



REGISTER NUMBER 303/DP50257	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A


**RECORD OF CERTIFICATE
OF
CROWN LAND TITLE**

VOLUME **LR3157** FOLIO **153**

UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997

NO DUPLICATE CREATED

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

R. Roberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 303 ON DEPOSITED PLAN 50257

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: UNALLOCATED CROWN LAND

PRIMARY INTEREST HOLDER: STATE OF WESTERN AUSTRALIA

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

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 CROWN LAND 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: DP50257 [SHEET 1,3].
PREVIOUS TITLE: LR3137-479.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: SHIRE OF SHARK BAY.

NOTE 1: 1.120936 CORRESPONDENCE FILE 00709-2002-18R0

WESTERN



AUSTRALIA

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**RECORD OF CERTIFICATE
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VOLUME **LR3157** FOLIO **154**

UNDER THE TRANSFER OF LAND ACT 1893
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NO DUPLICATE CREATED

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Robert
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 304 ON DEPOSITED PLAN 50257

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: UNALLOCATED CROWN LAND

PRIMARY INTEREST HOLDER: STATE OF WESTERN AUSTRALIA

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

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 CROWN LAND TITLE-----

STATEMENTS:

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SKETCH OF LAND: DP50257 [SHEET 1,3].
PREVIOUS TITLE: LR3137-479.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: SHIRE OF SHARK BAY.

NOTE 1: L120936 CORRESPONDENCE FILE 00709-2002-18RO

WESTERN



AUSTRALIA

REGISTER NUMBER 305/DP50257	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

**RECORD OF CERTIFICATE
OF
CROWN LAND TITLE**

VOLUME **LR3157** FOLIO **155**

UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997

NO DUPLICATE CREATED

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

B. Roberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 305 ON DEPOSITED PLAN 50257

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: UNALLOCATED CROWN LAND

PRIMARY INTEREST HOLDER: STATE OF WESTERN AUSTRALIA

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

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 CROWN LAND 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.

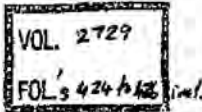
SKETCH OF LAND: DP50257 [SHEET 1,3].
PREVIOUS TITLE: LR3137-479.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: SHIRE OF SHARK BAY.

NOTE 1: L120936 CORRESPONDENCE FILE 00709-2002-1880

WESTERN AUSTRALIA
 LAND ADMINISTRATION ACT 1997 as amended
 TRANSFER OF LAND ACT 1893 as amended

TRANSFER OF LAND (T)

DESCRIPTION OF LAND (NOTE 1)

Lot 303 on Deposited plan 50257	
Lot 304 on Deposited plan 50257	
Lot 305 on Deposited plan 50257	

EXTENT	VOLUME	FOLIO
Whole	0000 3157	000 153
Whole	0000 3157	000 154
Whole	0000 3157	000 155



ESTATE AND INTEREST (NOTE 2)

Fee Simple	ABN 66 012 878 629 TRANSACTION DATE 13-DEC-09 TSF 003060475-001 VG N
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LIMITATIONS, INTERESTS, ENCUMBRANCES and NOTIFICATIONS (NOTE 3)

Subject to Covenants shown herein at pages 1-3	DUTY *****075.75 DUTIABLE VALUE *****1,242,446 NO DUTY PAYABLE HEREON DUTIES ACT 2008 COMMISSIONER OF STATE REVENUE
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TRANSFEROR (NOTE 4)

The State of Western Australia acting through the Minister for Lands, a body corporate under the Land Administration Act 1997, care of Department of Regional Development and Lands, 1 Midland Square, Midland WA 6056.

CONSIDERATION (NOTE 5)

One million two hundred and forty two thousand, four hundred and forty six dollars. (\$1,242,446.00) (exclusive of GST).

