

11 September 2025

Economic Development Queensland
Level 14, 1 William Street
Brisbane QLD 4000

Attn: Ms Peita McCulloch and Mr. Andrew Edwards – EDQ Development Assessment
Via email: pdadevelopmentassessment@edq.qld.gov.au

Dear Peita and Andrew,

Section 99 Amendment to Development Approval – 19 Hercules Street, Hamilton (EDQ ref: 2021/1165)

In accordance with Section 99 of the Economic Development Act 2012 (the ED Act), and on behalf of Wentworth Equities No 2 Pty Ltd (ACN: 165 829 872) as Trustee Under Instrument 715828071 (the applicant) please accept this application as a properly made application to amend the development approval at 19 Hercules Street, Hamilton in the Northshore Hamilton Priority Development Area (PDA).

Background

The existing PDA Development Approval comprises a single development approval with a series of aspects. Specifically, this includes a Development Permit for a Material Change of Use (MCU) a Stage 1 tower and a Preliminary Approval for a MCU for Stages 2 and 3. In addition to this, the development approval also includes a Development Permit for Reconfiguring a Lot (RAL) which approves a subdivision of the site into standard format and volumetric lots to support the titling of the approved development.

Generally, the development approval in place over the site is intended to facilitate the development of a staged, residential led mixed-use development which will occur over 3 stages. Stage 1, which comprises a 30 storeys residential tower with ground and podium active uses has been approved, and a future development application for a Development Permit for an MCU in accordance with the Preliminary Approval for a MCU and the Northshore Hamilton Development Scheme will be sought in the coming months.

This change application relates to only the RAL aspect of the development approval. The intent of the changes is to facilitate the land titling to occur in a manner which enables the development to proceed in a logical manner, having regarded to funding requirements to deliver the project and also ensuring that whilst the development will be delivered in stages, it will still remain an integrated single development. This has been a shared vision for both Economic Development Queensland (EDQ) and the applicant over the history of the project.

Figure 1 below provides an outline of the overall vision for the project, with the approved Stage 1 being located at the top of the render. The render illustrates the high quality built form which is intended for the project, as well as the substantial public realm contribution which the project will deliver.

Figure 1 - Image of overall development



Existing Reconfiguring a Lot Development Approval

The existing RAL development approval is contained within the decision notice and the approved subdivision plans. Specifically, the RAL aspects are subject to conditions ROL 43 to ROL 55, and allows for the subdivision of the land across 2 stages which is described as follows:

- Stage 1 – RAL for 1 lot into 2 lots which creates a volumetric lot for the aspects of the approved building subject to the stage 1 MCU approval, with a standard format lots created for the balance of the site;
- Stage 2 – RAL for 1 standard lot into 3 standard format lots. The intent of this stage of the RAL was to facilitate the subdivision of the balance standard format lot contained within the Stage 1 RAL into 2 x new standard format lots for the future development of stages 2 and 3. The volumetric lot associated with Stage 1 would remain unaffected by the Stage 2 RAL.

The general effect of the RAL aspect of the development was that the Stage 1 RAL would not be registered until such time as the Stage 1 MCU building had been substantially completed (which would have required the volumetric as built survey to be completed). Therefore, the subdivision of the site into 3 stages for

development by different parties would not have been possible under the current structure of the RAL approval given the stage 2 ROL would not have been completed until the stage 1 building has been substantially completed.

It is also noted that given the above structure of the RAL aspect of the approval, the approval has been conditioned to require that certain works are completed on site prior to the sealing of the survey plan. This was logical and consistent with the approach adopted for the approved RAL, given it relied upon the completion of the construction of Stage 1 prior to plan sealing of the first stage of the RAL.

As outlined below a different approach to the RAL is now required to enable the delivery of the project which will involve swapping the staging and adjusting the conditions to avoid the construction of works which would be necessarily undertaken as part of the MCU for Stage 1.

A copy of the current approved RAL plans is included within **Attachment A** of this letter.

Proposed changes to the Reconfiguring a Lot Development Approval

The development of the site is intended to be delivered as an integrated, single development. However given the scale of the development, it is likely that more than one entity will potentially deliver different stages. To facilitate this, and to satisfy financing and valuation requirements, it is necessary that the first step in the development process is to facilitate the subdivision of the current lot into 3 lots which can be transferred to other parties to allow financial security to be obtained over the different stages by different parties.

However, the applicant acknowledges a well-established outcome for this site is that the development of the site needs to occur in an integrated manner. This is reflected through the conditions of the development approval which specifies that the public realm for the entire site has been approved through the existing development approval, as well as conditions of approval (ROL 44) which require a covenant to be registered across all lots, which requires that a particular area of public realm is required to be delivered over each lot, irrespective of any changes which may be made to the approval. This covenant is required to be registered concurrently with the registration of the first stage of the RAL, and the applicant does not propose to change this requirement.

Given the above requirements, it is proposed to amend the RAL aspect of the development approval as follows.

Stage 1 Changes

- Stage 1, Part A – this will involve the completion of a 1 lot into 3 lot standard format subdivision which creates 3 x standard format lots which reflect the staging boundaries across stages 1-3.
- Stage 1, Part B – this will involve the further subdivision of the plan created as part of Stage 1, Part A, involving the subdivision of lot 1 into a volumetric lot which encompasses the volume around the stage 1 building.

It is important to note that the reason for splitting Stage 1 into 2 parts is to facilitate the creation of a volumetric lot, which will enable a Building Management Statement to be registered over all lots. Under surveying legislation, a BMS can only be registered where the site includes a volumetric lot, hence the

requirement for Part 2. Therefore, this approach allows for the simplest way of creating a volumetric lot, and therefore the creation of a BMS. The purpose of the BMS is to establish that the 3 stages will contain shared services (water, sewer, stormwater, electrical and telecommunications) and will also benefit from reciprocal access across each lot for car and service vehicle manoeuvring. It is noted that a BMS has not been provided as part of the amendment application, and instead it is proposed that its submission would be provided for EDQ review as part of the plan sealing application for the above 2 stages. This is consistent with the typical approach for a volumetric subdivision.

Finally in relation to Stage 1, it is noted that Stage 1 is proposed to be split into 2 parts. The intent of this represents a necessary survey and titling process. It is intended that both the Part 1 and Part 2 plans will be registered 'back-to-back' (i.e. both plans will be lodged at the same time, with the Part 1 plan being immediately superseded by the registration of the Part 2 plan). Therefore, it is in effect a single stage which will be facilitated by the registration of 2 survey plans.

The two parts of Stage 1 of the RAL are included within **Attachment B** and also illustrated in Figures 2 and 3 below.

Figure 2 – Stage 1, Part 1 RAL Plan

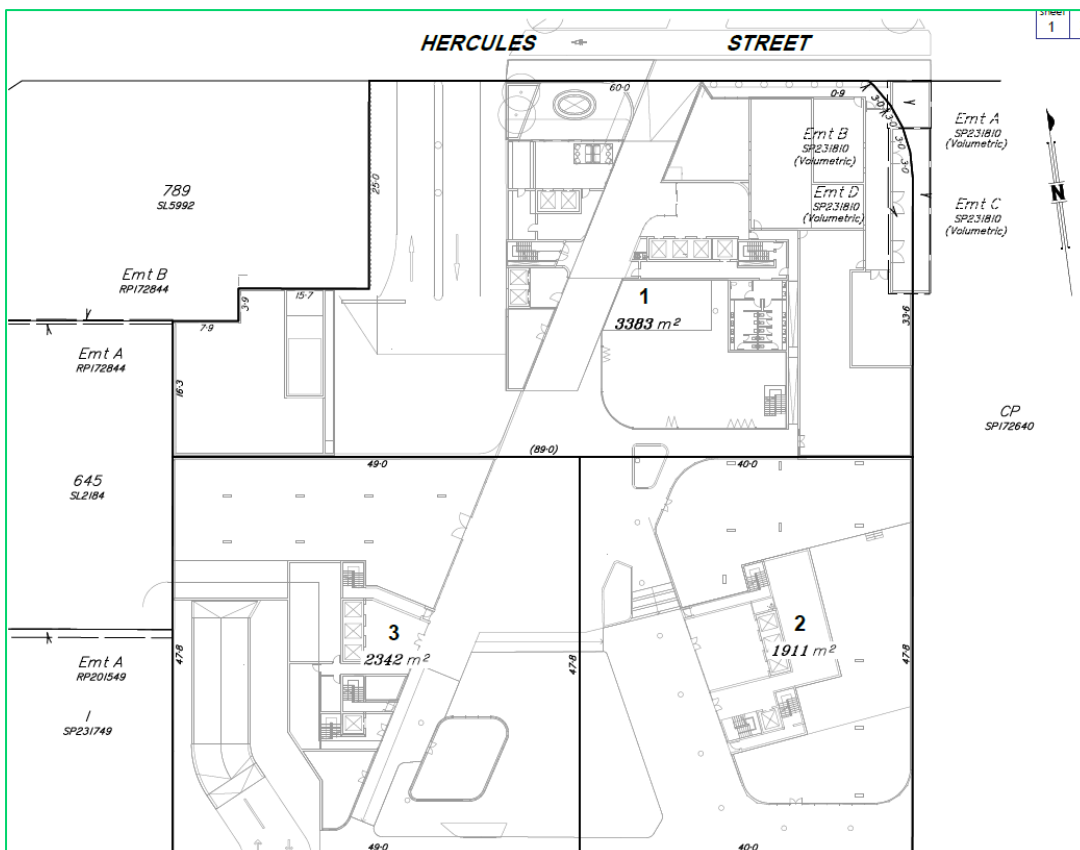
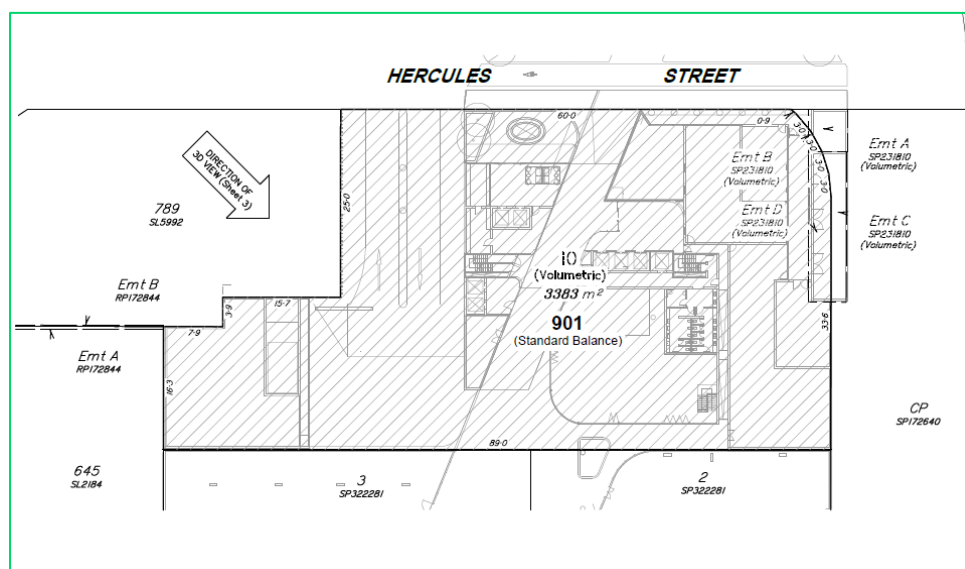


Figure 3 – Stage 1, Part 2 RAL Plan



Stage 2 Changes

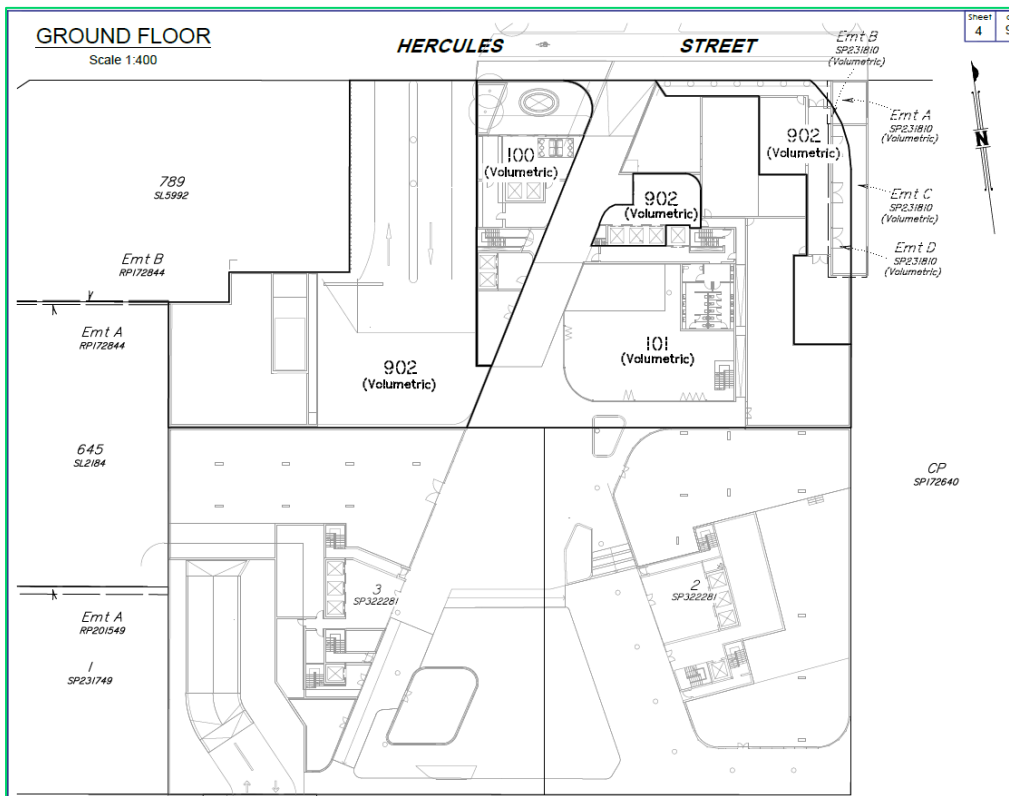
Following the completion of the Stage 1 RAL, the next stage of the RAL (Stage 2) involves the further volumetric subdivision of the Stage 1 building into a series of volumetric lots associated with the different aspects of the Stage 1 building. This will involve:

- A volumetric lot associated with the residential component of the Stage 1 building
- A volumetric lot associated with the hotel component of the Stage 1 building
- A volumetric lot associated with the retail / commercial component of the Stage 1 building.

The plan sealing of Stage 2 of the RAL is not intended to be completed until such time as there has been substantial completion of the Stage 1 MCU building. It is intended that the Stage 2 RAL will facilitate the separate ownership of the different components of the Stage 1 building. It is likely that a Building Management Statement will be separately entered into between the 3 x owners of the volumetric lots within the Stage 1 building. However, this will not occur until close to the completion of the Stage 1 building. No changes to the lots associated with Stages 2 and 3 of the development will occur through Stage 2 of the RAL.

The Stage 2 RAL plans are included within **Attachment C** of this letter and an outline of one of the plans is included within **Figure 4** below.

