



**mainroads**  
WESTERN AUSTRALIA

Enquiries: Gavin Ellery on Ph 08 9323 4454  
Our Ref: 18/1248

30 October 2018

Chief Executive Officer  
City of Kalamunda  
PO Box 42  
KALAMUNDA WA 6926

Dear Ms Hardy,

**ROE HIGHWAY / KALAMUNDA ROAD INTERCHANGE  
PART LOT 3 (96) MAIDA VALE ROAD, MAIDA VALE  
PART LOT 726 (15) EDNEY ROAD, HIGH WYCOMBE**

Firstly I would like to thank the City of Kalamunda's officers for agreeing to meet at short notice on the 23 October 2018 to discuss various aspects of the Roe Highway/ Kalamunda Road Interchange Project. As mentioned in the meeting land acquisition plans have recently been finalised and in order to facilitate the project Main Roads WA (Main Roads) requires portions of land from two lots that are held in freehold by the City of Kalamunda (Aerial Land Dealing Plans - Attachment 1 & 2).

Main Roads respectfully requests the City of Kalamunda (The City) to cede the land required, namely the 91m<sup>2</sup> of land from Lot 726 Edney Road, High Wycombe (LDP 1360-210) and the 2.9529ha of land from Lot 3 (96) Maida Vale Road Maida Vale (LDP 1860-190).

To support this request outlined below and attached is relevant historical information and project designs in relation to these land parcels. In respect to Lot 726 Edney Road there was an agreement with the Shire of Kalamunda on the 18 October 1984 for Main Roads to transfer a portion of the Roe Hwy Road reserve (89m<sup>2</sup>) at nil cost to allow the existing building on Lot 726 to remain for community purposes as the building encroached upon the road reserve (Shire Letter - Attachment 3). This was subsequently transferred accordingly. (Lot 726 Transfer- Attachment 4)

In 2014 the noise wall was constructed by Main Roads around the building as per the current Lot 726 property boundary due to the building still being utilised for community purposes at the time.

This former road reserve portion of land within Lot 726 still exists within the Metropolitan Region Scheme (MRS) as primary road reserve and Main Roads sees it as an opportune time as part of this project to realign the Noise Wall while the building is not being utilised. Main Roads can organise the demolition of the building if this is of assistance to the City.

In respect to the land required from Lot 3 (96) Maida Vale Road Maida Vale, Main Roads is requesting the ceding of the required portion of land based on the benefit the proposed infrastructure provides the City's residents. Historically Lot 3 was transferred to the City from Western Power for \$10 on the 14 January 2000 (Lot 3 Transfer - Attachment 5). The land is currently utilised as Public Open Space (POS) and is encumbered by an easement to the Electricity Corporation (Western Power) for the purpose of high tension power lines (the transmission lines will not be affected by the project).



While a portion of the land requirement will be utilised for the southern on ramp from Kalamunda Road onto Roe Highway, the majority of the land will still be to the benefit of the local community as it will be improved by a Principal Shared Path (PSP) (Project Design – Attachment 6). It is intended the PSP asset will be a part of the road reserve for Roe Highway and will fall under the care and control of Main Roads hence no maintenance costs of the main PSP will be incurred the City. There will be connecting paths to the local road network which will be required to be maintained by the City.

In addition Main Roads respectfully requests for access to these two properties for the purpose of relocation of services and construction of the project, including but not limited to installation and realignment of Noise Walls, PSP and the Southern Ramp of Roe Highway. The reason Main Roads requests early entry is the project is expected to commence in April 2019 and land transfers may not be finalised in this time. If access is not provided on time, Water Corporation may miss their Winter-Spring relocation window, therefore delaying the project."

To summarise Main Roads requests the following actions from the City in relation to their portions of freehold land required to help facilitate the Roe Highway/Kalamunda Road Interchange Project:

- *For the City to sign the Letter of Consent for Access (Attachment 7) which will grant Main Roads WA access to the required portions of Lot 3 on Plan 12981 and Lot 726 on Diagram 70190 as shaded grey in Drawings 1860-190 and 1360-210 should the situation arise where relocation of services and construction works commence prior to the transfer of the land being completed.*
- *To agree to transfer the required portions of Lot 3 on Plan 12981 and Lot 726 on Diagram 70190 as shaded grey in Drawings 1860-190 and 1360-210 for nil value for the purpose of Road Reserve based on the benefit to the local community and historical intent and nominal value of transfer of these properties.*

In the meantime if you require any further information about the land acquisition issues please contact me on 9323 4454 or email at [gavin.ellery@mainroads.wa.gov.au](mailto:gavin.ellery@mainroads.wa.gov.au).

Yours sincerely

Gavin Ellery  
LAND ACQUISITION OFFICER  
PROPERTY MANAGEMENT BRANCH





**LEGEND**



LAND REQUIRED FOR ROAD PURPOSES



BOUNDARY TO BE SURVEYED.



MRS BOUNDARY

**NOTES**

- 1 DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY.
- 2 S.L.K. IS A M.R. STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY
- 3 HORIZONTAL DATUM IS MGA 94.
- 4 CADASTRAL MODEL: CAD1137A

**ROAD NETWORK SERVICES**

Telephone 9323 4990

Fax 9323 4174

**APPROVED FOR IMPLEMENTATION**

FILE NUMBER	FOLIO	DATE	APPROVAL NUMBER
-------------	-------	------	-----------------

AUTHORISED

APPROVED



FINANCE AND SERVICES  
**PROPERTY MANAGEMENT**

Telephone 9323 4580

Fax 9323 4600

FILE No. 13/9865

DRAWN/DESIGNED W.M. ROLLINGS 11/12/13

AUDITED IN ACCORDANCE WITH STANDARD 67-08-48 IN THE ROAD AND TRAFFIC ENGINEERING MANUAL

**ROE HWY H18**

LAND DEALINGS

LOT 726, 34.7 SLK

LOCAL AUTHORITY (102) SHIRE OF KALAMUNDA

DRAWING TYPE  
7200

DRAWING NUMBER  
**1360-210**

AMEND.





