

9 July 2021

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	1 Stanley Avenue & 12 Betka Road MALLACOOTA Lot 73 & 3 LP 51406
The application is for a permit to:	Two (2) Lots (Boundary Re-Alignment) and the removal drainage & sewerage easement created as E1 on LP 51406
The applicant for the permit is:	Murphy & Co Surveying P/L
The application reference number is:	314/2021/P
You may look at the application and any documents that support the application on the website of the responsible authority.	(Intentionally blank)

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must

- ♦ be sent to the Responsible Authority in writing,
- ♦ include the reasons for the objection, and
- ♦ state how the objector would be affected.

The Responsible Authority will not decide on the application before:	Subject to applicant carrying out notice
--	--

If you object, the Responsible Authority will tell you its decision.

Please note submissions received will be made available for inspection and may be made available to other parties in accordance with the Planning & Environment Act 1987. If you have concerns about this, please contact the East Gippsland Shire Council's Planning Office.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 08599 FOLIO 152

Security no : 124090309857Q
Produced 03/06/2021 09:19 AM

LAND DESCRIPTION

Lot 73 on Plan of Subdivision 051406.
PARENT TITLE Volume 08249 Folio 154
Created by instrument C257389 07/07/1965

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LISA JANE BOURKE of 1 STANLEY AVENUE MALLACOOTA VIC 3892
AG176460F 05/11/2008

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG176461D 05/11/2008
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP051406 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 1 STANLEY AVENUE MALLACOOTA VIC 3892

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END

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PLAN OF SUBDIVISION
OF PART OF CROWN ALLOTMENT 1C
PARISH OF MALLACOOTA
COUNTY OF CROAJINGOLONG

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

DEPTH LIMITATION: 50 FEET

LP 51406

EDITION 1

PLAN MAY BE LODGED 18/3/60

VOL.4177 FOL.252

COLOUR CODE

E-1 = BLUE

E-3 & E-2 = BROWN

APPROPRIATIONS

THE LAND COLOURED BLUE
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
DRAINAGE AND SEWERAGE
AND IS 6' WIDE UNLESS OTHERWISE SHOWN


THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
WAY AND DRAINAGE

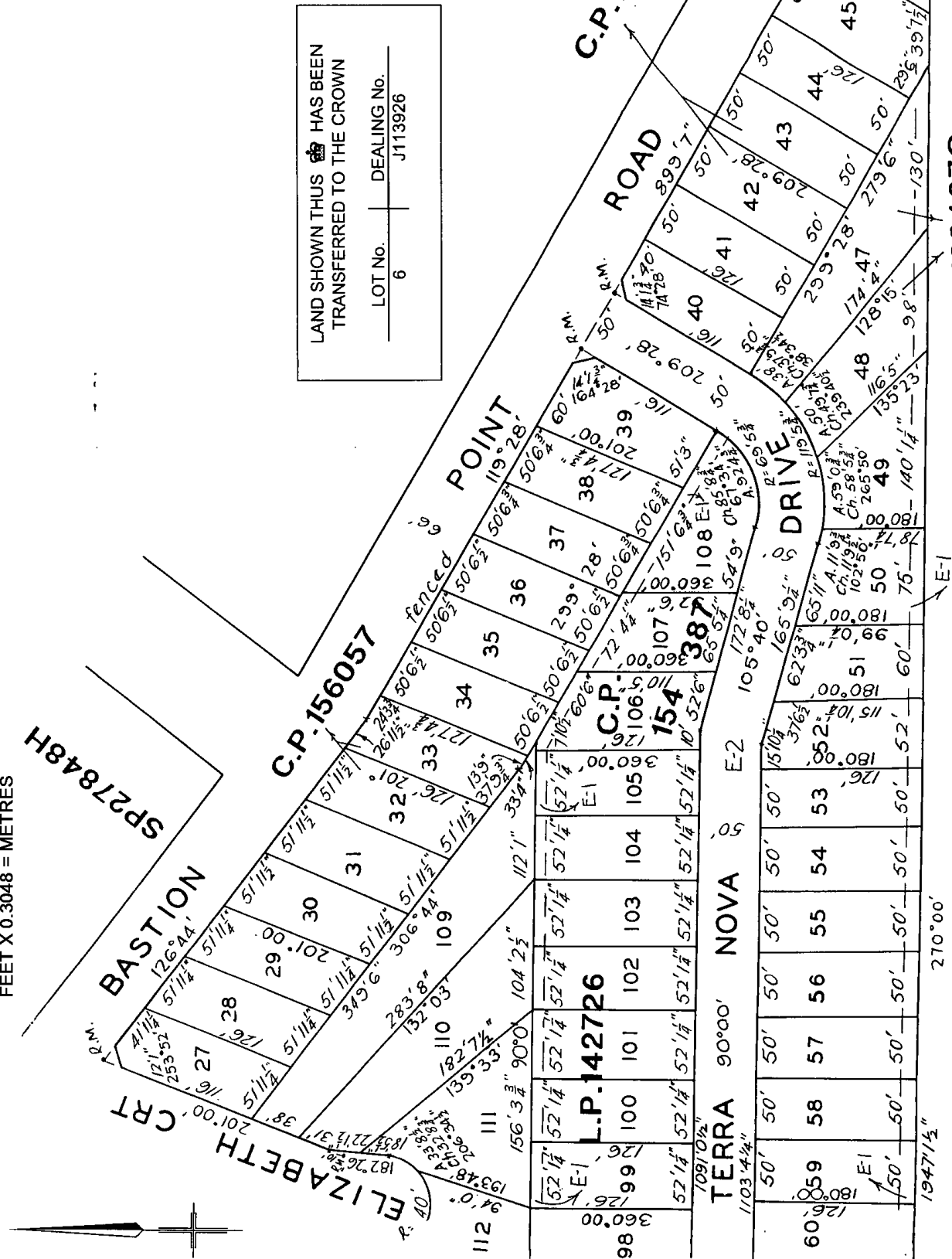
NOTATIONS

REFERENCE MARKS ARE SHOWN
THUS R.M. AND ARE 3/4" DIA. X 12"
LONG G.I. PIPES PLACED AT
STREET INTERSECTIONS UNLESS
SHOWN OTHERWISE