TRANSFeree (NOTE 6)

Hypermarket Pty Ltd (ACN 008 770 072) of 143, Knight Terrace, Deaham WA 6537



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

ATTESTATION SHEET

Dated this 21st day of October in the year 2009

TRANSFEROR/S SIGN HERE (NOTE 7)

Signed In the presence of	Signed In the presence of
----------------------------------	----------------------------------

Signed for the STATE OF WESTERN AUSTRALIA
 for and on behalf of the MINISTER FOR LANDS by

STEVEN JOHN BURGESS
 (Print full name)
 Manager State Lands, Mid West
 Department of Regional Development and Lands
 pursuant to a delegation of the Minister for Lands' powers
 under section 9 of the Land Administration Act 1997
 in the presence of:

Cody Rampant
 (Print full name)
 Position: Assistant State Land Officer
 Department of Regional Development and Lands

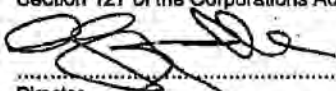
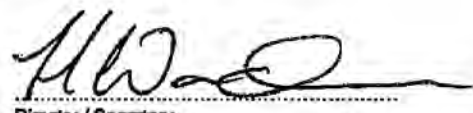
REQUEST FOR ISSUE/NON ISSUE (INSTRUCTION 3)

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 EXECUTED by HYPERMARKET PTY LTD) (ACN 008 770 072) pursuant to) Section 127 of the Corporations Act:-)  Director <u>Geoffrey John Waddle</u> Full name (please print)	Signed In the presence of  Director / Secretary <u>Kieran Richard Waddle</u> Full name (please print)
---	--

INSTRUCTIONS

- 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".
- 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 initialed by the person signing this document and their witnesses.
- 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. Duplicates are not issued for Crown Land Titles.
- For transfer of leases (including Crown Leases) use form LAA-1056B (T3).

NOTES

- DESCRIPTION OF LAND**
Lot and Diagram/Plan number or Location name and number to be stated. Extent - Whole, part or instance of the land comprised in the Certificate of Title/Crown Land Title to be stated.
The Certificate of Title/Crown Land Title Volume and Folio number to be stated.
- ESTATE AND INTEREST**
State whether Fee Simple, or as the case may be in the land being transferred. If share only, specify.
- LIMITATIONS, INTERESTS, ENCUMBRANCES and NOTIFICATIONS**
In this panel show (subject to the next paragraph) those limitations, interests, encumbrances and notifications affecting the land being transferred that are recorded on the certificate of title/crown land title:
 (a) In the second schedule;
 (b) if no second schedule, that are encumbrances. (Unless to be reviewed by action or document before registration hereof)
 Do not show any:
 (a) Easement Benefits or Restrictive/Covenant Benefits; or
 (b) Subsidiary interests or changes affecting a limitation, etc. that is to be entered in the panel (eg. if a lease is shown, do not show any sub-lease or any document affecting either).
 The documents shown are to be identified by nature and number. The plan/diagram encumbrances shown are to be identified by nature and relevant plan/diagram. Strata/survey-strata plan encumbrances are to be described as "Interests on strata/survey-strata plan".
 If none show "nil".
- TRANSFEROR**
State the full name of the Transferor(s) (Registered Proprietor) as shown on the Certificate of Title/Crown Land Title.
- CONSIDERATION**
If a sum of money only, to be expressed in figures and in every other case to be concisely stated in words.
- TRANSFeree**
State the 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.
- EXECUTION**
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The full name, address and occupation of the witness must be stated.

EXAMINED

NEISS
21/1/09

Office Use Only

L120938 T

29 Oct 2009 11:45:18 Midland



*REB \$ 360.00

TRANSFER OF LAND (T)

LODGED BY State Land Services

ADDRESS RDL - Mid West, Box 98C

PHONE No. _____
FAX No. _____

REFERENCE No. 00709-2002-18RO Ph: _____

ISSUING BOX _____

PREPARED BY State Land Services

ADDRESS RDL - Mid West, Box 98C


PHONE No. _____
FAX No. _____

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

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

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

053216-009



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.



