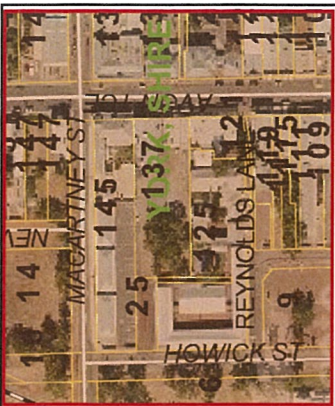




© Western Australian Land Information Authority 2007



Scale: 1:1,017

Description

Map Projection: GDA 94 (Lat/Long)

Datum: Geocentric Datum of Australia
1994

1 Midland Square
Midland WA 6056
(08) 9273 7341
customerservice@landgate.wa.gov.au
www.landgate.wa.gov.au

Map Viewer

Created 19 Mar 2015



**ITEM 9.2.2
APPENDIX 2**

**HELD BY LANDGATE
IN DIGITAL FORM ONLY.**

TYPE CROWN
PURPOSE SUBDIVISION
PLAN OF LOTS 5005, 5006 & ROAD

DISTRICT - AVON
TOWNSHIP - YORK
LOCAL AUTHORITY - SHIRE OF YORK
FORMER TENURE
SEE TABLE
INDEX 841421 2732
PUBLIC
FIELD BOOK 106205

SCALE: 1:800 AT A3 SIZE
ALL DISTANCE ARE IN METRES

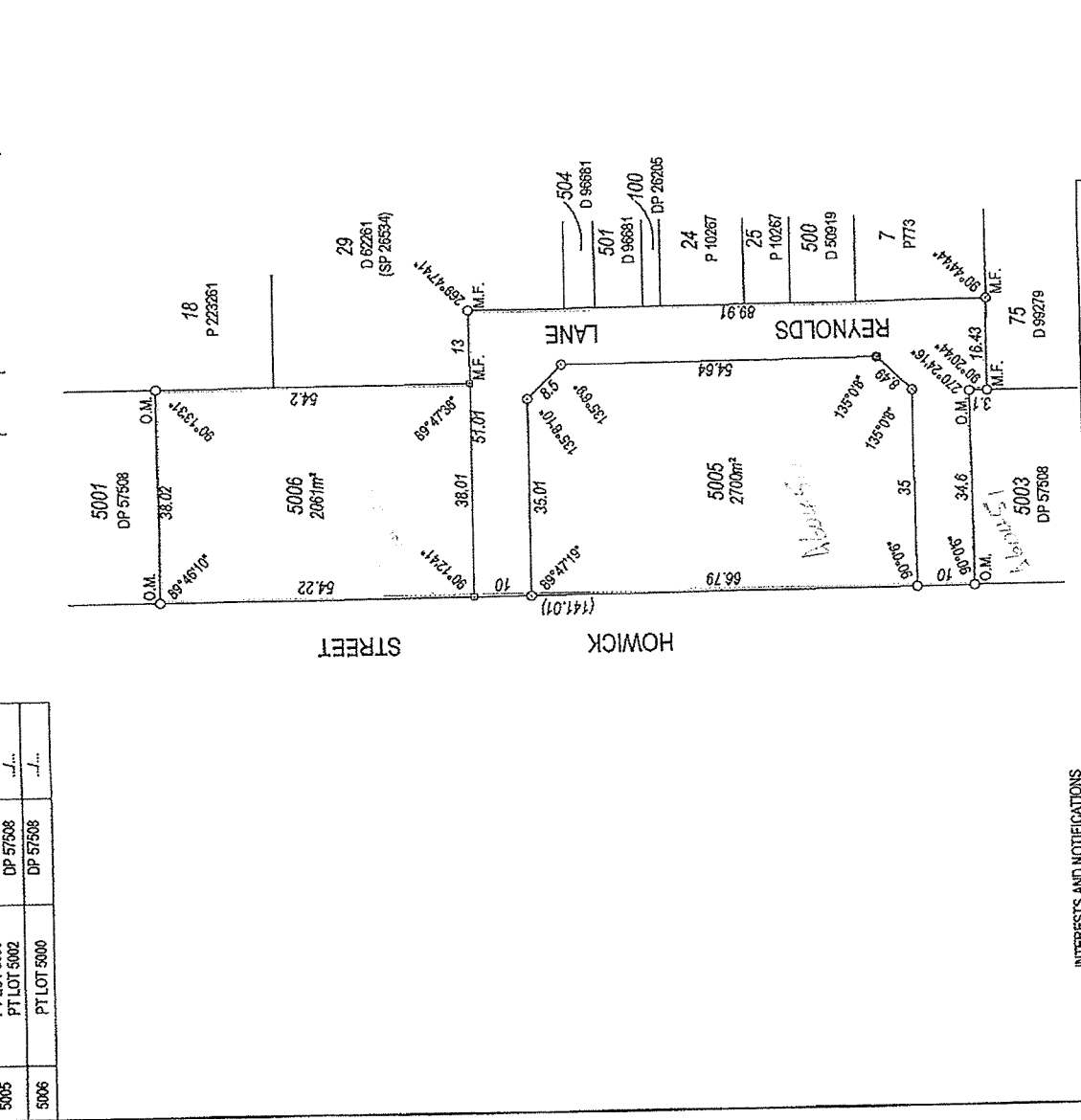
SURVEYOR'S CERTIFICATE - Page 64
STUART COLAM
I hereby certify that this is a correct representation of the survey and that the calculations from measurements taken on the ground and the calculations with the relevant software brought to my attention in which it is lodged are correct.
Signed: *Stuart Colam*
Delegated Surveyor Date: 10/09/2008

