

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

**2847**

**109**

## 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 146 ON DEPOSITED PLAN 401833

### REGISTERED PROPRIETOR: (FIRST SCHEDULE)

AMY SHEREE HART  
LEON CAMERON VISSER  
BOTH OF 5 ABBEY ROAD, ARMADALE  
AS JOINT TENANTS

(T M754049 ) REGISTERED 1/9/2014

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

1. RESTRICTIVE COVENANT BURDEN - SEE DEPOSITED PLAN 401833 AND INSTRUMENT M687132
2. RESTRICTIVE COVENANT BENEFIT - SEE DEPOSITED PLAN 401833 AND INSTRUMENT M687132
3. M687133 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND. LODGED 22/7/2014.
4. M687134 NOTIFICATION SECTION 165 PLANNING & DEVELOPMENT ACT 2005 LODGED 22/7/2014.
5. M754050 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 1/9/2014.

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: DP401833  
PREVIOUS TITLE: 2842-285  
PROPERTY STREET ADDRESS: 61 HUNTINGTON AV, WELLARD.  
LOCAL GOVERNMENT AUTHORITY: CITY OF KWINANA

NOTE 1: L400343 SECTION 138D TLA APPLIES TO CAVEAT L193364

**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**

M687132, RC 22 JUL 2014  
 27 Jun 2014 13:35:56 Perth



REG \$ 160.00

LODGED BY: Michael Hughes Legal  
 ADDRESS: Unit 4A, 166 Stirling Highway  
 NEDLANDS WA 6009  
 PHONE No: Telephone: (08) 9386 8009  
 Facsimile: (08) 9386 9003  
 FAX No:  
 REFERENCE No: 1245  
 ISSUING BOX No: 888v

PREPARED BY Michael Hughes Legal  
 ADDRESS Unit 4A  
 166 Stirling Highway  
 NEDLANDS WA 6009  
 PHONE No: (08) 9386 8009  
 FAX No: (08) 99389 1511  
 REFERENCE No: MAH:1245

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

**TITLES, LEASES, DECLARATIONS ETC LODGED  
 HEREWITH**

1.	Received Items Nos.
2.	
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.



WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED**BLANK INSTRUMENT FORM****RESTRICTIVE COVENANT**  
**Section 136D TLA**

(Note 1)

THIS RESTRICTIVE COVENANT IS MADE THIS 26th DAY OF June 2014 BY**WELLARD RESIDENTIAL PTY LTD** (ACN 113 195 985) of Post Office Box 456, Applecross Western Australia (**Registered Proprietor**)**RECITALS**

- A. The Registered Proprietor is the registered proprietor of an estate in fee simple in the whole of the Land.
- B. The Registered Proprietor intends to subdivide the Land by the registration of the Deposited Plan.
- C. Pursuant to Section 136D of the *Transfer of Land Act 1893 (WA)* the Registered Proprietor wishes to register restrictive covenants in respect of the Lots.

**OPERATIVE PART****1. DEFINITIONS AND INTERPRETATION****1.1 Definitions**

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

**Corner Lots** means a Lot located at the junction of two streets or at the junction of a street and public reserve.**Deposited Plan** means deposited plan 401833.**Land** means the land the subject of the Deposited Plan, being:

- (a) Lot 9011 on Deposited Plan ~~401833~~<sup>400958</sup> and being the whole of the land comprised in Certificate of Title Volume 2842 Folio 284; and
- (b) Lot 9012 on Deposited Plan ~~401833~~<sup>400958</sup> and being the whole of the land comprised in Certificate of Title Volume 2842 Folio 285

**Lots** means Lots 92 – 98, 145 – 157, 162 – 181, 198, 199, 438 and 439 on the Deposited Plan.

Repairs

24. carry out or permit to be carried out any repairs, restorations or wrecking of any motor vehicle, boat, trailer or any other vehicle unless screened from public view at all times;

Letterboxes

25. construct or permit to be constructed a letterbox other than a letterbox which is clearly numbered and constituted to match the style, colour and materials of the dwelling;

Waste Materials

26. accumulate or permit to be accumulated on the Lot any rubbish, trash, garbage or other waste materials or keep or permit the same to be kept on the Lot or any part thereof except in containers located in appropriate areas screened or concealed from view so that the containers are not visible from street or public access areas;

Window Coverings

27. permit newspaper, aluminium foil or similar material to be used to cover windows within the dwelling that are visible from the street or public access areas.

