

Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Land	25 Sundew Drive, Kangaroo Flat 3555	
Vendor's name	Sam Lachlan Kennedy	Date / /
Vendor's signature		
Purchaser's name		Date / /
Purchaser's signature		
Purchaser's name		Date / /
Purchaser's signature		

1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) Their amounts are:

Authority	Amount	Interest (if any)
(1) City of Greater Bendigo	(1) \$830.00	(1)
(2)	(2)	(2)
(3)	(3)	(3)

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

	To	
--	----	--

Other particulars (including dates and times of payments):

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable.

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

Not Applicable.

2. INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not Applicable.

2.2 Owner Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of *the Building Act 1993* applies to the residence.

Not Applicable.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered): -

Is in the attached copies of title documents.

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

To the best of the vendors knowledge there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

3.2 Road Access

There is NO access to the property by road if the square box is marked with an 'X'

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

3.4 Planning Scheme

Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

Not Applicable.

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Nil.

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

Nil.

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land):

Not Applicable.

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

Not Applicable.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not applicable.

8. SERVICES

The services which are marked with an 'X' in the accompanying square box are NOT connected to the land:

Electricity supply <input checked="" type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
--	--	--	--	--

9. TITLE

Attached are copies of the following documents:

9.1 (a) **Registered Title**

A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

10. SUBDIVISION

10.1 Unregistered Subdivision

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

Not Applicable.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

Not Applicable.

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

Not Applicable.

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable.

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

- Vacant Residential Land or Land with a Residence
- Attach Due Diligence Checklist (this will be attached if ticked)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.

(04/10/2016)

Property Report

from www.land.vic.gov.au on 12 October 2021 09:16 AM

Address: 25 SUNDEW DRIVE KANGAROO FLAT 3555

Lot and Plan Number: Lot 49 PS638647

Standard Parcel Identifier (SPI): 49\PS638647

Local Government (Council): GREATER BENDIGO **Council Property Number:** 235869

Directory Reference: VicRoads 613 M9

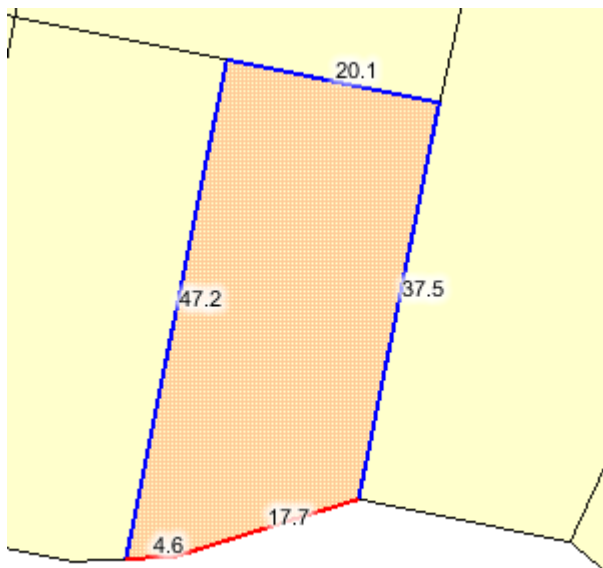
This property is in a designated bushfire prone area.

Special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Site Dimensions

All dimensions and areas are approximate. They may not agree with the values shown on a title or plan.



Area: 858 sq. m

Perimeter: 127 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

Copyright © - State Government of Victoria

State Electorates

Legislative Council: NORTHERN VICTORIA

Legislative Assembly: BENDIGO WEST

Utilities

Rural Water Corporation: Goulburn-Murray Water

Urban Water Corporation: Coliban Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR (Information about [choosing an electricity retailer](#))

Planning information continued on next page

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

Planning Zone Summary

Planning Zone: GENERAL RESIDENTIAL ZONE (GRZ)
SCHEDULE TO THE GENERAL RESIDENTIAL ZONE (GRZ)

Planning Overlay: BUSHFIRE MANAGEMENT OVERLAY (BMO)

Planning scheme data last updated on 4 October 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to [Titles and Property Certificates](#)

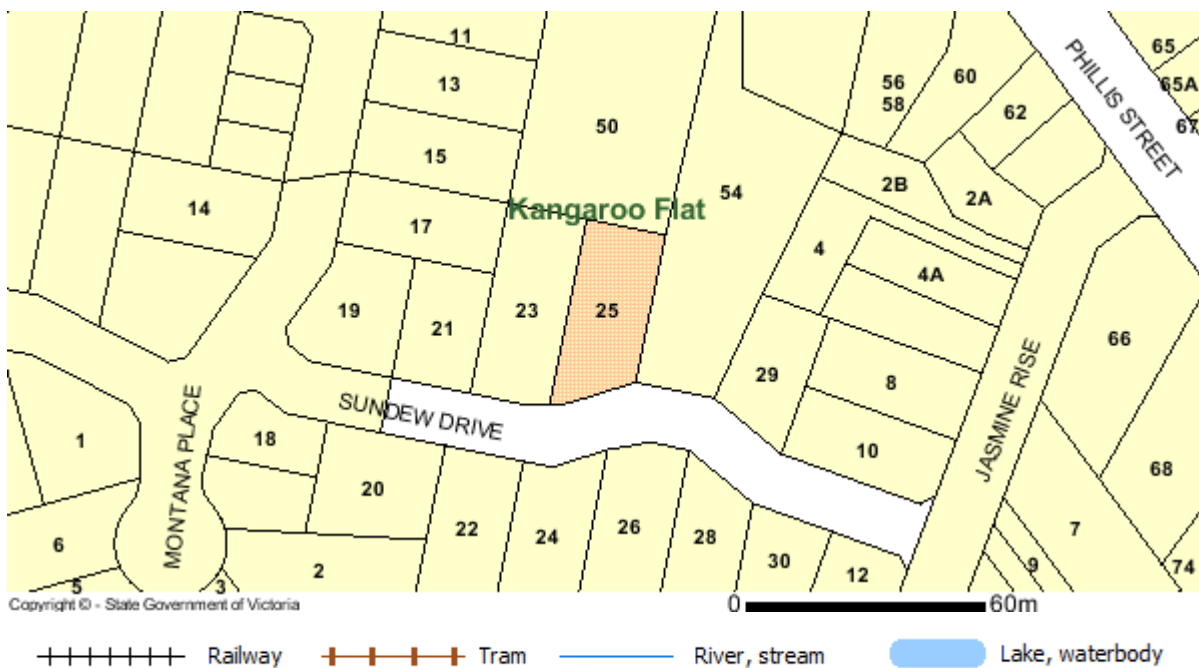
The Planning Property Report includes separate maps of zones and overlays

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Area Map



Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

From www.planning.vic.gov.au on 12 October 2021 09:16 AM

PROPERTY DETAILS

Address: **25 SUNDEW DRIVE KANGAROO FLAT 3555**
Lot and Plan Number: **Lot 49 PS638647**
Standard Parcel Identifier (SPI): **49\PS638647**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **235869**
Planning Scheme: **Greater Bendigo**
Directory Reference: **VicRoads 613 M9**

www.bendigo.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/greaterbendigo

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
Urban Water Corporation: **Coliban Water**
Melbourne Water: **outside drainage boundary**
Power Distributor: **POWERCOR**