LEGEND



LAND REQUIRED FOR ROAD PURPOSES



BOUNDARY TO BE SURVEYED.

NOTES

- 1 DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY.
- 2 S.L.K. IS A M.R. STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY
- 3 HORIZONTAL DATUM IS MGA 94.
- 4 CADASTRAL MODEL: CAD1244A

INFRASTRUCTURE DELIVERY DIRECTORATE

Telephone 9323 4636

Fax 9323 4930

APPROVED FOR IMPLEMENTATION

FILE NUMBER	FOLIO	DATE	APPROVAL NUMBER
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AUTHORISED

APPROVED



FINANCE AND SERVICES  
PROPERTY MANAGEMENT

Telephone 9323 4580

Fax 9323 4600

FILE No. 17/3898

DRAWN/DESIGNED W.M. ROLLINGS 23/8/18

AUDITED IN ACCORDANCE WITH STANDARD 67-08-48 IN THE ROAD AND TRAFFIC ENGINEERING MANUAL

ROE HWY H18

LAND DEALINGS

LOT 3, 33.5 - 34.7 SLK

LOCAL AUTHORITY (102) CITY OF KALAMUNDA

DRAWING TYPE  
7200

DRAWING NUMBER  
1860-190

AMEND.



# SHIRE OF KALAMUNDA

2 RAILWAY ROAD, KALAMUNDA, W.A. 6076  
TELEPHONE 293 2111



Mr. Gray  
DG:ML 5/4/18  
Ref: 41/909-6  
Date: 18 October 1984

The Secretary  
Main Roads Department  
G P O Box X2255  
PERTH W A 6000



Dear Mr. Warner,

Thank you for your letter of 29/8/84 regarding Lot 17 Edney Road, High Wycombe.

Council has considered all of the available options for the management of the Scheme and has resolved to make available an amount of \$22,000 as a contribution towards acquisition of the building for its future use as a community centre. The Scheme will contribute the balance amount necessary to re-locate the current owners, Mr. and Mrs. R.W. and K. Stephens.

The land around the building will be set aside in the Scheme for public purposes normally expected to be public recreation but Council will liaise with the Department of Lands and Surveys to ensure that the continued use of the building as a community centre is not hampered by any restrictive vesting.

The Stephens will retain the equivalent of two residential lots from the Scheme for construction of a new house and it is anticipated that this construction will proceed within the near future. All claims by the Stephens will be settled by the Council in its capacity as the responsible Authority for the Scheme.

I acknowledge your comment that the Department will accept intrusion of the building into the Main Road Reserve whilst the building is used as a residence and as a community centre. I do not believe that any structural alterations can be made to allow the building to be clear of the road reserve and would therefore request your consideration to an adjustment to the boundary line at no cost to the Council to accommodate the existing building. I note that this boundary adjustment will occur after the land has been acquired by the Council and anticipate that this will be completed during the second half of 1985. Your co-operation in achieving that objective will be appreciated.

Yours faithfully

*C.C. Ainsworth*  
C.C. Ainsworth  
ACTING SHIRE CLERK



57  
49

WESTERN AUSTRALIA.

Transfer of Land Act 1893 as amended

No.

**TRANSFER OF LAND**

DESCRIPTION OF  
LAND BEING  
TRANSFERRED.  
State whether whole  
or part of land com-  
prised in Certificate  
of Title and/or  
Crown Lease.

Portion of Swan Location 1475 and being that part of the land on Plan 13695 as is now comprised in Diagram 70190 and being part of the land in Certificate of Title Volume 1659 Folio 992

ESTATE AND  
INTEREST BEING  
TRANSFERRED.  
Fee simple, Lease-  
hold or as the case  
may be.

Fee simple

ENCUMBRANCES,  
If none, insert 'Nil'.

Nil

TRANSFEROR.  
Full name, address  
and occupation.

COMMISSIONER OF MAIN ROADS of Waterloo Crescent East Perth

CONSIDERATION  
IN WORDS.

No monetary consideration. The Transferor has agreed that the said land shall be owned by the Transferee and the Transferee has agreed that the said land shall be used for community purposes

TRANSFEEE.  
Full name, address  
and occupation. If  
a minor, state date  
of birth. If two or  
more state whether  
as Joint Tenants or  
Tenants in Common.  
If Tenants in  
Common, specify  
shares.

SHIRE OF KALAMUNDA of 2 Railway Road Kalamunda



Dated this

day of

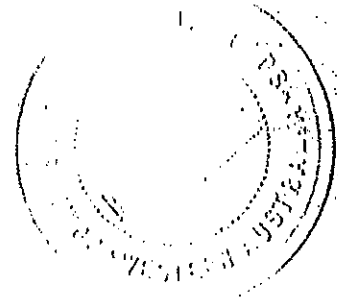
1986

## TRANSFERORS SIGN HERE (see note 1)

b. Signature. Signed (b) THE COMMON SEAL of the )  
 in the COMMISSIONER OF MAIN ROADS )  
 presence of (c) was hereunto affixed by )  
 c. Signature, the Commissioner of Main )  
 address and Roads for the time being in )  
 occupation of the presence of : )  
 witness. (See note 2)

Signed (b) \_\_\_\_\_  
 in the \_\_\_\_\_  
 presence of (c) \_\_\_\_\_

d. Add attestations (d)  
 as required.



