

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

Page 1 of 1

VOLUME 10847 FOLIO 592

Security no : 124108891496G
Produced 06/09/2023 01:31 PM

LAND DESCRIPTION

Lot 13 on Plan of Subdivision 524065Y.
PARENT TITLE Volume 10820 Folio 366
Created by instrument PS524065Y 13/12/2004

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
DAVID BARRY SHAW
MICHELLE ANNE SHAW both of 13 GALWAY DRIVE STRATFORD VIC 3862
AK900920E 15/02/2014

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK900921C 15/02/2014
BENDIGO AND ADELAIDE BANK LTD

COVENANT AD406896P 02/02/2005

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 set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AD298903R 09/12/2004

DIAGRAM LOCATION

SEE PS524065Y 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: 13 GALWAY DRIVE STRATFORD VIC 3862

ADMINISTRATIVE NOTICES

NIL

eCT Control 03500L BENDIGO AND ADELAIDE BANK LTD - SAFE CUSTODY
Effective from 21/07/2017

DOCUMENT END

PLAN OF SUBDIVISION		STAGE No.	EDITION 2	PLAN NUMBER PS 524065 Y
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<p>LOCATION OF LAND</p> <p>PARISH: STRATFORD</p> <p>TOWNSHIP: _____</p> <p>SECTION: 7</p> <p>CROWN ALLOTMENT: 1(PART)</p> <p>CROWN PORTION: _____</p> <p>TITLE REFERENCE VOL 10820 FOL 366</p> <p>LAST PLAN REFERENCE/S. PS 524064 B (LOT B)</p> <p>POSTAL ADDRESS: LLOWALONG ROAD STRATFORD, VIC. 3862</p> <p>AMG Co-ordinates E: 507 070 ZONE: 55 (of approx. centre of land in plan). N 5 798 800</p>	<p>COUNCIL CERTIFICATION AND ENDORSEMENT</p> <p>COUNCIL NAME: WELLINGTON SHIRE COUNCIL REF: S116/2004</p> <p>1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988 Date of original certification under Section 6 23 / 01 / 2004 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988</p> <p>OPEN SPACE:</p> <p>(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has / has not been made (ii) The requirement has been satisfied (iii) The requirement is to be satisfied in stage</p> <p>Council Delegate Council Seal Date / /</p> <p>Re-certification under Section 11(7) of the Subdivision Act 1988</p> <p>Council Delegate Council Seal Date 14 / 10 / 2004</p>
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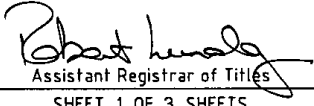
VESTING OF ROAD AND / OR RESERVE	
IDENTIFIER	COUNCIL / BODY / PERSON
ROAD R1	WELLINGTON SHIRE COUNCIL
RESERVE No 1	WELLINGTON SHIRE COUNCIL

NOTATIONS	
STAGING	This is not a staged subdivision Planning permit No. P2916/2002
DEPTH LIMITATION:	DOES NOT APPLY

LOTS 1 TO 6 & 10 HAVE BEEN OMITTED FROM THIS PLAN.

SURVEY THIS PLAN IS BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARK No 44 & 45
IN PROCLAIMED SURVEY AREA No -

EASEMENT INFORMATION					LTO USE ONLY STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE 8 / 12 / 04
LEGEND	A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefied / In favour Of	
E-1	DRAINAGE	2	PS 341040K	LOTS ON PS 341040K	
E-2	DRAINAGE	2	THIS PLAN	LOTS ON THIS PLAN	LTO USE ONLY PLAN REGISTERED TIME 2.30pm DATE 13 / 12 / 2004  Assistant Registrar of Titles SHEET 1 OF 3 SHEETS

KLUGE JACKSON CONSULTANTS PTY. LTD. SURVEYORS AND ESTATE PLANNERS 45 MACALISTER STREET, SALE, 3850 (03) 5144 3877 29 BREED STREET, TRARALGON, 3844 (03) 5174 4808 119 JOHNSON STREET, MAFFRA, 3860 (03) 5147 2126	LICENSED SURVEYOR HANS PETER KLUGE SIGNATURE DATE 21/11/03 REF 01190B VERSION: 2	DATE 14 / 10 / 2004 COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3
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PLAN OF SUBDIVISION No: PS524065Y

APPURTENANCY INFORMATION

LOT 13:-

AN APPURTENANT EASEMENT FOR DRAINAGE HAS BEEN CREATED BY AD802989X

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

PS524065Y

**WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.**

[illegible]



AD298903R

09/12/2004 \$90 173



Application by Responsible Authority.