"For Sale" Signs

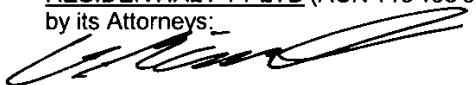
28. save in the case of display homes, erect or permit to be erected a "for sale" sign within a period of two years after the date of this Restrictive Covenant.

## 3. EXPIRY

The restrictive covenants in clause 2.2 shall expire shall expire and cease to have effect on 31 October 2023.

**EXECUTED as a Deed**

SIGNED for and on behalf of WELLARD )  
RESIDENTIAL PTY LTD (ACN 113 195 985) )  
by its Attorneys: )



**CRAIG BRUCE MATTHEWS**  
P/A No: M393450

Witness Signature *Anne*

*Kirsten A. Rhoades*  
Witness Name

*6 Forward St*  
*Manning 6152*  
Address

*Administrator*  
Occupation



**SAMUEL THOMAS KELLY GILL**  
P/A No: M393450

Witness Signature *Anne*

*Kirsten A. Rhoades*  
Witness Name

*6 Forward St*  
*Manning 6152*  
Address

*Administrator*  
Occupation

### Parking Vehicles

13. park or allow to be parked on the Lot or on the road or on any other property near or next to the Lot any commercial vehicles including but not limited to trucks, caravans, trailers, boats or any other mobile machinery ("commercial vehicles") unless such commercial vehicles are housed or contained within a carport or garage on the Property or screened from public view behind the building line, unless when used during the normal course of business by a visiting tradesperson;

### Sheds/Outbuildings

14. construct or permit to be constructed or brought on to the Lot any outbuilding (including any detached garage, workshop, garden shed, storage shed or other outbuilding) which exceeds 10m<sup>2</sup> in floor area unless constructed in predominantly the same design and materials as the dwelling;
15. construct or permit to be constructed or brought on to the Lot any outbuilding less than 10m<sup>2</sup> in floor area unless it is coloured to compliment the dwelling and does not extend more than 320mm above the property fence line;

### Fencing

16. construct or permit to be constructed any front fence or fence forward of the front face brickwork of the dwelling, or adjoining dwelling with a greater front setback, unless:
  - (a) the front fencing as viewed from the street or a public space is less than 1.8m high and is at least 50% visually permeable above 900mm high; and
  - (b) the front fencing is constructed predominantly of the same material as the main dwelling, and is (as to materials and colours) consistent with or complementary to the primary street elevation's finishes;
17. in respect of a corner Lot, construct or permit to be constructed any secondary street fencing unless it is set back at least 4m from the corner truncation;
18. construct or permit to be constructed any non front fencing boundary fencing unless it is constructed of Colorbond colour Slate Grey/Woodland Grey, or masonry or brick predominantly in the same style/construction as the dwelling;
19. occupy a dwelling prior to completion of the fencing for that dwelling;

### Removing or Altering Retaining Walls or Fences, and Levels

20. take or permit any action to be taken to remove, alter, mark, or remove any retaining wall, fence or entry statement constructed by Wellard Residential Pty Ltd (ACN 113 195 985) (unless additional blocks are required to be added for the purpose of retaining) on or about any boundary, nor to:
  - (a) permit any such wall or fence to become damaged, unsafe or fall into a state of disrepair;
  - (b) permit any roots or any tree, plant or building or other thing to cause such wall or fence to become structurally unsound; or
  - (c) alter such wall or fence;
21. take or permit any action to be taken to alter the surface level of the Lot;
22. construct or permit to be constructed any retaining walls within public view unless they are constructed of the same materials to match other visible retaining walls in the vicinity previously constructed by Wellard Residential Pty Ltd (ACN 113 195 985);

### Landscaping

23. permit garden areas (including adjoining road verges) within public view to remain unlandscaped after three months of completion of any dwelling on the Lot (or in the case of display homes, after practical completion of the display home);