STREET INTERSECTIONS ARE
SPLOINED 10' UNLESS OTHERWISE
SHOWN

THE LAND MARKED E-3 IS
APPROPRIATED FOR WAY
AND DRAINAGE ON LP 51407

LAND SHOWN THUS  HAS BEEN TRANSFERRED TO THE CROWN	
LOT No.	DEALING No.
6	J113926



C.P.163467Q

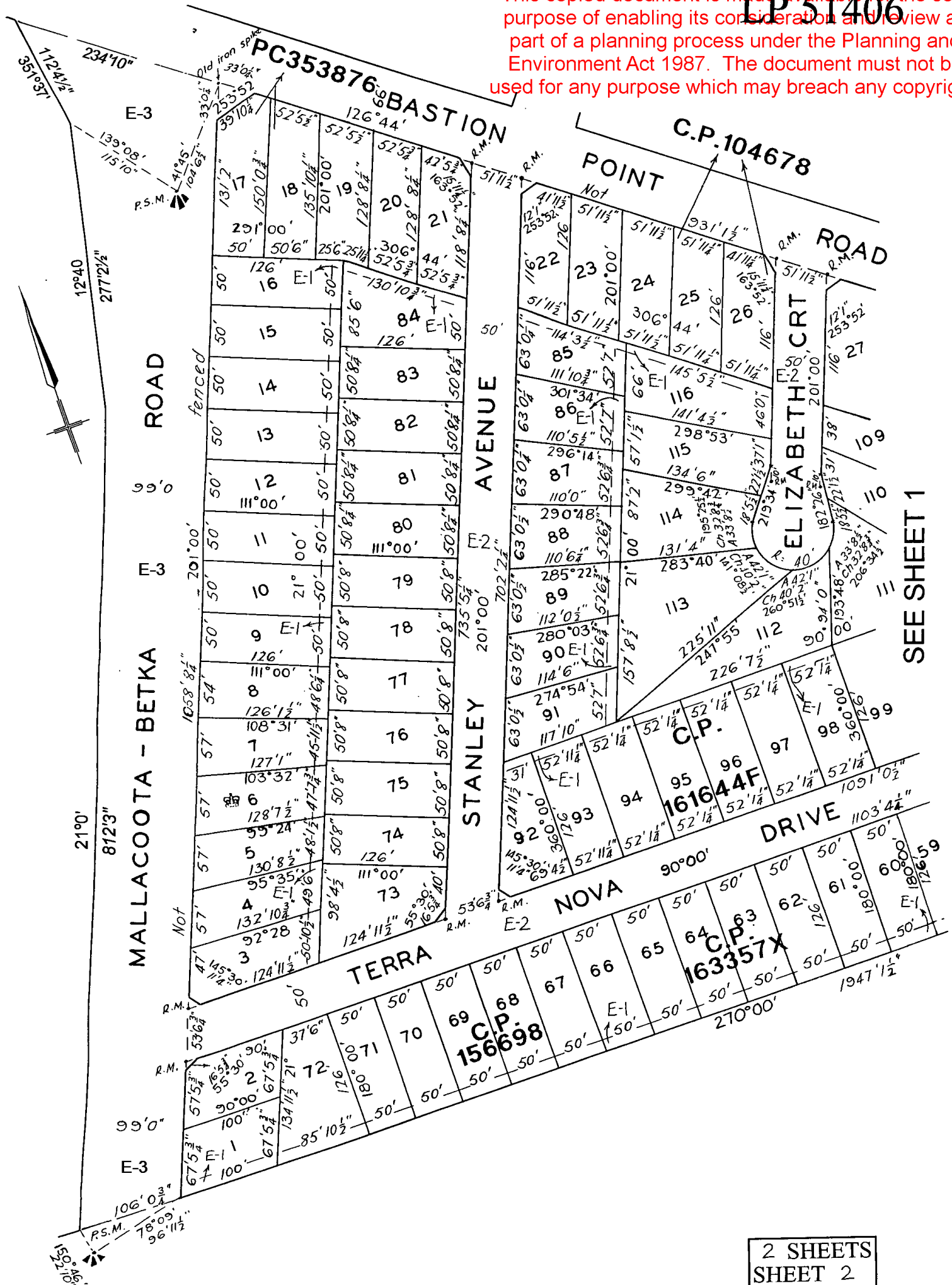
**2 SHEETS
SHEET 1**

SEE SHEET 2

PROCESSED

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LP 51406



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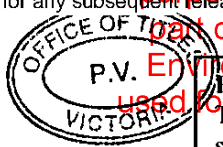
ADVERTISED

TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by:

Name: **Commonwealth Bank of Australia**
 Address: **ABN 48 123 123 124**
286 Bourke Street, Melbourne
 Phone: **1300 137 762**
 Ref: Name **424714306**
 Customer Code Reference **424714306**
 Customer Code **208**



Privacy Collection
 The information is
 statutory authorit
 maintaining put
 indexes in the Vi
 Registry

AG176460F



MADE AVAILABLE / CHANGE CONTROL

Office Use Only

The Transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio reference)

As to 2 of a total of 3 equal undivided shares in Certificate of Title Volume 8599 Folio 152

Estate and Interest: (e.g. "all my estate in fee simple")

All my estate in fee simple

Consideration:

\$143,333.00

Transferor: (full name)

CHRISTOPHER ADRIAN JANSZ

Transferee: (full name and address including postcode)

LISA JANE BOURKE of 1 Stanley Avenue, Mallacoota, Victoria, 3892.

Directing Party: (full name)

Not Applicable

Dated: **2nd July 2008**

Execution and attestation

SIGNED by the Transferor
CHRISTOPHER ADRIAN JANSZ
 in the presence of:

Witness.....

SIGNED by the Transferee
LISA JANE BOURKE
 in the presence of:

Witness.....

Approval No. 974085A

ORDER TO REGISTER
 Please register and issue title to

proof of payment of the purchase price
 4/7/08 STAMP DUTY USE ONLY NO FTOG
 Original Land Transfer
 Stamped with \$3,670.00
 Doc ID 2384039, 25 Sep 2008
 SRD Victoria Duty, NXE1



Signed Cust. Code:

THE BACK OF THIS FORM MUST NOT BE USED
 Land Registry, 570 Bourke Street, Melbourne 3000 Phone 8636-2010

Printed 9/07/2021
Page 5 of 17



Lodged By:

Name: Commonwealth Bank of Australia

Customer Code: 20S

MORTGAGE OF LAND

Reference: 424714306

Privacy Collection Statement:

The information made under this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes in the Victorian Land Registry

The mortgagor mortgages to the mortgagee the estate and interest specified in the land described subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this mortgage.

The mortgagor covenants with the mortgagee that the provisions of the Memorandum of Common Provisions (MCP) referred to in this mortgage and retained by the Registrar of Titles form part of this mortgage.

Memorandum of Common Provisions:

AA966

Land: (Unique Land Identifier appropriate to the jurisdiction)

Volume 8599 Folio 152

Mortgagor: (full name)

Lisa Jane Bourke

Estate and Interest being mortgaged: (eg "fee simple")

Fee Simple

Mortgagee: (full name and address including postcode)

Commonwealth Bank of Australia ABN 48 123 123 124

385 Bourke Street, Melbourne 3000

COVENANTS:

Where a MCP is incorporated into this mortgage, the mortgagor acknowledges that they received, read and understood a copy of the MCP before signing this mortgage.

The mortgagor covenants with the mortgagee as follows:

1. A reference to "this mortgage" in this cover sheet, in any annexure to this cover sheet or in the MCP specified in the first page of this cover sheet is a reference to the mortgage constituted by this cover sheet, each annexure to this cover sheet and that MCP. You (the mortgagor) agree to keep to the provisions in the MCP.

2. You acknowledge giving this mortgage and incurring obligations and giving rights under it in return for the things we (the mortgagee) do when we enter into a Secured Agreement.

3. The mortgage includes not only the land but all of The Property as defined in the MCP.

4. You warrant that:

(a) neither you nor any person on your behalf has sold The Property under a terms contract within the meaning of the Sale of Land Act 1962; and

(b) you have told us if you have a tenant in The Property.