## TRANSFEREES AND OTHER PARTIES SIGN HERE (see note 1)

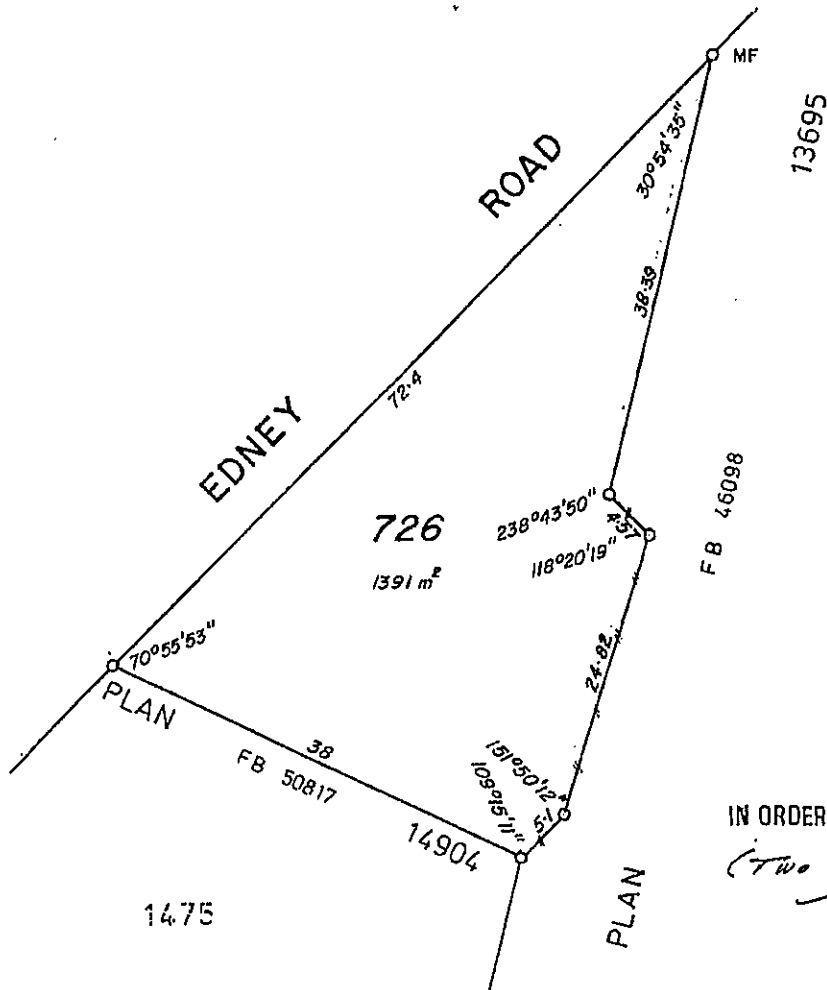
Signed (b) THE COMMON SEAL of SHIRE OF )  
 in the KALAMUNDA was hereunto )  
 presence of (c) affixed by the authority of )  
 a resolution of the Council )  
 in the presence of: )



Signed (b) Mr. Strain President  
 in the \_\_\_\_\_  
 presence of (c) L. Waugman Shire Clerk

(d)





IN ORDER FOR DEALINGS.  
(Two Owners)  
*X. Rand.*  
18.6.86

SURVEY AND MAPPING GROUP  
Pty. Ltd.

1st Floor, 100 Street, South Perth W.A. 6151, P.O. Box 83  
Tel: (08) 944 6645, (08) 942 8996

**CERTIFICATE**

I hereby certify that this survey was performed by me personally (or under my own personal supervision, inspection and field check) in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations, 1961.

Date... 17/1/86 ... A. H. Gardiner  
Licensed Surveyor 2.60213

S.R.C. Ref: 65917

Approved by [Signature]

THE PLANNING COMMISSION  
30 MAY 1986

Date.....

[Signature]  
FOR Chairman  
3 JUNE 1986

Approved

On

Registered  
OFFICE OF MILES  
FEE PAID

Diagram No.