Figure 4 – Stage 2 RAL Plan



Changes to conditions

Given the above changes to the RAL aspects of the development approval it is requested that the following conditions are removed from the RAL aspect of the development approval. This is required given the administrative nature of the RAL, as well as the fact that matters contained in these conditions are dealt with through the MCU conditions of approval for Stage 1. Further, the BMS which will be registered across all 3 lots will deal with shared services and access, and EDQ will be provided with an opportunity to review the BMS prior to plan sealing.

- RoL45 – Hours of work – construction
- RoL46 – Out of hours work – Compliance Assessment
- RoL47 – Certification of Operational Work
- RoL48 – Public infrastructure (damage, repairs and relocation)
- RoL49 – Earthworks
- RoL50 – Stormwater management (quantity)
- RoL51 – Easements over infrastructure

Northshore Hamilton Development Scheme

The development application is required to be assessed in accordance with the Northshore Hamilton Development Scheme. It is noted however that the Development Scheme has been prepared on the basis that it is a Development Scheme which provides requirement against which urban development outcomes are required to be assessed against.

The development included within this amendment application involves revisions to the RAL aspects of the development approval, which are administrative in nature and will not result in any built development occurring as a result of this aspect. It is noted that a separate change application will be lodged within the next 2 months which proposed changes to the Stage 1 MCU component of the approval. It is acknowledged that this separate change will need to be assessed against the requirements of the Development Scheme and it is intended that this change will be lodged following a decision being made on this change application.

Further, it is also noted that a future MCU development application for Stages 2 and 3 will be lodged in early 2026, which will be assessed against both the Northshore Hamilton Development Scheme as well as the requirements of the Preliminary Approval for a MCU for Stages 2 and 3.

Summary

As outlined in this application, proposed changes are required to be made to the approved RAL aspect of the Development Approval. As outlined above, the intent of the amendments are to structure the RAL in a manner which is purely administrative in nature and does not rely upon any built form to give effect to the RAL. The proposed structure of the RAL will facilitate the realisation of the long-held development outcomes intended for the site as an integrated, staged mixed use development, and will provide the necessary flexibility for the delivery of the development. Importantly, the proposed changes to the RAL aspect will continue to ensure that the necessary titling aspects that ensures that the development of the site remains integrated, including the requirements for a covenant to be registered over all lots upon their creation, and also the requirement for a BMS to be registered which will establish required shared services and access between the lots.

In support, of this application, we have attached:

- A completed EDQ Development Application Form;
- A signed owners consent letter for the making of the change application
- Title search, survey plans, easement documents and contaminated land search (refer to **Attachment D**).

The application fee has been previously confirmed with EDQ and will be paid upon receipt of an invoice.

If you require any further information, please contact me on the details below.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Brown". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matthew Brown
Associate Director
+61 7 3007 3552
mbrown@urbis.com.au

Attachment A – Existing approved RAL Plans

APPENDIX D

SUBDIVISION PLANS

PLANS AND DOCUMENTS
referred to in the PDA
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Government

Approval no: DEV2020/1165

Date: 9th December 2021

Basement Level 5

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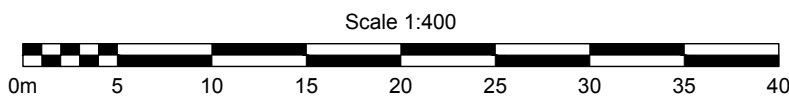
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- NOTES:
1. Drawn to scale on an A3 sheet.
 2. All dimensions and areas are subject to final survey and approval by E.D.Q.
 3. Architectural Information provided by Fuse and is proposed only.
 4. The Volumetric Lot Boundaries are to the centreline of floors/ceilings unless noted otherwise.

A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Volumetric
Subdivision of Lots 101 & 900
Cancelling Lot 3 on SP172658
(SP322280)**

Client: **PDS**

Locality:	HAMILTON	Prepared By:	DJL
Local Gov:	BCC	Approved:	BWM
Surveyed By:		Scale:	1:400
Date Created:	11/11/2020		
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		

Basement Level 4

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Client: PDS			
Locality: HAMILTON			
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	BWM
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		

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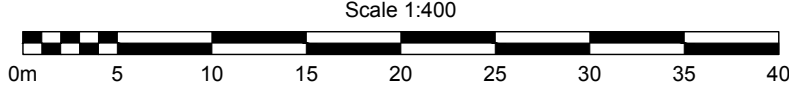
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Client: **PDS**

Locality: **HAMILTON**

Local Gov: **BCC** Prepared By: **DJL**

Surveyed By: **BWM** Approved: **BWM**

Date Created: **11/11/2020** Scale: **1:400**

Comp File: **10391.PROJECT**

Plan No: **10391_003_PRO**

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Basement Level 2

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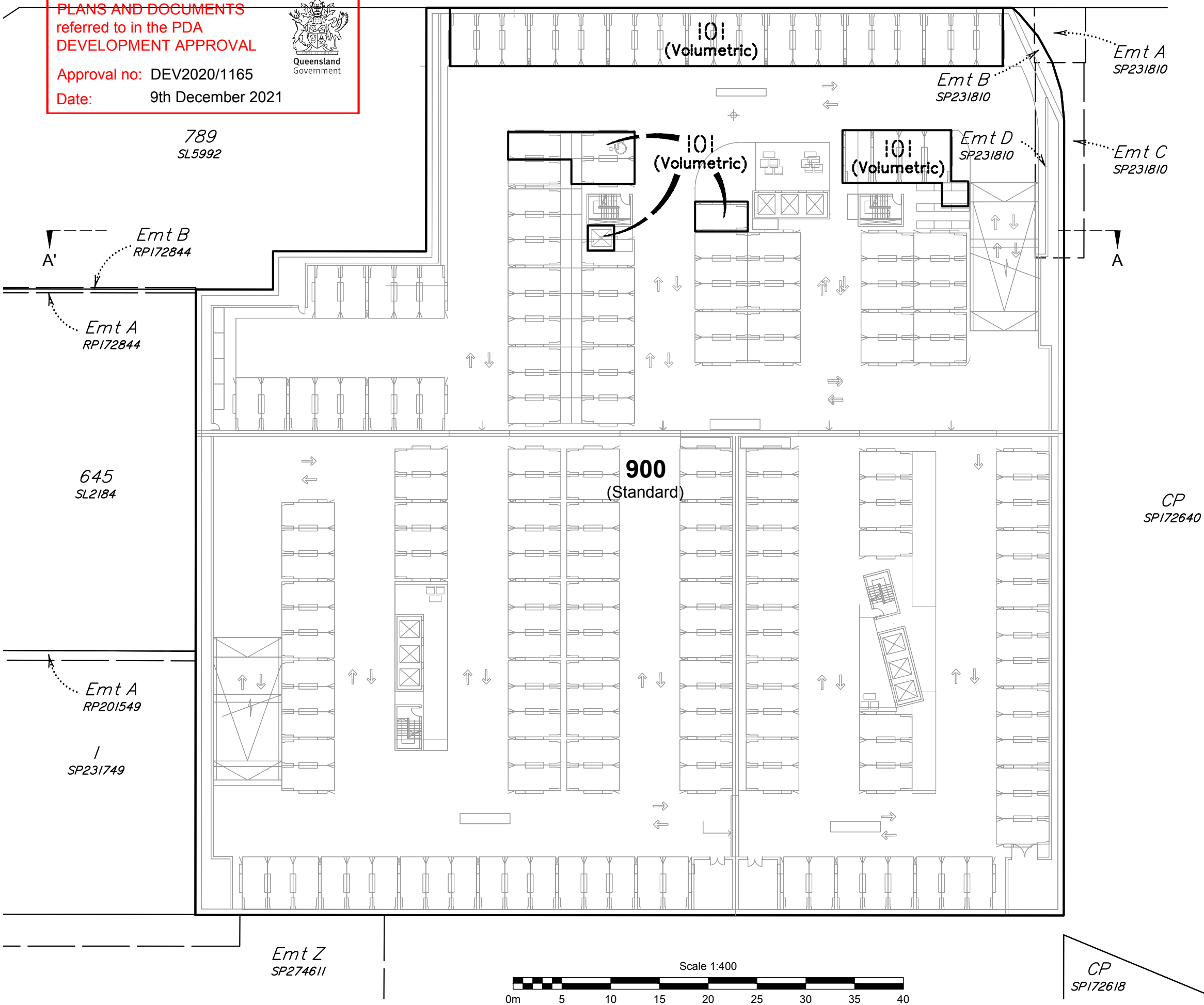
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Basement Level 1

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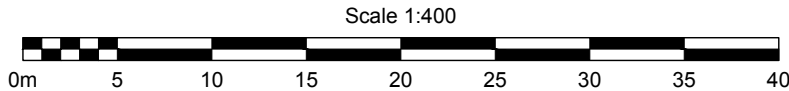
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Local Gov: **BCC** Prepared By: **DJL**

Surveyed By: **BWM** Approved: **BWM**

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Ground Level

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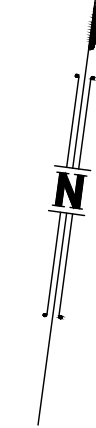
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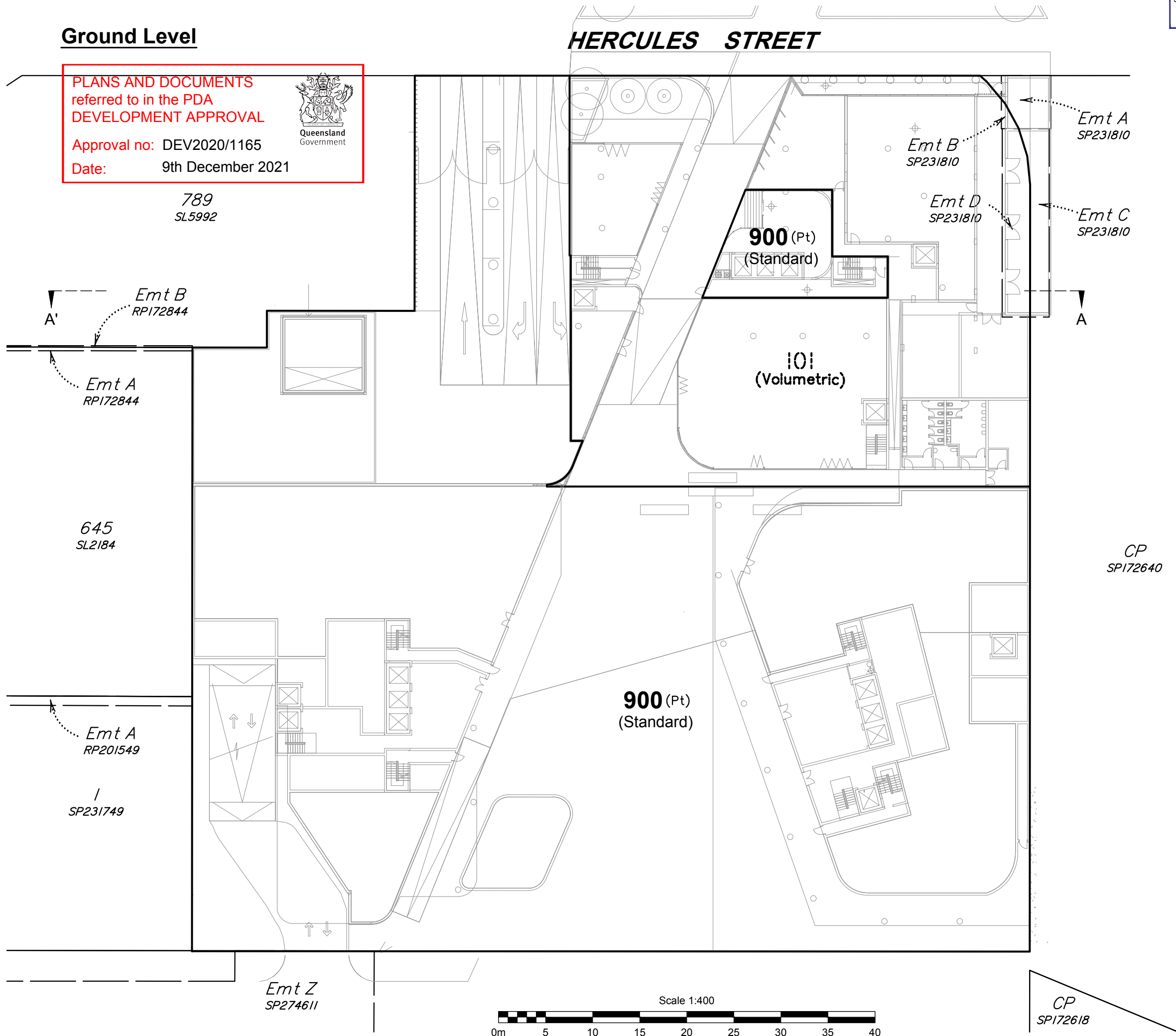
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Upper Ground Level

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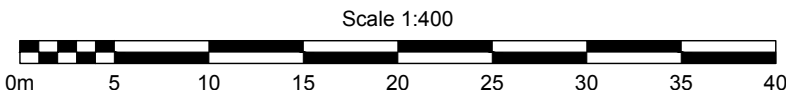
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Mezzanine Level

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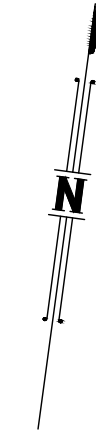
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Level 1

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RP172844

645
SL2184

900
(Standard)

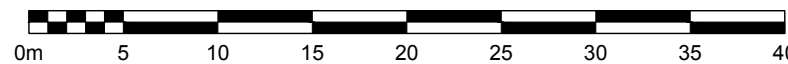
CP
SP172640

Emt A
RP201549

/
SP231749

Emt Z
SP274611

Scale 1:400



CP
SP172618

Sheet
9 of
10

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DRAFT

NOTES:

1. Drawn to scale on an A3 sheet.
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3. Architectural Information provided by Fuse and is proposed only.
4. The Volumetric Lot Boundaries are to the centreline of floors/ceilings unless noted otherwise.

A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:

**Plan of Proposed Volumetric
Subdivision of Lots 101 & 900
Cancelling Lot 3 on SP172658
(SP322280)**

Client: **PDS**

Locality: HAMILTON
Local Gov: BCC Prepared By: DJL
Surveyed By: Approved: BWM
Date Created: 11/11/2020 Scale: 1:400
Comp File: 10391.PROJECT
Plan No: **10391_003_PRO**

A3

Section A-A'
(Looking from Hercules Street)

PLANS AND DOCUMENTS
referred to in the PDA
DEVELOPMENT APPROVAL

Approval no: DEV2020/1165
Date: 9th December 2021



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10

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- NOTES:
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 4. The Volumetric Lot Boundaries are to the centreline of floors/ceilings unless noted otherwise.

A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Volumetric
Subdivision of Lots 101 & 900**
Cancelling Lot 3 on SP172658
(SP322280)

Client: **PDS**

Locality: HAMILTON

Local Gov: BCC Prepared By: DJL

Surveyed By: Approved: BWM

Date Created: 11/11/2020 Scale: N.T.S.

Comp File: 10391.PROJECT

Plan No: **10391_003_PRO**

Note: Volumetric Format Lot 101 is fully contained within Standard Format Lot 1

NOTES:

1. Drawn to scale on an A3 sheet.
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3. Architectural Information shown for Ground Level only. This information has been provided by Fuse & is proposed only.