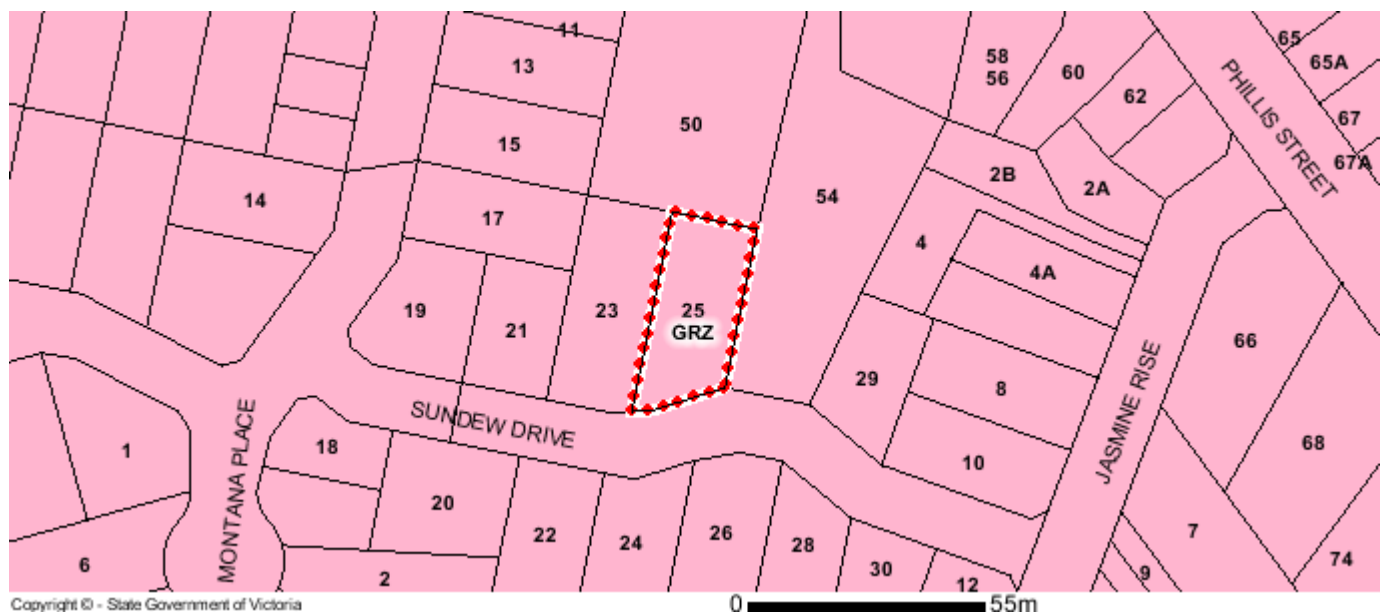
STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
Legislative Assembly: **BENDIGO WEST**

Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[SCHEDULE TO THE GENERAL RESIDENTIAL ZONE \(GRZ\)](#)



Copyright © - State Government of Victoria

 GRZ - General Residential

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

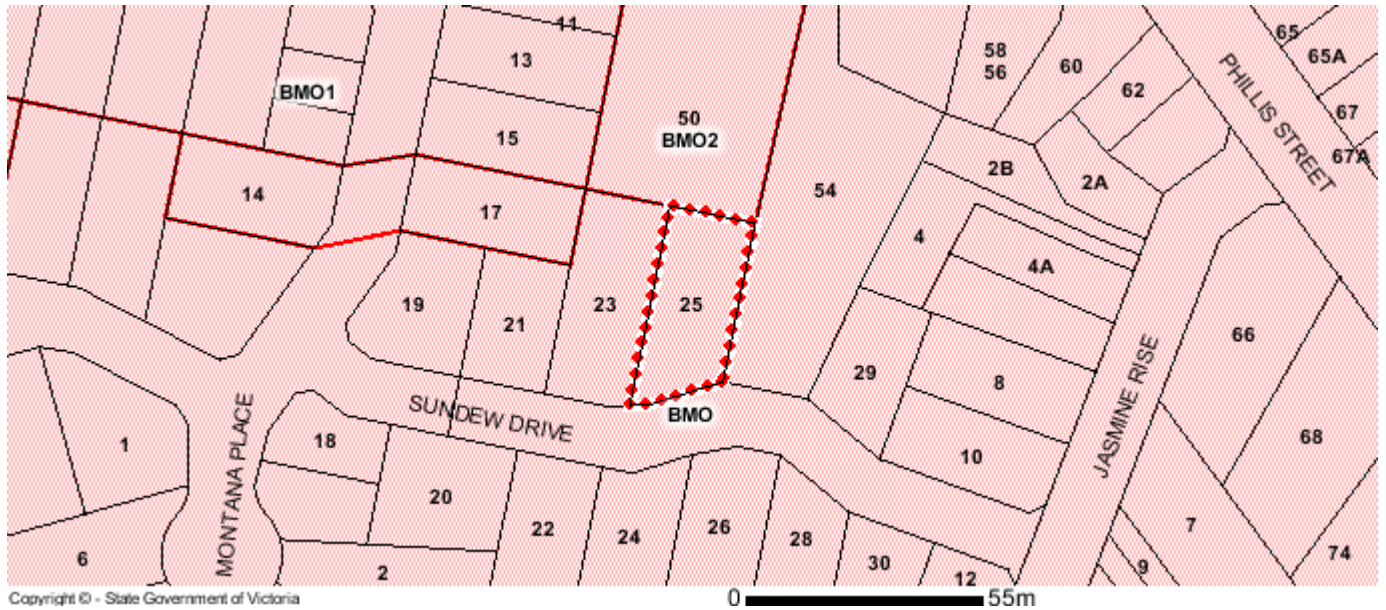
Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



 BMO - Bushfire Management

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



 ESO - Environmental Significance

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Further Planning Information

Planning scheme data last updated on 4 October 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

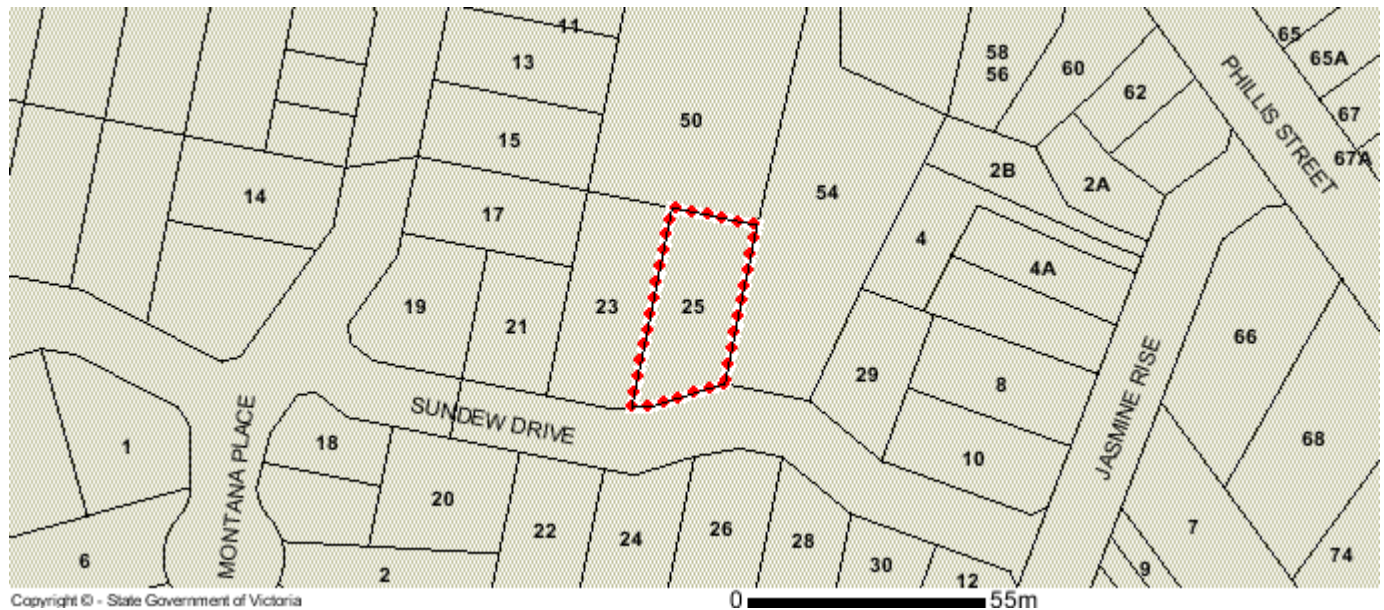
For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Area

This property is in a designated bushfire prone area.
Special bushfire construction requirements apply. Planning provisions may apply.



