

CURRENT TITLE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47200874  
Search Date: 26/02/2024 10:13

Title Reference: 50811264  
Date Created: 24/05/2010

Previous Title: 50810649

REGISTERED OWNER

Dealing No: 722860763 06/11/2023

ONEFIN BURDELL PTY LTD A.C.N. 648 713 419

ESTATE AND LAND

Estate in Fee Simple

LOT 843 SURVEY PLAN 233011  
Local Government: TOWNSVILLE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 20735114 (POR 31)
2. EASEMENT No 713248352 21/05/2010 at 15:52 burdening the land to LOTS 841, 842 AND 844 ON SP233011 OVER EASEMENT U ON SP233011
3. EASEMENT No 715307914 11/09/2013 at 15:58 benefiting the land over EASEMENT S ON SP253500
4. MORTGAGE No 722860764 06/11/2023 at 14:20 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005 357 522
5. EASEMENT IN GROSS No 722965296 18/12/2023 at 14:54 burdening the land ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062 over EASEMENT J ON SP342308

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
716181516	DSI/OFFSET	04/12/2014 12:58	CURRENT

LAND VALUATION ACT 2010

UNREGISTERED DEALINGS - NIL

CURRENT TITLE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47200874

Search Date: 26/02/2024 10:13

Title Reference: 50811264  
Date Created: 24/05/2010

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D-ENQ DYE & DURHAM

CURRENT TITLE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47200845  
Search Date: 26/02/2024 10:12

Title Reference: 50849320  
Date Created: 15/06/2011

Previous Title: 50849297

REGISTERED OWNER

Dealing No: 722860763 06/11/2023

ONEFIN BURDELL PTY LTD A.C.N. 648 713 419

ESTATE AND LAND

Estate in Fee Simple

LOT 850 SURVEY PLAN 240571  
Local Government: TOWNSVILLE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20735114 (POR 31)
2. EASEMENT No 713898486 09/06/2011 at 12:42  
benefiting the land over  
EASEMENT AJ ON SP240571
3. EASEMENT No 713898489 09/06/2011 at 12:42  
benefiting the land over  
EASEMENT AK ON SP240571
4. MORTGAGE No 722860764 06/11/2023 at 14:20  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005  
357 522
5. EASEMENT IN GROSS No 722965297 18/12/2023 at 14:54  
burdening the land  
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062  
over  
EASEMENT K ON SP342308

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
716181530	DSI/OFFSET LAND VALUATION ACT 2010	04/12/2014 12:59	CURRENT

UNREGISTERED DEALINGS - NIL

CURRENT TITLE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47200845  
Search Date: 26/02/2024 10:12

Title Reference: 50849320  
Date Created: 15/06/2011

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D-ENQ DYE & DURHAM

CURRENT TITLE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47200903  
Search Date: 26/02/2024 10:14

Title Reference: 50923814  
Date Created: 12/09/2013

Previous Title: 50811263  
50811265

REGISTERED OWNER

Dealing No: 722860763 06/11/2023

ONEFIN BURDELL PTY LTD A.C.N. 648 713 419

ESTATE AND LAND

Estate in Fee Simple

LOT 2844 SURVEY PLAN 253500  
Local Government: TOWNSVILLE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 20735114 (POR 31)
2. EASEMENT No 713248352 21/05/2010 at 15:52 benefiting the land over EASEMENT U ON SP233011
3. EASEMENT No 715307909 11/09/2013 at 15:58 burdening the land to LOT 2842 ON SP253500 OVER EASEMENT T ON SP253500
4. EASEMENT No 715307914 11/09/2013 at 15:58 benefiting the land over EASEMENT S ON SP253500
5. MORTGAGE No 722860764 06/11/2023 at 14:20 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005 357 522

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

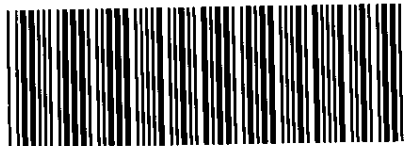
COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2024]  
Requested By: D-ENQ DYE & DURHAM

QUEENSLAND LAND REGISTRY  
Land Title Act 1994 and Land Act 1994

EASEMENT

(A)

FORM 9 Version 4  
Page 1 of 4



713248352

\$124.20

21/05/2010 15:52

BH 600

Duty Imprint

Client No: 1051363 Duties Act 2001

Transaction No: 501-740-054

Duty Paid \$ N/A  Exempt

UTI \$ .....