A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:

**Plan of Proposed Standard
Format Subdivision of Lots 1-3**
Cancelling Lot 900 on SP322280
(SP322281)

Client: **PDS**

Locality:	HAMILTON	Prepared By:	DJL
Local Gov:	BCC	Approved:	BWM
Surveyed By:		Scale:	1:400
Date Created:	11/11/2020	Comp File:	10391.PROJECT
Plan No:	10391_004_PRO		

HERCULES STREET

**PLANS AND DOCUMENTS
referred to in the PDA
DEVELOPMENT APPROVAL**

Approval no: DEV2020/1165

Date: 9th December 2021



789
SL5992

Emt B
RP172844

Emt A
RP172844

645
SL2184

Emt A
RP201549

/
SP231749

Emt Z
SP274611

1
3240 m²

101
SP322280
(Volumetric)

Emt B
SP231810

Emt D
SP231810

Emt A
SP231810

Emt C
SP231810

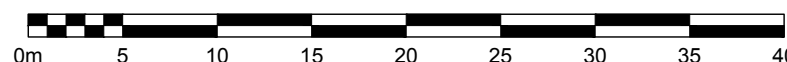
(89.0) Outer Footprint of Lot 101 coincident with boundary of Lot 1

CP
SP172640

3
2730 m²

2
1660 m²

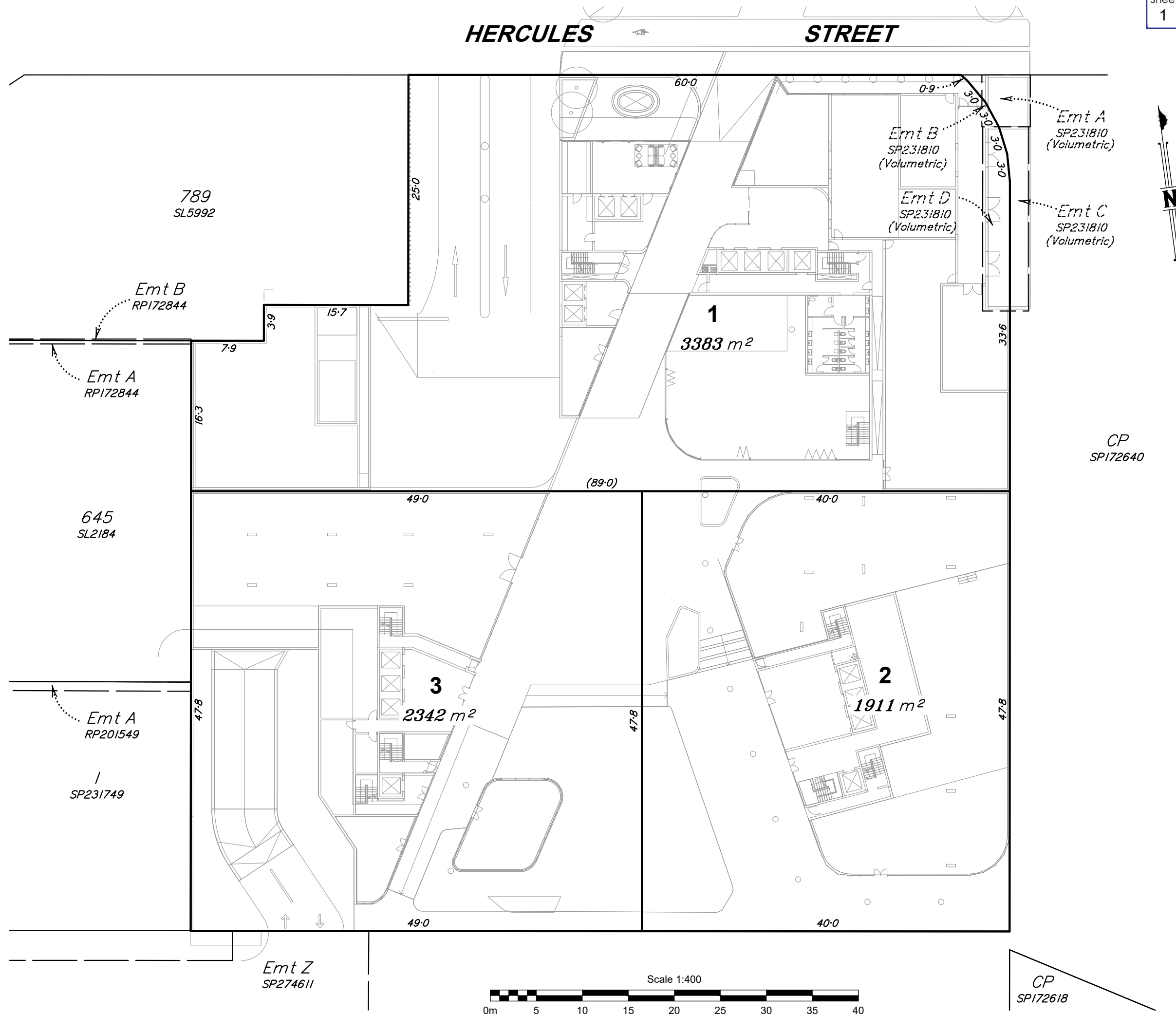
Scale 1:400



CP
SP172618

Attachment B – Proposed Stage 1 RAL Plans

HERCULES STREET



- NOTES:
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 2. All dimensions and areas are subject to final survey and approval by E.D.Q.
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RECONFIGURATION STAGE A STEP 1

D	Add Step 2	GJF	27/08/2025
C	Update to Latest Architect Plan	GJF	14/08/2025
B	Plan Sequence Amendment	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Standard
Format Subdivision of Lots 1-3
Cancelling Lot 3 on SP172628
(SP322281)**

Client:	PDS		
Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391 004 PRO		

Legend:

 Lot 10 (Volumetric)

NOTES:

1. Drawn to scale on an A3 sheet.
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3. Architectural Information shown for Ground Level only. This information has been provided by Fuse & is proposed only.

**RECONFIGURATION
STAGE A
STEP 2**

D	Add Step 2	GJF	27/08/2025
C	Update to Latest Architect Plan	GJF	14/08/2025
B	Plan Sequence Amendment	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

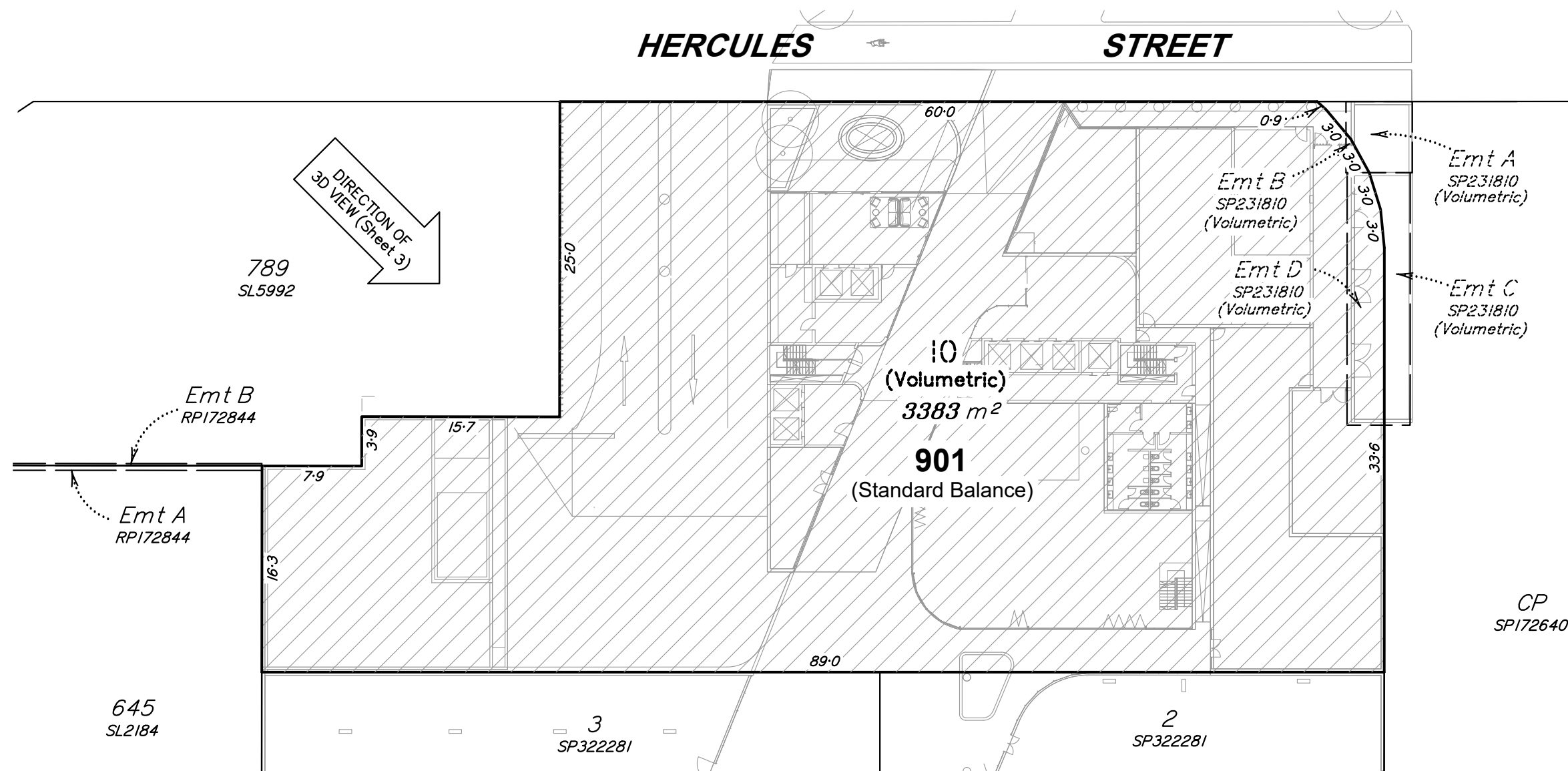
Title:

**Plan of Proposed Subdivision
of Lot 10 (Volumetric) & Lot
901 (Standard Format)**
Cancelling Lot 1 on SP322281
(SP357840)

Client: **PDS**

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391_004_PRO		

HERCULES STREET



Note:

- * Dimensions and areas on this sheet represent the overall footprint of Lot 10 & 901.
- * Lot 901 is standard format and extends above & below volumetric Lot 10

Scale 1:400



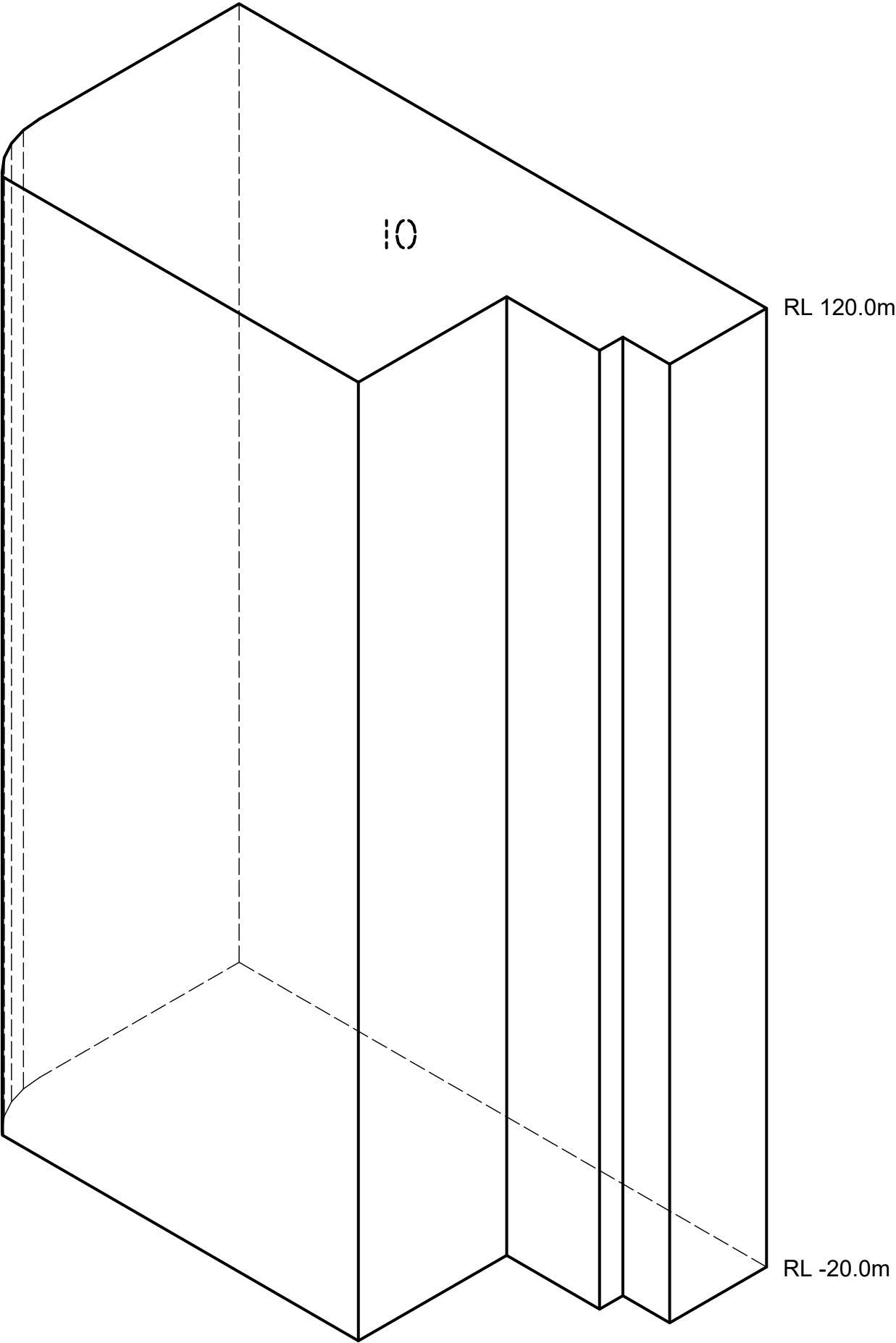
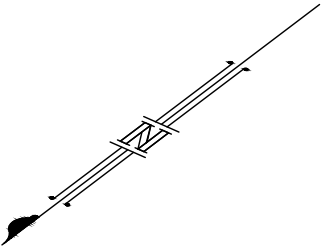
3D VIEW - LOT 10

Scale 1:800

Sheet
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RL 120.0m

RL -20.0m

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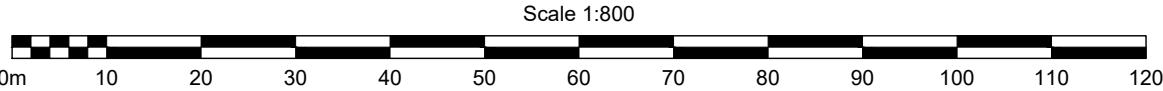
RECONFIGURATION STAGE A STEP 2

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C	Update to Latest Architect Plan	GJF	14/08/2025
B	Plan Sequence Amendment	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision
of Lot 10 (Volumetric) & Lot
901 (Standard Format)**
Cancelling Lot 1 on SP322281
(SP357840)