Inspector of Plans and Surveys

Plan... 13695, 14904

Diagram... PERTH 2000 22-26

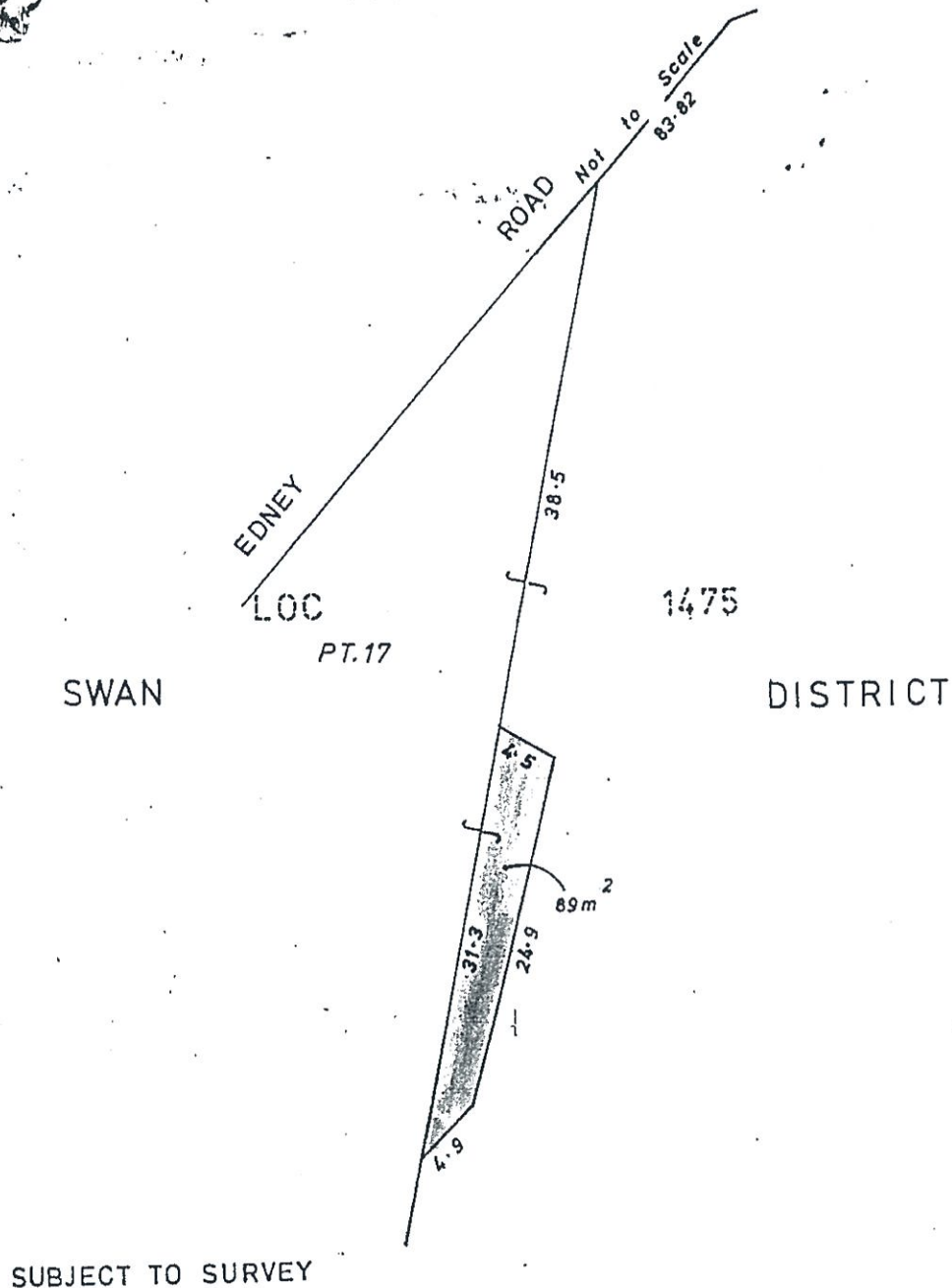
Index Plan

**70190**

Examined... A. H. Gardiner... Date...  
6 March 87



# SALE OF LAND PUBLIC WORKS ACT 1902 - (AS AMENDED)



SUBJECT TO SURVEY

The land proposed to be sold is the land on this plan coloured green, the same being more particularly described in the notice of Sale of Land relating thereto and bearing even date herewith.

Dated this 26<sup>TH</sup> day of APRIL 19 85.