 Designated Bushfire Prone Area

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>



HISTORIC MINING ACTIVITY

Form No. 692

12 October, 2021

Property Information:

Address: 25 SUNDEW DRIVE KANGAROO FLAT 3555

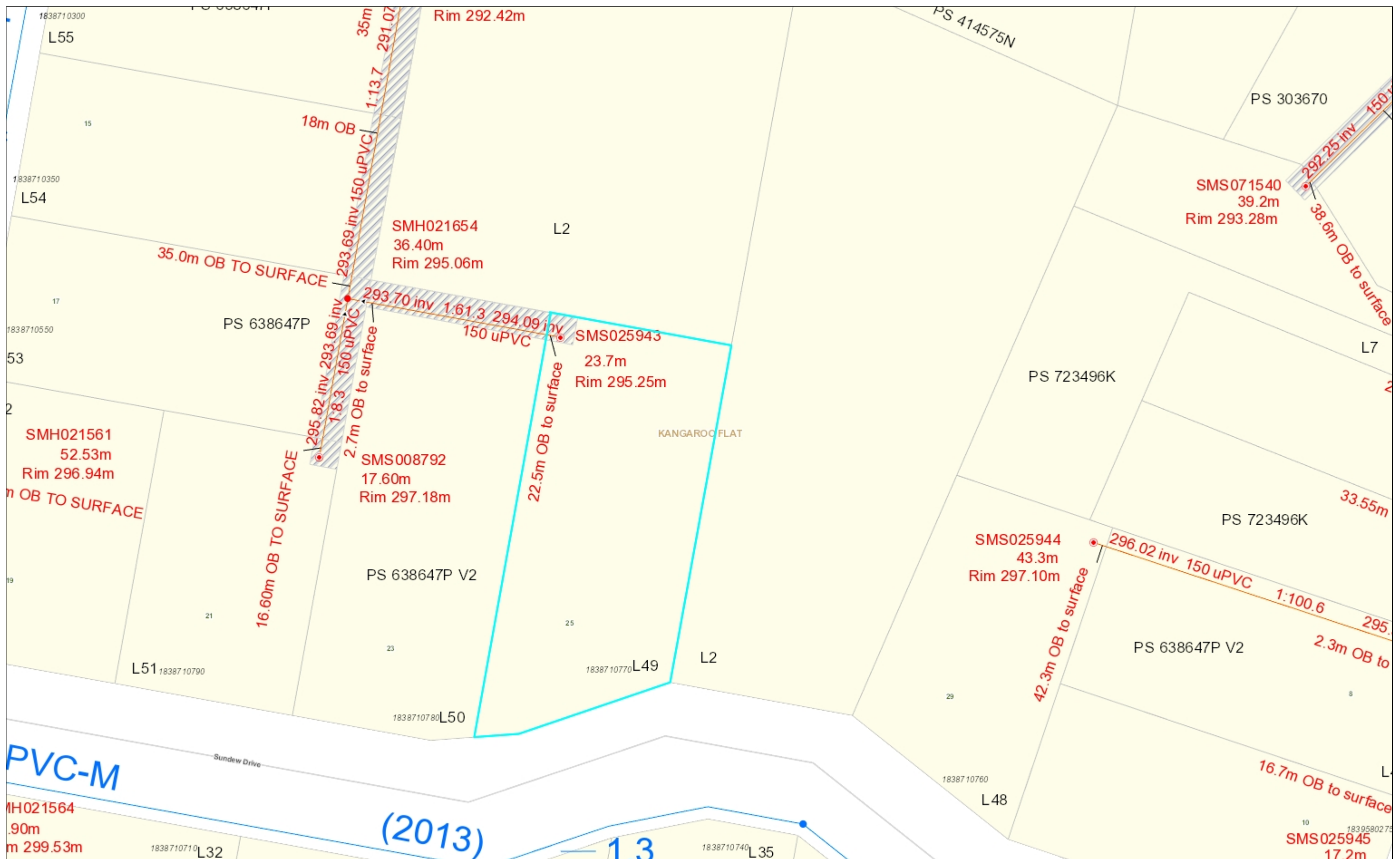
It is advised that:

Our records do not indicate the existence of any mining activity on this site, but the site may be over or close to known mining activity. Note that there may be unrecorded mine openings connecting with such activity. (2)

NOTE: Historic Mining activity information is provided from plans and records that may be incomplete and may not be entirely free from errors. It is provided for information only and should not be relied upon as definitive of the status of any area of land. It is provided on the basis that all persons accessing it undertake responsibility for assessing the relevance and accuracy of its content. The State of Victoria and its officers, agents or employees do not guarantee that the work is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this work.

For queries, contact:

Department of Jobs, Precincts and Regions
E-mail: gsv_info@ecodev.vic.gov.au



Disclaimer with respect to the information provided:
 Coliban Water makes no representation or warranty regarding the accuracy or completeness of the information in this document. Coliban Water further accepts no responsibility for any omissions or inaccuracies that may exist, and disclaims all liability for any loss or damage which may arise directly or indirectly from reliance on the information in this document, whether or not that loss is caused by any negligence on the part of Coliban Water or its employees.

Coliban Region Water Corporation
 25 SUNDEW DRIVE KANGAROO
 FLAT 3555



Scale: 1: 375 (A3)



Date: 12/10/2021

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 11411 FOLIO 983

Security no : 124093017168L
Produced 12/10/2021 09:13 AM

LAND DESCRIPTION

Lot 49 on Plan of Subdivision 638647P.
PARENT TITLE Volume 11328 Folio 669
Created by instrument PS638647P Stage 3 26/03/2013

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SAM LACHLAN KENNEDY of 23 OSBORNE AVENUE KANGAROO FLAT VIC 3555
AM745090Q 04/05/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM745091N 04/05/2016
COMMONWEALTH BANK OF AUSTRALIA

COVENANT AK344869Y 15/05/2013
Expiry Date 31/12/2020

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.

DIAGRAM LOCATION

SEE PS638647P 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: 25 SUNDEW DRIVE KANGAROO FLAT VIC 3555

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA



Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

The information supplied by InfoTrack has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited who is licensed by the State of Victoria to provide this information via LANDATA® System.

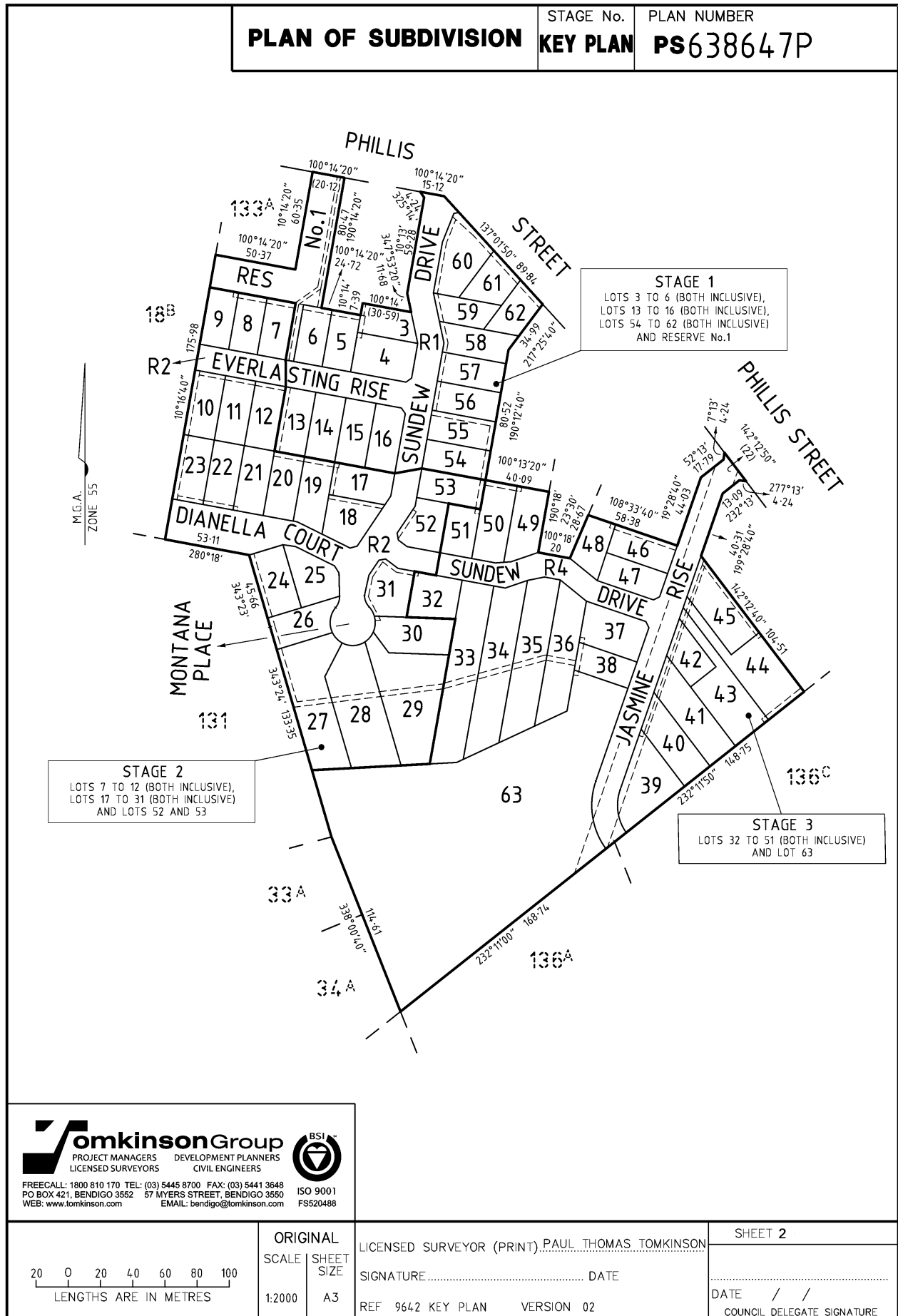
Signed by Council: Greater Bendigo City Council, Original Certification: 24/03/2011, Recertification: 12/05/2011, S.O.C.: 17/05/2011

