

FOR SALE



Offers Above \$649,000

34 BARAMBAH CIRCUIT, BAYONET HEAD



SHOW YOUR CLASS

- Contemporary, classy, as new ex-display home
- Multiple living areas plus study/office, enclosed alfresco
- Fabulous high spec kitchen with scullery
- Ducted R/C air conditioning, security alarm, 23 solar panels
- Access to yard for trailer, boat, camper
- Easy reach of schools, shops, fishing, sailing



4 2 2 570 m2

Lee Stonell

0409 684 653

0898414022

lee@merrifield.com.au



Disclaimer: All details on the brochure are presented on the vendor's advice. Prospective purchasers should take necessary actions on their own behalf to satisfy themselves of the details of conditions, contents, fixtures and improvements in regards to this property.
Merrifield Real Estate Pty Ltd JR Stewart Trust T/A Merrifield Real Estate, 258 York Street, Albany WA 6330

34 BARAMBAH CIRCUIT, BAYONET HEAD



Specification

Asking Price	Offers Above \$649,000	Land Size	570.00 m2
Bedrooms	4	Frontage	19m
Bathrooms	2	Restrictive Covenants	See Certificate of Title
Toilets	2	Zoning	Residential
Parking	2	School Zone	Flinders Park PS & ASHS
Sheds	Garden Shed	Sewer	Connected
HWS	Instant Gas	Water	Scheme Connected
Solar	6.6 kW, 23 Panels	Internet Connection	NBN Available
Council Rates	\$2,887.45	Building Construction	Brick Veneer & Colorbond
Water Rates	\$1,525.99	Insulation	Yes
Strata Levies	N/A	Built/Builder	2019 - Home Group WA

-- Map Viewer Plus --



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Please refer to original documentation for all legal purposes.



This floor plan, description, dimensions and areas are provided as a guideline only and are approximate. Whilst care has been taken in the preparation of the information, buyers must inspect the property, make their own enquiries, take their own measurements or consult the architectural plans for exact dimensions. Neither the sellers nor the agent will be held responsible or liable for any discrepancies.

-- Map Viewer Plus --

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Created: 26 March 2024 from Map Viewer Plus: <https://maps.landgate.wa.gov.au/maps-landgate/registered/>

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

2944 353

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 38 ON DEPOSITED PLAN 412289

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

KELLY ANN GOLDFINCH
JAMES NEVILLE GOLDFINCH
BOTH OF 34 BARAMBAH CIRCUIT BAYONET HEAD WA 6330
AS JOINT TENANTS

(T O906910) REGISTERED 14/10/2021

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

1. EASEMENT BURDEN CREATED UNDER SECTION 167 P. & D. ACT FOR DRAINAGE PURPOSES TO LOCAL AUTHORITY - SEE DEPOSITED PLAN 412289
2. RESTRICTIVE COVENANT BENEFIT - SEE DEPOSITED PLAN 412289 AND INSTRUMENT N848630
3. RESTRICTIVE COVENANT BURDEN - SEE DEPOSITED PLAN 412289 AND INSTRUMENT N848630
4. N852678 NOTIFICATION SECTION 165 PLANNING & DEVELOPMENT ACT 2005 LODGED 16/3/2018.
5. O906911 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 14/10/2021.

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: DP412289
PREVIOUS TITLE: 2923-416
PROPERTY STREET ADDRESS: 34 BARAMBAH CCT, BAYONET HEAD.
LOCAL GOVERNMENT AUTHORITY: CITY OF ALBANY

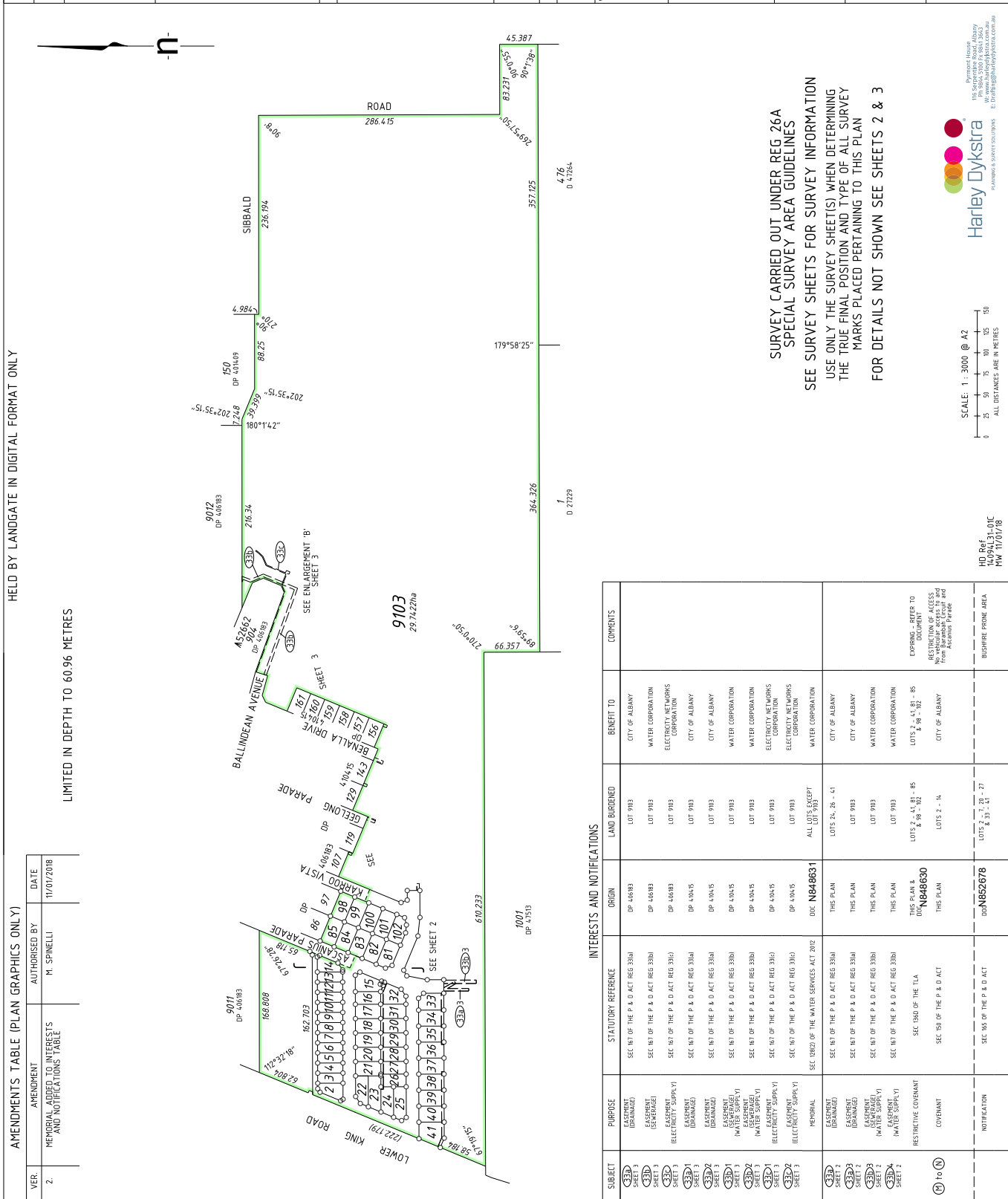
Deposited Plan 412289

Lot	Certificate of Title	Lot Status	Part Lot
2	2944/317	Registered	
3	2944/318	Registered	
4	2944/319	Registered	
5	2944/320	Registered	
6	2944/321	Registered	
7	2944/322	Registered	
8	2944/323	Registered	
9	2944/324	Registered	
10	2944/325	Registered	
11	2944/326	Registered	
12	2944/327	Registered	
13	2944/328	Registered	
14	2944/329	Registered	
15	2944/330	Registered	
16	2944/331	Registered	
17	2944/332	Registered	
18	2944/333	Registered	
19	2944/334	Registered	
20	2944/335	Registered	
21	2944/336	Registered	
22	2944/337	Registered	
23	2944/338	Registered	
24	2944/339	Registered	
25	2944/340	Registered	
26	2944/341	Registered	
27	2944/342	Registered	
28	2944/343	Registered	
29	2944/344	Registered	
30	2944/345	Registered	
31	2944/346	Registered	
32	2944/347	Registered	
33	2944/348	Registered	
34	2944/349	Registered	
35	2944/350	Registered	
36	2944/351	Registered	
37	2944/352	Registered	
38	2944/353	Registered	
39	2944/354	Registered	
40	2944/355	Registered	
41	2944/356	Registered	
81	2944/357	Registered	
82	2944/358	Registered	
83	2944/359	Registered	
84	2944/360	Registered	
85	2944/361	Registered	