Date: 21/05/10 Signed: [Signature]

1. Grantor  
STOCKLAND DEVELOPMENT PTY LTD  
ABN 71 000 064 835

Lodger (Name, address, E-mail & phone number)  
**SHAND TAYLOR LAWYERS**  
GPO BOX 2486  
BRISBANE QLD 4001  
Ph: 3397 4500  
ref: MCS: 190762

Lodger Code  
**BE196A**

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land) Easement U in Lot 843 on SP 233011	ELPHINSTONE	BOHLE	TO ISSUE FROM <u>50810649</u>
*Dominant Tenement (benefited land)			
# not applicable if easement in gross			
Lot 841 on SP 233011	ELPHINSTONE	BOHLE	TO ISSUE FROM <u>50810649</u>
Lot 842 on SP 233011	ELPHINSTONE	BOHLE	TO ISSUE FROM <u>50810649</u>
Lot 844 on SP 233011	ELPHINSTONE	BOHLE	TO ISSUE FROM <u>50810649</u>

3. Interest being burdened  
FEE SIMPLE

\*4. Interest being benefited  
FEE SIMPLE

# not applicable if easement in gross

5. Grantee Given names Surname/Company name and number (include tenancy if more than one)

STOCKLAND DEVELOPMENT PTY LTD  
ABN 71 000 064 835

6. Consideration \$1.00

7. Purpose of easement ACCESS

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of the attached schedule

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

[Signature]  
BROOKE WILMOT  
C DEC 103688

signature  
full name  
qualification

Witnessing Officer

STOCKLAND DEVELOPMENT PTY LTD  
ABN 71 000 064 835 by its duly constituted Attorney Philip Gregory Moss under Power of Attorney No. 712393104 who declares he/she has received no notice of revocation of the Power of Attorney

21/5/10  
Execution Date

[Signature]  
Grantor's Signature

[Signature]  
BROOKE WILMOT  
C DEC 103688

signature  
full name  
qualification

Witnessing Officer

STOCKLAND DEVELOPMENT PTY LTD  
ABN 71 000 064 835 by its duly constituted Attorney Philip Gregory Moss under Power of Attorney No. 712393104 who declares he/she has received no notice of revocation of the Power of Attorney

21/5/10  
Execution Date

[Signature]  
Grantee's Signature

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Title Reference to issue from 50810649

1. DEFINITIONS AND INTERPRETATION

1.1. DEFINITIONS

In this easement unless the contrary intention appears:-

"Authorised Users" includes:-

- (a) the Grantee's, lessees, tenants, licencees and other lawful occupiers of the Dominant Tenement; and
- (b) the customers, visitors, invitees, employees, contractors, workmen and agents of the Grantee and those persons specified in paragraph (a);

"Dominant Tenement" means the land described in Item 2 of the Form 9;

"Grantee" includes:-

- (a) the registered owner for the time being of the Dominant Tenement; and
- (b) the executors, administrators, successors in title and assigns of the Grantee;

"Grantee's Proportion" is calculated in accordance with the following formula:-

$$\text{Grantee's Proportion} = \frac{\text{the area of the Grantee's land having the benefit of this easement}}{\text{the area of all land having the benefit of an easement for right of way purposes over the Servient Tenement, including the Grantor's land of which the Servient Tenement forms part}}$$

"Grantor" includes:-

- (a) the registered owner for the time being of the Servient Tenement; and
- (b) the executors, administrators, successors in title and assigns of the Grantor;

"Maintenance Expenses" means and is limited to the cost of the repair and maintenance of the surface of the Servient Tenement and any road or driveway constructed on the Servient Tenement, but does not include any rates, fire levies or taxes (including land tax) in respect of the Grantor's ownership or insurance premiums or other charges on insurance policies effected by the Grantor;

"Servient Tenement" means the land described in Item 2 of the Form 9.