Client: **PDS**

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:800
Comp File:	10391.PROJECT		
Plan No:	10391_004_PRO		



Attachment C – Proposed Stage 2 RAL Plans

BASEMENT 3

Scale 1:400

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- Note:
- Lot 100 is a Volumetric Hotel Lot
 - Lot 101 is a Volumetric Retail Lot
 - Lot 902 is a Volumetric Residential Lot

- NOTES:
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RECONFIGURATION STAGE B

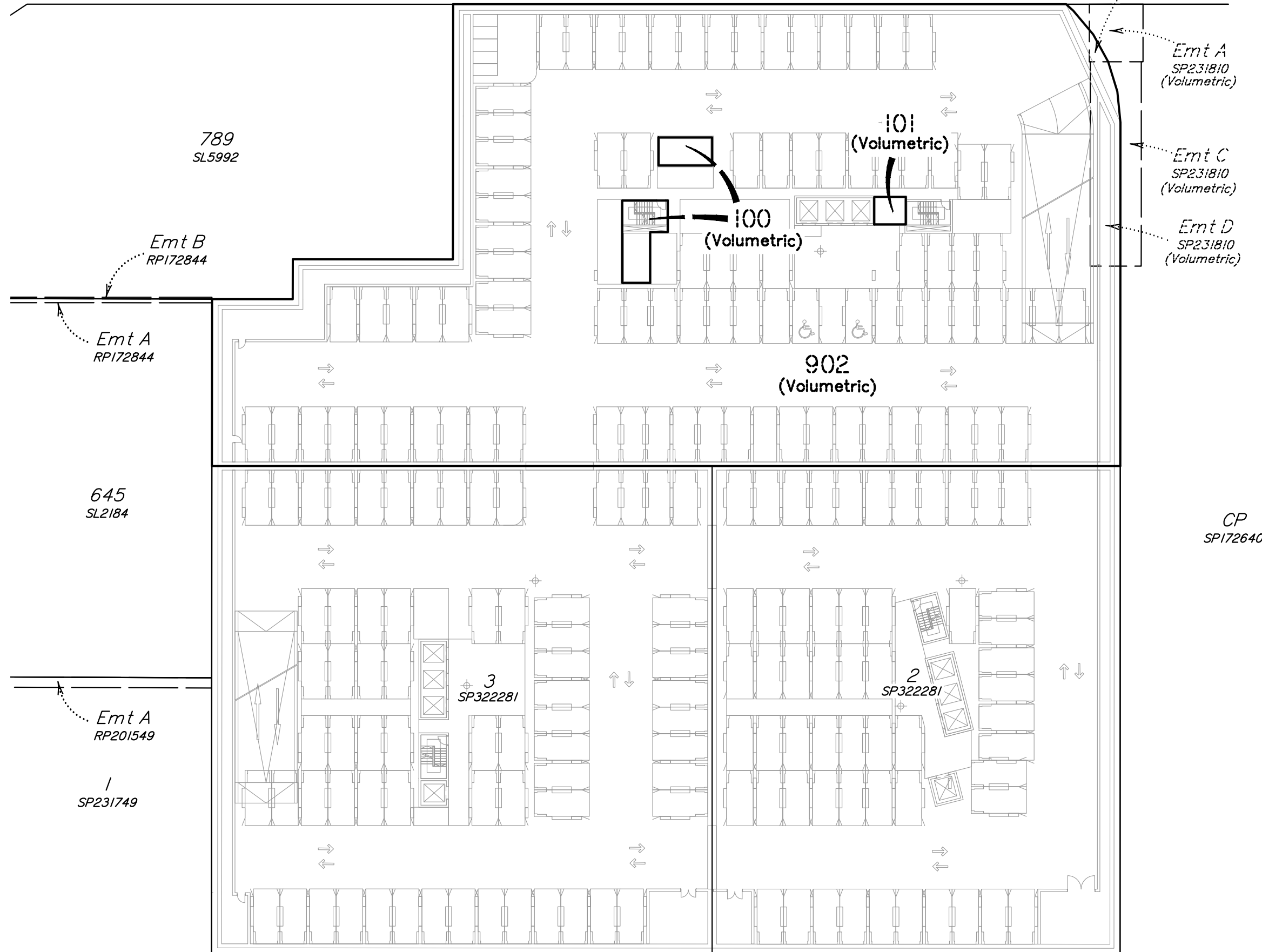
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E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

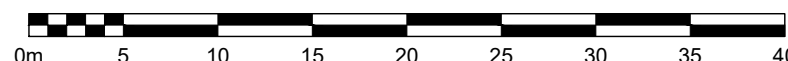
Client: **PDS**

Locality: **HAMILTON**
Local Gov: **BCC** Prepared By: **DJL**
Surveyed By: **MJT** Approved: **MJT**
Date Created: **11/11/2020** Scale: **1:400**
Comp File: **10391.PROJECT**
Plan No: **10391_003_PRO**

A3



Scale 1:400



Note:
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**RECONFIGURATION
STAGE B**

F	Update Basements 2 & 3	GJF	8/09/2025
E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: **PDS**

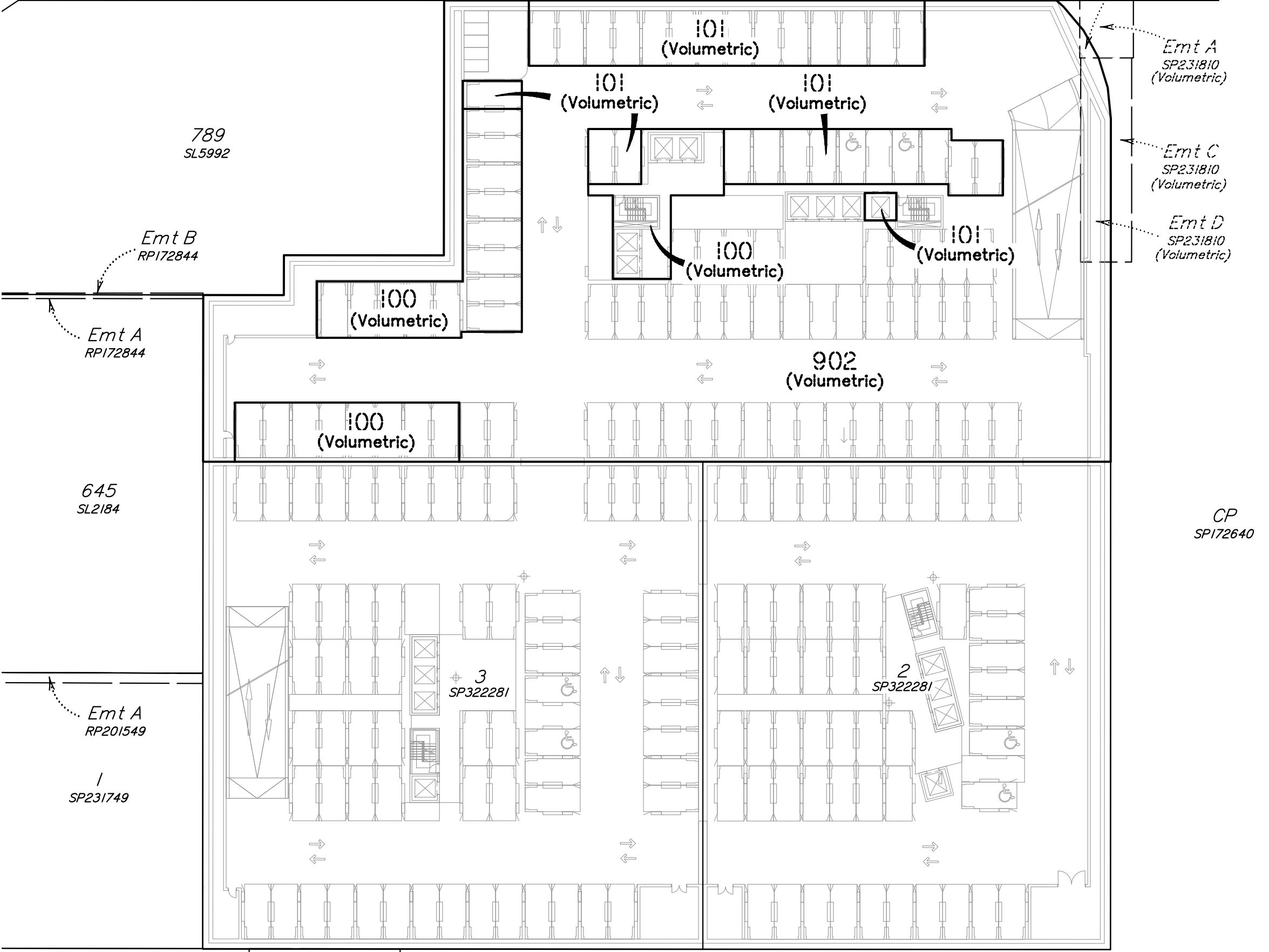
Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		

BASEMENT 2

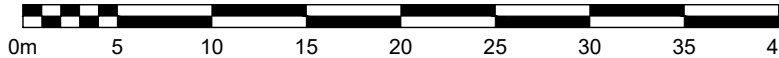
Scale 1:400

HERCULES

STREET



Scale 1:400



CP
SPI72618

BASEMENT 1

Scale 1:400

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- Note:
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RECONFIGURATION STAGE B

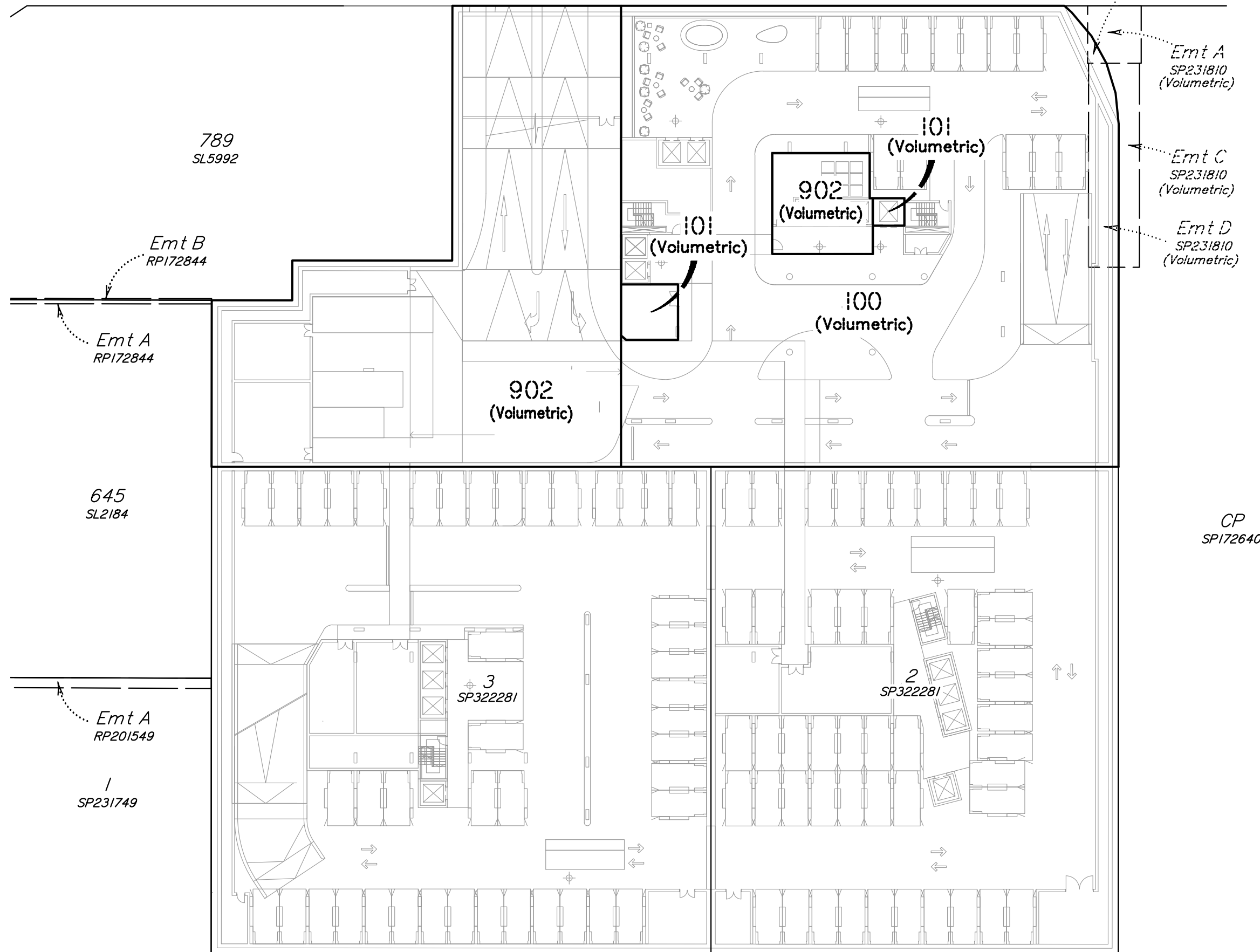
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E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: **PDS**

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJL
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391 003 PRO		

A3



GROUND FLOOR

Scale 1:400

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- Note:
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RECONFIGURATION
STAGE B

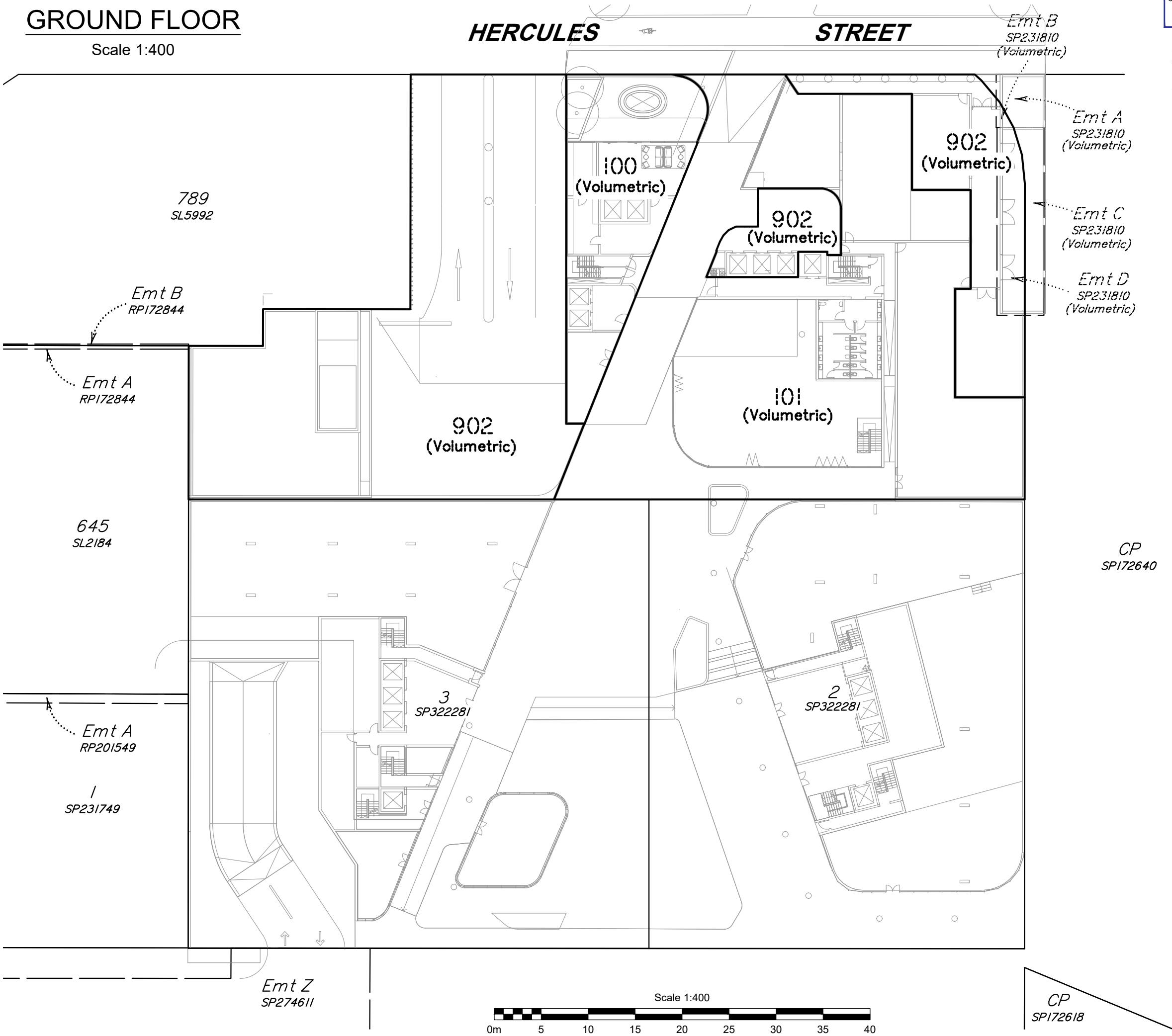
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E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: **PDS**

Locality: **HAMILTON**
Local Gov: **BCC** Prepared By: **DJL**
Surveyed By: **MJT** Approved: **MJT**
Date Created: **11/11/2020** Scale: **1:400**
Comp File: **10391.PROJECT**
Plan No: **10391_003_PRO**

A3



UPPER GROUND FLOOR

Scale 1:400

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- Note:
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- NOTES:
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 4. The Volumetric Lot Boundaries are to the centreline of floors/ceilings unless noted otherwise.