Printed 9/07/2021

Page 6 of 17

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AG176461D



Date: 6/8/08

Execution and Attestation:

Signed by:

Signed in my presence

Signature of Witness

Toni BERENQUER

162 MIRRAPOOKA ROAD, MALACOOTA VIC 3922.

Full Name & Residential Address of Witness
(BLOCK LETTERS)

Lisa Jane Bourke

Signature of mortgagor

Order to Register

Please register and issue CoT to:

Signed:

Customer Code:

Firm's Name:

Approval Number: 27600610G

Office of Titles Victoria

Bank Form Number: TLS100VIC

Print Date: 151106

Printed 9/07/2021

Page 7 of 17

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08975 FOLIO 302

Security no : 124090170426V
Produced 27/05/2021 11:04 AM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 051406.
PARENT TITLE Volume 08249 Folio 154
Created by instrument E698374 12/02/1973

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GAVIN CHARLES WADSWORTH
MELINDA JANE WADSWORTH both of 12 BETKA ROAD MALLACOOTA VIC 3892
AS170130G 16/05/2019

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE LP051406 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 12 BETKA ROAD MALLACOOTA VIC 3892

DOCUMENT END

Delivered from the LANDATA System by GlobalX Terrain Pty Ltd

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PLAN OF SUBDIVISION
OF PART OF CROWN ALLOTMENT 1C
PARISH OF MALLACOOTA
COUNTY OF CROAJINGOLONG

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

DEPTH LIMITATION: 50 FEET

LP 51406

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PLAN MAY BE LODGED 18/3/60

VOL.4177 FOL.252

COLOUR CODE

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AND IS 6' WIDE UNLESS OTHERWISE SHOWN