- (vi) a front elevation comprised of a minimum of two different wall materials or different wall colours;
  - (b) has a double pitched roof at an angle of not less than 24 degrees or greater than 45 degrees where the roof is visible from street or public access areas (excluding any part of the roof which covers verandah areas), a skillion roof, a flat roof and/or a curved roof; or
  - (c) has a façade treatment with a feature element and a degree of articulation designed in the floor plan and roof to avoid straight flat sections to front walls (and in particular, at least one step in the floor plan mirrored in the roof design of a minimum 600mm (excluding the garage);
  - (d) has a clearly defined entry;
  - (e) has set backs complying with the Residential R Codes (as varied by any relevant Local Development Plan);
2. construct or permit to be constructed any dwelling using zincalume for the roof;
  3. construct or permit to be constructed any dwelling on a Lot serviced by a laneway to its rear boundary, unless the dwelling has a minimum ceiling height of 32 standard brick courses to the front elevation;
  4. place or permit to be placed on the front elevation of the roof of a dwelling any solar hot water heater or solar panel;
  5. install or permit to be installed on any Lot any air conditioner or evaporative cooler unless it is:
    - (a) contained wholly within a dwelling constructed on the Lot;
    - (b) screened from public view from the street at the front of the dwelling, does not protrude significantly above the ridge line of the roof, and is of a similar colour to the roof; or
    - (c) contained within the roof space between the ceiling and the underside of the roof of the dwelling;

#### Corner Lots

6. in respect of a corner Lot, construct or permit to be constructed any dwelling unless the dwelling is designed to:
  - (a) articulate the façade of the dwelling to address the primary and secondary streets;
  - (b) incorporate the same architectural treatment to the front façade and to the secondary street facade for a minimum of the first 4.5 metres of the façade adjacent to the secondary street; and
  - (c) incorporate a window treatment visible from the secondary street and within 4.5 metres of the front building line;

#### Garages and Driveways

7. construct or permit to be constructed any dwelling unless the dwelling contains a double garage making provision for parking of not less than two motor vehicles side by side;
8. construct or permit to be constructed any triple garage unless in a tandem or staggered configuration;
9. construct or permit to be constructed a driveway and crossover between the road and the parking area on the Lot which is not constructed and completed prior to occupation of the dwelling;
10. construct or permit to be constructed a driveway and crossover other than constructed of segregated pavers or quality in-situ concrete finished with a pattern or limestone washed aggregate or similar;
11. construct or permit to be constructed a driveway which is wider than 6 metres at the street property boundary, or less than 0.6 metres from the side boundary;
12. construct or permit to be constructed a driveway cut through a public footpath;

**Primary Street** in respect of a Lot means that street which the front elevation of the dwelling on that Lot will face  
**Secondary Street** means the road which intersects or adjoins the primary street which the main entry to the dwelling does not face.

## 1.2 Interpretation

In this Deed unless the context otherwise requires:

- (a) words importing the singular include the plural and vice versa;
- (b) words importing any gender include the other genders;
- (c) references to persons include corporations;
- (d) references to a party hereto or to any other person include the legal personal representatives, successors and permitted assigns of that party or person;
- (e) if a word or phrase is defined cognate words and phrases have corresponding definitions;
- (f) 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 document.

## 1.3 Severability

Each restrictive covenant is separate from the other and therefore if any restrictive covenant is or becomes invalid or unenforceable then the remaining restrictive covenants will not be affected and each restrictive covenant will be valid and enforceable to the fullest extent permitted by law.

## 2. RESTRICTIVE COVENANTS

### 2.1 Creation of Restrictive Covenants under s136D

The Registered Proprietor pursuant to section 136D of the Transfer of Land Act 1893 creates the covenants set out in clause 2.2 in respect of the Lots and the covenants will be registered against the certificate of title to each Lot.

### 2.2 Restrictive Covenants

The Registered Proprietor (which expression includes the transferees, and assigns and successors of the Registered Proprietor) covenants that the Registered Proprietor will not:

#### Dwelling

1. construct or permit to be constructed any dwelling unless the dwelling:
  - (a) demonstrates strong architectural character and incorporates the use of colour and materials to provide considerable interest and individuality, particularly the front elevation by incorporating at least two of the following:
    - (i) lightweight materials such as weatherboard cladding which occupies a minimum of 25% of the front elevation; or
    - (ii) render which occupies a minimum of 70% of the front elevation (or if render is applied to 100% of the front elevation, also introducing a secondary colour); or
    - (iii) a roof gable; or
    - (iv) a balcony, portico or verandah; or
    - (v) a built in planter box; or

**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.
4. Duplicate Crown Lease or where issued, the Duplicate Certificate of Title is required to be produced or if held by another party then arrangements must be made for its production. This Clause is a request by the Registered Proprietor for the non-issue of a duplicate certificate of title which is only exercisable on a first Mortgage. If this is not a first mortgage then this clause and clause 3 of the mortgage should be deleted in accordance with instruction 3.
5. If further Covenants or Memoranda of Provisions are to be shown or if insufficient space in the "Box Section" hereon page 2 should be used. Appropriate headings should be shown. The unused "Box Section" should only contain the words "See page -"

**NOTES****1. DESCRIPTION OF LAND**

Loan 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. ESTATE AND INTEREST**

State whether Fee Simple, Leasehold or as the case may be in the land being mortgaged. If share only, specify.