PLAN OF SUBDIVISION		STAGE NO.	LRS use only EDITION 2	Plan Number PS638647P
Location of Land Parish: MANDURANG Township: ----- Section: 0 Crown Allotment: 133 (PART) AND 136 (PART) Crown Portion: ----- Title Reference: VOL. 11237 FOL 393 Last Plan Reference: LGT 2 PS638638Q Postal Address: PHILLIS STREET (at time of subdivision) KANGAROO FLAT 3555 MGA Co-ordinates Datum: GDA94 E 254 000 (of approx. centre of N 5 921 200 Zone: 55 land in plan)		Council Certificate and Endorsement Council Name: CITY OF GREATER BENDIGO Ref: DS/959/2008 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 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (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 not satisfied in Stage..... Council delegate Council seal Date / / Certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / /		
Vesting of Roads and/or Reserves		Notations		
Identifier	Council/Body/Person	Staging This plan is a staged subdivision Planning Permit No. DS/959/2008		
ROAD R1 ROAD R2 ROAD R3 RESERVE No.1	CITY OF GREATER BENDIGO CITY OF GREATER BENDIGO CITY OF GREATER BENDIGO CITY OF GREATER BENDIGO	Depth Limitation 15-24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THIS PLAN THIS IS A SPEAR PLAN LOTS 1, 2 (BOTH INCLUSIVE) AND 32 TO 51 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN OTHER PURPOSES OF PLAN: • TO REMOVE FROM THIS PLAN THE EXISTING DRAINAGE AND SEWERAGE EASEMENTS IDENTIFIED AS E-2 AND E-3 ON LP216077A • TO REMOVE FROM THIS PLAN PART OF THE EXISTING PIPELINES OR ANCILLARY PURPOSES EASEMENT IDENTIFIED AS E-5 ON PS638638Q OVER THE NEW ROAD (SUNDEW DRIVE) GROUND FOR REMOVAL DIRECTION IN PLANNING PERMIT DS/959/2008 Survey This plan is based on survey This survey has been connected to permanent mark(s) 56, 83 & 112 In Proclaimed Survey Area No.-----		
Easement Information		LRS use only		
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement or other Encumbrance A - Appurtenant Easement R - Encumbering Easement (Road)		Statement of Compliance/ Exemption Statement		
EASEMENT IDENTIFIER E-2 HAS BEEN OMITTED FROM THIS PLAN FOR CLARITY (SEE PS638638)		Received <input checked="" type="checkbox"/>		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	CONDITION IN C/G V.8036 F.481	SEE DIAG	CONDITION IN C/G V.8036 F.481	STATE ELECTRICITY COMMISSION OF VICTORIA
E-3	PIPELINES OR ANCILLARY PURPOSES	SEE DIAG	PS638638Q	COLIBAN REGION WATER CORPORATION
E-4, E-5	PIPELINES OR ANCILLARY PURPOSES	SEE DIAG	THIS PLAN - SECTION 136 WATER ACT 1989	COLIBAN REGION WATER CORPORATION
E-5, E-6	DRAINAGE	SEE DIAG	THIS PLAN	CITY OF GREATER BENDIGO
E-7	POWERLINE	2	THIS PLAN - SECTION 88 ELECTRICITY INDUSTRY ACT 2000	POWERCOR AUSTRALIA LTD
  PROJECT MANAGERS DEVELOPMENT PLANNERS LICENSED SURVEYORS CIVIL ENGINEERS FREECALL: 1800 810 170 TEL: (03) 5442 1033 FAX: (03) 5441 3648 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com ISO 9001 FSS20488		LICENSED SURVEYOR (PRINT) <u>PAUL THOMAS TOMKINSON</u> SIGNATURE <u>DIGITALLY SIGNED</u> DATE _____ REF 964201 VERSION 10 PLOTTED 16-03-2011 P.J.L.		
		THIS IS A LAND VICTORIA COMPILED PLAN FOR DETAILS SEE MODIFICATION TABLE HEREIN Sheet 1 of 10 Sheets		
		DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3		

PLAN OF SUBDIVISION

STAGE No. **KEY PLAN**

PLAN NUMBER **PS638647P**



STAGE 1
 LOTS 3 TO 6 (BOTH INCLUSIVE),
 LOTS 13 TO 16 (BOTH INCLUSIVE),
 LOTS 54 TO 62 (BOTH INCLUSIVE)
 AND RESERVE No.1

STAGE 2
 LOTS 7 TO 12 (BOTH INCLUSIVE),
 LOTS 17 TO 31 (BOTH INCLUSIVE)
 AND LOTS 52 AND 53

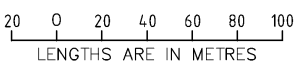
STAGE 3
 LOTS 32 TO 51 (BOTH INCLUSIVE)
 AND LOT 63



FREECALL: 1800 810 170 TEL: (03) 5445 8700 FAX: (03) 5441 3648
 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com



ISO 9001
 FS520488



ORIGINAL
 SCALE SHEET
 SIZE
 1:2000 A3

LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON
 SIGNATURE..... DATE
 REF 9642 KEY PLAN VERSION 02

SHEET 2
 DATE / /
 COUNCIL DELEGATE SIGNATURE

Signed by Council: Greater Bendigo City Council, Original Certification: 24/03/2011, Recertification: 12/05/2011, S.O.C.: 17/05/2011

PLAN OF SUBDIVISION

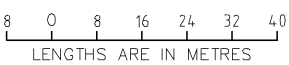
STAGE No.