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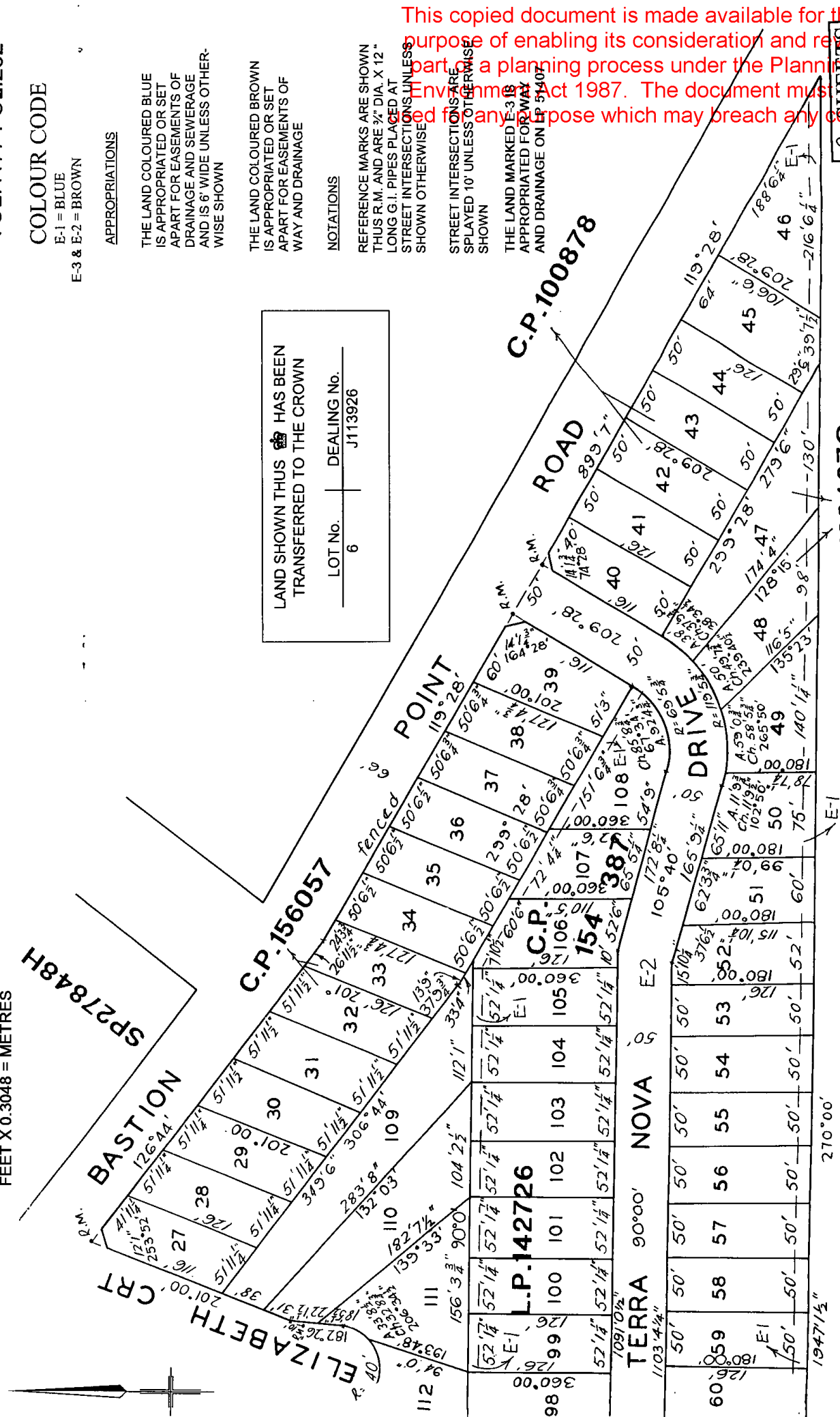
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LOT No.	DEALING No.
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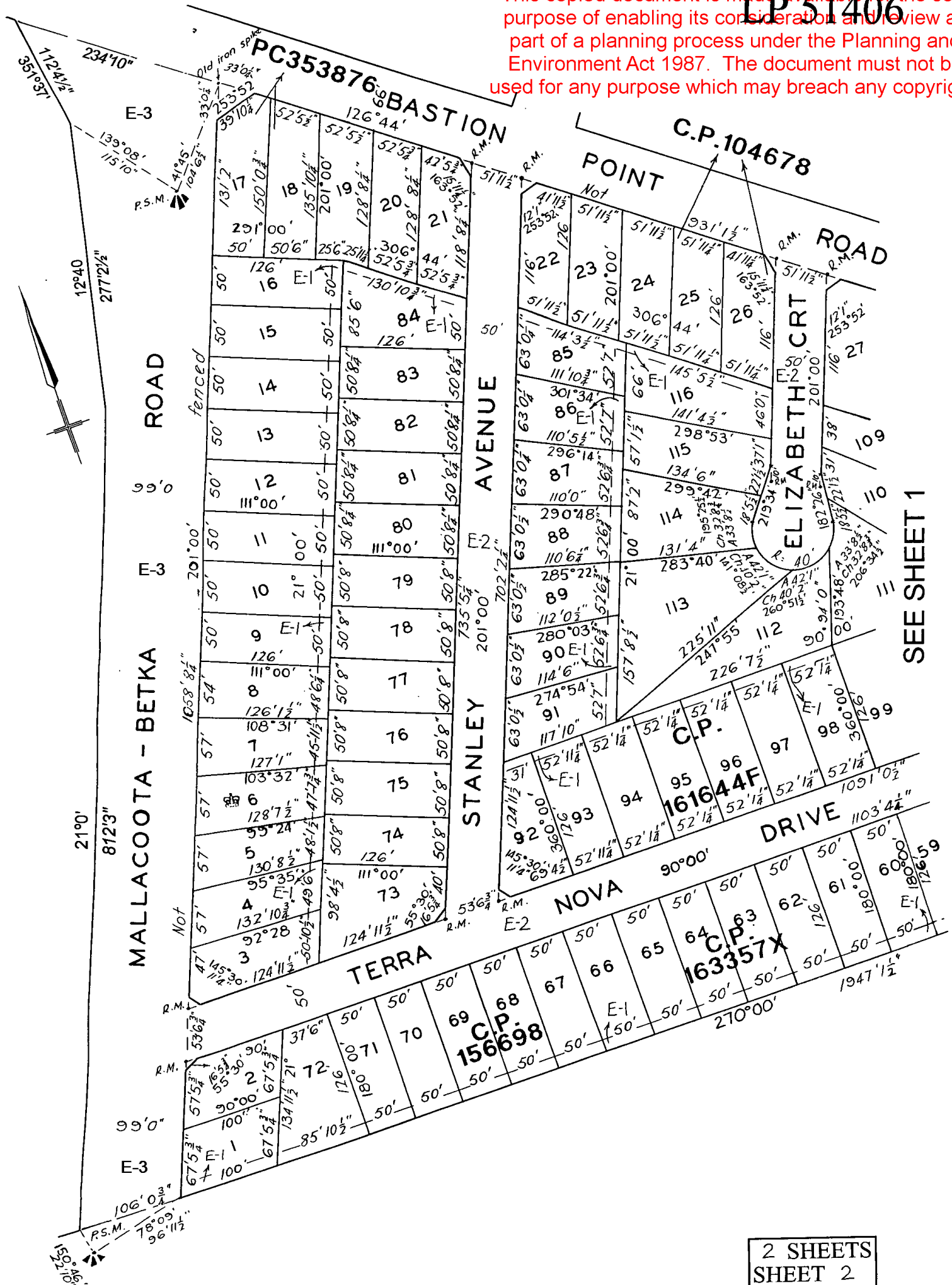
C.P.163467Q