*[Signature]*  
MINISTER FOR WORKS

Total Area 89m<sup>2</sup> Scale 1:500

Drawn M.L.B. File P.W.146/85

Checked N.W.D. Date 6.3.85



P.W.D., W.A. 56121



MRD 41/909-6

CONVEYANCER  
CROWN LAW DEPARTMENT

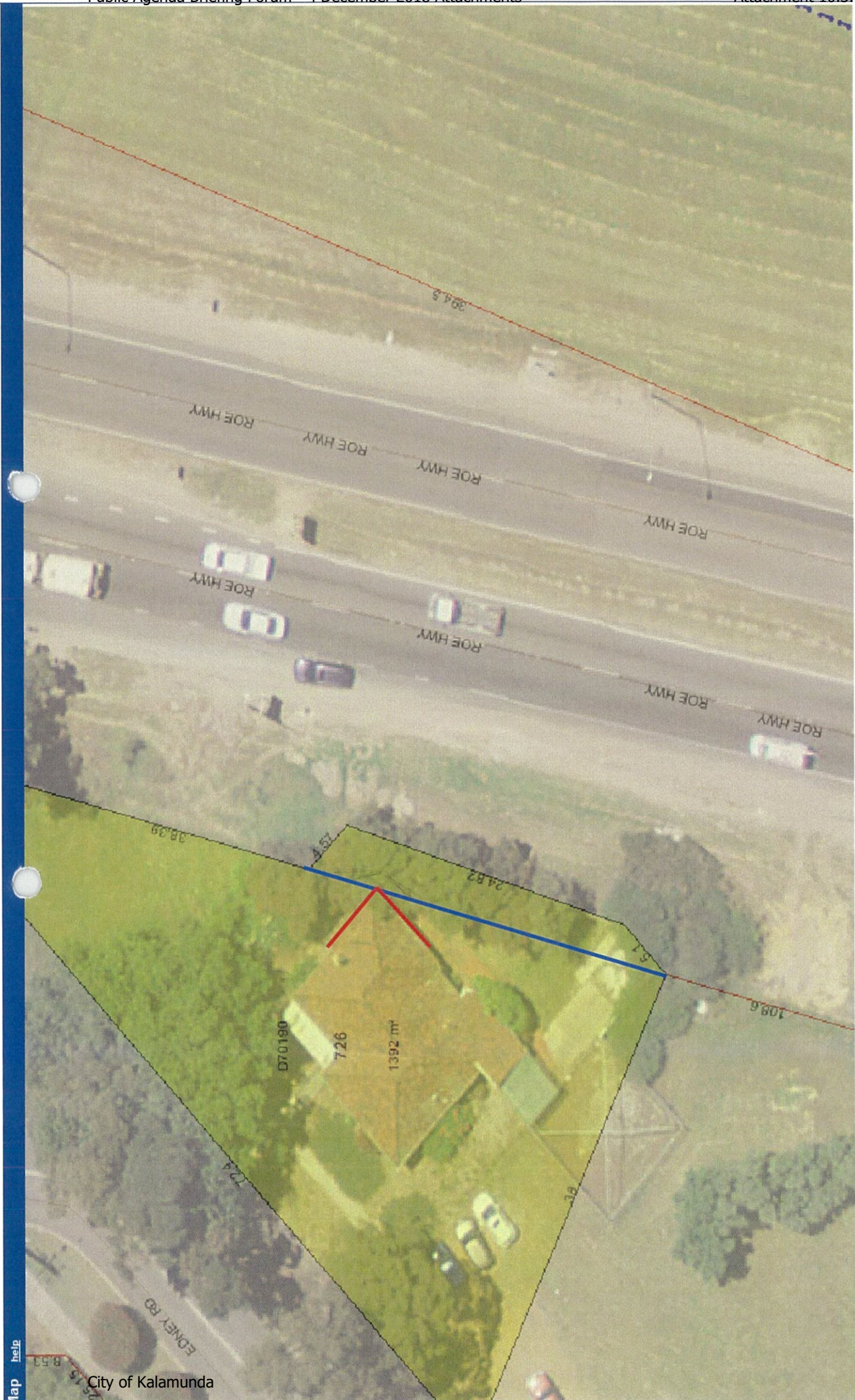
MRD TO SHIRE OF KALAMUNDA

1. The Department owns part of Swan Location 1475 corner Kalamunda and Edney Roads High Wycobme. The property is more particularly described as Portion of Swan Location 1475 and being part of the land on Plan 13695 being the whole of the land in Certificate of Title Volume 1659 Folio 992.
2. The adjoining land is owned by the Shire of Kalamunda and a building on this land is very close to the boundary. To avoid demolition of the building the Department has agreed to transfer a small area to the Shire for amalgamation with their property. The property is to be used for community purposes. The Shire's land is described as Portion of Swan Location 1475 being part of the land the subject of Plan 14904 being part of the land in Certificate of Title Volume 1732 Folio 622.
3. The land to be transferred has been cleared for sale in accordance with the provisions of the Public Works Act. Copies of the clearance papers are at folios .
4. Would you please take the following actions to complete this matter:-
  - 4.1 Apply for a new title for the portion of Location 1475 in CT 1659/992 which is now contained in Lot 726 in Diagram 70190. Do not apply for a balance title.
  - 4.2 Transfer the land described in 4.1 to the Shire of Kalamunda. The consideration is to be "Nil, with the intent that the land be used for community purposes".
  - 4.3 Apply for a new title for Lot 726 on Diagram 70190
5. This Department will meet the cost of these actions.
6. Address all correspondence to Shire Clerk Kalamunda Shire Council, 2 Railway Road Kalamunda 6076. Quote reference DG:ML 5/4/18.

D R Warner  
DIRECTOR ADMINISTRATION & FINANCEPer  
City of Kalamunda

August 6 1986







WESTERN



AUSTRALIA

REGISTER NUMBER <b>726/D70190</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

# **RECORD OF CERTIFICATE OF TITLE** UNDER THE TRANSFER OF LAND ACT 1893

VOLUME  
**1751**FOLIO  
**386**

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.

  
 REGISTRAR OF TITLES


## **LAND DESCRIPTION:**

LOT 726 ON DIAGRAM 70190

## **REGISTERED PROPRIETOR:** (FIRST SCHEDULE)

SHIRE OF KALAMUNDA OF 2 RAILWAY ROAD, KALAMUNDA  
(A D392937 ) REGISTERED 6 JANUARY 1987

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

1. SAVE AND EXCEPT THE RIGHTS TO MINES OF COAL OR OTHER MINERALS

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.

\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.