R/C RCRA. barster

CONVENANTS

1. The transferee, as registered proprietor of the land hereby transferred (**Land**), to the intent that it shall bind itself, its transferees, successors in title and assigns as registered proprietor of the Land from time to time, as covenantor COVENANTS with the Minister for Lands, as covenantee, under section 15 of the *Land Administration Act 1997* as follows:
 - (a) the Land may only be used for the purpose of low impact ecotourism, which includes the provision of Visitor Accommodation Units and Staff Accommodation in accordance with subclauses (b) to (g) inclusive;
 - (b) the number of Visitor Accommodation Units that may be built or placed on the Land must not exceed the number (rounded down to the nearest whole number) that is three times the number of hectares in the Land (for example, if the Land is 17.3 hectares, the number of Visitor Accommodation Units may not be more than $51 = 17.3 \times 3 = 51.9$, rounded down to 51);
 - (c) if permission is given by any relevant Governmental Agency for the Land to be subdivided, the number of Visitor Accommodation Units on all subdivided parts of the Land in the aggregate must not exceed the maximum number allowable under subclause (b) in respect of the Land before it was subdivided;
 - (d) the floor area, that is under a roof and enclosed, of each Visitor Accommodation Unit must not exceed 90m^2 , provided that any verandah that is not enclosed or is not used as a sleeping area is not to be included in the floor area calculation;
 - (e) the Staff Accommodation that may be built or placed on the Land must not provide for:
 - (i) the number of staff personnel being housed to be more than the number calculated by a staff to guest ratio of 1:1; and
 - (ii) a floor area of more than 35m^2 per staff personnel being housed;
 - (f) if permission is given by any relevant Governmental Agency for the Land to be subdivided, the Staff Accommodation on all subdivided parts of the Land in the aggregate must not exceed the limits permissible under subclause (e) in respect of the Land before it was subdivided;
 - (g) each Accommodation Unit, and any other buildings, must be built or placed on the Land in accordance with all relevant Government (local, State and Commonwealth) and statutory approvals;
 - (h) a person may not occupy an Accommodation Unit on the Land for more than three (3) months in every calendar year, except for:
 - (i) a caretaker or manager of the low impact ecotourism business conducted on the Land, and his or her family; and

- (ii) staff personnel required in the operation of the low impact ecotourism business conducted on the Land, who are accommodated in Staff Accommodation and then in any calendar year only so many personnel and only for so long as they are reasonably required to provide services to tourists visiting the Land;
- (i) no fauna or flora that is not native to the Land may be brought onto, placed or kept on the Land, except with the prior written consent of the Minister for Lands; and
- (j) it will:
 - (i) fully comply with any quarantine management plan of any Governmental Agency relating to Dirk Hartog Island, in place from time to time;
 - (ii) cooperate with any programs of any Governmental Agency designed to eradicate pests from Dirk Hartog Island,

but only to the extent that an unreasonable financial burden is not imposed on the covenantor in so complying or cooperating.

2. The covenants in clause 1:

- (a) run with and burden the Land, and are enforceable against the transferee as registered proprietor of the Land, and its successors in title; and
- (b) are for the benefit of the Minister for Lands, as covenantee.

3. For the purposes of these covenants:

- (a) "Accommodation Unit" means either or both a Visitor Accommodation Unit and Staff Accommodation;
- (b) "Dirk Hartog Island" means the island of that name on which the Land is situated;
- (c) "ecotourism" means ecologically sustainable tourism with a primary focus on experiencing natural areas that fosters environmental and cultural understanding, appreciation and conservation;
- (d) "Governmental Agency" means any government or any governmental, local government or authority, or semi-governmental administrative, fiscal or judicial body, department, commission, statutory body corporate established for a public purpose, authority, tribunal, agency or entity;
- (e) "low impact" means low impact on the environment having regard to the number of tourists visiting the Land and the facilities and other services provided for their use;

- (f) "Minister for Lands" means the body corporate continued under that name under section 7(1) of the *Land Administration Act 1997*;
- (g) "other buildings" means any other buildings on the Land (not comprising an Accommodation Unit) used to provide facilities or services for tourists visiting the Land for the purposes of ecotourism;
- (h) "Staff Accommodation" means accommodation for the housing of staff personnel required in the operation of the low impact ecotourism business conducted on the Land;
- (i) "Visitor Accommodation Unit" means an accommodation unit (whether as a stand alone structure or a structure containing more than one such unit) suitable for temporary residential occupation by one or more persons, but does not include:
 - (i) accommodation for the caretaker or manager of the low impact ecotourism business conducted on the Land, and his or her family;
 - (ii) Staff Accommodation;
 - (ii) those areas of any centre lodge facilities that do not comprise bedrooms or other sleeping areas;
- (j) a reference to the singular includes a reference to the plural and vice versa;
- (k) a reference to any gender includes a reference to each other gender;
- (l) a reference to the transferee as covenantor includes the registered proprietor of the Land from time to time and its and each of their legal personal representatives, successors in title and permitted assigns;
- (m) where, at any time, the registered proprietor of the Land is two or more persons, their liability under these covenants is joint and several;
- (n) a reference to a person includes a reference to a body corporate or unincorporated body.