PLAN NUMBER

PS638647P



BSI
 FREECALL: 1800 810 170 TEL: (03) 5442 1033 FAX: (03) 5441 3648 ISO 9001
 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550 FS520488
 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com

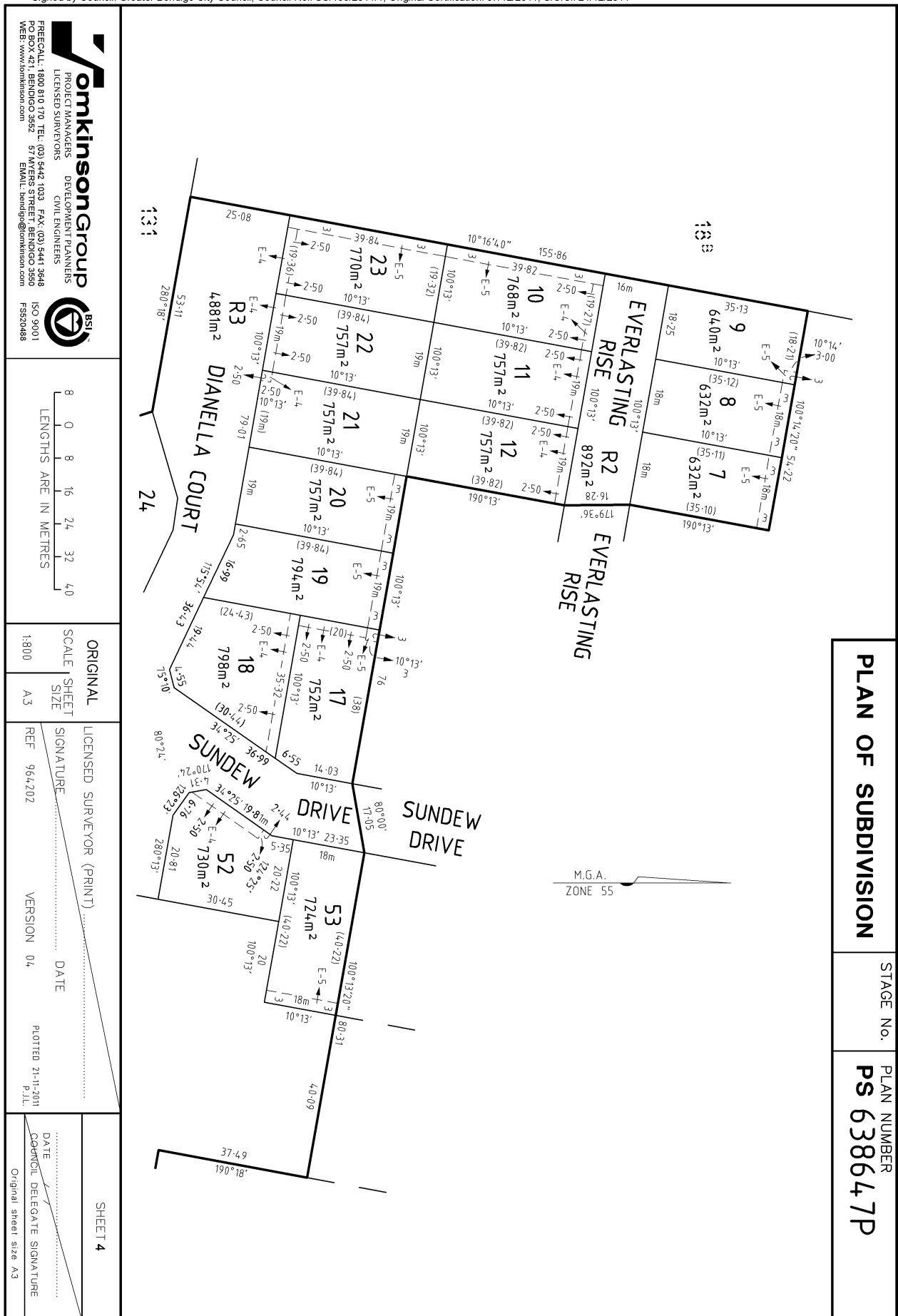


ORIGINAL
 SCALE SHEET SIZE
 1:800 A3

LICENSED SURVEYOR (PRINT).....
 SIGNATURE..... DATE.....
 REF 964201 VERSION 10 PLOTTED 16-03-2011 P.J.L.

SHEET 3
 DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

Signed by Council: Greater Bendigo City Council, Council Ref: SC/193/2011/1, Original Certification: 07/12/2011, S.O.C.: 21/12/2011

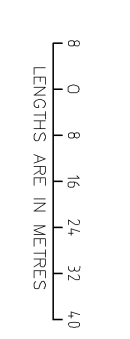


Tomkinson Group
 PROJECT MANAGERS
 LICENSED SURVEYORS
 DEVELOPMENT PLANNERS
 CIVIL ENGINEERS

BSI
 ISO 9001
 FSR20488

PROJECT MANAGERS
 DEVELOPMENT PLANNERS
 CIVIL ENGINEERS

FRECALL: 1800 910 170 TEL: (03) 5428 1033 FAX: (03) 5441 3948
 PO BOX 1000 BENDIGO VIC 3552
 WEBSITE: www.tomkinson.com EMAIL: bendigo@tomkinson.com



ORIGINAL SCALE SHEET SIZE
 1:800 A3

LICENSED SURVEYOR (PRINT)
 SIGNATURE
 REF 964202
 VERSION 04
 DATE
 PLOTTED 21-11-2011
 P.I.L.

SHEET 4
 DATE
 CORROIL DELEGATE SIGNATURE
 Original sheet size A3

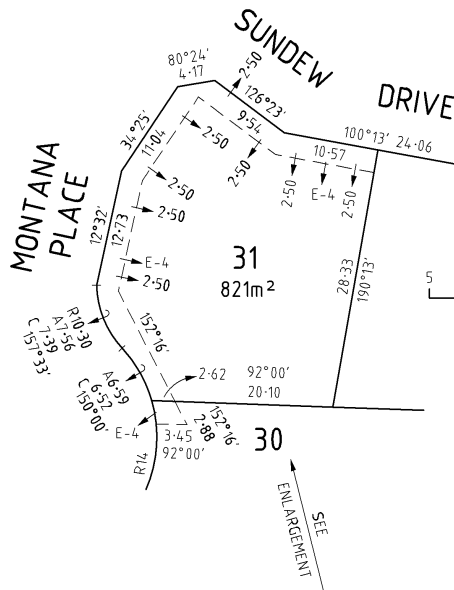
PLAN OF SUBDIVISION

STAGE No.

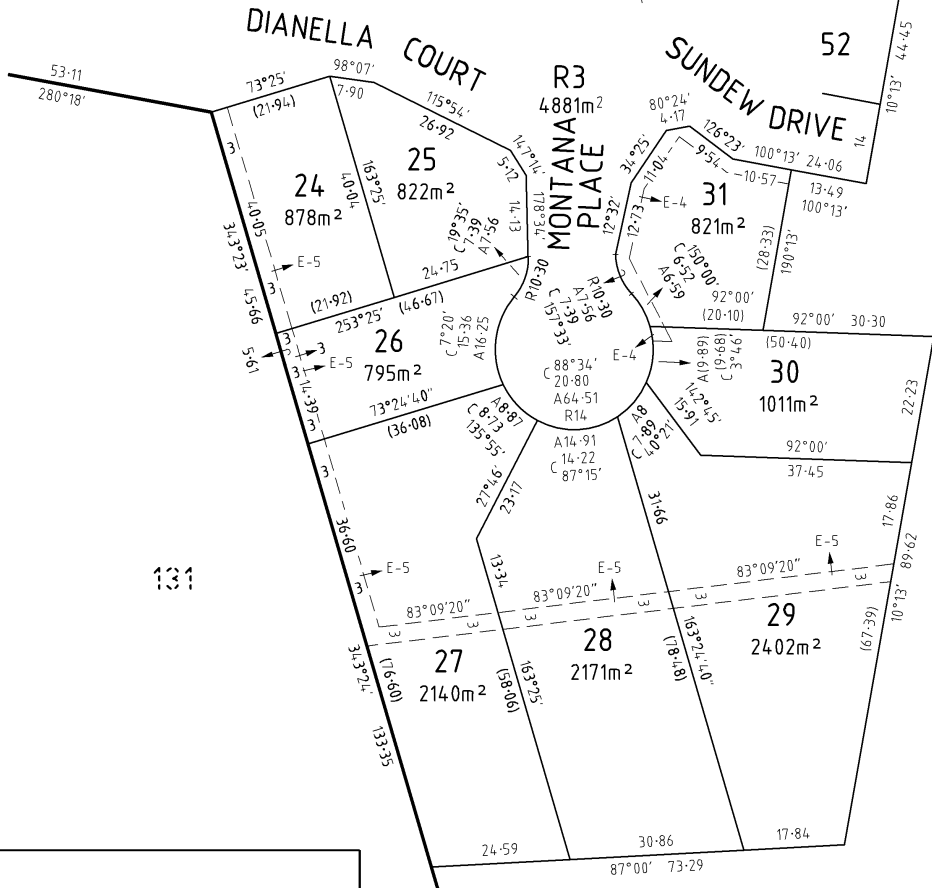
PLAN NUMBER

PS638647P

M.G.A.
ZONE 55



SCALE OF ENLARGEMENT 1:500
LENGTHS ARE IN METRES

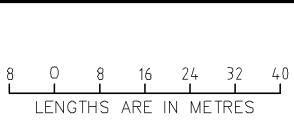


Tomkinson Group
PROJECT MANAGERS DEVELOPMENT PLANNERS
LICENSED SURVEYORS CIVIL ENGINEERS

BSI

FREECALL: 1800 810 170 TEL: (03) 5442 1033 FAX: (03) 5441 3648
PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com