RECONFIGURATION
STAGE B

F	Update Basements 2 & 3	GJF	8/09/2025
E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: PDS

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJL
Date Created:	11/11/2020	Scale:	1:40
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		

MEZZANINE

Scale 1:400

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Note:
- Lot 100 is a Volumetric Hotel Lot
- Lot 101 is a Volumetric Retail Lot
- Lot 902 is a Volumetric Residential Lot

NOTES:
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RECONFIGURATION
STAGE B

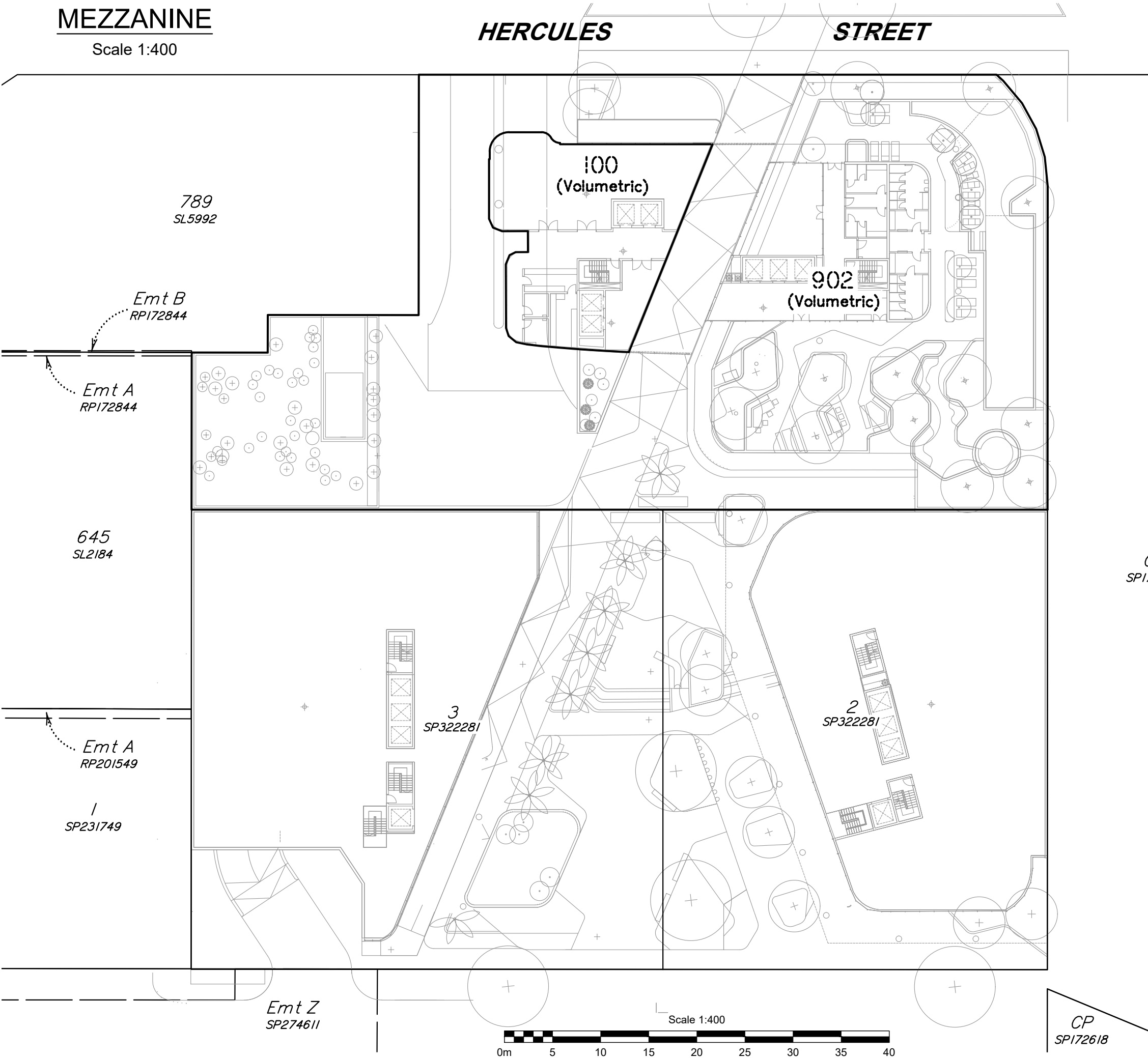
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E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: **PDS**

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:40
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		

A3



Note:

- Lot 100 is a Volumetric Hotel Lot
- Lot 101 is a Volumetric Retail Lot
- Lot 902 is a Volumetric Residential Lot

NOTES:

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3. Architectural Information provided by Fuse and is proposed only.
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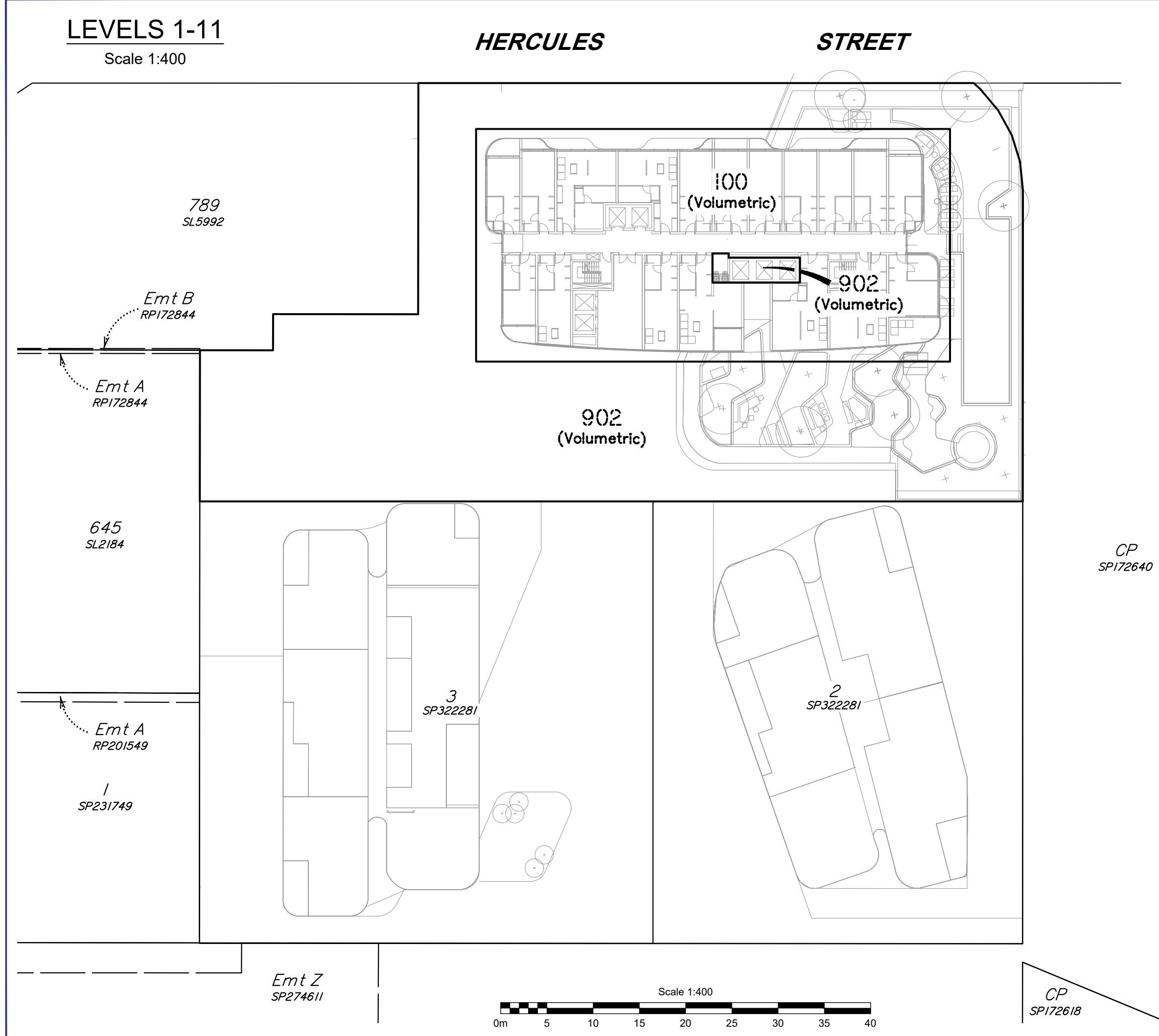
RECONFIGURATION
STAGE B

F	Update Basements 2 & 3	GJF	8/09/2025
E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: PDS

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:400
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		



LEVEL 12

Scale 1:400

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- Note:
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 - Lot 902 is a Volumetric Residential Lot

- NOTES:
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RECONFIGURATION
STAGE B

F	Update Basements 2 & 3	GJF	8/09/2025
E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: **PDS**

Locality: **HAMILTON**
Local Gov: **BCC** Prepared By: **DJL**
Surveyed By: **MJT** Approved: **MJT**
Date Created: **11/11/2020** Scale: **1:400**
Comp File: **10391.PROJECT**
Plan No: **10391_003_PRO**

A3

789
SL5992

Emt B
RP172844

Emt A
RP172844

645
SL2184

Emt A
RP201549

/
SP231749

Emt Z
SP274611

902
(Volumetric)

100
(Volumetric)

3
SP322281

2
SP322281

CP
SP172640

CP
SP172618

Scale 1:400



LEVELS 13 UPWARDS

Scale 1:400

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- Note:
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 - Lot 101 is a Volumetric Retail Lot
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- NOTES:
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 3. Architectural Information provided by Fuse and is proposed only.
 4. The Volumetric Lot Boundaries are to the centreline of floors/ceilings unless noted otherwise.

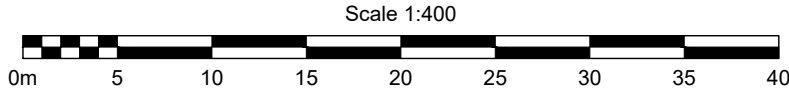
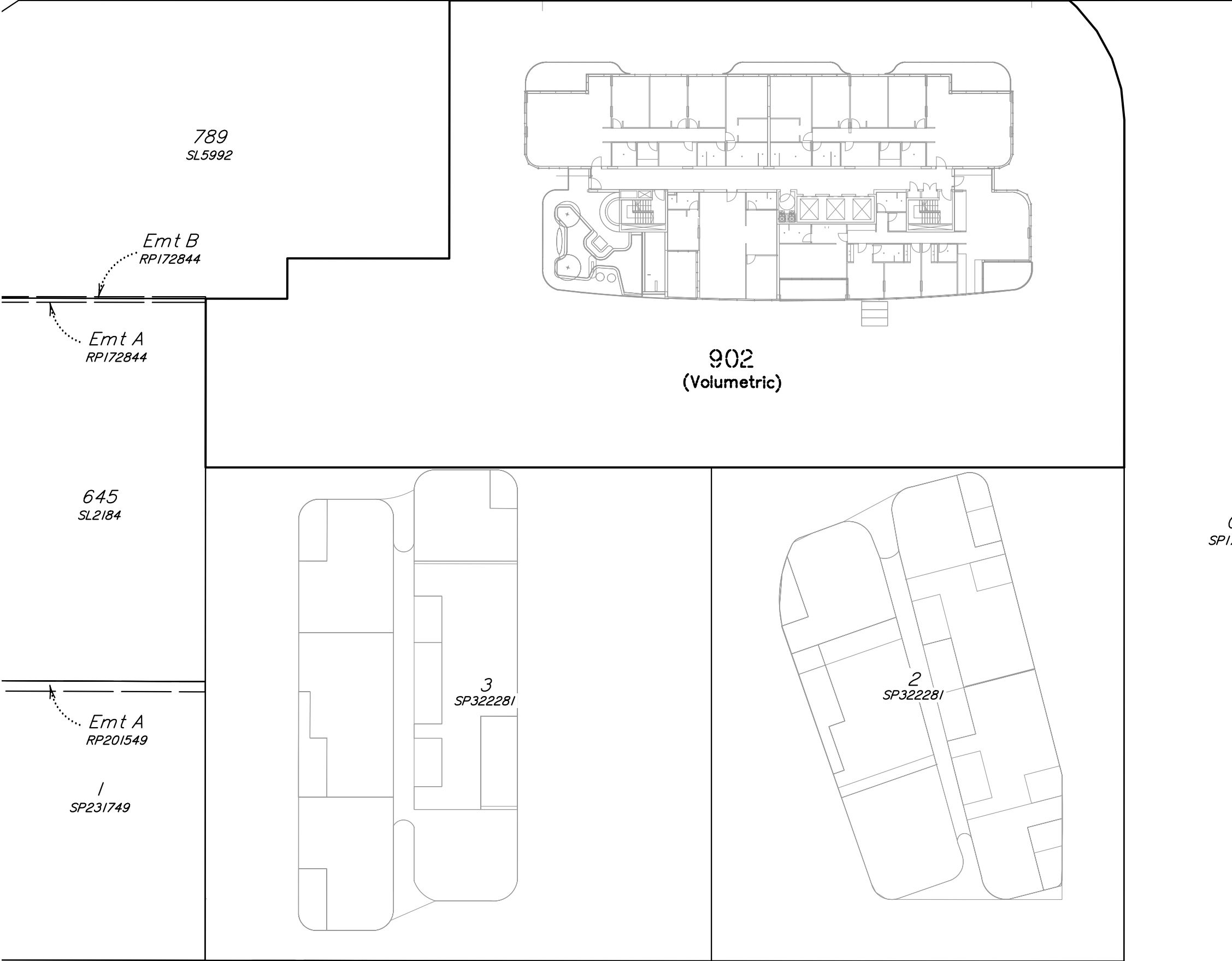
RECONFIGURATION
STAGE B