Deposited Plan 412289

Lot	Certificate of Title	Lot Status	Part Lot
98	2944/362	Registered	
99	2944/363	Registered	
100	2944/364	Registered	
101	2944/365	Registered	
102	2944/366	Registered	
9103	2944/367 (Cancelled)	Retired	
0	N/A	Registered	
0	N/A	Retired	
0	N/A	Retired	
0	N/A	Registered	
0	N/A	Registered	
0	N/A	Registered	
0	N/A	Registered	

TYPE	FREEHOLD	S.S.A.	YES/NO
PURPOSE	SUBDIVISION		
PLAN OF	LOTS 2-41, 81-85, 98-102, 9103, ROADS, EASEMENTS, RESTRICTIVE COVENANT & COVENANT		
FORMER TENURE	LOT 9102 ON DP 4104/15 C/T 2923-416		
LOCAL AUTHORITY	CITY OF ALBANY		
LOCALITY	BAYONET HEAD		
D.O.L. FILE			
FIELD RECORD	128280		
SURVEYOR'S CERTIFICATE - REG 54	I. M. SPINELLI		
herby 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.	201801.11 14:42:56 +08'00'		
LICENSED SURVEYOR	DATE		
21-Dec-17	LOGGED	337613	DATE
DATE	\$3945.00	FEE PAID	ASSESS No.
L.S.C.	EXAMINED	14-Feb-18	DATE
GFONG	WESTERN AUSTRALIAN PLANNING COMMISSION		
FILE	153994		
Delegated under S.16 P&D Act 2005	08-Mar-2018		
IN ORDER FOR DEALINGS	DATE		
SUBJECT TO	Secs 150, 165, 167 & 168(1)(2) P&D ACT Sec 136D TLA & Sec 128(2) WSA		
INSPECTOR OF PLANS AND SURVEYS	APPROVED Reg 26A(4)		
08-Mar-18	DATE		
INSPECTOR OF PLANS AND SURVEYS	16.3.2018		
(S. 18 Licensed Surveyors Act 1909)			



VER.	AMENDMENT	AUTHORISED BY	DATE
2.	MEMORIAL ADDED TO INTERESTS AND NOTIFICATIONS TABLE	M. SPINELLI	11/01/2018

AMENDMENTS TABLE (PLAN GRAPHICS ONLY)	HELD BY LANDGATE IN DIGITAL FORMAT ONLY
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LOWER KING ROAD	1222 7791
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62 802	166 808	67 028	65 718
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67 028	65 718	62 802	166 808
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FOR HEADING SEE SHEET 1
FOR INTERESTS AND NOTIFICATIONS TABLE SEE SHEET 1

OMRAH LANE
6.098 11.5
2 270° 05' 03" 270° 05' 03" 3
ENLARGEMENT AT 'C'
NOT TO SCALE

OMRAH LANE
11.5 11.5
7 270° 05' 03" 270° 05' 03" 8
ENLARGEMENT AT 'D'
NOT TO SCALE

OMRAH LANE
11.5 11.5
12 270° 05' 03" 270° 05' 03" 13
ENLARGEMENT AT 'E'
NOT TO SCALE



Harley Dykstra

SCALE 1:500 @ A2
ALL DISTANCES ARE IN METRES

2018.01.11 14:43:35 +08'00'
LICENSED SURVEYOR
DATE



DEPOSITED PLAN
412289
SHEET 2 OF 3 SHEETS
(PLUS SURVEY SHEETS(S))
VERSION 2

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEETS FOR SURVEY INFORMATION
USE ONLY THE SURVEY SHEET(S) WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN

HD Ref
14094L31-01B
Bdr 16/11/17

HELD BY LANDGATE IN DIGITAL FORMAT ONLY

HD Ref
14094L31-01B
BdR 16/11/17

HELD BY LANDGATE IN DIGITAL FORMAT ONLY



SCALE 1500 @ A2
ALL DISTANCES ARE IN METRES

LICENSED SURVEYOR

DATE

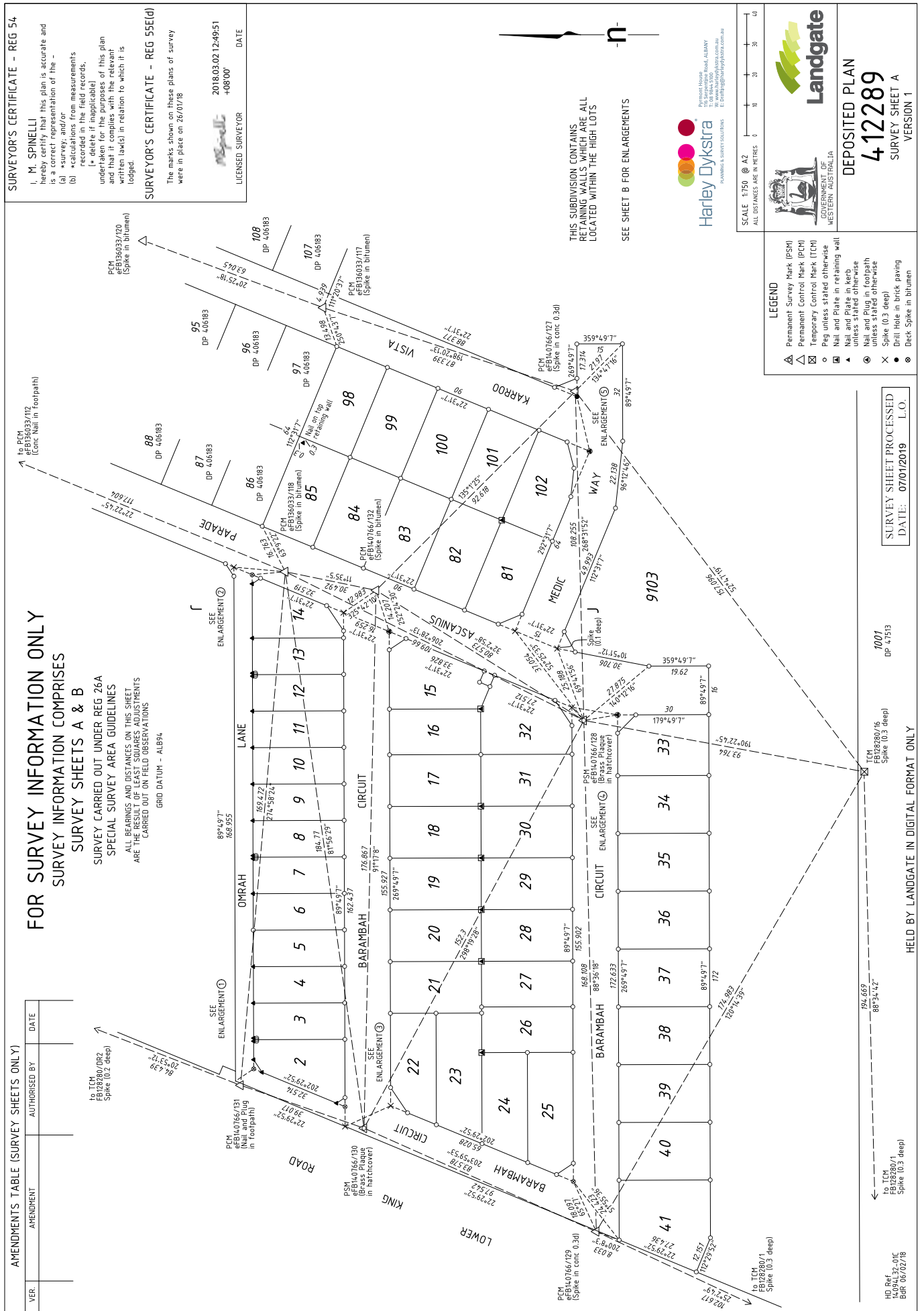


Landgate

DEPOSITED PLAN

412289

41220,
SHEET 3 OF 3 SHEETS
(PLUS SURVEY SHEET(S))
VERSION 2



FOR SURVEY INFORMATION ONLY

SURVEY INFORMATION COMPRISES

SURVEY SHEETS A & B

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
ALL BEARINGS AND DISTANCES ON THIS SHEET
ARE THE RESULT OF LASER SCANS ADJUSTMENTS
CARRIED OUT ON FIELD OBSERVATIONS

GRID DATUM - ALB94

SURVEYOR'S CERTIFICATE - REG 54

I, M. SPINELLI

herby 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,
(c) *derive it inapplicable

understand that this plan is a preliminary
and that it complies with the relevant
written law(s) in relation to which it is
lodged.