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

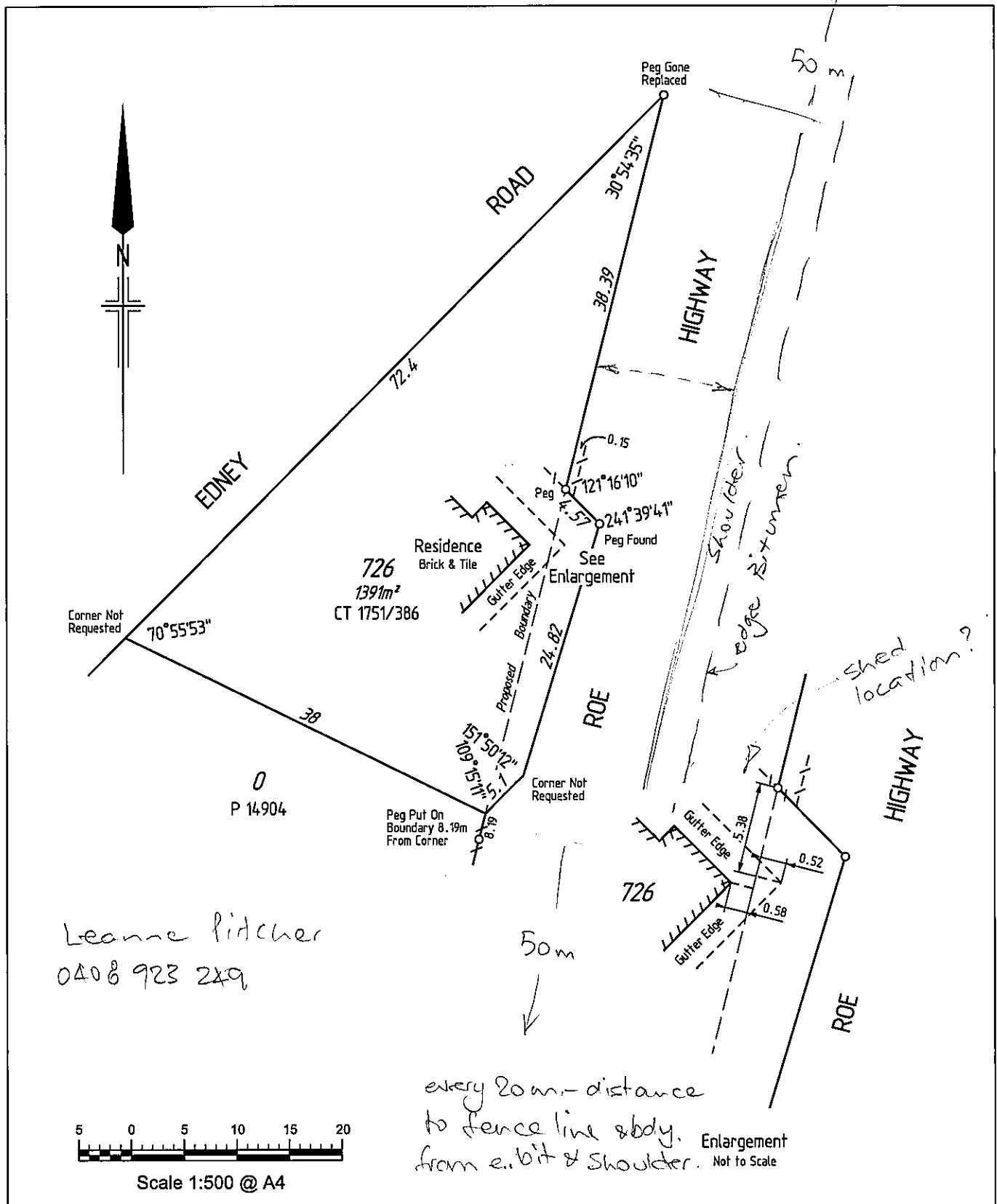
-----END OF CERTIFICATE OF TITLE-----

## **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: 1751-386 (726/D70190).  
 PREVIOUS TITLE: 1732-622, 1659-992.  
 PROPERTY STREET ADDRESS: 15 EDNEY RD, HIGH WYCOMBE.  
 LOCAL GOVERNMENT AREA: SHIRE OF KALAMUNDA.





P.O. Box 3154  
Midland, WA, 6056  
(08) 9374 7777  
info@wkc.com.au  
www.wkc.com.au  
ABN 92 105 274 226



FS 520793

MRWA

Boundary Re-Establishment

Lot 726 on D 70190  
15 Edney Road, High Wycombe

					Surveyed	L. Whitehurst	11/02/2014	Grid	Arbitrary
					Drawn	R. Quaglio	11/02/2014	Datum	Arbitrary
					Approved	A. Vincent	14/02/2014	Rev	0
0	17/02/14	Approved & Issued To Client	LW	RQ	AV	Drawing Number			
Rev	Date	Description	Surveyor	Drawn	Approved	12014-D001			

This drawing is and shall remain the property of WKC. WKC makes no representations or warranties of any kind, express or implied, as to the content included. Unauthorised use of the content in any way is prohibited and this drawing shall not be modified unless any reference to WKC is removed.



**INSTRUCTIONS**

- Page 2 of this document may be used:
  - If insufficient space in any section hereon; Appropriate headings should be shown. The boxed sections should only contain the words "see page....."
  - To set forth Easements created as appurtenant to the land (commencing with the words "together with"). Reservations created encumbering the land (commencing with the words "reserving to") or any Restrictive Covenant hereby created. Any Sketch contained thereon must be initialled by all parties.
- If further space is required Additional Sheet Form B1 should be used with appropriate headings. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
- 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.
- 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. ***If a Duplicate Certificate of Title is not required to be re-issued, or if a Duplicate Certificate of Title has not been issued previously but is required to issue subsequent to this document, the written request of the Transferee is required by signing this panel.*** Written consent of the First Mortgagee is also required if applicable.

**NOTES**

- DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent—Whole, part or balance of the land comprised in the Certificate of Title to be stated.  
The Volume and Folio or Crown Lease number to be stated.
- ESTATE AND INTEREST**  
State whether Fee Simple, Leasehold or as the case may be in the land being transferred. If share only, specify.
- ENCUMBRANCES**  
To be identified by nature and number, if none show "nil".
- TRANSFEROR**  
State full name of the Transferor/Transferors (Registered Proprietor) as shown on the Certificate of Title or Crown Lease.
- CONSIDERATION**  
To be expressed in words.
- TRANSFeree**  
State full name of the Transferee/Transferees (PURCHASER) and the address/addresses to which future notices can be sent. If a minor, state date of birth.  
If two or more state tenancy eg;
  - Joint Tenants, ***(on the death of a joint tenant, the survivor(s) become(s) the registered proprietor(s) of the deceased's interest by applying to the Registrar of Titles).***
  - Tenants in Common, ***(on the death of a tenant in common, their share is dealt with according to their will).***
 If Tenants in Common specify shares.
- TRANSFeree'S/TRANSFEROR'S EXECUTION**  
Transferees and Transferors must sign their appropriate panel. 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

NE 1 + NE 38

L

7

Z. 15

**H 336456 T**

14 Jan, 2000 11:45:41 Perth



REG. \$ 66.00

**TRANSFER**

LODGED BY **Western Power**

ADDRESS **363 Wellington Street, Perth**

PHONE No. **9326 4899**

FAX No. **9326 6880**

REFERENCE No. **7-17** (s:r/4158cas.doc)

ISSUING BOX No. **Box 184K Perth**

PREPARED BY **Western Power**

ADDRESS **363 Wellington Street, Perth**

PHONE No. **9326 4899** FAX No. **9326 6880**

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

**TITLES, LEASES, DECLARATIONS ETC LODGED HERewith**

- 1404-760, 1425-485
  - 1426-503, 1444-948
  - 1444-950, 1444-951
  - 1519-334, 1523-195
  - 1575-187, 1772-598
  - \_\_\_\_\_
- Received Items  
Nos. **10**  
Receiving Clerk **[Signature]**

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.