**2 SHEETS
SHEET 1**

SEE SHEET 2

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LP 51406



SEE SHEET 1

2 SHEETS
SHEET 2



Department of Environment, Land, Water & Planning

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Produced 03/06/2021 12:06:58 PM

Status	Registered	Dealing Number	AS170130G
Date and Time Lodged	16/05/2019 11:46:04 AM		

Lodger Details

Lodger Code	20726L
Name	HIBBERT AND HODGES LAWYERS
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction	VICTORIA
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Privacy Collection Statement

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Land Title Reference

8975/302

Transferor(s)

Given Name(s)	REINER WERNER
Family Name	HURST

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 440000.00

Transferee(s)

Tenancy (inc. share)	Joint Tenants
Given Name(s)	GAVIN CHARLES
Family Name	WADSWORTH
Address	
Street Number	12
Street Name	BETKA
Street Type	ROAD
Locality	MALLACOOTA



Department of Environment, Land, Water & Planning

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Electronic Instrument Statement

State	VIC
Postcode	3892
Given Name(s)	MELINDA JANE
Family Name	WADSWORTH
Address	
Street Number	12
Street Name	BETKA
Street Type	ROAD
Locality	MALLACOOTA
State	VIC
Postcode	3892

Duty Transaction ID 4570011

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of	REINER WERNER HURST
Signer Name	BEVAN GORDON CLARKE
Signer Organisation	WARREN GRAHAM AND MURPHY PTY LTD
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	14 MAY 2019

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of	GAVIN CHARLES WADSWORTH
Signer Name	MELINDA JANE WADSWORTH
Signer Organisation	GLENN ROBERT HODGES
Signer Role	HIBBERT AND HODGES LAWYERS
Execution Date	AUSTRALIAN LEGAL PRACTITIONER
	16 MAY 2019

File Notes: NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.



Department of Environment, Land, Water & Planning

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Electronic Instrument Statement

Statement End.



Our Ref. 1035-GAV Wadsworth
11 June 2021

East Gippsland Shire Council
PO Box 1618
Bairnsdale VIC 3875
Attn: Planning & Subdivision Department

Dear Sir / Madam,

Planning Application
Two (2) Lot Boundary Re-Alignment & Easement Removal
Addresses: 1 Stanley Avenue & 12 Betka Road, Mallacoota

This is an application for a planning permit to realign two (2) existing titles, and the removal of the whole drainage & sewerage easement created as E1 on LP 51406.

The smaller lot (Lot 1) at 12 Betka Road contains an existing double storey brick timber dwelling.
The larger lot (Lot 2) at 1 Stanley Avenue also contains an existing single storey timber clad dwelling.

The owners of 12 Betka Road wish to purchase approximately 35.80m² from the owners of 1 Stanley Avenue.

No services will be affected by the realignment, including the removal of the whole drainage & sewerage easement.

This proposal will increase the size of the smaller title to 663m².

In support of the application please find attached the following:

- Planning Permit Application Form.
- Plan of Survey.
- 1 copy of the proposed plan (Ver B).
- Copies of Titles.
- Fees \$1977.15 (\$1318.10 + \$659.05).

Should you require any further information do not hesitate to contact me.