ISO 9001
FS520488



ORIGINAL SCALE 1:800
SHEET SIZE A3

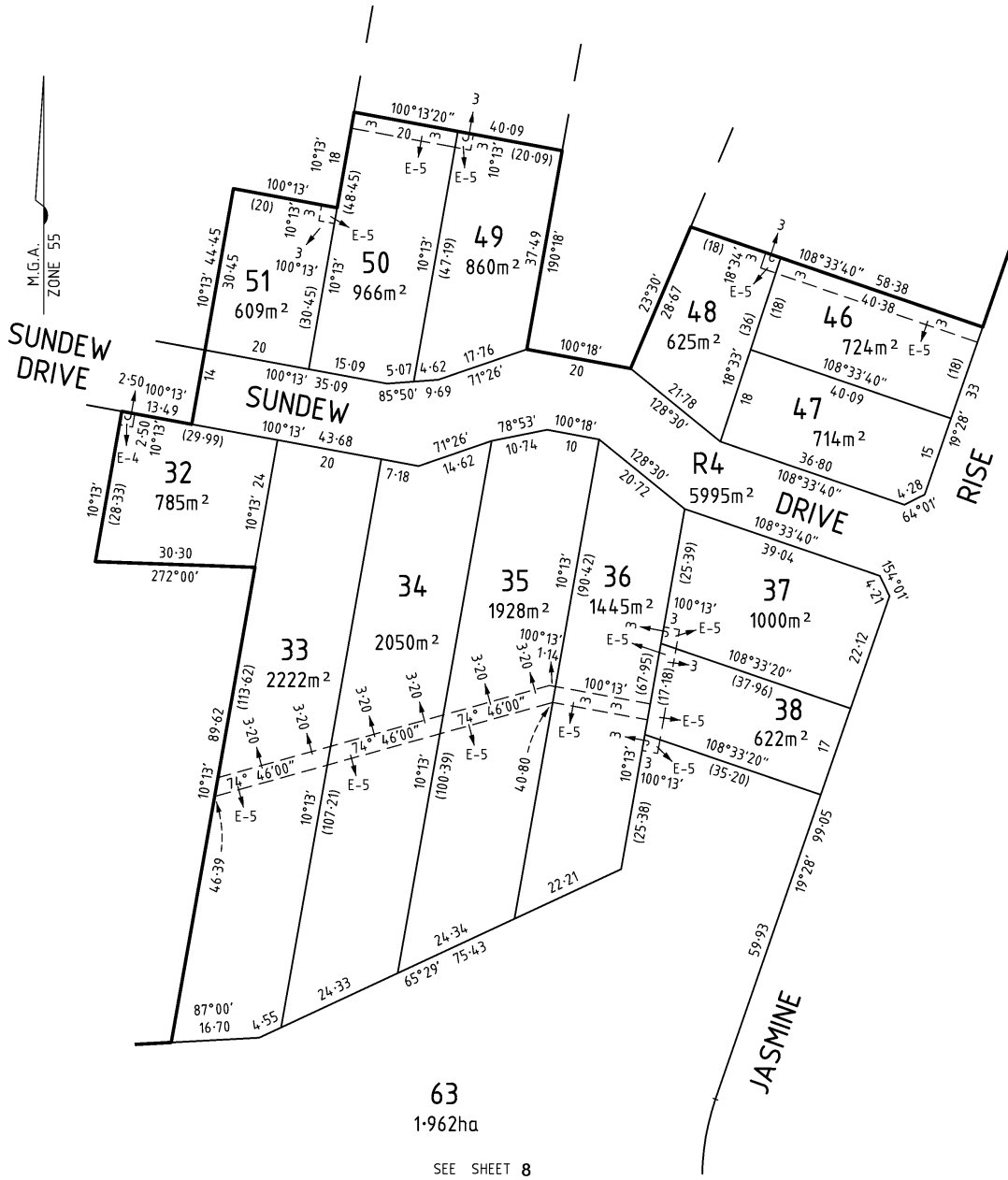
LICENSED SURVEYOR (PRINT).....
SIGNATURE..... DATE.....
REF 964202 VERSION 04 PLOTTED 21-11-2011 P.J.L.

SHEET 5
DATE / /
COUNCIL DELEGATE SIGNATURE
Original sheet size A3

Signed by Council: Greater Bendigo City Council, Council Ref: SC/959/2008/4/A, Original Certification: 30/10/2012, S.O.C.: 14/03/2013

PLAN OF SUBDIVISION

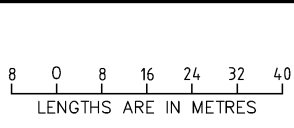
PLAN NUMBER
PS638647P



63
1.962ha
SEE SHEET 8

Tomkinson Group
PROJECT MANAGERS DEVELOPMENT PLANNERS
LICENSED SURVEYORS CIVIL ENGINEERS

BSI
ISO 9001
FRECALL: 1800 810 170 TEL: (03) 5445 8700 FAX: (03) 5441 3648
PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com FS520488