F	Update Basements 2 & 3	GJF	8/09/2025
E	Update Basement 2	GJF	28/08/2025
D	Update Lot Bdays & Underlays	GJF	28/08/2025
C	Update All	GJF	19/08/2025
B	Plan Sequence Amended	BM	1/12/2021
A	Original Issue	DJL	11/11/2020
Issue	Revision	Int	Date

Title:
**Plan of Proposed Subdivision of
Lots 100 (Volumetric), 101
(Volumetric) & 902 (Volumetric)
Cancelling Lot 10 on SP357840
(SP322280)**

Client: PDS

Locality:	HAMILTON		
Local Gov:	BCC	Prepared By:	DJL
Surveyed By:		Approved:	MJT
Date Created:	11/11/2020	Scale:	1:40
Comp File:	10391.PROJECT		
Plan No:	10391_003_PRO		



Scale 1:400

CP
SP172618

Attachment D – Title search, survey plans, easement plans and contaminated land search

CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 53339246

Search Date: 12/09/2025 10:52

Title Reference: 50804272

Date Created: 05/03/2010

Previous Title: 50542845

REGISTERED OWNER

Dealing No: 715828071 12/06/2014

WENTWORTH EQUITIES NO 2 PTY LTD A.C.N. 165 829 872

TRUSTEE

UNDER INSTRUMENT 715828071

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 172658

Local Government: BRISBANE CITY

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40046479 (Lot 596 on CP SL6381)
2. EASEMENT No 716263418 16/01/2015 at 11:14
benefiting the land over
EASEMENT Z ON SP274611
3. EASEMENT IN GROSS No 716894433 18/11/2015 at 13:50
burdening the land
ENERGEX LIMITED A.C.N. 078 849 055
over
EASEMENTS B AND D ON SP231810
4. MORTGAGE No 723221123 29/04/2024 at 13:46
EILDON FUNDS MANAGEMENT LTD A.C.N. 066 092 028 TRUSTEE
UNDER INSTRUMENT 723221123

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 [2025]

Requested By: D-ENQ DYE & DURHAM (S)

FINAL 6121-DS (KCH)

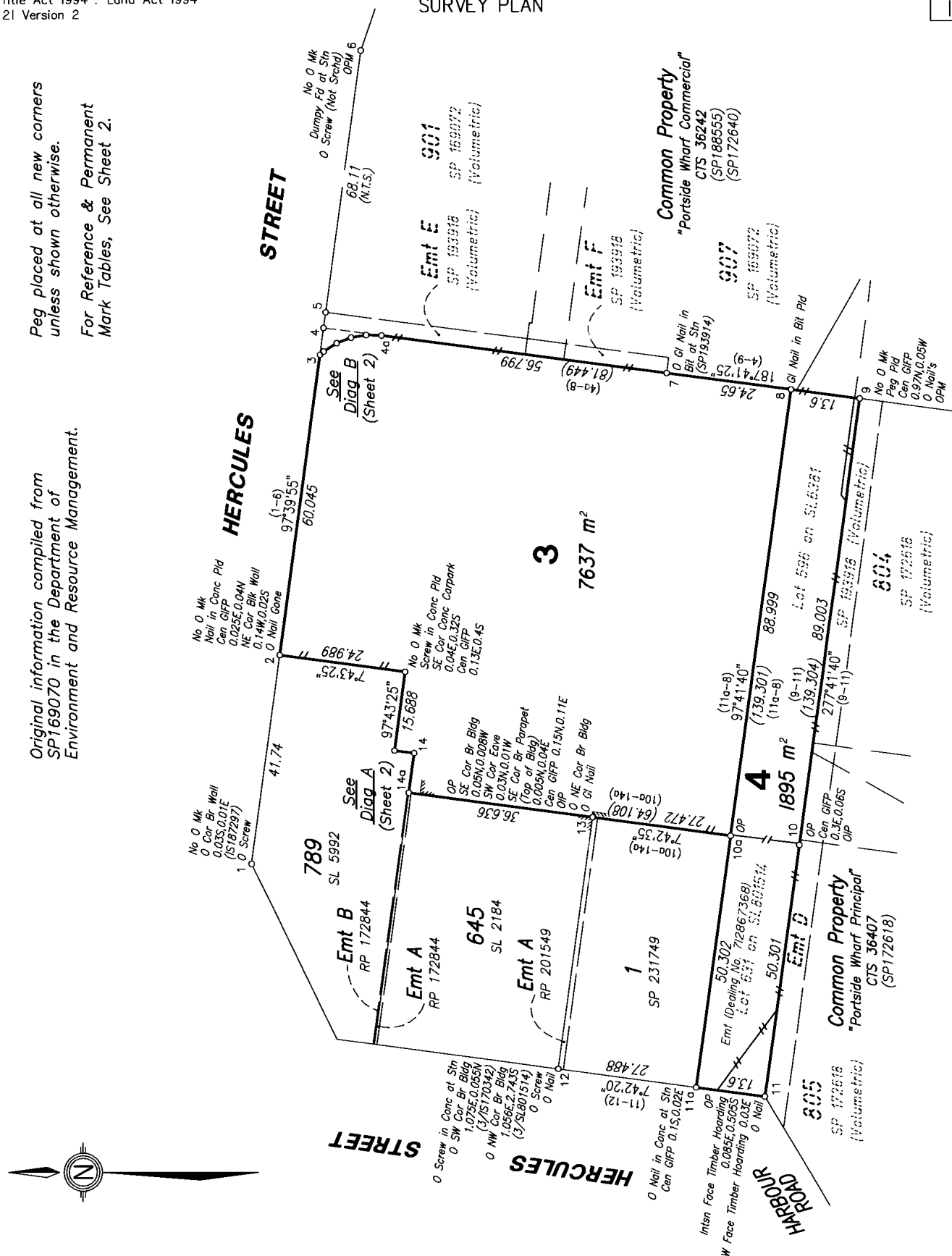
Land Title Act 1994 : Land Act 1994
Form 21 Version 2

Sheet 1 of 2

Peg placed at all new corners
unless shown otherwise.
For Reference & Permanent
Mark Tables, See Sheet 2.

Original information compiled from
SP169070 in the Department of
Environment and Resource Management.

SURVEY PLAN



CONICS (BRISBANE) PTY LTD (ACN 010 370 448) hereby certify that the land comprised in this plan was surveyed by the corporation, by Dennis James GARGET, surveying graduate, for whose work the corporation accepts responsibility, under the supervision of Geoffrey Ray WILSON, cadastral surveyor and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 30/09/2009.

[Signature] Authorised Delegate

2/10/09 Date

PLAN OF

LOTS 3 & 4

**Cancelling Lot 596 on SL6381
& Lot 2 on SP231749**

PARISH: **TOOMBUL**

COUNTY: **Stanley**

Meridian: SP231749

F/N's: NO

Scale: **1 : 750**

Format: **STANDARD**



SP172658

Plan Status:

State copyright reserved.

716263415

\$344.50

16/01/2015 11:13

BE 403

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

5. Lodged by

mahoney lawyers

(Include address, phone number, reference, and Lodger Code)

101A

1. Certificate of Registered Owners or Lessees.

I/We **OAKSTEAD HARBOUR PROJECT PTY LTD**
A.C.N. 161 237 047

(Names in full)

*as Registered Owners of this land agree to this plan and dedicate the Public Use
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

*as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees

Director

Director

* Rule out whichever is inapplicable

2. Planning Body Approval.

MINISTER FOR ECONOMIC DEVELOPMENT QUEENSLAND
BY ITS AUTHORISED DELEGATE

hereby approves this plan in accordance with the:

%

ECONOMIC DEVELOPMENT ACT 2012

Dated this 14th day of January 2015

JENNIFER RYAN
GENERAL MANAGER

#

#

* Insert the name of the Planning Body.

Insert designation of signatory or delegation

% Insert applicable approving legislation.

3. Plans with Community Management Statement:

CMS Number:

Name:

4. References:

Dept File:

Local Govt:

Surveyor: 10391

6. Existing

Created

Title
Reference

Description

New Lots

Road

Secondary Interests

50875219

Lot 815 on SP172649

Emt Z

Lots

Orig

7. Orig Grant Allocation:

8. Map Reference:

9543-33244

9. Parish:

TOOMBUL

10. County:

STANLEY

11. Passed & Endorsed:

By: B.B.H PTY LTD ACN 010 427 531

Date: 16/12/14

Signed: C.L.H.

Designation: Cadastral Surveyor/Director

12. Building Format Plans only.

I certify that:

* As far as it is practical to determine, no part
of the building shown on this plan encroaches
onto adjoining lots or road.

* Part of the building shown on this plan
encroaches onto adjoining * lots and road

Cadastral Surveyor/Director* Date
*delete words not required

13. Lodgement Fees:

Survey Deposit \$

Lodgement \$

New Titles \$

Photocopy \$

Postage \$

TOTAL \$

14. Insert
Plan
Number

SP274611

716894425**BE 403****\$428.20**
18/11/2015 13:48

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

5. Lodged by

*HWL Ebsworth Langes**084.*

(Include address, phone number, reference and Lodger Code)

1. Certificate of Registered Owners or Lessees.

We HERCULES NORTHSHORE PTY LTD.

ACN 146 311 659

WENTWORTH EQUITIES NO 2 PTY LTD.

ACN 165 829 872

TRUSTEE UNDER INSTRUMENT 715828071

(Names in full)

*as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

~~*as Lessees of this land agree to this plan.~~Signature of *Registered Owners ~~*Lessees~~*HERCULES NORTHSHORE PTY LTD.**ANDREW WILLIAM JOHNSON DIRECTOR**HUW VAN HOFFEN SECRETARY*
*WENTWORTH EQUITIES NO 2 PTY LTD.**SIMON SLAVIN DIRECTOR**R. Jay. Ruven Laps Director*

* Rule out whichever is inapplicable

2. Planning Body Approval.

*

hereby approves this plan in accordance with the:
%

Dated this day of

..... #

..... #

* Insert the name of the Planning Body.

% Insert applicable approving legislation.

Insert designation of signatory or delegation

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :

Local Govt :

Surveyor : 102178-5

6. Existing

Title Reference	Description	New Lots	Road	Secondary Interests
50804272	Lot 3 on SP172658	-	-	Emts B & D
50824237	Lot 921 on SP231800	-	-	Emts A & C

Created

Lots Orig

7. Orig Grant Allocation :

8. Map Reference :

9543-33244

9. Parish :

TOOMBUL

10. County :

STANLEY

11. Passed & Endorsed :

By : RPS Australia East Pty Ltd

Date : 3/7/15

Signed : *W. Ebsworth*

Designation : Cadastral Surveyor

12. Building Format Plans only.

I certify that :

* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.

* Part of the building shown on this plan encroaches onto adjoining * lots and road