For the making of a recording of an Agreement

Section 181(1) Planning & Environment Act 1987



DAD298903R-1-0

Lodged by:

Name: Warren Graham & Murphy

Phone: (03) 51 44 1777

Address: 99 Raymond Street, Sale.

Ref:

Customer Code:

T.J. ROBBINS *Anthony Robbins Estate Pty*
333 U

The Authority or Council having made an Agreement requires a recording to be made in the Register for the land.

Land:

~~Certificate of Title Volume 10820 Folio 366~~

lots 7, 8, 9, & 11-21 on Applicant's Plan of Subdivision P3 5240657 Parish of Stratford and being the whole of the land described in

Certificate of Title Volume 10847 Folio 587-600

Authority of Council:

Wellington Shire Council

70 Foster Street, Sale, Victoria, 3850

24.12.04

Section and Act under which

Agreement made:

Planning & Environment Act 1987 Section 173

A copy of the Agreement is attached to this Application

Dated the *Third* day of *December* 2004

The Common Seal of the WELLINGTON SHIRE COUNCIL hereunto affixed in the presence of

L. M. Webb

X

Chief Executive Officer



24-12-04

THIS DEED is made this *Third* day of *December* 2004

BETWEEN

WELLINGTON SHIRE COUNCIL whose municipal offices are situate at Foster Street, Sale ("the Council") of the one part, and;

AVON HEIGHTS ESTATE PTY LTD of Inverbroom Road, Stratford ("the Owner" or "the Owners") of the other part.

WHEREAS

- A. The Owner is the registered proprietor of all that piece of land being Lots 7, 8, 9 & 11-21 (both inclusive) on Plan of Subdivision No. PS524065Y, Parish of Stratford and being the whole of the land described in Certificate of Title Volume 10820 Folio 366 which is situate at Merrick Street, Stratford ("the land").
- B. The Council has agreed to permit the Owner to subdivide the land in accordance with Planning Permit number P2916/2002 on certain terms and conditions one of which is that the parties enter into an agreement pursuant to Section 173 of the Planning & Environment Act.

NOW THIS AGREEMENT WITNESSETH:

1. The parties confirm the recitals to this agreement.
2. This agreement is made pursuant to Section 173 of the Planning & Environment Act.
3. The Council requires the Owner to comply with Condition 3 of the Planning Permit, namely
 - (a) All dwellings and associated outbuildings must be located within no more than two future residential lots as shown and noted on Plan of Proposed Subdivision 01190 REV 2 attached hereto.
 - (b) An EPA approved aerated wastewater treatment plant or approved alternative shall be the only method of wastewater treatment/disposal allowed. All treated effluent shall be contained in and disposed of within each allotment in accordance with the Septic Tank Code of Practice 2003.
 - (c) No further subdivision shall be allowed until reticulated sewerage is provided.
 - (d) All future subdivision must accord with the approved development plan.
 - (e) Lots 7, 8, 9, 16 and 17 shall only have vehicular access from the internal subdivision road.
4. The Owner must not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of it without first disclosing to its successors the existence and nature of this Agreement.
5. The Council and the Owner acknowledge and agree that the covenants and agreements entered by the Owner in this agreement are intended to take effect as covenants which shall be annexed to and run at law and in equity with the land and which shall bind the Owner, their successors, assignees and transferee, the registered proprietors for the time being of the land and every part thereof



AD298903R

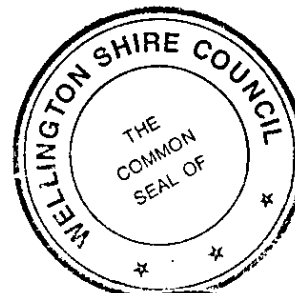
09/12/2004 \$90 173



IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written

The Common Seal of the **WELLINGTON SHIRE COUNCIL** is hereunto affixed in the presence of

x *J. M. Webb*
Chief Executive Officer



THE COMMON SEAL of AVON HEIGHTS ESTATE PTY LTD. (A.C.N: 065 526 089) was affixed in the presence of authorised persons:

[Signature]
(signature)

Douglas Scott Richardson
(full name)

Douglas Scott Richardson
(usual address)

Director
(office held)

[Signature]
(signature)

Dianne Stracey
(full name)

Inverbroom Road Stratford
(usual address)

Director
(office held)



DAD298903R-3-6

AD298903R

09/12/2004 \$90 173



213-

TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by:

Name:

BENDIGO BANK

Phone:

Address:

3500L

Ref:

Customer Code:

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-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land:

Volume 10847 Folio 592

Estate and Interest:

All its estate in fee simple

Consideration:

\$50,000.00

Transferor:

Avon Heights Estate Pty Ltd ACN 065 526 089

Transferee:

Luke Benjamin Dooley of Newry Road, Maffra 3860

Directing Party:

nil

Creation and/or Reservation of easement and/or Covenant

AND the Transferees with the intent that the benefit of this covenant shall be attached to and run at law and in equity with the whole of the land comprised in Plan of Subdivision No. PS524065Y (other than the land hereby transferred) and each and every part thereof and that the burden of this Covenant shall be attached to and run at law in equity with the land hereby transferred and each and every part thereof and that the same shall be noted and appear on every Certificate of Title for the said land and every part thereof as an encumbrance affecting the same DOTH HEREBY COVENANT with the transferor and other registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision No. PS524065Y (other than the land hereby transferred) that they the transferees will not:-

- (a) Erect, place, permit, licence or authorise on the land transferred any dwelling house unless such dwelling house:-
Is built only of new materials save for secondhand bricks

Approval No. 2049031A

ORDER TO REGISTER
Please register and issue title to

T2

Page 1 of 2

Signed

Cust. Code



Ice Ridge Systems Pty Ltd



Privacy Collection
The information for
statutory authority a
containing public
indexes in the Vict

AD406896P

02/02/2005 \$213 45



MADE AVAILABLE/CHANGE CONTROL

Office Use Only



DAD406896P-1-1

STAMP DUTY USE ONLY

Lawpoint Pty Ltd

This stamp is	ABN 82 003 480 671	1000- AP 411
SRO	Victorian Duty \$	50 000 -
Property	Consideration / Advance \$	
NOT TO BE USED	Victorian Assets %	Section
	Original / Counterpart / Collateral / Unstamp	
	Transaction No	451 1205
	Signature	311 105
		No 2

THE BACK OF THIS FORM MUST NOT BE USED
Land Registry, 570 Bourke Street, Melbourne 3000. Phone 03 8636 2010

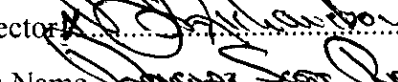

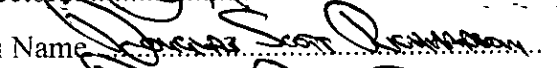

212/05

Has an external wall area of at least 80% brick, brick veneer, masonry, stone or glass
Has a roof of slate, clay tile, cement tile or colourbonded material.

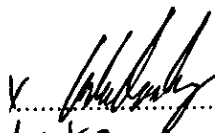
- (b) Erect, place, permit, licence or authorise on the land transferred any outbuilding unless:-
Constructed of new materials, of the same type and colours as described above painted with at least two coats of first quality paint in natural tonings
Constructed of colourbonded material in natural tonings.

Dated: 13/1/05

Executed by AVON HEIGHTS ESTATE PTY. LTD. (ACN 065526089)
by being signed by those persons who are authorised to sign for the company

Director  Director 
Full Name  Full Name Dianne TRACEY
Usual address  Usual address 70 Inverbroom Rd
Stratford

Signed by the Transferee in
the presence of:


Luke

 witness



Approval No. 2049031A

T2

Page 2 of 2



Ice Ridge Systems Pty Ltd

AD406896P

02/02/2005 \$213 45


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Land Registry, 570 Bourke Street, Melbourne 3000. Phone 03 8636 2010