SURVEYOR'S CERTIFICATE - REG 55E(d)

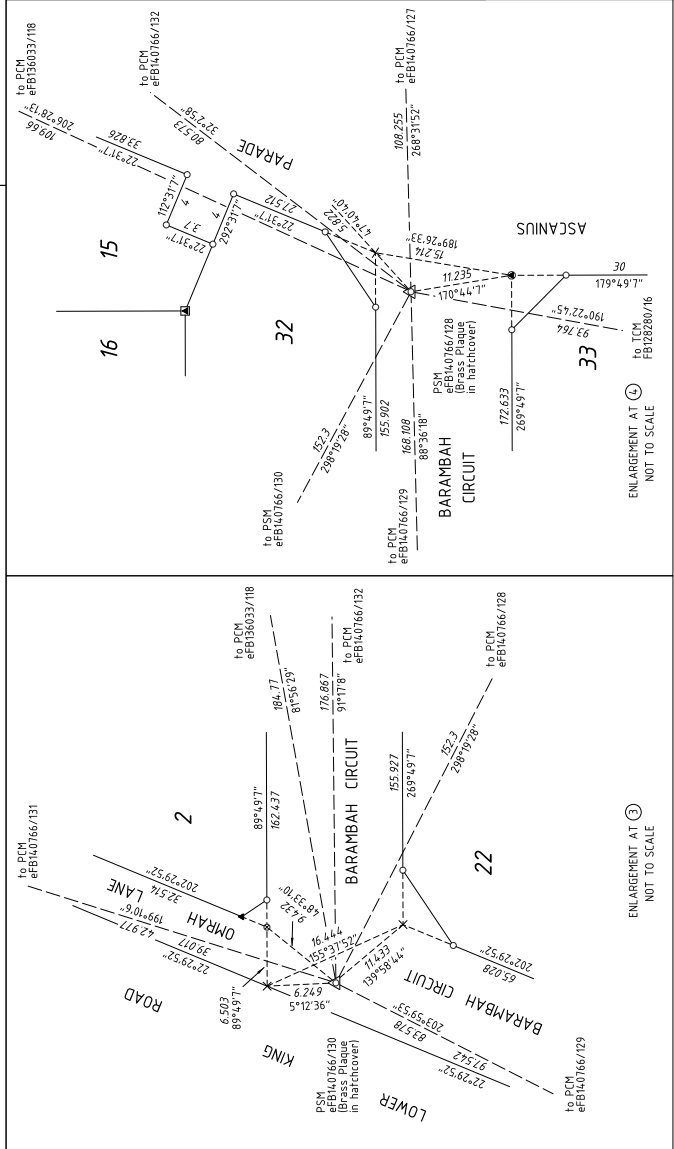
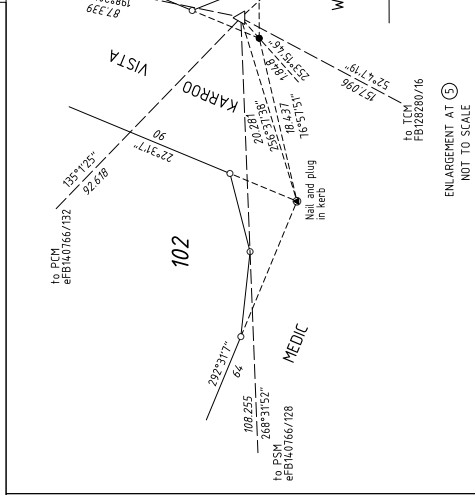
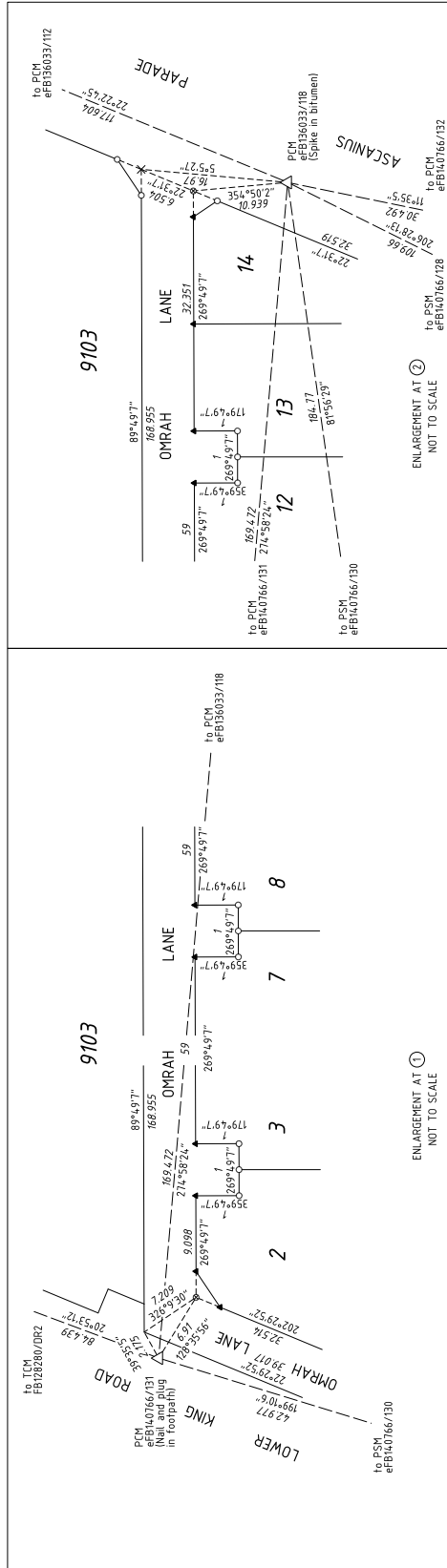
The marks shown on these plans of survey
were in place on 26/01/18

2018.03.02 12:50:18

+08'00'

LICENSED SURVEYOR

DATE



NOT TO SCALE @ A2

ALL DISTANCES ARE IN METRES



LEGEND

- ▲ Permanent Survey Mark (PSM)
- △ Permanent Control Mark (PCM)
- Temporary Control Mark (TCM)
- Peg unless stated otherwise
- ▲ Nail and plate in retaining wall
- ▲ Nail and plate in kerb
- ▲ Nail and plate in footpath
- ▲ Nail and plate in driveway
- ▲ Nail and plate in brick paving
- ▲ Nail and plate in bitumen

Harley Dykstra

PLANNING & SURVEY SOLUTIONS

170 Burgin Rd, T. 201 Area 900
W. 1000 Area 900
E. 1000 Area 900

SURVEY SHEET PROCESSED
DATE: 07/01/2019 L.O.

HELD BY LANDGATE IN DIGITAL FORMAT ONLY

HD Ref
14094L32-01C
Bdr 06/02/18

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.

N848630 RC

12 Mar 2018 09:19:48 Perth



LODGED BY

ADDRESS

HOUSING AUTHORITY
99 PLAIN STREET
EAST PERTH WA 6004

PHONE No. 9222 4654 FAX: 9222 4670

FAX No.

LANDGATE BOX = 158L

REFERENCE No.

2017/15488

ISSUING BOX No.

PREPARED BY

Solomon Brothers

ADDRESS

Level 15
197 St George's Terrace
PERTH WA 6000

PHONE No.

08 9282 5855

FAX No.

08 9282 5855

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

43

TITLES, LEASES, DECLARATIONS ETC. LODGED HERewith

	Received Items
1. _____	
2. _____	Nos. 0
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.

EXAMINED

EXECUTED AS A DEED

Executed by
LOWE PTY LTD
A.C.N. 009 354 143

in accordance with
s 127 of the Corporations Act 2001 by:

Director:

Print Name:

Sonya Heath

Director / Secretary:

Print Name:

PAUL GRAEME QUINLIVAN

[INSERT HOUSING AUTHORITY EXECUTION CLAUSE HERE]

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

me

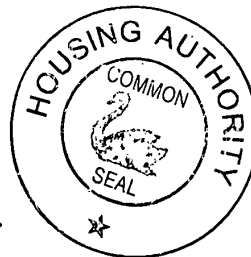
Authorised Officer

MICHAELA GERARDETH GALE

[Signature]

Authorised Officer

JESSICA LOUISE WALKER



- 2.1.6 carry out repairs to or restoration of any vehicle parked on the Lot or on the road or on any other land near to or next to the Lot unless such repairs or restoration is carried out wholly within a garage on the Lot or screened from public view;
- 2.1.7 erect or display or cause to be erected or displayed on the Lot or any part thereof, a sign, boarding or advertising of any description whatsoever other than a sign erected by a builder of the Dwelling in accordance with the Builders Registration Act or a "For Sale" sign until a Dwelling has been constructed and completed on the Lot in accordance with the plans and specifications approved by the Owner or its Nominated Representative under clause 2.1.4, or two years have lapsed from the date of settlement of the purchase of the Lot;
- 2.1.8 use or open or allow to be used or opened, any Dwelling erected on the Lot for display purpose; or
- 2.1.9 breach or caused to be breached the Oyster Harbour, Albany Design Guidelines relating to each of the Lots.

3 **Burden of Restrictive Covenants**

The land to be burdened by the Restrictive Covenants created pursuant to clause 2 is each of the Lots.