Authorised Delegate

Date

Cadastral Surveyor/Director
delete words not required

13. Lodgement Fees :

Survey Deposit \$

Lodgement \$

..... New Titles \$

Photocopy \$

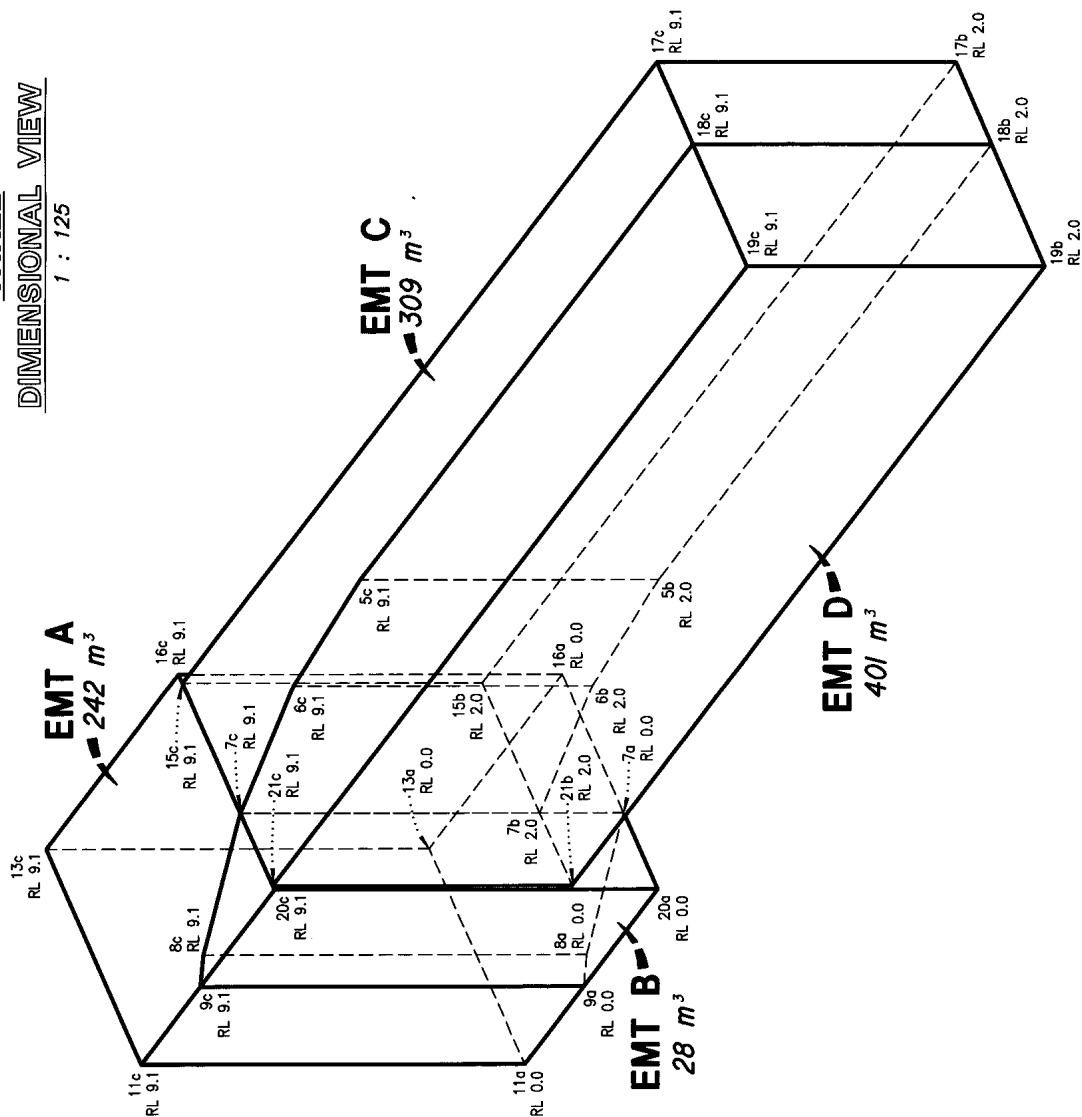
Postage \$

TOTAL \$

14. Insert Plan Number

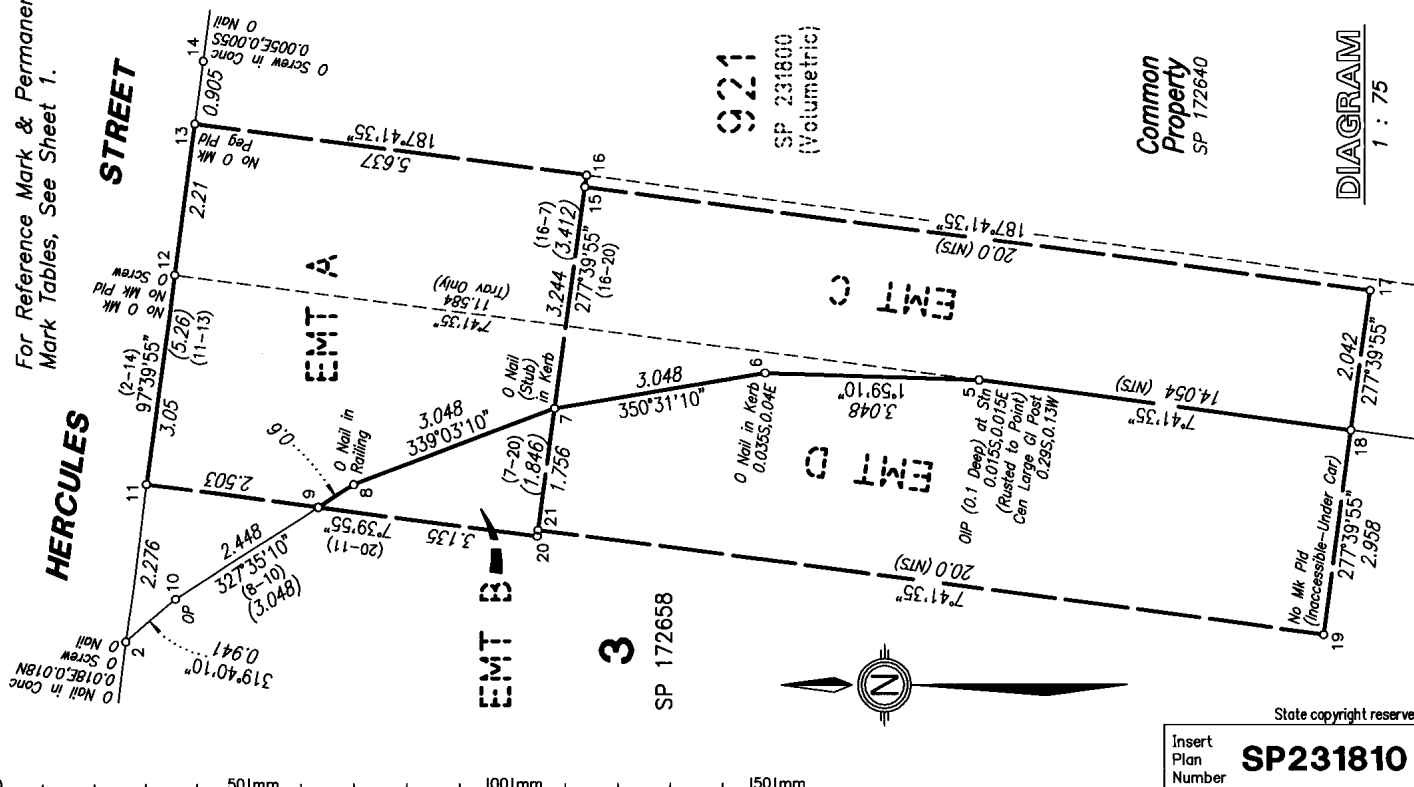
SP231810

THREE
DIMENSIONAL VIEW
1 : 125



Easements A - D are
bounded by vertical planes.

For Reference Mark & Permanent
Mark Tables, See Sheet 1.



V. 0005 5-2-0

713072809

713097314

\$405.10

\$405.10

05/03/2010 08:10

BE 400 NT

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

Registered

5. Lodged by

HWL

88A

(Include address, phone number, reference and Lodger Code)

1. Certificate of Registered Owners or Lessees.

BROOKFIELD STAGE 2
MULTIPLEX PORTSIDE WHARF PTY LTD

A.C.N. 099 793 469 127 026 395

THE STATE OF QUEENSLAND (REPRESENTED BY

THE DEPARTMENT OF PRIMARY INDUSTRIES

AND FISHERIES) Department of Economic Employment,
Economic Development and Innovation (Queensland
(Names in full) Primary Industries and Fisheries))*as Registered Owners of this land agree to this plan and dedicate the Public Use
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

*as Lessees of this land agree to this plan.

Signature of *Registered Owners or Lessees

Brookfield Stage 2 127 026 395
A Multiplex Portside Wharf Pty Ltd ACN 099 793 469 by its duly
constituted attorneys Jason Damien Ward and Lee Skewane
Butterworth who declare they have not received notice of
revocation of Power of Attorney Number 712397754 712397751

15.10.09

* Rule out whichever is inapplicable

2. Local Government Certificate.

* **URBAN LAND DEVELOPMENT AUTHORITY**

hereby approves this plan in accordance with the:

%

URBAN LAND DEVELOPMENT AUTHORITY ACT 2007

Dated this 30th day of OCTOBER 2009

PAUL EAGLES
Chief Executive Officer

* Insert the name of the Local Government

Insert designation of signatory or delegation

* Insert Integrated Planning Act 1997 or
Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :

Local Govt :

Surveyor : 6121-DS

6. Existing

Title Reference	Lot	Plan	Lots	Emts	Road
50542845	596	SL6381	3 & 4	-	-
50793522	2	SP231749	4	-	-

Easement	Lots to be Encumbered	Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
712867368 (Lot 2 on SP231749)	4	712162066	-	4

Easement	Lots Fully Benefited	Lots Partially Benefited
710148389 (Emt D on SP193918)	-	4
710148422 (Emt D on SP193918)	3	4
710148424 (Emt D on SP193918)	3	4
710148426 (Emt E on SP193918)	3	4
710148431 (Emt F on SP193918)	3	4

Building Management Statement	Lots to be Fully Benefited	Lots to be Fully Encumbered
710148022	3 & 4	3 & 4
710148143	3 & 4	3 & 4

Encroachment notice issued to the owner(s) of Lot 645
on SL2184, Lot 789 on SL5992 and Lot 596 on SL6381
on 2/10/2009, in accordance with s.19 of the
Survey and Mapping Infrastructure Regulation 2004.

3	Lot 596 on CP SL6381	12. Building Format Plans only. I certify that : * As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road. * Part of the building shown on this plan encroaches onto adjoining * lots and road
4	Lot 631 on CP SL801514 & Lot 596 on CP SL6381	
Lots	Orig	

7. Portion Allocation :

8. Map Reference :

9543-33244

9. Locality :

HAMILTON

10. Local Government :

BRISBANE CITY COUNCIL

11. Passed & Endorsed :

By : CONICS (BRISBANE) PTY LTD

Date : 4/2/10

Signed : *Walter Buehler*

Designation : Cadastral Surveyor

Cadastral Surveyor/Director * Date
* delete words not required

13. Lodgement Fees :

Survey Deposit \$

Lodgement \$

New Titles \$

Photocopy \$

Postage \$

TOTAL \$

14. Insert
Plan
Number

SP172658

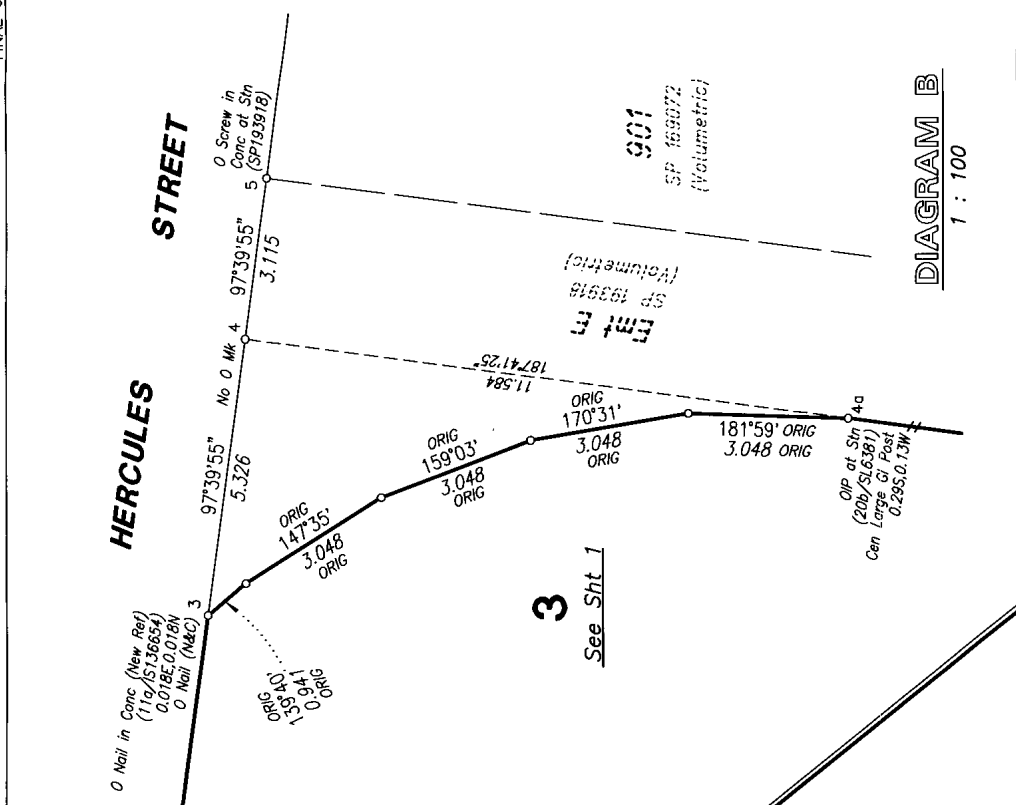


DIAGRAM B
1 : 100

Peg placed at all new corners
unless shown otherwise.

Original information compiled from
SP169070 in the Department of
Environment and Resource Management.

PERMANENT MARKS			
PM	BRG	DIST	No. REMARKS
6-OPM	109°13'35"	69.575	35295 9/SP169072
9-OPM	310°37'10"	26.941	7623 23/ST1393325

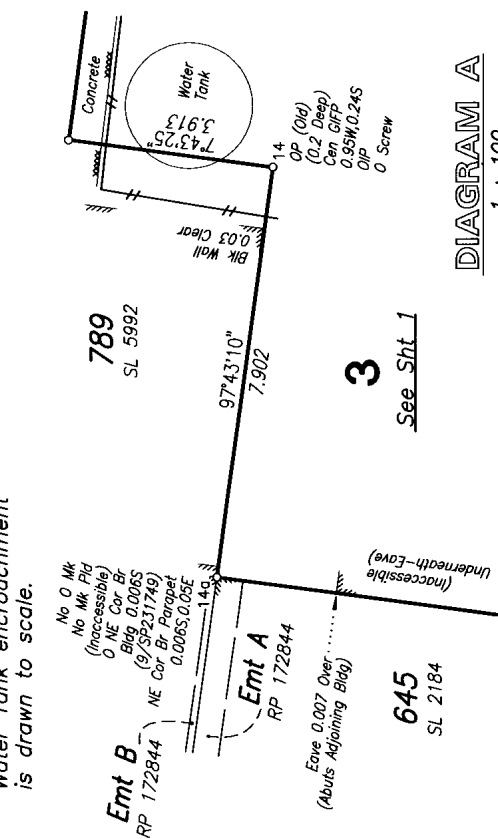


DIAGRAM A

REFERENCE			MARKS	
STN	TO	BRG	DIST	REMARKS
1	0 Screw in Conc	19'48"	1.827	8/SP231749
2	Screw in Conc	58'59"	2.495	
3	0 Nail in Conc Gone	318'18"11"	5.341	IS187297
3	Screw in Conc	308'53"	1.542	
3	0 Gl Nail in Bit (N&C)	277'56"	8.951	34/SP169070
4	Screw in Conc Fd	47'05'	1.61	
5	Nail in Conc Fd	324'28"	2.535	
6	Screw in Conc Fd	88'23"	3.221	
6	0 Screw in Conc (Basement 1)	217'44'25"	6.627	10/SP169070
8	Gl Nail in Bit Fd	337'06"	4.636	
8	Screw in Conc Drain	298'22'20"	7.194	23/IS139325
9	0 Gl Nail in Bit	304'16'40"	6.708	7/SP169070
9	0 Gl Nail in Bit	331'22'25"	13.397	
10	OIP	335'04"	4.591	11/SP231749
11	0 Nail in Tile Joint	320'51"	3.083	4/SP231749
12	0 Screw in Conc	21'28"	2.115	5/SP231749
12	0 Nail in Conc	238'46'50"	3.052	IS187297
13	OIP	241'29"	3.266	10/SP231749
13	0 NE Cor Br Bldg	235'50'05"	4.098	13a/SL6381
13	0 Gl Nail in M/H	255'46"	5.813	10/SP231749
14	OIP	168'38"	1.907	9a/SP231749
14	0 Screw in M/H	94'16"	3.075	9a/SP231749

(Not Srchd)

State copyright reserved.

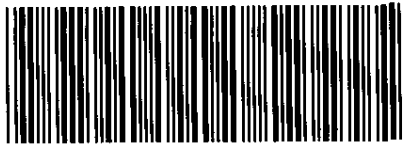
Insert
Plan
Number

SP172658

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 4
Page 1 of 65



716263418

\$162.90
16/01/2015 11:14

BE 600

department's website.

Client No: 1 0 5 2 1 6 7	Duties Act 2001
Transaction No: 509-229-811	Duty Imprint
Duty Paid \$ NIL	☐ Exempt
UTI \$	
Date: 19/12/14	Signed: <i>Wayan</i>

1. Grantor Oakstead Harbour Project Pty Ltd ACN 161 237 047	Lodger (Name, address & phone number) <i>mahoney lawyers</i>	Lodger Code 101A
2. Description of Easement/Lot on Plan Servient Tenement (burdened land) Easement Z on SP 274611 *Dominant Tenement (benefited land) Lot 3 on SP 172658	County Stanley Stanley	Parish Toombul Toombul
		Title Reference 50875219 50804272
* not applicable if easement in gross		
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 Wentworth Equities No. 2 Pty Ltd ACN 165 829 872 as trustee under Instrument 715828071	(include tenancy if more than one)	

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
the attached schedule and document no.
document no.
#delete inapplicable words

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

Witnessing Officer	Execution Date	Grantor's Signature
Signature	18/12/14	Oakstead Harbour Project Pty Ltd ACN 161 237 047
full name		
qualification		<i>Phillips</i> Director
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)		

Witnessing Officer	Execution Date	Grantee's Signature
signature	18/12/14	Wentworth Equities No. 2 Pty Ltd ACN 165 829 872
full name		<i>[Signature]</i> Director
qualification		<i>RJ</i> Director
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)		

18868461v1

Title Reference to issue from 50875219

This is the Schedule referred to in Easement dated the 18 day of December 2014.