LOGGED DATE 09-09-08
FEE PAID \$299.00
ASSESSOR 4273289
TYPE OF VALIDATION FULL SURVEY
CORRECT COMPANET L.J.F.
CORRECT PLAN 2858-2007V5
DATE 10-9-2008

APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION
FILE EXEMPT FROM WAPC APPROVAL
DELEGATED UNDER S.116 P.2 D. ACT 2005
DATE

Landgate
Western Australian Land Information Authority
DEPOSITED PLAN
59742
SHEET 1 OF 1
VERSION 2

LOT	FORMER TENURE	ON PLAN	TITLE
5005	PT LOT 5000 PT LOT 5002	DP 57508 DP 57508	...
5006	PT LOT 5000	DP 57508	...



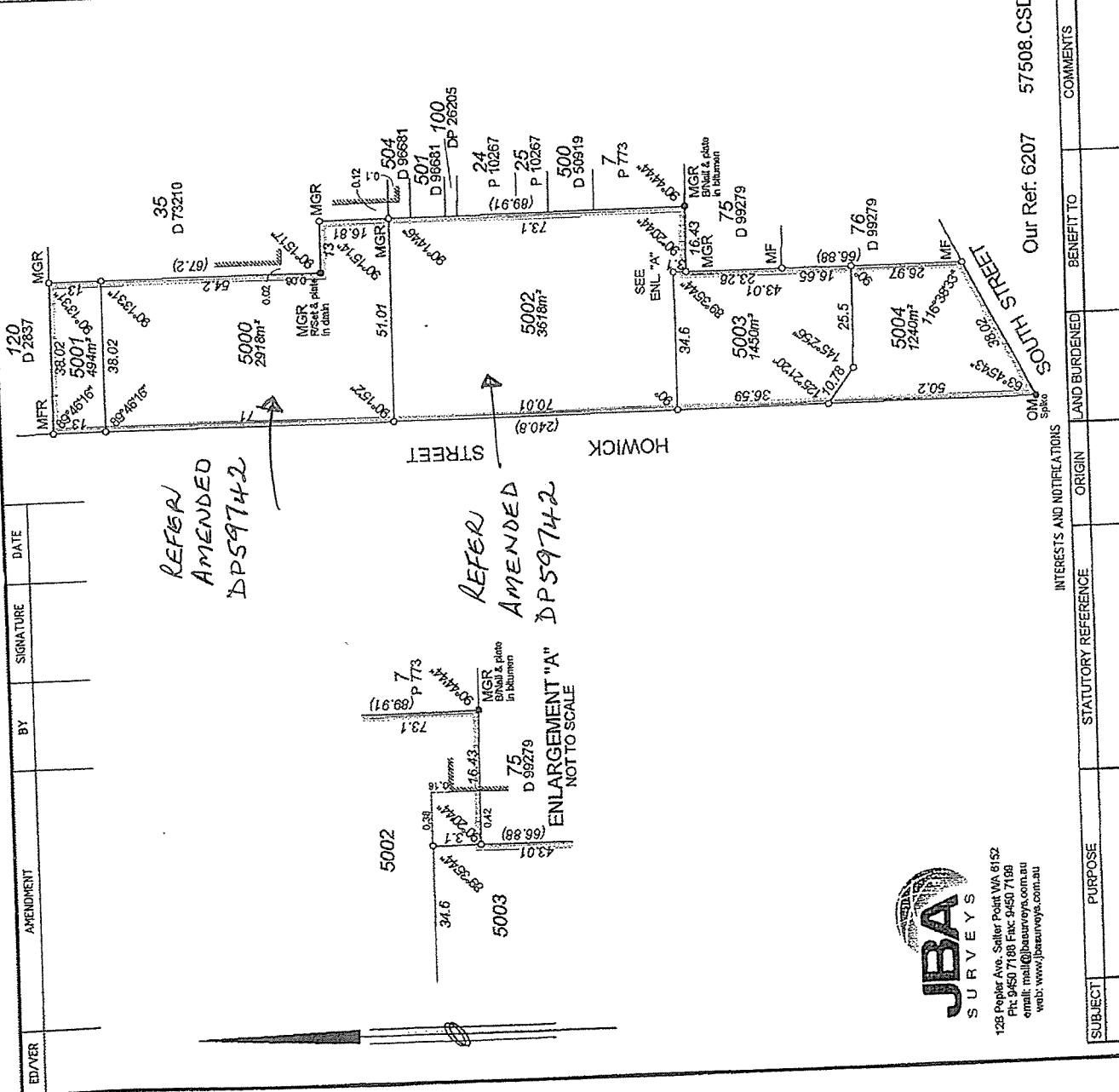
INTERESTS AND NOTIFICATIONS		SURVEY MARK LEGEND	
SUBJECT	PURPOSE	ORIGIN	LAND BURDENED
	STATUTORY REFERENCE		
	BENEFIT TO		
	COMMENTS		