**3. LIMITATIONS, INTERESTS, ENCUMBRANCES and NOTIFICATIONS**

In this panel show (subject to the next paragraph) those limitations, interests, encumbrances and notifications affecting the land being mortgaged that are recorded on the certificate(s) of title:

- a. In the Second Schedule
  - b. If no Second Schedule, that are encumbrances. (Unless to removed by action or document before registration hereof)
- Do not show any:
- a. Easement Benefits or Restrictive/Covenant Benefits; or
  - b. Subsidiary interests or changes affecting a limitation, etc, that is to be entered in the panel (eg, if a lease is shown, do not show any sub-lease or any document affecting either).

The documents shown are to be identified by nature and number. The plan/diagram encumbrances shown are to be identified by nature and relevant plan/diagram. Strata/survey-strata plan encumbrances are to be described as "Interests on strata/survey-strata plan". If none show "nil".

**4. MORTGAGOR**

State full name and address of the mortgagor/mortgagors (Registered Proprietor) as shown on Certificate of Title or Crown Lease and the address/addresses to which future notices can be sent.

**5. MORTGAGOR'S EXECUTION**

The Mortgagor/Registered Proprietor must sign this section of the Attestation Sheet. 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.

SERVICE CENTRE: Processing & Operations

REFERENCE: 9711685

EXAMINED

MP. L877416

OFFICE USE ONLY

M754050 M

01 Sep 2014 08:53:59 Perth



REG \$ 160.00

100

**CONSUMER MORTGAGE**

LODGED BY

Commonwealth Bank of Australia  
trading as Bankwest

ADDRESS

300 Murray Street, Perth, WA 6000

PHONE No.

SAI GLOBAL Property  
PO BOX Z5488 PERTH  
ST GEORGES TCE WA 6831  
DLI BOX 151B

FAX No.

Tel: (08) 9214 6000 Fax: (08) 9226 2778

REFERENCE No.

ISSUING BOX No. 141E

4140 4936

PREPARED BY

Commonwealth Bank of Australia  
trading as Bankwest.

ADDRESS

300 Murray Street, Perth, WA 6000

PHONE No.

FAX No.

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

TITLES, LEASES, DECLARATIONS ETC. LODGED  
WITH MORTGAGE

1. VOI Received items
2. \_\_\_\_\_ Nos
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_ Receiving Clerk
6. \_\_\_\_\_

MB

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.



J.R



## ATTESTATION SHEET

Dated this

20<sup>th</sup>

day of

August

2014

## REQUEST FOR ISSUE/NON-ISSUE (INSTRUCTION 4)

To the Registrar of Titles

The Mortgagor requests the Registrar of Titles not to issue a duplicate certificate of title for the land the subject of this mortgage until such time as the Mortgagor requests, in an approved form, the issue of a duplicate certificate of title.

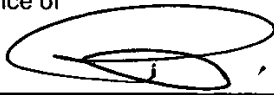
## MORTGAGOR/S SIGN HERE (Note 5)

THE LODGING PARTY OF THIS DOCUMENT IS AUTHORISED BY THE ABOVE NAMED REGISTERED PROPRIETOR TO INSTRUCT ISSUING DETAILS FOR THE DUPLICATE CERTIFICATE(S) OF TITLE.



Signature of LEON CAMERON VISSER

In the presence of



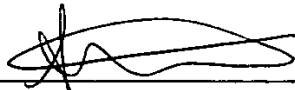
Signature of witness

Print full name:

Address:

Richard Allingham  
Unit 7, 2977 Albany Highway  
Kelmescott WA 6111  
Manager

Occupation:



Signature of AMY SHEREE HART

In the presence of



Signature of witness

Print full name:

Address:

Richard Allingham  
Unit 7, 2977 Albany Highway  
Kelmescott WA 6111  
Manager

Occupation:

## 1 CONSIDERATION AND MORTGAGE

- 1.1 You the mortgagor, acknowledge giving this mortgage and undertaking obligations and giving rights under this mortgage for valuable consideration received from the Bank.
- 2.2 For the purpose of securing to the Bank the payment of the *amount owing* you mortgage to the Bank all your estate and interest described in this mortgage in the land described in this mortgage together with each structure, fixture or improvement on it or fixed to it subject to the encumbrances described in this mortgage

## 2 MEMORANDUM OF PROVISIONS

- 2.1 You, the mortgagor, agree that the terms and conditions applying to this mortgage are set out in memorandum of provisions No. L877416 filed and registered at the Department of Land Information, Midland. A reference to "this mortgage" in this mortgage form, the memorandum or any annexure to this mortgage is a reference to the mortgage made up of this mortgage form, the memorandum and each of those annexures.
- 2.2 You acknowledge having received a copy of the memorandum before signing this mortgage.