4 **Benefit of Restrictive Covenants**

The land to be benefited by the Restrictive Covenants created pursuant to clause 2 is each of the Lots.

5 **Term of Restrictive Covenants**

The Restrictive Covenants are intended to run with each of the Lots until the day being ten (10) years after the date of issuing of all of the separate Duplicate Certificates of Title for the Lots after which date the Restrictive Covenants will expire and be of no further force and effect.

6 **Modification of Restrictive Covenants**

The Restrictive Covenants shall not be modified, surrendered, released or abandoned either wholly or partially except with the prior written consent of the registered proprietors of all of the Lots, from time to time. The registered proprietor of any Lot, from time to time, shall not make an application to any Court, the Registrar of Titles, Landgate or any other local authority for the partial or total modification, removal or extinguishment of the Restrictive Covenants prior to expiry of the term specified in clause 5 except with the prior written consent of the registered proprietors for the time being of all of the other Lots.

7 **Encumbrances**

- 7.1 Lot 24 and lots 26 to 41 inclusive on the Subdivision Plan are each encumbered by a drainage easement benefiting the City of Albany and created pursuant to s 167 of the *Planning and Development Act 2005*;
- 7.2 Lots 2 to 14 inclusive on the Subdivision Plan are each encumbered by vehicular access restriction which benefits the City of Albany and is created pursuant to s.150 of the *Planning and Development Act 2005*; and
- 7.3 The Lots are subject to a notification created pursuant to s.165 of *Planning and Development Act 2005* regarding the Lots being located in a bushfire prone zone.

- (h) any building, structure, renovation works, additions or alterations which are not by their nature strictly for residential purposes;
 - (i) a Dwelling unless all rear and side boundary fencing is constructed or completed prior to occupation of the Dwelling;
 - (j) any side or rear fencing which:-
 - i. is less than 1800 millimetres in height;
 - ii. does not match or complement the Dwelling;
 - iii. extends forward of the building frontage setback line (or in the case of a corner Lot the designated building frontage setback line) unless such fence is constructed by the Owner prior to the commencement of the construction of the Dwelling; or
 - iv. is constructed using corrugated fibre cement sheeting or otherwise contains fencing materials other than painted Hardie Supalock panels, masonry, brushwood, Timberlap panelling or Colourbond corrugated steel.
 - (k) any fence along or in front of the building frontage setback line (or in the case of a corner Lot the designated building frontage setback line) unless:-
 - i. such fence be part of the building design approved by the Owner and all materials used for such fencing be approved by the Owner;
 - ii. such fence is constructed by the Owner prior to the commencement of the construction of a Dwelling.
 - (l) a Dwelling, unless a driveway and the cross-over between the road and the parking area on the Lot are constructed and completed prior to occupation of the Dwelling;
 - (m) a driveway crossover which is wider than 6 metres or less than 0.5 metres from any side boundary of the Lot or which is not constructed of brick paving or block paving.
 - (n) a letterbox which is not adjacent to the driveway, clearly numbered or is made of materials which do not match or complement the Dwelling;
 - (o) a solar hot water system, unless it is hidden from public view from the front of the Lot, fits the roof profile and is not elevated at any angle to the roof profile and otherwise matches or complements the Dwelling;
 - (p) an air conditioning unit or evaporative cooler, unless it is hidden from public view from the front of the Lot and is of similar colour to the roof or unless it is contained wholly within the volume of the building including the roof space between the ceilings of the Dwelling and the underside of the roof of the Dwelling;
 - (q) any roof mounted service or equipment (including but not limited to a free to air television antennas, a satellite dish or a radio antenna or aerial) to the roof of the Dwelling unless it is architecturally integrated into the Dwelling and of the same colour as the roof and hidden from public view; or
 - (r) a clothes line or rain water tank except in accordance with manufacturer's instructions and which is not screened from public view.
- 2.1.2 alter or remove or permit to be altered or removed any retaining wall or fencing on the Lot or on a boundary of the Lot constructed or built by the Owner or allow or permit such retaining wall or fencing to fall into a state of disrepair or repair or renew such retaining wall or fencing except in the same style and colour as the existing retaining walls and fences;
- 2.1.3 alter the level of the surface of the Lot by elevating the level by more than 0.5 metre if a retaining wall or fencing has been erected or installed by the Owner on the boundary of the Lot;
- 2.1.4 commence construction of a Dwelling on the Lot (or any part thereof) unless it has first obtained the consent of the Owner or its Nominated Representative to the proposed plans and specifications of the residence to be constructed. The Owner acknowledges that the Owner or its Nominated Representative shall automatically approve the plans and specifications of the proposed Dwelling if they comply with these restrictive covenants;
- 2.1.5 park or allow to be parked on the Lot or on the road or on any other land near to or next to the Lot, any commercial vehicle (which have an aggregate weight greater than 3.5 tonnes or a height greater than 2.0 metres) or caravans, trailers, boats or any other mobile machinery ("vehicles") unless the vehicles are housed or contained wholly within a garage on the Lot or are screened from public view;

- 1.2.3 references to a person include corporations and bodies politic;
- 1.2.4 references to a person includes the legal personal representatives, successors and assigns of that person;
- 1.2.5 a reference to a statute includes a regulation, by-law, requisition, order or other delegated or subordinate legislation made under that statute and any amendment to or re-enactment of that statute or any delegated or subordinate legislation thereunder;
- 1.2.6 an obligation on two or more parties shall bind them jointly and severally;
- 1.2.7 headings in this Deed are for convenience and identification of clauses only and do not otherwise affect its interpretation; and
- 1.2.8 a reference to an association, body, government department or authority (statutory or not) which ceases to exist or which has been reconstituted, amalgamated, reconstructed, merged, renamed or replaced or where its powers or functions are transferred to any other person organisation in its place, shall be taken to refer to that association, body, government department or authority established or constituted in its place or by which its functions and powers have become exercisable.

2

Restrictive Covenants

- 2.1 As to each of the Lots the Owner in its capacity as registered proprietor of each of these lots for itself and all of the Owners of the Lots and each of them pursuant to the provisions of Section 136D of the Act for the purpose of creation of a restrictive covenant on the Subdivision Plan HEREBY COVENANTS and AGREES that none of the Owners of the Lots shall at any time:-
- 2.1.1 construct, erect, build or install or permit to be constructed, erected, built or installed on any of the Lots or any part of them:
- (a) a residence other than a permanent non transportable residential dwelling ("Dwelling");
 - (b) a Dwelling, unless the Dwelling or other building or structure adjoining the Dwelling contains a garage making provision for parking of not less than two motor vehicles, side by side;
 - (c) a building or structure containing a garage which is not identical to the Dwelling in respect of the roof pitch, the materials used, the design, external appearance, including colour and the quality of construction;
 - (d) a Dwelling which does not contain at least one of the following structures on each external wall fronting the street:-
 - i. a gable;
 - ii. a gablet;
 - iii. a bay window;
 - iv. a balcony;
 - v. a portico;
 - vi. a projecting corbel; or
 - vii. a verandah.
 - (e) a Dwelling using roof materials which are not concrete or clay tiles or Colourbond metal;
 - (f) any structure, erection or building with walls and which has a roof area exceeding 20 square metres which does not match or complement the Dwelling in respect of materials used, the design, external appearance, including colour and the quality of construction;
 - (g) any structure, erection or building which uses zincalume, zinc-aluminium coated steel or natural aluminium or aluminium coloured sheeting for roofing or wall cladding unless such materials be of a non-reflective nature.

BLANK INSTRUMENT FORM**RESTRICTIVE COVENANTS**

(Note 1)

This Deed is made the **31** day of **JANUARY** 2018**PARTIES**

LOWE PTY LTD A.C.N. 009 354 143 of Suite 6, 132-136 Railway Street, Cottesloe, Western Australia and the **HOUSING AUTHORITY** of 99 Plain Street, East Perth, Western Australia ("the Owner") which expression where the context so admits or requires shall extend to and include the legal assigns and transferees of the Owner.

RECITALS

- A. The Owner is registered as the proprietor of an estate in fee simple of the Land located at Albany, Western Australia subject to the Encumbrances (if any) specified in clause 7.
- B. The Land is proposed to be subdivided in accordance with the Subdivision Plan.
- C. Pursuant to the Subdivision Plan the Lots will be created.
- D. The Owner wishes to create on the Subdivision Plan in respect of each of the Lots a restrictive covenant as set out in this deed pursuant to the provisions of Section 136D of the Act.
- E. The terms of this Deed shall bind the Owner and its respective successors in title and assigns as the registered proprietors for the time being of the Lots and any part of the Lots.