Yours faithfully,

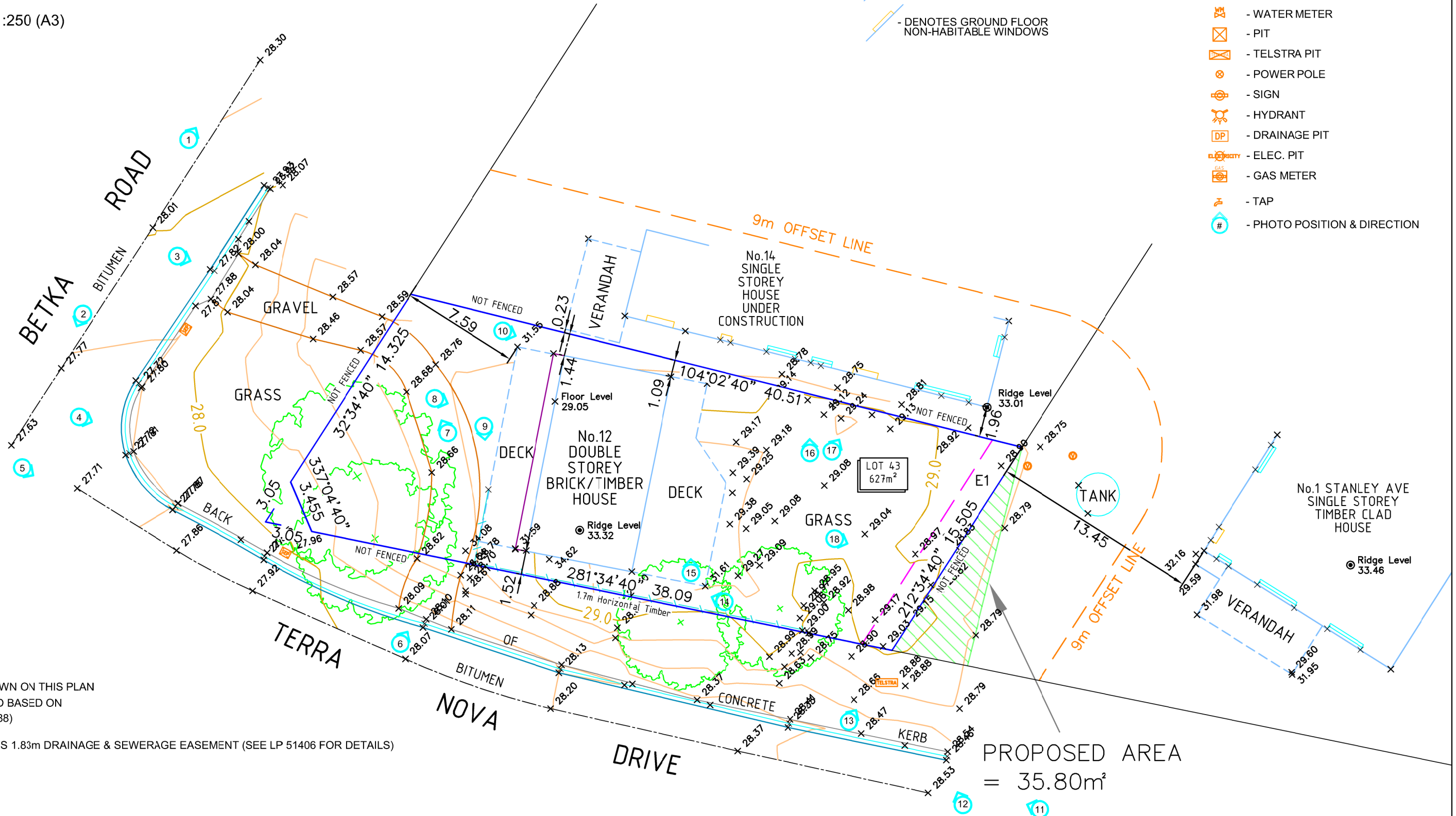
Danny Murphy
Director / Survey Manager
Murphy & Co Surveying P/L

PLAN OF SURVEY

12 BETKA ROAD

MALLACOOTA

SCALE 1:250 (A3)



NOTE:
- LEVELS SHOWN ON THIS PLAN ARE TO A.H.D BASED ON PM 1 (R.L.24.88)
- E1 - DENOTES 1.83m DRAINAGE & SEWERAGE EASEMENT (SEE LP 51406 FOR DETAILS)

- DENOTES FIRST FLOOR BUILDING LINE
- DENOTES GROUND FLOOR HABITABLE WINDOWS
- DENOTES GROUND FLOOR NON-HABITABLE WINDOWS

- LEGEND**
- SIDE ENTRY PIT
 - STOP VALVE
 - WATER METER
 - PIT
 - TELSTRA PIT
 - POWER POLE
 - SIGN
 - HYDRANT
 - DRAINAGE PIT
 - ELEC. PIT
 - GAS METER
 - TAP
 - PHOTO POSITION & DIRECTION

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P.O BOX 42
MERIMBULA, NSW, 2548
0428 084 108
info@murphycosurveying.com.au
www.murphycosurveying.com.au