1. Definitions

In this Easement, unless inconsistent with the subject or context:

"Authorised Users" includes:

- (a) The Grantee;
- (b) The Grantee's tenants, licensees and other lawful occupiers of the Dominant Tenement; and
- (c) Visitors, customers, invitees, employees, contractors, workmen and agents of those persons specified in Paragraphs (a) and (b).

"Dominant Tenement" means the land described as Dominant Tenement in Item 2 of the Form 9 to which this Schedule is annexed.

"Easement" means the Form 9 to which this Schedule is annexed.

"Grantee" means the party or parties described as the Grantee in Item 5 of the Form 9 to which this schedule is attached and shall include the successors and assigns of the Grantee.

"Grantor" means the party or parties described as the Grantor in Item 1 of the Form 9 to which this schedule is attached and shall include the successors and assigns of the Grantor.

"Servient Tenement" means the land described as Servient Tenement in Item 2 of the Form 9 to which this Schedule is annexed.

2. Interpretation

2.1 In the interpretation of the Easement, unless inconsistent with the subject or context:

- (a) words importing the singular number shall be deemed to include the plural number;
- (b) words importing the plural number shall be deemed to include the singular number;
- (c) words importing any gender shall include every gender;
- (d) references to persons shall include natural persons, bodies corporate, corporations sole, government authorities and other entities at law;
- (e) headings in the Easement are included for reference only and shall not be used in the construction or interpretation of this Easement;
- (f) for any word or phrases given a defined meaning in this Easement, any other grammatical form of that word or phrase shall have a corresponding meaning.

3. Grant of Easement

- 3.1 The Grantor grants to the Grantee and Authorised Users the full and free right and liberty for the Grantee and the Authorised Users to access the Dominant Tenement through the Servient Tenement.
- 3.2 The Grantor grants the Grantee and Authorised Users the full and free right and liberty for the Grantee and the Authorised Users to go, pass and repass over and upon the Servient Tenement with or without motor cars or vehicles of any description for the purposes of accessing the Dominant Tenement.
- 3.3 The Grantee shall do all within its powers to reasonably ensure that all parties accessing the Servient Tenement act in accordance with the obligations and duties imposed upon the Grantee under this Easement.

Title Reference to issue from 50875219

4. No Obstruction

4.1 Subject to clause 4.3, the Grantor:

- (a) shall keep the Servient Tenement free from all obstructions except in connection with the normal use of the Servient Tenement;
- (b) shall not cause any hindrance or nuisance on the Servient Tenement;
- (c) shall not do anything on the Servient Tenement that might obstruct access over the Servient Tenement in accordance with clause 3.

4.2 This Clause shall not prevent any vehicles standing in authorised or allocated parking areas.

4.3 The Grantor may interfere with the Grantee's rights under this Easement to facilitate the Grantor's:

- (a) construction of a road, carpark areas and associated streetscapes on the Servient Tenement; and
- (b) construction of carpark basement levels under the Servient Tenement as part of the Portside Wharf Development,

providing that the period of interference is kept, in the circumstances, to a minimum.

5. Maintenance

5.1 Subject to clause 4.3 the Grantor shall keep and maintain the Servient Tenement in good and substantial repair, order and condition and in a condition suitable for the use granted by this Easement. The costs of all such maintenance and any replacement of the surface, structures, equipment, plant and surrounds of the Servient Tenement shall be borne by the registered proprietors for the time being and from time to time of the Servient Tenement.

6. Benefit and Burden of Easement

6.1 The benefit and burden of this Easement and the covenants, agreements and stipulations it contains shall pass with and bind the Dominant Tenement and the Servient Tenement respectively so as to enure for the benefit of and bind all persons deriving title through to or under the Grantee and the Grantor respectively and on ceasing to be the registered owners of the Servient Tenement and the Dominant Tenement respectively, the Grantor and the Grantee shall be under no further liability for any event or occurrence, or be entitled to the benefit without prejudice to the rights and obligations of either party in respect of any antecedent breach under this Easement.

7. Production of Instruments of Title

7.1 Each of the parties will when reasonably required to do so by the other of them produce to the Registrar of Titles or other appropriate officer the relevant instrument of title to the land of which they are registered owner to enable this Easement to be registered and each of the parties will respectively obtain any consents which may be required from any person or persons having any interest in either the Dominant or Servient Tenements respectively to which such party is entitled which may be necessary to enable this Easement to be registered. Each party will pay their own costs for compliance with this clause including any mortgagee's consent fees and production fees.

8. Indemnity

8.1 The Grantor and the Grantee shall indemnify and keep indemnified the other in respect of any loss, damage, claims, liabilities, demands and expenses of whatever nature suffered or incurred by the other as a result of, in connection with or in respect to the Grantor's or the Grantee's failure to strictly observe and perform the provisions of this Easement.

Title Reference to issue from 50875219

9. General

9.1 Notices

Any notice or other document served or given by any party to the other shall be validly given if executed by a party or by a party's solicitors or by a Director, Manager, Secretary or Managing Agent of any party and either served personally or posted by pre-paid mail to the other party at the other party's last known address or registered office in Queensland.

9.2 Writing and Copies

References to writing shall include typing, facsimile and other means of reproducing words in a permanent and visible form. References to copies shall mean fully legible copies in a permanent form.

9.3 Modification by Legislation

The provisions of any statute which alter the effect of any provisions of this Easement shall not apply to this Easement so far as this lawfully can be done.

9.4 Sever Obligations

If any provisions of the Easement cannot be given effect or full force and effect by reason of statutory invalidity, that provision shall be severed or read down so as to maintain and uphold as far as possible the remaining provisions of this Easement

9.5 Governing Law

Despite the domicile or residence of any of the parties to this Easement the Parties:

- (a) agree that this Easement shall be governed by and constituted in all respects in accordance with the law of the State of Queensland; and
- (b) submit to the non-exclusive jurisdiction of the Courts of the State of Queensland with respect to any legal proceedings relating to this Easement.

9.6 Reference to Statute

Any reference to a statute is to be construed as including all amendments, consolidations, rules, by-laws, proclamations, orders and other authorities under the statute.

9.7 Variations

No variation, modification or waiver of any provision in this Easement, nor consent to any departure by any party from any such provisions, shall in any event be of any effect unless it is in writing, signed by the parties or (in the case of waiver) by the party giving it and then any such variation, modification, waiver or consent shall be effective only to the extent to or for which it may be made or given.

9.8 Waivers

No failure, delay, relaxation or indulgence on the part of any party in exercising any power or right conferred upon such party in terms of this Easement shall operate as a waiver of such or right nor shall any single or partial exercise of any such power or right nor any single failure to do so, preclude any other or future exercise thereof, or the exercise of any other power or right under this Easement.

Title Reference to issue from 50875219

9.9 Further Assurances

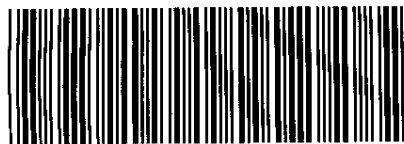
Each party to this Easement shall do, sign and execute all deeds, schedules, acts, documents and things as may reasonably be required by the other party so as to carry out and give effect to the terms and intentions of this Easement effectively and to perfect, protect and preserve the rights of the other parties hereunder whether before or after completion.

9.10 Liabilities

If any party consists of more than one person then the liability of those persons in all respects under this Easement shall be a joint liability of all those persons and liability of each of those persons severally.

9.11 Costs

Subject to any express particular provision to the contrary elsewhere in this Easement contained, each party shall bear its own costs (including legal costs) of and incidental to the preparation, negotiation and execution of this agreement, provided that the Grantor shall be responsible for all duties assessed on this Easement and any registration fees.

**716894433**\$168.60
18/11/2015 13:50**BE 601**

Client No: 1051837 Duties Act 2001
 Transaction No: 510-731-995
 Duty Paid \$0.00 ☐ Exempt
 UTI \$0.00
 Date: 13/10/15 Signed: [Signature]

1. Grantor

WENTWORTH EQUITIES NO 2 PTY LTD
 A.C.N. 165 829 872 AS TRUSTEE UNDER
 INSTRUMENT 715828071

Lodger (Name, address, E-mail & phone number)

HWL Ebsworth Lawyers
 Level 23
 123 Eagle Street
 BRISBANE QLD 4000
 Ph: 07 3002 6700
 Ref: PJN:305965

Lodger

Code
 88A

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement B on SP231810	Stanley	Toombul	50804272
Easement D on SP231810	Stanley	Toombul	50804272
*Dominant Tenement (benefited land)			
Not Applicable			

not applicable if easement in gross

3. Interest being burdened

Fee Simple

***4. Interest being benefited**

Not applicable

not applicable if easement in gross

5. Grantee

Given names

Surname/Company name and number

(include tenancy if more than one)

Energex Limited A.C.N. 078 849
 055

6. Consideration

\$1.00

7. Purpose of easement

Electricity Supply

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

WENTWORTH EQUITIES NO 2 PTY LTD
 A.C.N. 165 829 872 AS TRUSTEE
 UNDER INSTRUMENT 715828071

Ruven Laps

[Signature]

Director

signature

Sarah Brahman

full name

Engineer

qualification

Witnessing Officer

2 / 10 / 2015
 Execution Date

Simon Skavin

Director / Secretary
 Grantor's Signature

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

ENERGEX Limited ACN 078 849 055**by its Attorney MIKE POWER****under Power of Attorney No. 714846267**

(GROUP MANAGER PROPERTY SERVICES)

signature

Steven James Soo

full name

CDEC.81388

qualification

Witnessing Officer

2 / 10 / 2015
 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)



Department of the Environment, Tourism, Science and Innovation (DETSI)
ABN 46 640 294 485
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.detsi.qld.gov.au

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

Dye and Durham UNITY
GPO Box 1612
Brisbane QLD 4000

Transaction ID: 51054830 EMR Site Id: 15 September 2025
Cheque Number:
Client Reference:

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

Lot: 3 Plan: SP172658
19 HERCULES ST
HAMILTON

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 DETSI has not been notified

If you have any queries in relation to this search please email emr.clr.registry@detsi.qld.gov.au

Administering Authority

Title Reference from 50968225

reasonable for the purpose of the securing of access to and from any dedicated road adjacent or neighbouring the Land); and

- (b) construct electric lines on, over, in, under, across and/or through the Easement Land and Incidental Works on the Easement Land;
- (c) use the Easement Land as may be reasonably required to construct, install, inspect, maintain, repair, reconstruct, replace, add to and/ or remove electric lines and/or Incidental Works (in, under, along or through the Easement Land); and
- (d) enter upon and traverse the Easement Land for the purposes of preventing or rectifying any infringement of ENERGEX Limited's rights under this Easement.

2.3 All electric lines or Incidental Works installed in, under, across, over and/ or through the Easement Land shall remain the property of ENERGEX Limited.

3. Restrictions on the Grantor

3.1 The Grantor shall not:

- (a) interfere with or damage or place at risk the electric lines or Incidental Works on, in, under, over, across, through or near the Easement Land; or
- (b) interfere with or obstruct ENERGEX Limited in the exercise and enjoyment of its rights and powers under this easement.

3.2 The Grantor shall not without the prior written consent of ENERGEX Limited (which shall not be unreasonably withheld):

- (a) store or permit the storage or conveyance of flammable fuels or explosive materials in, on or under, across and/or through the Easement Land;
- (b) lay or permit the laying of subterranean services or pipes, cables, wires or the like on, under, over, in, across and/or through the Easement Land;
- (c) alter the Land adjacent to the Easement Land or allow adjacent land to be altered in any way that obstructs ENERGEX Limited in the exercise and enjoyment of its rights and powers under this easement;
- (d) inundate or permit to be inundated any part of the Easement Land;
- (e) light or permit the lighting of fires on or near the Easement Land ;
- (f) reside in or permit any person to reside in a structure which may be parked or located on the Easement Land irrespective of whether the Easement Land is part of private property; or
- (g) carry on or permit to be carried on any activity or operation which endangers the safety of the electric lines or Incidental Works or the safe, efficient and/or continuous operation of the same.

3.3 The Grantee agrees that the Grantor may build over the Easement Land and may erect structures (including foundations) on or above the Easement Land provided that those works do not interfere with or damage any property or assets of the Grantee constructed or placed on or in the Easement Land.

4 Obligations of ENERGEX Limited

ENERGEX Limited in exercising its rights must act reasonably at all times and comply with all relevant laws.

5 Goods and Services Tax

Title Reference from 50968225

5.1 Goods and Services Tax

Any Consideration to be paid or provided for any supply made under or in connection with this easement, unless expressly described in this Agreement as including GST, does not include an amount on account of GST. Despite any other provision in this easement, if a party ('Supplier') makes a Taxable Supply under or in connection with this easement on which GST is imposed:

- (a) the GST exclusive Consideration otherwise payable or to be provided for that Taxable Supply under this easement but for the application of this clause is increased by, and the recipient of the supply ('Recipient') must also pay to the Supplier, an amount equal to the GST payable by the Supplier on that Taxable Supply; and
- (b) the amount by which the GST exclusive consideration is increased must be paid to the Supplier by the Recipient without set off, deduction or requirement for demand, at the same time as the GST exclusive consideration is payable or to be provided. However, the Recipient need not pay any amount referable to GST unless they have received a valid Tax Invoice (or a valid Adjustment Note) for that Taxable Supply.

5.2 Reimbursements

If a payment to a party under or in connection with this Agreement is a reimbursement or indemnification, calculated by reference to a loss, cost or expense incurred by that party, then the payment must be reduced by the amount of any Input Tax Credit to which that party is entitled for that loss, cost or expense. That party is assumed to be entitled to a full Input Tax Credit unless it proves, before the date on which the payment must be made, that its entitlement is otherwise.

5.3 Adjustment Events

If, at any time, an Adjustment Event arises in respect of any Taxable Supply made by a Supplier under the easement, a corresponding adjustment must be made between the parties in respect of any amount paid pursuant to clause 1.1. Payments to give effect to the adjustment must be made between the parties and the Supplier must issue a valid Adjustment Note in relation to the Adjustment Event.

5.4 GST Group

If a party is a member of a GST Group, references to GST which the party must pay and to Input Tax Credits to which the party is entitled, include GST which the representative member of the GST Group must pay and Input Tax Credits to which the representative member of the group is entitled.

5.5 Non Monetary Consideration

If a supply made under this Agreement is a Taxable Supply made for non-monetary consideration then:

- (a) the Supplier must provide the Recipient with a valid Tax Invoice which states the GST inclusive market value of the non-monetary consideration; and
- (b) for the avoidance of doubt any non-monetary consideration payable under or in connection with this easement is GST inclusive.

5.6 Definitions

Words or expressions used in this clause which are defined in the A New Tax System (Goods and Services Tax) Act 1999 (Cth) and related imposition and amending Acts have the same meaning in this clause.

5.7 Survival

This clause will continue to apply after expiration or termination of this easement.



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Administering Authority