## 3 NON-ISSUE OF DUPLICATE TITLE

- 3.1 The Mortgagor shall request the Registrar of Titles not to issue a duplicate certificate of title for the land above described until a request in an approved form is made by the Mortgagor for such issue and the Mortgagor shall not make such a request until discharge of this mortgage.

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED.

## CONSUMER MORTGAGE

DESCRIPTION OF LAND (Note 1)	EXTENT	VOLUME	FOLIO
Lot 146 on Deposited Plan 401833	WHOLE	2847	109

### ESTATE AND INTEREST (Note 2)

Fee Simple

### LIMITATIONS, INTERESTS, ENCUMBRANCES and NOTIFICATIONS (Note 3)

RESTRICTIVE COVENANT BURDEN - SEE DEPOSITED PLAN 401833 AND INSTRUMENT M687132  
M687133 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND.  
M687134 NOTIFICATION SECTION 165 PLANNING & DEVELOPMENT ACT 2005

### MORTGAGOR (Note 4)

LEON CAMERON VISSER of 5 ABBEY ROAD ARMADALE WA 6112

AMY SHEREE HART of ~~48 MINSTRELL ROAD BERTRAM WA 6167~~

5 Abbey Road Armadale WA 6112

COMMONWEALTH BANK OF AUSTRALIA  
TRADING AS BANKWEST ABN 48 123 123 124

### MORTGAGEE

Commonwealth Bank of Australia trading as Bankwest.

ABN 48 123 123 124 of Ground Level Tower 1, 201 Sussex Street, Sydney NSW 2000

  
AUTHORISED OFFICER





Commonwealth Bank of Australia trading as Bankwest  
ABN 48 123 123 124 AFSL/Australian credit licence 234945

Bankwest  
300 Murray Street, Perth WA 6000  
GPO Box E237, Perth WA 6841

**Western Australian Registrar and Commissioner of Titles Joint Practice: Verification of Identity Statement by Mortgagee**

Commonwealth Bank of Australia trading as Bankwest ABN 48 123 123 124 AFSL/Australian credit licence 234945 is the Mortgagee of this Mortgage.

The Mortgagee has taken all reasonable steps to verify the identity of the Mortgagor(s):

**Name and address of Mortgagor** - Insert full name and address of person being identified

AMY SHEREE HART	5 ABBEY ROAD, ARMADALE WA	6112
LEON CAMERON VISSER	5 ABBEY ROAD, ARMADALE WA	6112

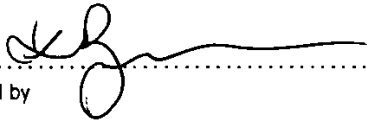
and also the Mortgagee reasonably believes the Mortgagor(s) has/have been identified.

and also that the Mortgagee reasonably believes the Mortgagor(s) has/have the authority to deal with the interest in land the subject to this Mortgage.

Property Description - i.e. Full street address or lot and estate details	Volume number	Folio number
Lot 146 on Deposited Plan 4018333	2847	109

The Mortgagor(s) was identified in:

Mortgagor No.	Country - where the Mortgagor was identified	Date - when the Mortgagor was identified
1	Australia	16/07/2014
1	Australia	16/07/2014

Signed by 

Kimberley Bowman  
Bank Officer/Solicitor on behalf of Bankwest.  
Manager Retail Services  
Address of Mortgagee: 300 Murray Street Perth WA 6000  
Daytime telephone number of person signing: 0459 842 331  
Daytime email address: examinations@bankwest.com.au

M687134, NO 22 JUL 2014

27 Jun 2014 13:35:56 Perth



REG \$ 160.00

## NOTIFICATION

LODGED BY

Michael Hughes Legal  
Unit 4A, 166 Stirling Highway  
NEDLANDS WA 6009

PHONE NO. Telephone: (08) 9386 8009  
Facsimile: (08) 9386 9003

FAX NO.