NOW THIS DEED WITNESSES:-**1. Definitions and Interpretation****1.1** In this Deed the following terms have the following meanings:

- 1.1.1 "the Act" mean the Transfer of Land Act 1893, as amended;
- 1.1.2 "Dwelling" means a permanent non-transportable residential dwelling constructed on any of the lots or part thereof;
- 1.1.3 "Lots" means lots 2 to 41 inclusive, 81 to 85 inclusive and 98 to 102 inclusive as shown on the Subdivision Plan and where the content so admits includes any other lot created in substitution over all or part of the land contained within lots 2 to 41 inclusive, 81 to 85 inclusive and 98 to 102 inclusive as the case may be;
- 1.1.4 "Nominated Representative" means a person nominated by the Owner to represent the Owner on all or any of the matters specified in the Restrictive Covenants requiring the Owner's consent;
- 1.1.5 "Restrictive Covenants" means the restrictive covenants created in clause 2 of this Deed;
- 1.1.6 "the Land" means Lot 9102 on Deposited Plan 410415 and being the whole of the land in Certificate of Title Volume 2923 Folio 416;
- 1.1.7 "Owners of Lots" means the registered proprietors from time to time of all or any lot or lots from time to time which may be created within the area of the Lots; and
- 1.1.8 "Subdivision Plan" means Deposited Plan 412289.

1.2 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;

INSTRUCTIONS

1. 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.
2. 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 Annexure".
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.

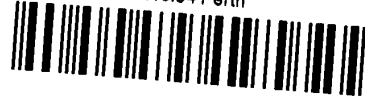
NOTES

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. **ATTESTATION OF RESPONSIBLE AUTHORITY**
To be attested in the manner prescribed by the Local Government Act or as prescribed by the Act constituting the Public Authority.

EXAMINED

N852678 NO

16 Mar 2018 09:16:54 Perth



NOTIFICATION

Planning & Development Act 2005
Section 165

LODGED BY

ADDRESS

HOUSING AUTHORITY
99 PLAIN STREET
EAST PERTH WA 6004

PHONE No.

FAX No. PH: 9222 4654 FAX: 9222 4670
LANDGATE BOX - 158L

REFERENCE No.

2017/15488

ISSUING BOX No.

PREPARED BY Harley Dykstra Pty Ltd

ADDRESS PO Box 5207
Albany WA 6332

PHONE No. (08) 9844 5100 FAX No. (08) 9841 3643

REFERENCE No. 14094

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

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. <i>Kester</i>	Received Items
2. _____	Nos. ①
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.

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 (Note 1)

Lots 2 - 7 (inclusive), Lots 20 - 27 (inclusive), and Lots 33 - 41 (inclusive) on Deposited Plan 412289

EXTENT

Whole

VOLUME

FOLIO

REGISTERED PROPRIETOR OF LAND (Note 2)

Housing Authority of 99 Plain Street East Perth
Lowe Pty Ltd of Suite 6, 132-136 Railway Street Cottesloe
As tenants in common in equal shares

HAZARDS OR OTHER FACTORS SERIOUSLY AFFECTING THE LAND

This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.

Dated this First day of March Year 2018

EXECUTION BY WESTERN AUSTRALIAN PLANNING COMMISSION (Note 3)

For: WESTERN AUSTRALIAN PLANNING COMMISSION

Stephen Petersen



Government of Western Australia
Housing Authority

Level 1
99 Plain Street
EAST PERTH WA 6004
Tel: (08) 9222 4666 Fax: (08) 9222 4670
www.housing.wa.gov.au

ENQUIRIES: SHIRLEY ZHANG
DIRECT LINE : 9222 8193
OUR REF : 2018/15488

EV000684835 LTR



LANDGATE
1 MIDLAND SQUARE
ATTN: MICHAEL DENT
MIDLAND WA

Dear Sir/Madam,

REQUISITION: DEALING NUMBER N848629

Please find enclosed the s165 P & D Notification in relation to the above dealing.

The enclosed Notification document is to be lodged as a follower to dealing N848629 – N848631. I now request and authorise Landgate to place the Notification within this dealing and re-time clock all the documentation so this dealing can be processed and competed together.

Should you require any further information please do not hesitate to contact me on 9222 8193.

Yours faithfully

SHIRLEY ZHANG
Senior Conveyancer

15 March 2018

4273 7673



Plan Legend (summary)



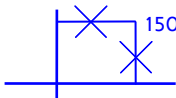
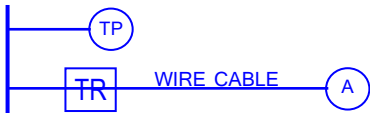





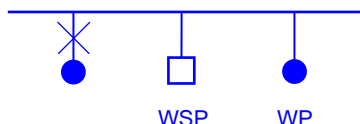
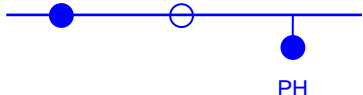
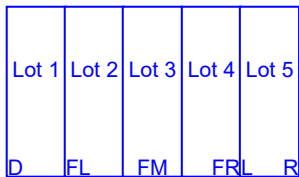

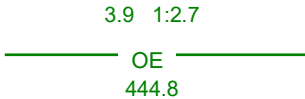
INFORMATION BROCHURE



This legend is provided to [Dial Before You Dig](#) users to assist with interpreting Water Corporation plans. A more detailed colour version can be downloaded from www.watercorporation.com.au. (Your business > Working near pipelines > Downloads)

WARNING - Plans may not show all pipes or associated equipment at a site, or their accurate location. **Pothole by hand** to verify asset location before using powered machinery.

	<p>WATER, SEWERAGE AND DRAINAGE PIPELINES</p> <p>CRITICAL PIPELINE (thick line) EXTRA CAUTION REQUIRED A risk assessment may be required if working near this pipe. Refer to your Dial Before You Dig information or call 131375.</p> <p>Pipes are not always labelled on plans as shown here – assume all pipes are significant and pothole to prove location and depth.</p> <p>P.M. pressure main M.S. main sewer R rising main (i.e. drainage pressure main)</p> <p>Common material abbreviations:</p> <p>AC asbestos cement e.g. 100AC NOTE: AC is brittle and is easily damaged. CI cast iron GRP glass reinforced plastic P PVC - class follows pipe material (e.g.100P-12) RC reinforced concrete S steel VC vitrified clay</p>
	<p>NON-STANDARD ALIGNMENT</p> <p>Pipes are not always located on standard alignments due to local conditions. (i.e. Other than 2.1 m for reticulation mains and 4.5 m for distribution mains.)</p>
	<p>OTHER PIPE SYMBOLS</p> <p>Other numbers or codes shown on pipes are not physical attributes. These are Water Corporation use only.</p>
	<p>CONCRETE ENCASEMENT, SLEEVING AND TUNNELS</p> <p>May be in different forms: steel, poured concrete, box sections, slabs.</p>
	<p>CHANGE INDICATOR ARROW</p> <p>Indicates a change in pipe type or size. e.g. 150mm diameter PVC to 150mm diameter asbestos cement (AC).</p>
	<p>PIPE OVERPASS</p> <p>The overpass symbol indicates the shallower of the two pipes.</p>
	<p>VALVES</p> <p>Many different valve types are in use. Valve may be in a pit or have a visible valve cover. There may be no surface indication.</p> <p>Valves may be shallower than the main or offset from it. e.g. A scour valve (SC) may have a pipe coming away from main pipeline on the opposite side to that indicated on the plan.</p>






 	FIRE SERVICES 100 mm polythene domestic (DOMS) service FS Fire service FHS Fire hydrant service Hydrant may be visible external to the building. Even if not visible a substantial fire service may still be present.	
	PIPE BYPASS Bypass will not be on the same alignment as the main pipeline.	
	CATHODIC PROTECTION (CP) Buried CP equipment may be located some distance from the pipeline being protected interconnected by buried cable. All CP fittings may not be visible. A buried anode – various sizes and configurations TP test point - may be visible on a post or in-ground TR transformer rectifier	
	ACCESS TEE OR MANHOLE OR SERVICE ACCESS PIT NOTE: Opening any manhole or pit is dangerous and is prohibited. Below ground. May not be any visible signs at ground level or may be located in a pit.	
	WASTEWATER ACCESS CHAMBERS (MANHOLES) -- Manhole (shown not labelled) -- Tee or maintenance shaft (shown not labelled) MS maintenance shaft (labelled) WARNING: Opening any manhole or pit is dangerous and is prohibited.	
	WASTEWATER MANHOLE INFORMATION BOXES Square non-trafficable Do not drive vehicles over or place loads. Round trafficable In general if not located in the road treat as if non-trafficable.	
	HAZARDOUS MANHOLE Indicates a potential health hazard from risk of exposure to toxic waste. WARNING: Opening any manhole is dangerous and is prohibited.	
	FLOWMETER Various types of flow meters located in a pit. May be labelled with identifier. (e.g. 50 MFM, 50MM)	
	STANDPIPE, WATER SAMPLING POINT (WSP), WATER SUPPLY POINT (WP) May be located adjacent to mains. Usually there will be some visible indication.	
	Hydrant May not be visible. Hydrant Tee May not be visible. Pillar hydrant Visible	
	PRE-LAID SERVICES D Deferred FL Fully Prelaid Left FM Fully Prelaid Front Middle FR Fully Prelaid Right L Left R Right Code indicates on which side of a lot the water service is located: May be no visible indication at site.	
	SEWER OR DRAINAGE PUMP STATION Several pipes and a pressurised main will be in the vicinity.	
	OPEN CHANNEL OA Landscaped OE Normal Open Earth OF Open channel with flood levee OH Half Pipe OL Lined Channel OS Swale-Shallow Depression OW Natural Water Course Drainage structures, even if dry, must be kept clear of any obstruction such as sand stockpiles.	