Dated this 14 day of January 2020  
TRANSFEROR/S SIGN HERE (Note 7)

Signed

In the presence of

Signed on behalf of ELECTRICITY CORPORATION by persons authorised by its Board in accordance with Section 97(4) & (5) of the Electricity Corporation Act 1994.

Signed

In the presence of

Authorised Person - Name:

Authorised Person - Name:

REQUEST FOR ISSUE/NON-ISSUE (Instruction 4)

BY SIGNING THIS PANEL, I/WE THE TRANSFEREE REQUEST THE ~~ISSUE/NON-ISSUE~~ (DELETE AS REQUIRED) OF A DUPLICATE CERTIFICATE(S) OF TITLE FOR THE LAND ABOVE DESCRIBED.

Signed

Signed

TRANSFEREE/S SIGN HERE (Note 7)

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

Signed

In the presence of

The Common Seal of the Shire of Kalamunda was hereby affixed by resolution of Council in the presence of:

Signed

In the presence of

Shire President)

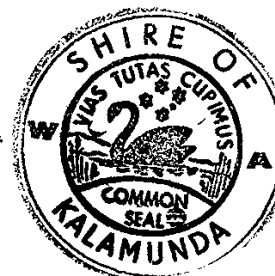
OWEN F. McGRATH

(Print Name)

(Chief Executive Officer)

DAVID E. VAUGHAN

(Print Name)





- (g) park or leave stationary within the Reservation any vehicle or machinery exceeding two point five (2.5) meters in height from the natural surface of the land;
- (h) bring onto or permit to be brought onto the Reservation any explosive, flammable or unstable substance or material other than agricultural crops;
- (i) blast or permit any blasting within the Reservation;
- (j) carry on or permit to be carried on any activity or operation which endangers the safety.

## 2. MUTUAL COVENANTS

The Transferee and the Transferor MUTUALLY AGREE AND DECLARE that:

- (a) the Transferor shall maintain all bridges, gates, culverts, access roads and improvements which it makes to the Land to the extent that they service the Transferor's Transmission Works;
- (b) the Transferor shall not be required to fence of all or any part of the Reservation but may cut and remove part of the any fence and construct and maintain a gate or gates as the Transferor may require;
- (c) subject to the express provisions of this Reservation, the Transferor shall do as little damage as is reasonably possible and shall make good or otherwise pay adequate compensation for all physical damage done to the Land and nay premises or thing, by the Transferor in the course and at the time of the exercise of any power of entry onto that land premises or thing;
- (d) in the Reservation, unless the context otherwise requires:
  - (i) a covenant or agreement entered into by more than one person shall be deemed entered into and to bind all parties jointly and each party severally;
  - (ii) a reference to the Transferee (where there is more than one) shall mean and include each of them and any two or more of them; and
  - (iii) all works and phrases which are defined in the Act, shall have the same meanings whenever they appear in this Reservation;
- (e) this Reservation is made and received upon and subject to all of the rights, powers and authority of the Transferor contained in the Act and any other Act or Acts, including the Energy Corporations (Powers) Act 1979 Sections 28(3)(d), 36, 37 and 45, which now or subsequently confer any rights, power or authorities on the Transferor.

### THE SCHEDULE

#### **SOUTHERN TERMINAL TO NORTHERN TERMINAL 330kV TRANSMISSION LINE AND FUTURE TRANSMISSION LINE**

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED.

## ADDITIONAL PAGE TO TRANSFER

Dated

Reserving to the Transferor, its body corporate pursuant to the Electricity Corporation Act 199 ("the Act"), its successors & assigns full right and liberty for the Transferor from time to time and at all times hereafter to enter in, upon, over and across **ALL THE TRANSFERRED LAND** ("the Reservation") and to remain on and occupy the Reservation at all times for so long as is necessary for the Transferor to:

- (a) clear and keep the Reservation clear of trees, shrubs, vegetation and other growth;
- (b) break, excavate (to the depth necessary), remove timber, vegetation, soil, earth, gravel and stone upon the Reservation; and
- (c) set up, lay down, establish, maintain, utilise and operate and at any time, inspect, service, maintain, repair, replace, alter or remove the system of electricity Transmission Works named and described in the Schedule and all of the Works and Undertaking which now or in the future form any part of those Transmission Works.