1.2. INTERPRETATION

1.2.1. In this easement:-

- (a) a reference to a statute includes Orders in Council, Proclamations, Regulations, Rules, By-laws and Ordinances made under the statute and any statute amending, consolidating or replacing the statute;
- (b) headings have been included for ease of reference and guidance and this easement is to be construed without reference to them;
- (c) the singular number includes the plural and vice versa;

Title Reference Part to issue from 50810649

- (d) words importing one gender include all other genders;
- (e) words importing persons include a firm, body corporate, unincorporated association or an authority and vice versa.

- 1.2.2. If a covenant contained in this easement is or becomes invalid or unenforceable, the remaining covenants contained in this easement remain in full force and effect.
- 1.2.3. If the Grantor or Grantee comprise two (2) or more legal entities, the covenants contained in this easement bind each of them jointly and severally.
- 1.2.4. A party which is a trustee is bound both personally and in its capacity as trustee.
- 1.2.5. Where a word or expression is given a particular meaning other parts of speech or grammatical forms of that word or expression have corresponding meanings.
- 1.2.6. The law of Queensland governs this easement.

**2. GRANT OF EASEMENT**

- 2.1. The Grantor grants the Grantee for the benefit of the Grantee and the Authorised Users an easement for the full right and liberty to pass and re-pass over the Servient Tenement with or without vehicles of any description and with or without animals for all purposes connected with the use and enjoyment of the Dominant Tenement but not for any other purpose. The Grantee and the Authorised Users must not allow any vehicle to be parked on the Servient Tenement.
- 2.2. Any rights existing under this easement must not be exercised in a way that is unreasonable or unreasonably prevents the Grantor or any other person from enjoying the use and occupation of the Servient Tenement.

**3. MAINTENANCE**

- 3.1. The Grantor must:-
  - 3.1.1. maintain the Servient Tenement and any road or driveway constructed on the Servient Tenement in good repair and condition;
  - 3.1.2. carry out the maintenance required by clause 3.1.1 in a proper and workmanlike manner and so as to cause as little inconvenience as practicable to the Grantee or the Authorised Users.
- 3.2. The Grantee must on demand pay to the Grantor the Grantee's Proportion of all Maintenance Expenses.
- 3.3. Despite clauses 3.1 and 3.2, if either party (or any person under that party's control) damages the Servient Tenement or any road or driveway constructed on the Servient Tenement, that party will be liable for 100% of all Maintenance Expenses associated with that damage.

**4. OBSTRUCTION**

Except as set out in clause 3, the Grantor must not:-

- 4.1. cause any hindrance or nuisance on the Servient Tenement; or
- 4.2. do anything on the Servient Tenement which might unreasonably obstruct or interfere with the rights of the Grantee and/or the Authorised Users as set out in this easement.



Title Reference Part to issue from 50810649

**5. ACKNOWLEDGMENT**

The Grantee acknowledges that nothing in this easement confers upon the Grantee or the Authorised Users a right of exclusive use of the Servient Tenement.

**6. INDEMNITY**

The exercise of the Grantee's rights under this easement and the use of the Servient Tenement by the Grantee and the Authorised Users will be at the risk of the Grantee. The Grantee indemnifies the Grantor and keeps the Grantor indemnified in respect of and releases the Grantor from all demands, claims, liability, costs, expenses, loss or damage resulting from any accident, injury or damage occurring on the Servient Tenement except to the extent the accident, injury or damage is caused by or contributed to by the negligence or wilful act or omission of the Grantor, its servants or agents.