UNDERGROUND LEGEND



Structures

-  Pillar
-  Metal Pole
-  Transformer Site
-  UG Crossing *
-  Ring Main Unit
-  LV Distribution Frame









Distribution Cables

-  High Voltage Cable (1kV - 33kV)
-  Low Voltage Cable (< 1kV)
-  Street Light Circuit (< 1kV)
-  Street Light Pilot (< 1kV)
-  Earth Wire



Cable Pole Terminations

-  HV Termination
-  LV Termination

Proposed Construction Assets

-  Design Area *
-  High Voltage Underground Cable
-  Low Voltage Underground Cable
-  Metal Pole
-  Pillar
-  Transformer site
-  HV Termination
-  LV Termination

State Underground Power Project

-  CURRENT Work Area *
-  COMPLETED Area *

Feature

-  Area of Interest

* Please refer to coversheet

Privately owned cables NOT SHOWN
(including house services)

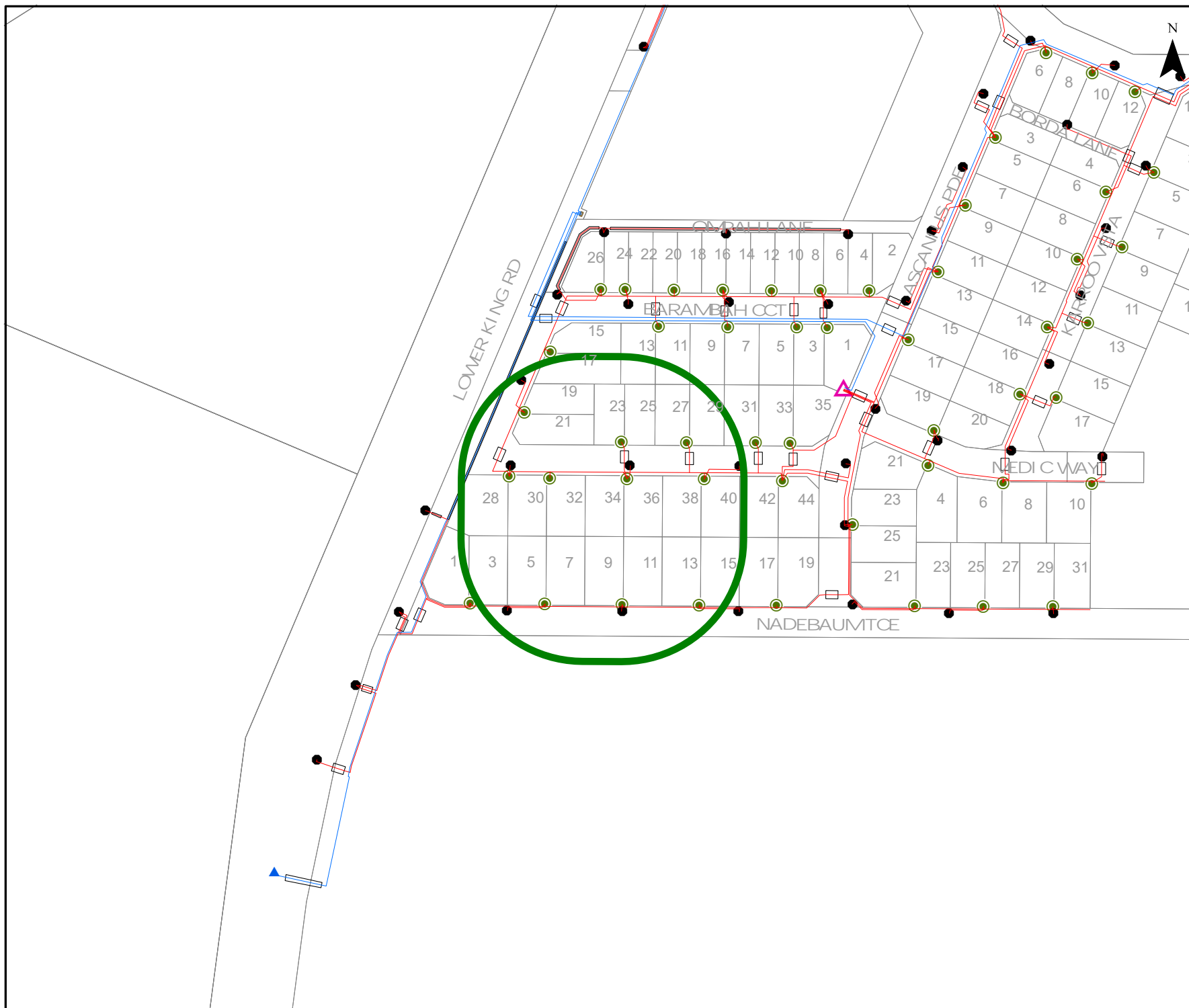
This map is **INDICATIVE ONLY**.
Hand exposure via pothole
method is **MANDATORY**.

Telephone Support: 1300 769 345
Mon to Fri - 08:00 to 16:30

Information valid for 30 days
from date of issue

A4 Scale : 1:2500

**WARNING! Look out for
overhead power lines**



LEGEND:

GAS LINE

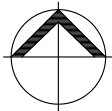
GAS ISOLATION VALVES

IMPORTANT INFORMATION
PLEASE READ ALL CONDITIONS AND INFORMATION ON THE
"UNDERGROUND ASSET DETAILS" INFORMATION SHEET. THIS
PLAN IS ISSUED ON THE BASIS OF THAT INFORMATION AND
SUBJECT TO THOSE CONDITIONS.

REF DRG NUMBER	DESCRIPTION

Copyright Notice

This drawing remains the
property of Wesfarmers
Kleenheat Gas Pty Ltd,
and may not be copied,
or reproduced, in any way,
without the prior written
approval of this company.



2	27.08.18	STAGE 6B ADDED	DV	CR	
1	02.08.18	STAGE 20B, STAGE 6A AND STAGE 7 ADDED	DV	CR	
0	3-15	ORIGINAL ISSUE	MS	SK	
REV	DATE	DESCRIPTION	DRAWN	CHECKED	

3rd PROJECTION



SCALE: 1:1500 @ A4

DRAWN: MS 3-15

CHECK: SK 3-15

APPVD: 3-15

JOB NO:



TITLE
RETICULATION
OYSTER HARBOUR, ALBANY W.A.
GAS NETWORK MAP - DIAL BEFORE YOU DIG
LOCATION PLANA5

WESTERN AUSTRALIA
Campas Drive (off Murdoch Drive) Murdoch, W.A., 6150
Postal Address:
P.O. Box 4186 MYAREE BUSINESS CENTRE, W.A., 6960
Phone: 132 180

DRAWING NUMBER

REVISION

CLIENT

DEPARTMENT

ENGINEERING

SHEET SIZE

A1

Kleenheat records indicate that our underground gas network IS PRESENT in the vicinity of your Dial Before You Dig enquiry. Please read and understand the below information. If any of the below information is unclear, please contact Kleenheat on the numbers provided below.

RECORDS FOR ASSETS LOCATED IN A ROAD RESERVE

The information provided to you is to be used as a guide only to assist in safely determining the location of Kleenheat's underground gas network prior to excavation activities. You must confirm the information supplied is applicable to your enquiry location prior to excavation. If the information is not applicable to your enquiry location, please contact Dial Before You Dig or Kleenheat to discuss further.

The approximate location of the underground gas network is provided in the attached drawing. It is essential that this information is provided to the principal contractor carrying out the excavation activities near the gas network.

The typical alignment for underground gas mains located in a road reserve is 1.3 – 1.8 metres from the private property boundary. NEVER ASSUME THE DEPTH AND ALIGNMENT OF GAS MAINS.

Should you wish to have a Kleenheat representative on site during excavations, please contact Kleenheat 5 business days prior to excavation to discuss. The gas network must not be altered, relocated or removed.