PEC in blue and white
NAIL AND PLATE
PAINT MARK
DECK STRIKE

**ITEM 9.2.2
APPENDIX 3**

HELD BY LANDGATE
IN DIGITAL FORM ONLY.

TYPE CROWN		FILE 50609-2007	SSA X57/NO
PURPOSE SUBDIVISION		DISTRICT A/CON	TOWNSITE YORK
PLAN OF		LOCAL AUTHORITY SHIRE OF YORK	LOCALITY YORK
LOTS 5000 - 5004 (INCL)		FIELD NUMBER	FIELD BOOK
		LOT 595	104014
		DP 185114	
		LR3146-655	
SCALE 1:1000 @ A3		INDEX BH 34 (2) 27.32	
ALL DISTANCES ARE IN METRES		0 10 20 30 40 50	
SURVEYORS CERTIFICATE - Reg 54		SURVEYORS CERTIFICATE - Completed	
GEOFF LOCKHART I hereby certify that this plan is accurate and is a correct representation of the land shown on the site plan and that I am a duly qualified and registered surveyor.		(a) In a correct and accurate representation of the survey(s) of the subject land, and (b) In accordance with the relevant statute(s) in relation to which it is lodged.	
LOADED	DATE	TYPE OF VALIDATION	APPROVED BY
9-Oct-07	9-Oct-07	A. K. NSO	JBA SURVEYS
5393.00	01361-2006 V6		WESTERN AUSTRALIAN PLANNING COMMISSION
2973714	09-Oct-07		
SUBJECT TO		EXEMPT FROM MAP/C APPROVAL DELEGATED UNDER S16 P & D ACT 2005	
Reserve Action.		DATE	
JULIENNE BORG DE LAUNES		Landgate Western Australian Land Information Authority	
57508		DEPOSITED PLAN	
SHEET 1 OF 1		VERSION 1	
EDITION 1		DATE	
INSPECTOR OF PLANS & SURVEYS		DATE	
AUTHORIZED LAND OFFICER		DATE	



Avl. 6659
I145950

Records

From: Ross & Helena GIBBS <roshele@bigpond.com>
Sent: Thursday, 26 February 2015 6:41 PM
To: Records
Subject: Strata of 139 to 143 Avon Tce York WA
Attachments: Scan0026.pdf

ITEM 9.2.2 APPENDIX 4

Attention Martin, Building Inspector York WA

Further to our conversation today regarding my intent to apply for strata subdivision of the abovenamed property:

It has become evident that the driveway and access to my property has been changed and compromised with the development of D Mullins' property- Settlers which abuts onto my property.

The development was allowed by the Shire with no reference to me or how this would affect my property while we were out of the country in 2010.

I had two (2) access driveways one of which was blocked during the development on the neighbouring property and have been left with 1 defacto driveway which shows as a "reserve" and not a right of way to my property.

After consultation with a surveyor in relation to the strata development I wish to undertake, I am advised that the rear access to my property needs to be defined by the Shire as a "right of way" and not just a "reserve" as it is vital for the future access and development which I intend to undertake on my property.