REFERENCE NO. 96766

ISSUING BOX NO. 888v

PREPARED BY McMullen Nolan and Partners Surveyors Pty Ltd

ADDRESS PO Box 3526  
SUCCESS WA 6964

PHONE NO. (08) 6436 1599 FAX NO. (08) 6436 1500

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

414

TITLES, LEASES, DECLARATIONS ETC LODGED  
HEREWITH

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

ENDORISING INSTRUCTIONS

EXAMINED

Initials of  
signing  
officer



**REGISTRAR OF TITLES**



WESTERN AUSTRALIAN PLANNING COMMISSION

FILE No. 146744

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
ALL LOTS EXCEPT 9013 & 9014 ON DEPOSITED PLAN 401833	Part	2842	284
	Part	2842	285

REGISTERED PROPRIETOR OF LAND

WELLARD RESIDENTIAL PTY LTD OF PO BOX 456, APPLECROSS, WESTERN AUSTRALIA

HAZARDS OR OTHER FACTORS SERIOUSLY AFFECTING THE LAND

THIS LOT IS IN CLOSE PROXIMITY TO KNOWN MOSQUITO BREEDING AREAS. THE PREDOMINANT MOSQUITO SPECIES IS KNOWN TO CARRY VIRUSES AND OTHER DISEASES.

Dated this

15

day of

April

20 14

For: WESTERN AUSTRALIAN PLANNING COMMISSION

Signed by an officer duly authorised by  
the Western Australian Planning  
Commission pursuant to section 24 of  
the *Planning and Development Act 2005*

### INSTRUCTIONS

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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 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 address and occupation of the witness must be stated.

EXAMINED

M687133 NR 22 Jul 2014

27 Jun 2014 16:35:56 Perth



REG \$ 160.00

### NOTIFICATION

Lodged By **Michael Hughes Legal**  
Unit 4A, 166 Stirling Highway  
NEDLANDS WA 6009

Address

Telephone: (08) 9386 8009  
Facsimile: (08) 9386 9003

Phone No.

Fax No

E-Mail

Reference No. 1245

Issuing Box No. 888v

Prepared By **Michael Hughes Legal**  
Unit 4A, 166 Stirling Highway  
NEDLANDS WA 6009

Address

Phone No. 9386 8009

Fax No. 9386 9003

E-Mail mhughes@mhugheslegal.com.au

Reference No. MAH:1245

Issuing Box No. 888V

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

3134

TITLES, LEASES, DECLARATIONS ETC. LODGED HERewith

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

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.





FORM N1

FORM APPROVED  
NO. B4705

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED

## NOTIFICATION UNDER SECTION 70A

DESCRIPTION OF LAND (Note 1)

Lots 145 - 148, 171, 172 and 439 on Deposited Plan 401833

EXTENT

Part  
Part

VOLUME

2842  
2842

FOLIO

284  
285

REGISTERED PROPRIETOR (Note 2)

WELLARD RESIDENTIAL PTY LTD (ACN 113 195 985) of PO Box 456, Applecross, Western Australia

LOCAL GOVERNMENT / PUBLIC AUTHORITY (Note 3)

CITY OF KWINANA of Corner Gilmore Avenue and Sulphur Road, Kwinana, Western Australia

FACTOR AFFECTING USE OR ENJOYMENT OF LAND (Note 4)

This Lot is subject to a fire management plan.

Dated this

26th

day of

June

Year 2014

LOCAL GOVERNMENT / PUBLIC AUTHORITY ATTESTATION (Note 5)

REGISTERED PROPRIETOR/S SIGN HERE (Note 6)

The COMMON SEAL of the CITY OF  
KWINANA was hereunto affixed by  
Authority of a resolution of the Council in  
the presence of:

Mayor

Chief Executive Officer



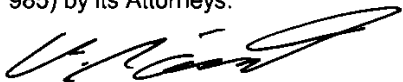
See additional page



## ADDITIONAL PAGE TO NOTIFICATION UNDER SECTION 70A

Dated

SIGNED for and on behalf of WELLARD )  
RESIDENTIAL PTY LTD (ACN 113 195 )  
985) by its Attorneys: )



**CRAIG BRUCE MATTHEWS**

P/A No: M393450



Witness Signature

Kirsten A. Rhoades

Witness Name

6 Forwood St

Manning 6152

Address

Administrative

Occupation



**SAMUEL THOMAS KELLY GILL**

P/A No: M393450



Witness Signature

Kirsten A. Rhoades

Witness Name

6 Forwood St

Manning 6152

Address

Administrative

Occupation

✓