The following minimum safe work practices must be applied when excavating near the gas network :

1. **Plan** – Dial Before You Dig documentation must be reviewed and always available during excavation activities.
2. **Pothole** – Using Dial Before You Dig documentation, gas main and service line location must be confirmed by hand excavation prior to the commencement of machine excavation. Where the proposed work is parallel to the gas main, pothole along the planned excavation route at 5 metres intervals to confirm gas main location.
3. **Protect** – Adequate supervision must be provided for all excavations. When using machinery, a dedicated spotter must be provided to monitor excavation progress. Excavated gas mains shall be supported at distances not greater than 2 metres in length. Gas mains must not be left exposed or unprotected without supervision.
4. **Proceed** – Once all checks have been completed, work can proceed with care.

RECORDS FOR ASSETS LOCATED ON PRIVATE PROPERTY

Please be aware that the information provided through Dial Before You Dig is specific to assets contained within the road reserve and typically does not extend into the coverage of private properties. Therefore the plans provided to you may not show the location of gas service lines within the boundaries of a private property, but their presence must be anticipated.

Gas service lines are laid from the gas main located within the road reserve to the meter box located on a residence. Inside each meter box will be a sticker indicating the approximate location of the gas service line that connects the residence to the gas network. The exact location of service lines must be confirmed by hand excavation.

LPG SAFETY INFORMATION

Kleenheat's gas networks supply LP Gas (LPG) to residential customers connected to the network. LPG is a flammable gas that is heavier than air. It will fall to ground level when leaked to atmosphere and pool in low lying areas like an excavation trench. When leaked to the atmosphere, it is detectable by a unpleasant, rotten cabbage like smell.

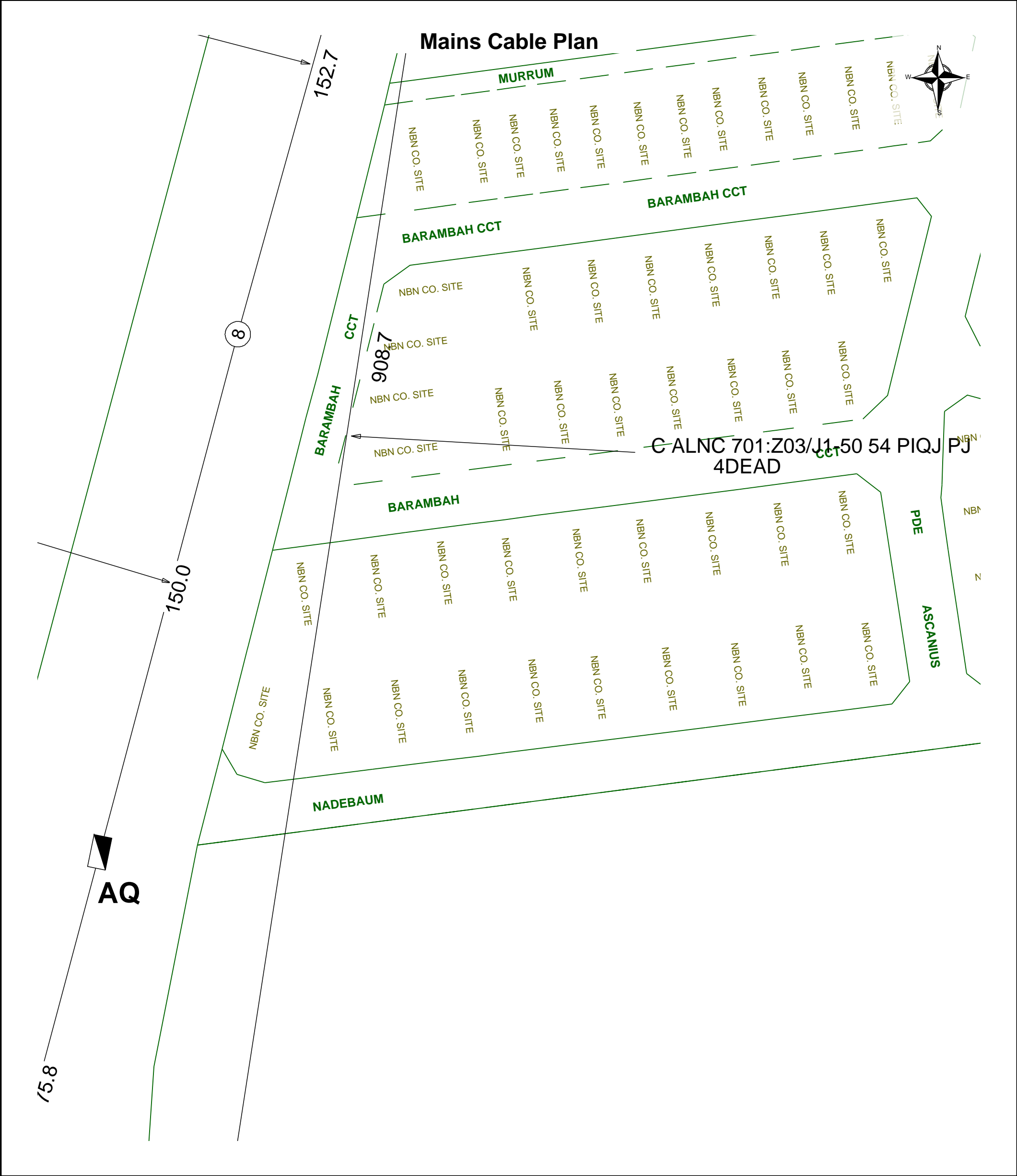
If you suspect gas to be leaking from the network during excavation, you must


- **stop work immediately**
- **eliminate all potential nearby ignition sources (eg excavator, cigarettes, electrical equipment)**
- **move at least 20m upwind of the leak location; then**
- **report the leak to Kleenheat on 1800 093 336.**

A LPG safety data sheet is available from the Kleenheat website : www.kleenheat.com.au. The safety data sheet must be reviewed prior to commencing excavation.

IMPORTANT CONTACT NUMBERS

Fire/Police/Ambulance	000
Kleenheat Emergency Response - Emergencies Only	1800 093 336
Kleenheat General Enquiries	132 180
Dial Before You Dig	1100



	Report Damage: https://service.telstra.com.au/customer/general/forms/report-damage-to-telstra-equipment Ph - 13 22 03 Email - Telstra.Plans@team.telstra.com Planned Services - ph 1800 653 935 (AEST bus hrs only) General Enquiries	Sequence Number: 237254254
	TELSTRA LIMITED A.C.N. 086 174 781	CAUTION: Fibre optic and/ or major network present in plot area. Please read the Duty of Care and contact Telstra Plan Services should you require any assistance.
	Generated On 27/03/2024 12:56:26	

WARNING
Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

See the Steps- Telstra Duty of Care that was provided in the email response.



OPENING ELECTRONIC MAP ATTACHMENTS -

Telstra Cable Plans are generated automatically in either PDF or DWF file types, dependent on the site address and the size of area selected. You may need to download and install free viewing software from the internet e.g.



DWF Map Files (all sizes over A3)

Autodesk Viewer (Browser) (<https://viewer.autodesk.com/>) or

Autodesk Design Review (<http://usa.autodesk.com/design-review/>) for DWF files. (Windows PC)



PDF Map Files (max size A3)

Adobe Acrobat Reader (<http://get.adobe.com/reader/>)



Telstra BYDA map related enquiries email

Telstra.Plans@team.telstra.com

1800 653 935 (AEST Business Hours only)



REPORT ANY DAMAGE TO THE TELSTRA NETWORK IMMEDIATELY

Report online - <https://www.telstra.com.au/forms/report-damage-to-telstra-equipment>

Ph: **13 22 03**

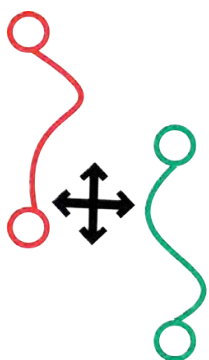
If you receive a message asking for a phone or account number say:

"I don't have one" then say "Report Damage" then press 1 to speak to an operator.



Telstra New Connections / Disconnections

13 22 00



Telstra asset relocation enquiries: 1800 810 443 (AEST business hours only).