I am attaching a copy of the plan of my property and the adjacent property in this respect showing the layout of the land prior to Mullins being allowed his development and indicating the differences which are evident and which should show in the Shire's records.

Please call me on 0400022622 to discuss this at your earliest convenience once you have sighted the differences and are able to give me a time line to rectify/solve this problem.

Yours sincerely, Helena Gibbs



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Called Helena
12/3/15 → left message
to call me
back.

PT 3 AVON TOWN

CAR PARKING

AVON TERRACE

CAR PARKING

LIVESTOCK STORAGE BUILDING

TOILET

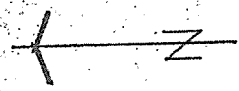
THE OLD STABLES

M, F & STAFF TOILETS

GRAVELLED AREA CAR PARKING (NO BAYS MARKED)

SITE PLAN. SCALE 1:500.

'SETTLERS' SITE



LOT 18

DRIVEWAY

DRIVEWAY

ASSUMED LOT DIMENSION 33.59 (SUBJECT TO FINALIZATION OF SUB. DIVISION)

COACH PARKING

HOWICK STREET

BLIND COPY

Records

From: roshele@bigpond.com
Sent: Thursday, 30 July 2015 2:52 PM
To: Records; yorkbd@westnet.com.au

SHIRE OF YORK	
FILE	AVI. 6659
OFFICER	INITIALS
KEITH	KB
MARTIN	MM
30 JUL 2015	
1149 315	
REFERRED TO COUNCIL	
DATE	INITIALS

Re; 137 - 143 Avon Tce York WA (Lot 18)

Further to our conversation today with Keith from planning and Martin, regarding property at 137 to 143 Avon Tce York WA 6302:

Please note that I wish to make formal request for the York Council to define the access way at the rear Lot Lot 18 Avon Tce York.

Currently it is noted as a reserve which is not appropriate as this area needs to be redefined as a right of way to the rear of my property for the purposes of parking, delivery and for safety reasons for the benefit of the retail shops fronting Avon Tce York.

This has always prevailed in the past but with the development of Settlers the access has been substantially reduced with the possibility that it could be obstructed by people using the units which stand on land previously marked as tourist parking area.

I also need to bring to your attention the encroachment over my land by settlers:

There are 2 airconditioners overhanging my property and a television antenna on my property put there by Settlers.

I want these items removed as they have no permission from me for this encroachment.

Thanking you in anticipation of your action in these matters, Helena Gibbs

From: Poppas, George <George.Poppas@lands.wa.gov.au>
Sent: Friday, 31 July 2015 1:01 PM
To: Kira Strange
Subject: RE: Scan Data from FXD42E36 Re: request to change the designation of reserve 39603 or Lot 5001 from vehicle parking to right-of-way

Keith,

Unfortunately it is not usual practice for the Department of Lands (DoL) to simply comment on the feasibility of affecting a required change as you propose. I have not gone into the history of Reserve 39603 or how it was created or how the land became Crown land and provide the following as a guide only.

I note you refer to it as 'Public Purpose'. This may be the appropriate zoning but its purpose as far as the LAA is concerned is Park, Vehicle Parking and Tourist purposes.

Essentially if all clearances are received and subject to the approval of the Minister for Lands and there being no native title implications it may be possible to have Lot 5001 on DP57508 dedicated as a public road. This will require the Shire to first carry out its obligations in relation to dedication of roads pursuant to the requirements of the Local Government Act, Land Administration Act 1997 and 1998 LAA Regulations. At this stage I'm not certain whether there will be a requirement for survey or whether the existing DP 57508 can be used.

I am unable to advise on the specifics of how the Shire proceeds since this is a matter for the local authority to address through its relevant area. Further information on the LAA requirements are explained in the Crown Land Practice Manual available on the Department of Lands web site. Specifically Chapter 5 and Table D refer.

As a broad overview, to dedicate Lot 5001 on DP57508, the Shire will need to provide as part of its compliance requirements the requisite Council resolution to relinquish its management order over that part of the reserve and resolution pursuant to section 56(1) of the LAA for the Minister for Lands to dedicate the land as a road, along with the necessary indemnification pursuant to section 56(4) of the LAA.

It should be noted that if and when this request is delivered to the Minister for Lands, through DoL, we will also need to undertake our own due diligence and seek some additional statutory clearances.

Hope the above is of assistance.

George Poppas | Assistant Manager | Goldfields Esperance and Wheatbelt Department of Lands | Level 2, 140 William Street | Perth WA 6000 T (08) 6552 4571 | F (08) 6552 4417 E george.poppas@lands.wa.gov.au | W www.lands.wa.gov.au

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