deed the day of year first hereinbefore written.

THE STATE HOUSING COMMISSION COMMON SEAL

THE COMMON SEAL OF
THE STATE HOUSING COMMISSION
was hereunto affixed in the presence of

MANAGER
Securities, Conveyancing
and Settlement Services

EXECUTIVE DIRECTOR

SCHEDULE

The Land:

A. Kwinana Town Lot 349 and being part of the land comprised in Certificate of Title Volume 2057 Folio 133

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THIS DEED is made the 11th day of September 1998.

BY: THE **STATE HOUSING COMMISSION** of 1st Floor, 99 Plain Street, EAST PERTH in the State of Western Australia ("SHC").

WA STAMP DUTY PAID
SECTION 112V
$20.00 Duty | Signature
79-1 1320905: 102.1

WHEREAS:

A. SHC is the registered proprietor of the land described in the Schedule hereto ("the Land").

B. SHC intends to subdivide part of the land and has lodged a plan of subdivision with the Ministry for Planning for State Planning Commission approval a copy of which is annexed hereto and marked "A" ("the Plan").

C. In accordance with Section 136D of the Transfer of Land Act SHC requires lots 457-468 inclusive, 534-541 inclusive, and 587-590 inclusive on the Plan ("the lots") to be encumbered by the restrictive covenants set out in Annexure "B" hereto ("the restrictive covenants"), so that the restrictive covenants will be noted on the Plan and when separate Certificates of Title issue for the lots the burden of the restrictive covenants is to be noted on each Certificate of Title.

NOW THIS DEED WITNESSES as follows:

1. CERTIFICATE OF TITLE

Each Certificate of Title which issues for each of the lots is to be encumbered by the restrictive covenants which shall run with the land described in the Certificate of Title for the benefit of every other of the lots.

2. RESTRICTIVE COVENANTS

SHC intends that the burden of the restrictive covenants is to:

(a) run with each lot for the benefit of each and every other of the lots, and

(b) be enforceable against the registered proprietor of each of the lots by SHC and every subsequent registered proprietor of every other of the lots.

3. TERM OF RESTRICTIVE COVENANTS

The restrictive covenants numbered 1-8 (inclusive) shall expire and cease to have effect from and including 31st December 2008.

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THE STATE HOUSING COMMISSION

DEED

WINDSOR HILLS – STAGE 5

PLAN 22945

McCusker & Harmer
Barristers & Solicitors
45 St George's Terrace
Perth WA 6000
Tel: (08) 9325 4100

Ref: DJC:GR 141400

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McCusker & Harmer
BARRISTERS AND SOLICITORS

3RD FLOOR, RESERVE BANK BUILDING
45 ST. GEORGE'S TERRACE
PERTH, WESTERN AUSTRALIA
TELEPHONE: (08) 9325 4100

POSTAL ADDRESS: BOX Z5084
PERTH 6831
DX305
FAX: (08) 9221 2264
EMAIL: mccusker@iinet.com.au

MALCOLM JAMES McCUSKER Q.C. LL.B.
DAVID JOHN CLARK LL.B.

YOUR REF:
OUR REF: DJC:DR:141400
ASK FOR: David Clark

11 September 1998

The Registrar
Department of Land Administration
Morrison Road
MIDLAND WA 6056

Dear Sir

DEED OF RESTRICTIVE COVENANT - PLAN 22945

We confirm that in our opinion the covenants contained within the enclosed Deed are restrictive in nature.

Yours faithfully
McCUSKER & HARMER

Per

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