**7. INSURANCE**

7.1. The Grantee must at its cost maintain with insurers on terms approved by the Grantor (which approval may not be unreasonably withheld) in the names of the Grantee, the Grantor and any other person required by the Grantor a public risk insurance policy in relation to the Servient Tenement for an amount of not less than \$10,000,000.00 (or such other amount as notified by the Grantor to the Grantee).

7.2. If required by the Grantor, the Grantee must produce a copy of the insurance policy or a certificate of currency.

**8. MUTUAL COVENANTS**

The benefit and burden of this easement pass with and bind the Dominant Tenement and Servient Tenement so as to ensure to and bind all persons deriving title to the Dominant Tenement and Servient Tenement from and under the Grantee and Grantor respectively and the Grantor must whenever required by the Grantee or the Authorised Users do all things and give all assurances as are reasonably required for the proper and effective carrying into effect of the rights conferred under this easement.



Department of Environment and Science (DES)  
ABN 46 640 294 485  
400 George St Brisbane, Queensland 4000  
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA  
www.des.qld.gov.au

**SEARCH RESPONSE**  
**ENVIRONMENTAL MANAGEMENT REGISTER (EMR)**  
**CONTAMINATED LAND REGISTER (CLR)**

Dye and Durham  
535 Bourke Street  
Melbourne VIC 3000

Transaction ID: 50751197      EMR Site Id: 89500      17 January 2022  
Cheque Number:  
Client Reference:

This response relates to a search request received for the site:

Lot: 843      Plan: SP233011  
6 MARKET ST  
BURDELL

**EMR RESULT**

The above site is NOT included on the Environmental Management Register.

**CLR RESULT**

The above site is NOT included on the Contaminated Land Register.

**ADDITIONAL ADVICE**

All search responses include particulars of land listed in the EMR/CLR when the search was generated.  
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DES has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

**Administering Authority**



Department of Environment and Science (DES)  
ABN 46 640 294 485  
400 George St Brisbane, Queensland 4000  
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA  
www.des.qld.gov.au

**SEARCH RESPONSE**  
**ENVIRONMENTAL MANAGEMENT REGISTER (EMR)**  
**CONTAMINATED LAND REGISTER (CLR)**

Dye and Durham  
535 Bourke Street  
Melbourne VIC 3000

Transaction ID: 50751195      EMR Site Id: 95543      17 January 2022  
Cheque Number:  
Client Reference:

This response relates to a search request received for the site:

Lot: 850      Plan: SP240571  
30 NORTH SHORE BVD  
BURDELL

**EMR RESULT**

The above site is NOT included on the Environmental Management Register.

**CLR RESULT**

The above site is NOT included on the Contaminated Land Register.

**ADDITIONAL ADVICE**

All search responses include particulars of land listed in the EMR/CLR when the search was generated.  
The EMR/CLR does NOT include:-

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2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

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**Administering Authority**



Department of Environment and Science (DES)  
ABN 46 640 294 485  
400 George St Brisbane, Queensland 4000  
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA  
www.des.qld.gov.au

**SEARCH RESPONSE**  
**ENVIRONMENTAL MANAGEMENT REGISTER (EMR)**  
**CONTAMINATED LAND REGISTER (CLR)**

Dye and Durham  
535 Bourke Street  
Melbourne VIC 3000

Transaction ID: 50751196      EMR Site Id: 121521      17 January 2022  
Cheque Number:  
Client Reference:

This response relates to a search request received for the site:

Lot: 2844      Plan: SP253500  
1/6 MARKET ST  
BURDELL

**EMR RESULT**

The above site is NOT included on the Environmental Management Register.

**CLR RESULT**

The above site is NOT included on the Contaminated Land Register.

**ADDITIONAL ADVICE**

All search responses include particulars of land listed in the EMR/CLR when the search was generated.  
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DES has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

**Administering Authority**