DRAWN BY : D.MURPHY
DATE OF SURVEY : 12/03/2021
SURV REF NO : 1095

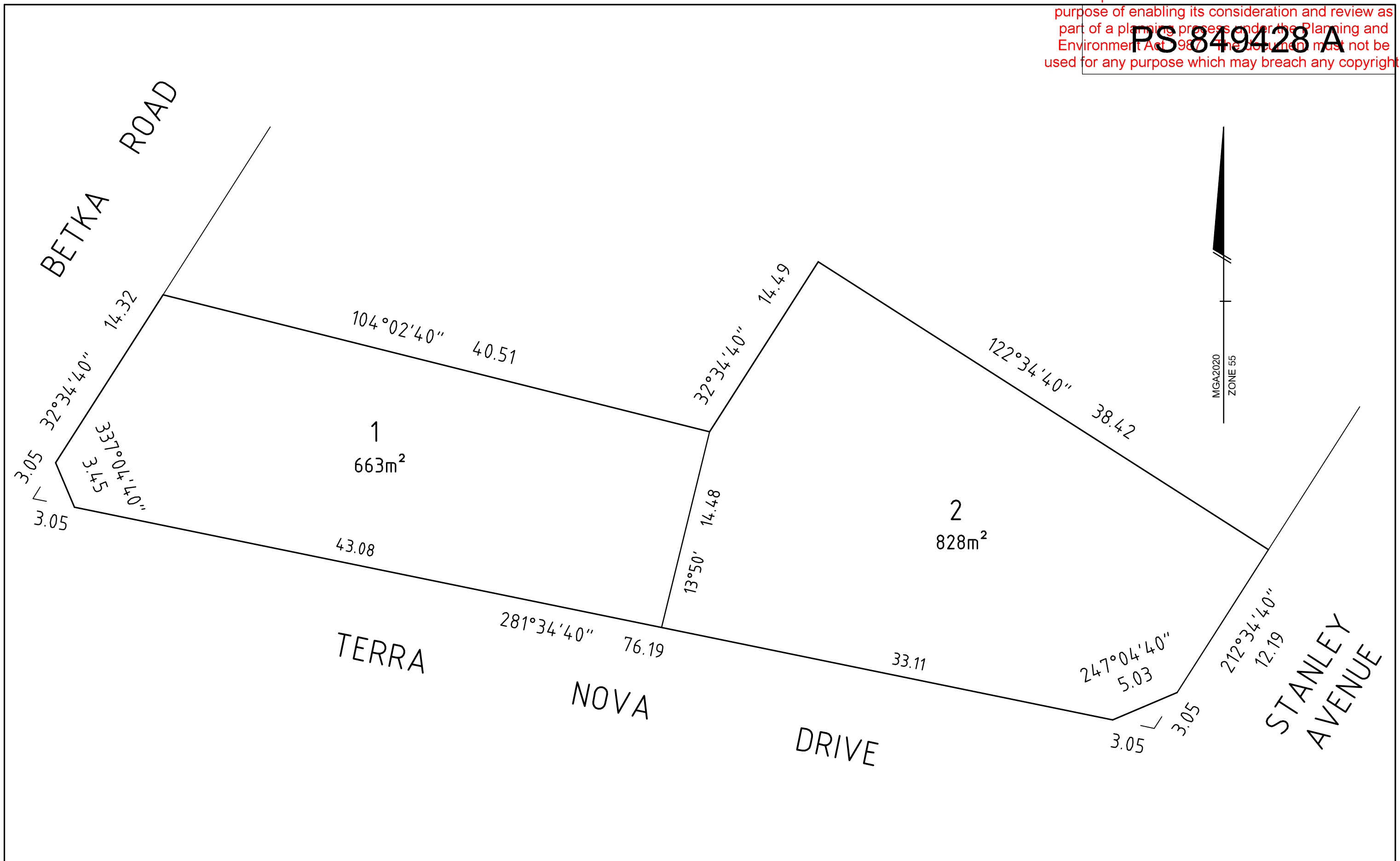
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PS 849428 A

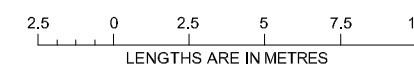
PLAN OF SUBDIVISION			EDITION 1	
LOCATION OF LAND			Council Name: East Gippsland Shire Council	
PARISH: Mallacoota				
TOWNSHIP: ---				
SECTION: ---				
CROWN ALLOTMENT: 1C (Part)				
CROWN PORTION: ---				
TITLE REFERENCE: Vol. 8975 Fol. 302 & Vol. 8599 Fol. 152				
LAST PLAN REFERENCE: Lots 3 & 73 on LP 51406				
POSTAL ADDRESS: 12 Betka Road & 1 Stanley Avenue, (at time of subdivision) MALLACOOTA 3892				
MGA2020 CO-ORDINATES: E: 743 190 ZONE: 55 (of approx centre of land in plan) N: 5 838 650 GDA 2020				
VESTING OF ROADS AND/OR RESERVES			NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON		Other Purpose of Plan: Upon registration of this plan the following easement is to be removed. The removal is authorized by East Gippsland Shire Council Planning Scheme Planning Permit No. XXXXXX The easement to be removed is the whole drainage and sewerage easement, created as E-1 on LP 51406	
Nil	Nil			
NOTATIONS				
DEPTH LIMITATION: 15.24m below the surface				
SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). 1, 3, 31 & 60 In Proclaimed Survey Area No. ---				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
 P.O BOX 42 MERIMBULA, NSW PH: 0428 084 108 info@murphycosurveying.com.au		SURVEYORS FILE REF: 1035		ORIGINAL SHEET SIZE: A3
		LICENSED SURVEYOR: T. D. WALKER VERSION B		Printed 9/07/2021 Page 16 of 17
SHEET 1 OF 2				

PS 849428 A



P.O BOX 42
MERIMBULA, NSW
PH: 0428 084 108
info@murphycosurveying.com.au

SCALE
1:250



ORIGINAL SHEET
SIZE: A3

SHEET 2

LICENSED SURVEYOR: T. D. WALKER
VERSION B

Printed 9/07/2021
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