NetworkIntegrity@team.telstra.com

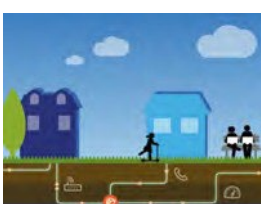
<https://www.telstra.com.au/consumer-advice/digging-construction>



Certified Locating Organisation (CLO)

<https://dbydlocator.com/certified-locating-organisation/>

Please refer to attached Accredited Plant Locator.pdf



Telstra Smart Communities

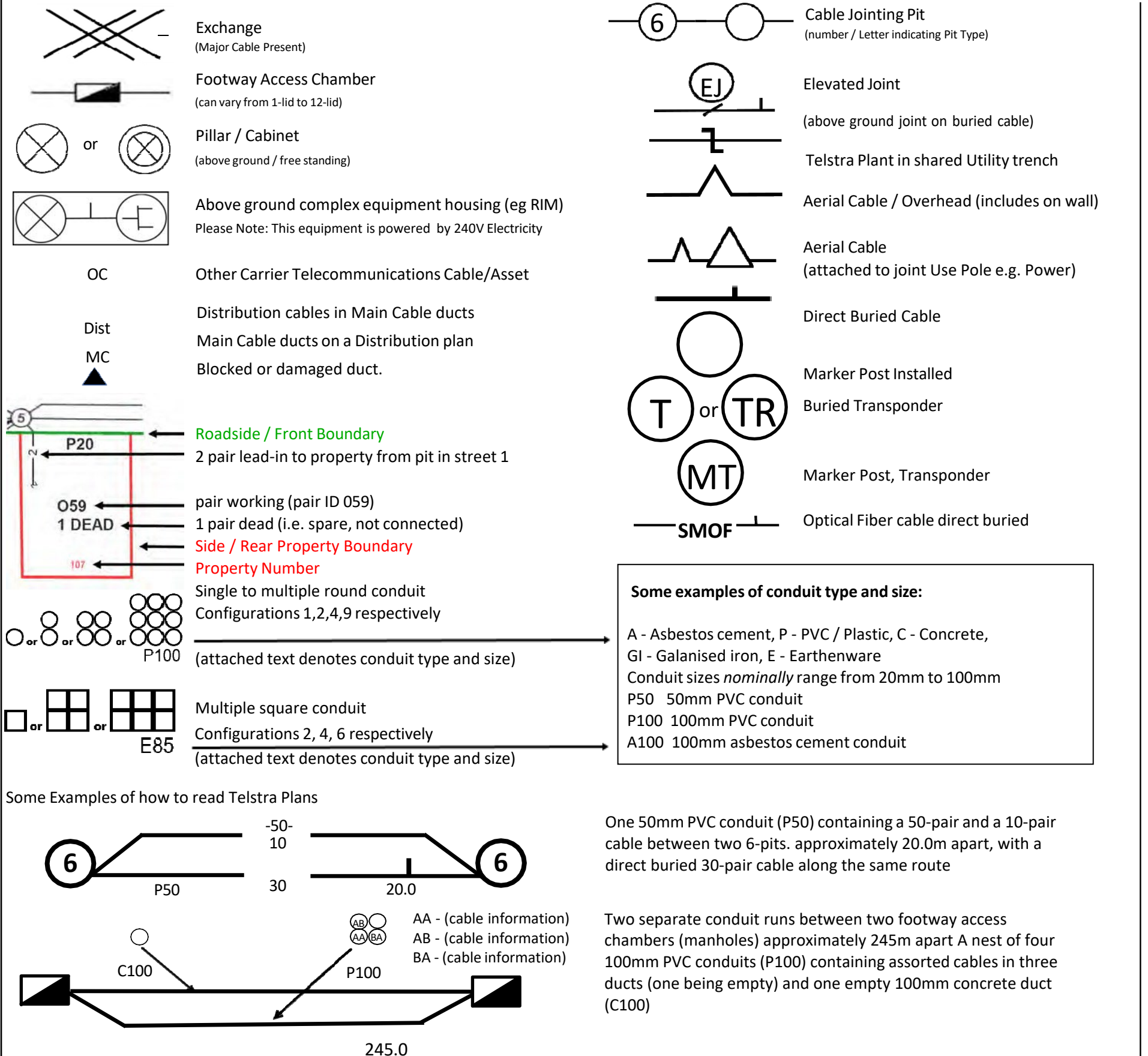
Information for new developments (developers, builders, homeowners)

<https://www.telstra.com.au/smart-community>

LEGEND



For more info contact a [Certified Locating Organisation](#) or Telstra Plan Services 1800 653 935

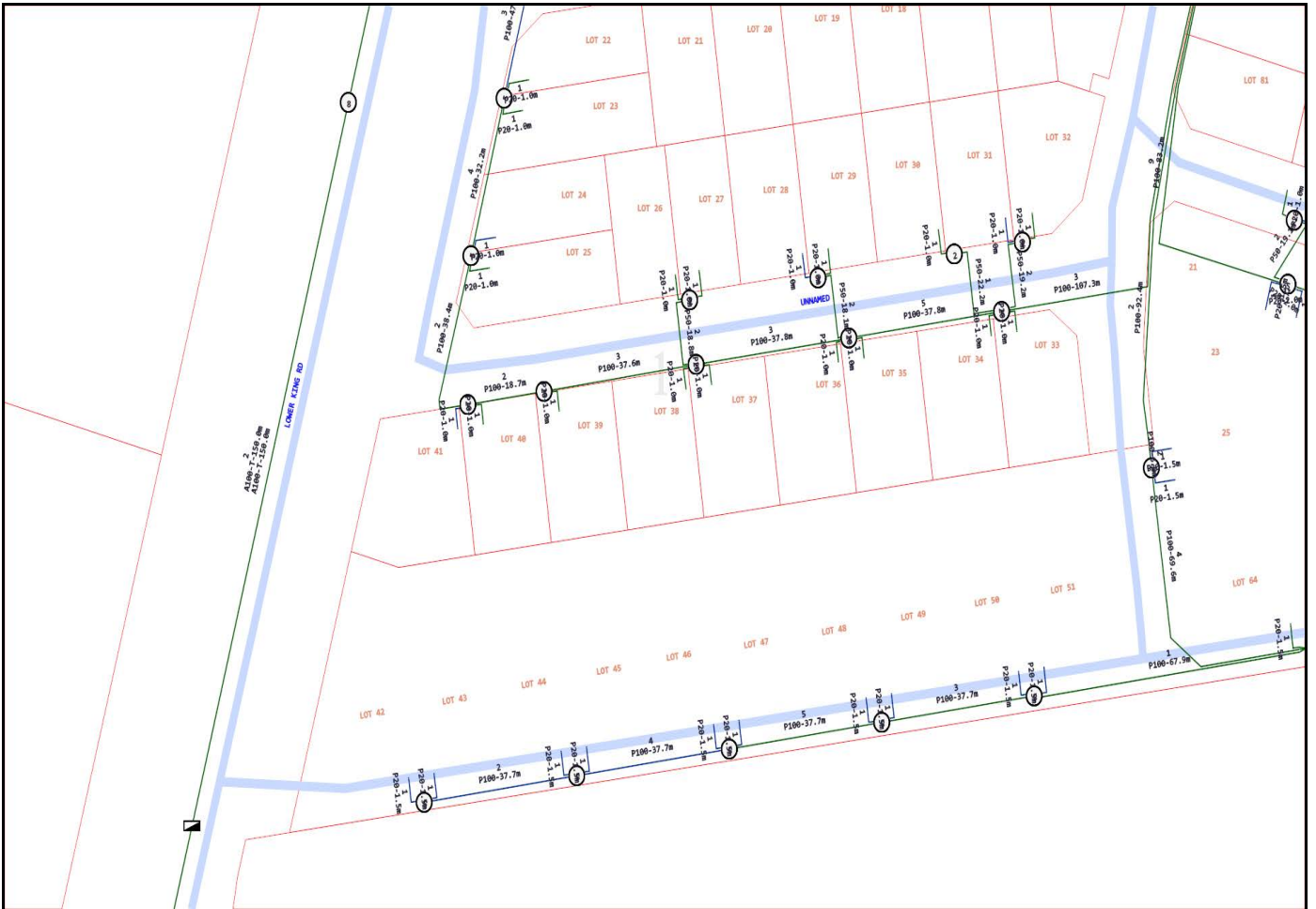




LEGEND



	Parcel and the location
	Pit with size "5"
	Power Pit with size "2E". Valid PIT Size: e.g. 2E, 5E, 6E, 8E, 9E, E, null.
	Manhole
	Pillar
	Cable count of trench is 2. One "Other size" PVC conduit (PO) owned by Telstra (-T-), between pits of sizes, "5" and "9" are 25.0m apart. One 40mm PVC conduit (P40) owned by NBN, between pits of sizes, "5" and "9" are 20.0m apart.
	2 Direct buried cables between pits of sizes, "5" and "9" are 10.0m apart.
	Trench containing any INSERVICE/CONSTRUCTED (Copper/RF/Fibre) cables.
	Trench containing only DESIGNED/PLANNED (Copper/RF/Fibre/Power) cables.
	Trench containing any INSERVICE/CONSTRUCTED (Power) cables.
	Road and the street name "Broadway ST"
Scale	0 20 40 60 Meters 1:2000 1 cm equals 20 m



Emergency Contacts

You must immediately report any damage to the **nbn™** network that you are/become aware of. Notification may be by telephone - 1800 626 329.