### 1. TRANSFEREE'S COVENANTS

The Transferee COVENANTS with the Transferor not to:

- (a) alter or disturb the present grades and contours of the surface of the land within the Reservation except:
  - (i) in the course of normal farming operations; or
  - (ii) otherwise with the prior written consent of the Transferor on each occasion;
- (b) construct, erect or set up any building, structure or improvement within the Reservation other than:
  - (i) a fence or trellis not exceed two (2) metres in height from the natural surface of the land, earthed to the satisfaction of the Transferor in the case of a metallic fence or trellis; and
  - (ii) those structures and improvements specified in and to the extend permitted in subclause 1(c);
- (c) construct, erect, set up, improve, enlarge or alter any:
  - (i) contour bank;
  - (ii) fenced stormwater drain or compensating basin; or
  - (iii) fenced artificial lake;within the Reservation without the prior written consent of the Transferor, which the Transferor shall be under no obligation to grant and then upon those terms and conditions, if any, which the Transferor may determine;
- (d) grow, cultivate or maintain any vegetation exceeding three (3) metres in height from the natural surface of the land, within the Reservation;
- (e) stack, place or store any plant or material within the Reservation;
- (f) bring within the Reservation any vehicle or machinery which together with any attachment, aerial or accessory exceed five (5) metres in height from the natural surface of the land;



THE TRANSFEROR for the consideration herein expressed HEREBY TRANSFERS TO THE TRANSFEREE the estate and interest herein specified in the land above described, subject to the encumbrances as shown hereon. (Instruction 2)

SCHEDULE

<u>Description of Land Being Transferred</u>	<u>Extent</u>	<u>Volume</u>	<u>Folio</u>
X 1. Lot 1 the subject of Diagram 48268	Whole (less portion resumed)	1404	760
X 2. Part of Lot 4 on Diagram 12473	Whole	1425	485
X 3. Lot 2 the subject of Diagram 49398	Whole (less portion resumed)	1426	593
X 4. Lot 3 the subject of Diagram 50293	Whole	1444	948
X 5. Part of Lot 586 on Plan 4684 (Sheet 2)	Whole	1444	950
X 6. Lot 1 the subject of Diagram 50295	Whole	1444	951
X 7. Lot 120 on Diagram 55578	Whole	1519	334
X 8. Lot 101 the subject of Diagram 54848	Whole	1523	195
X 9. Part of Lot 97 on Diagram 53969	Whole	1575	187
X 10. Part of Lot 3 on Plan 12981	Whole	1772	598



FORM T2

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED.

S: 119  
EXEMPT from W.A. Stamp Duty

  
for Commissioner of State Revenue

## TRANSFER OF LAND

DESCRIPTION OF LAND (Note 1)

See Schedule on Page 2

EXTENT VOLUME FOLIO

ESTATE AND INTEREST (Note 2)

Fee Simple

ENCUMBRANCES (Note 3)

- |        |                    |                    |                     |
|--------|--------------------|--------------------|---------------------|
| 1. Nil | 4. Nil             | 7. Nil             | 10. Transfer G37332 |
| 2. Nil | 5. Transfer D81084 | 8. Transfer D81084 |                     |
| 3. Nil | 6. Transfer D81084 | 9. Nil             |                     |

TRANSFEROR (Note 4)

Electricity Corporation

*ENDORSER: On Second Schedule (cont.) of C's/T 1404/760, 1425/485, 1426/593, 1444/948, 1444/950, 1444/951, 1519/334, 1523/195, 1575/187 & 1772/598 (Orig. + Dup.)*

*No Sketch*  
TRANSFER H336456. The right to enter upon the within land for the purpose of constructing, maintaining and using electricity transmission works in, upon and across the said land as set out in the said Transfer is reserved to Electricity Corporation.

Registered 14.1.2000 at 11:45 hrs.

CONSIDERATION (Note 5)

Ten Dollars

TRANSFeree (Note 6)

Shire of Kalamunda of 2 Railway Road, Kalamunda



City of Kalamunda  
PO Box 42  
KALAMUNDA WA 6926

Principal Acquisition Manager  
Main Roads Western Australia  
Don Aitken Centre  
Waterloo Crescent  
EAST PERTH WA 6004

To Mr Ellery,

**ROE HIGHWAY AND KALAMUNDA ROAD INTERSECTION UPGRADE  
LAND REQUIREMENT – LOT 3 ON PLAN 12981 - DRAWING NO. 1860-190 AND  
LOT 726 ON DIAGRAM 70190 – DRAWING NO. 1360-210  
CITY OF KALAMUNDA  
LETTER OF CONSENT FOR ACCESS**

The City of Kalamunda ("The City"), being the primary interest holder of Lot 3 on Plan 12981 as comprised in Certificate of Title Volume 1772 Folio 598 and Lot 726 on Diagram 70190 as comprised in Certificate of Title Volume 1751 Folio 386, have no objection to the acquisition of approximately 2.9529 ha of land as shown on Drawing No 1860-190 and approximately 91m<sup>2</sup> of land as shown on Drawing No 1360-210 for the improvements to the Roe Highway and Kalamunda Road Intersection Project, by Main Roads Western Australia.

The City acknowledge that we have been issued with a statement of procedures in the "approved form" explaining my rights and obligations as required under section 168(2) of the Land Administration Act 1997.

Land Description Details				
Lot No	Plan/Diagram	Certificate of Title	Area Required (Hectares)	Comments
3	Plan 12981	1772/598	2.9529Ha	Drawing No 1860-190
726	Diagram 70190	1751/386	0.0091Ha	Drawing No 1360-210
<b>Total Area</b>			<b>2.9562 ha</b>	

I hereby grant permission for entry to be made onto the land, described above, for the purpose of accommodation works and relocation of existing services.

I also grant permission for entry to be made onto this land for the purpose of construction work provided that notification is given at least 14 days before entry is required.

The consent is given subject to the following conditions:

- Main Roads Western Australia will be responsible for all survey and legal documentation costs associated with the land transfer.
- Main Roads also indemnifies The City from any liability as a result of Main Roads and/or it's appointed contractors actions on the above nominated land parcel.
- Main Roads will be responsible for any relocations of services or infrastructure that are affected within the nominated areas (grey shading) within drawing 1860-190.
- Main Roads will be responsible for relocation of the noise wall along the proposed boundary of Lot 726 as per drawing 1360-210.

..... Person Authorised on behalf of City of Kalamunda  
Signature

.....  
Full Name

Date:.....