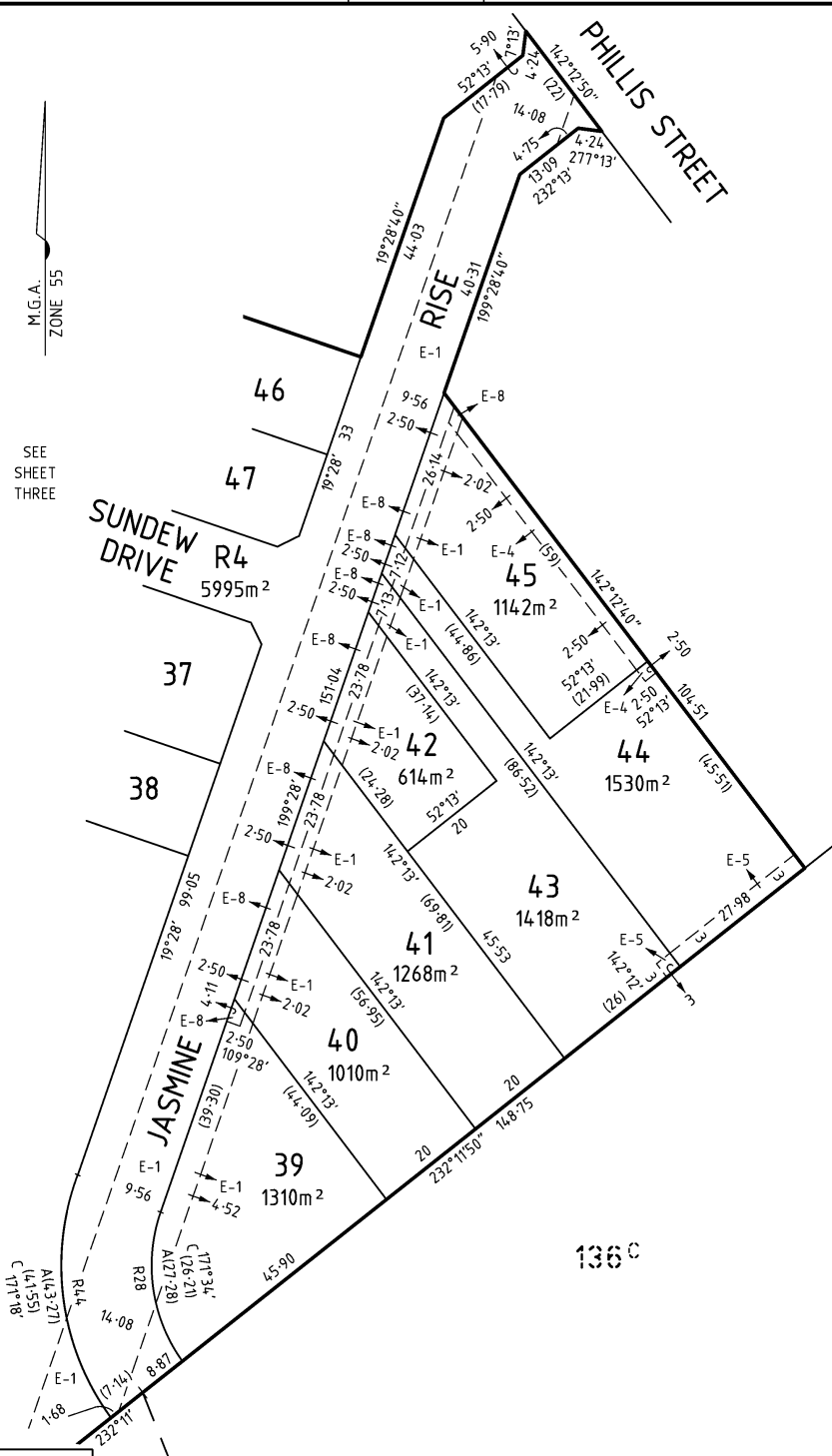
ORIGINAL
SCALE SHEET
1:800 A3

LICENSED SURVEYOR (PRINT).....
SIGNATURE..... DATE.....
REF 964203 VERSION 03 PLOTTED 18-07-2012 P.J.L.

SHEET 6
DATE / /
COUNCIL DELEGATE SIGNATURE
Original sheet size A3

PLAN OF SUBDIVISION

PLAN NUMBER
PS638647P



M.G.A.
ZONE 55

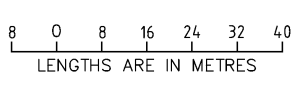
SEE SHEET THREE

SEE SHEET 8

63



FREECALL: 1800 810 170 TEL: (03) 5445 8700 FAX: (03) 5441 3648
 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550 ISO 9001
 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com FS520488



ORIGINAL SCALE 1:800 SHEET SIZE A3

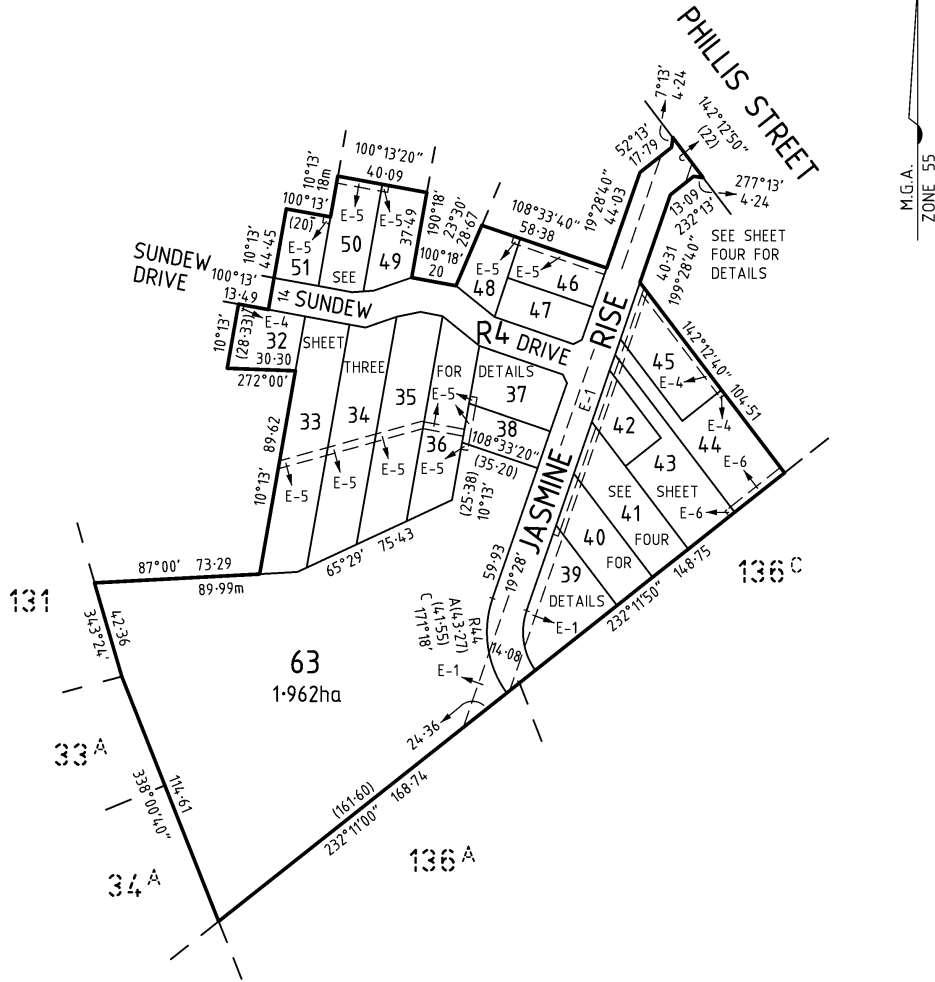
LICENSED SURVEYOR (PRINT).....
 SIGNATURE..... DATE.....
 REF 964203 VERSION 03 PLOTTED 18-07-2012 P.J.L.

SHEET 7
 DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

Signed by Council: Greater Bendigo City Council, Council Ref: SC/959/2008/4/A, Original Certification: 30/10/2012, S.O.C.: 14/03/2013

PLAN OF SUBDIVISION

PLAN NUMBER
PS638647P

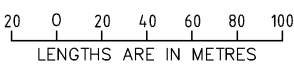


M.G.A.
ZONE 55

Tomkinson Group
 PROJECT MANAGERS DEVELOPMENT PLANNERS
 LICENSED SURVEYORS CIVIL ENGINEERS

BSI

FREECALL: 1800 810 170 TEL: (03) 5445 8700 FAX: (03) 5441 3648 ISO 9001
 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com FS520488



ORIGINAL SCALE 1:2000
 SHEET SIZE A3

LICENSED SURVEYOR (PRINT).....
 SIGNATURE..... DATE.....
 REF 964203 VERSION 03 PLOTTED 18-07-2012 P.J.L.

SHEET 8
 DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

Signed by Council: Greater Bendigo City Council, Council Ref: SC/193/2011/1, Original Certification: 07/12/2011, S.O.C.: 21/12/2011

PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER

PS638647P

CREATION OF RESTRICTIONS

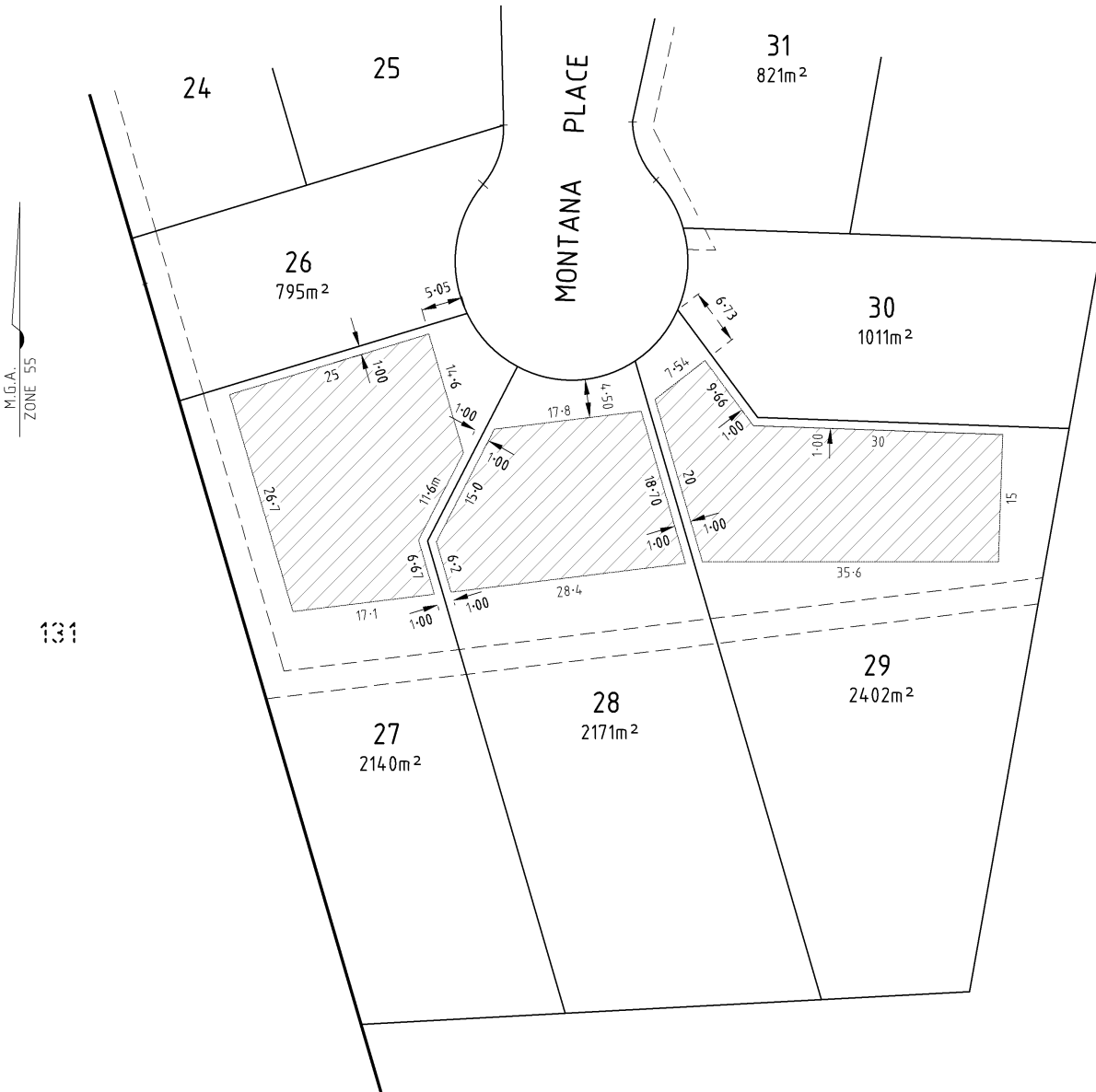
UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS CREATED:

LAND TO BENEFIT ALL THE LOTS ON THIS PLAN

LAND TO BE BURDENED LOTS 27, 28 AND 29

DESCRIPTION OF RESTRICTION THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF LOTS 27, 28 AND 29 ON THIS PLAN TO WHICH THE FOLLOWING RESTRICTIONS APPLY SHALL NOT:

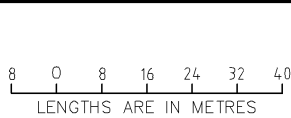
CONSTRUCT ANY DWELLINGS REQUIRING SEWER CONNECTION OUTSIDE THE AREA SHOWN THUS:



Tomkinson Group
 PROJECT MANAGERS DEVELOPMENT PLANNERS
 LICENSED SURVEYORS CIVIL ENGINEERS

BSI
 ISO 9001
 FS520488

FREECALL: 1800 810 170 TEL: (03) 5442 1033 FAX: (03) 5441 3648
 PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com



ORIGINAL SCALE 1:800
 SHEET SIZE A3

LICENSED SURVEYOR (PRINT).....
 SIGNATURE..... DATE.....
 REF 964202 VERSION 04 PLOTTED 21-11-2011 P.J.L.

SHEET 9

DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

PLAN OF SUBDIVISION

PLAN NUMBER
PS638647P

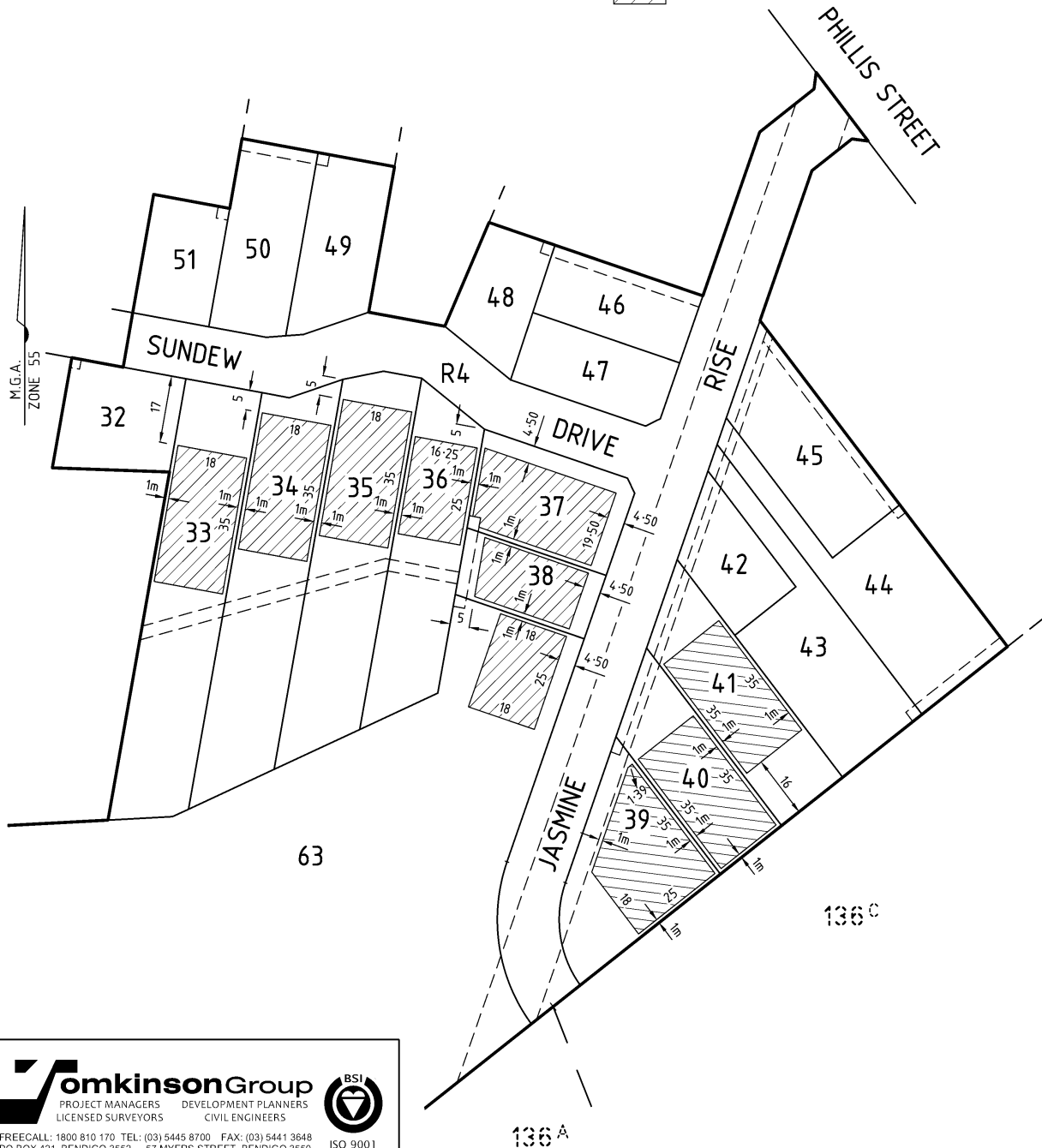
CREATION OF RESTRICTIONS

UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS CREATED:

LAND TO BENEFIT ALL THE LOTS ON THIS PLAN (STAGE 3, PS638647P)

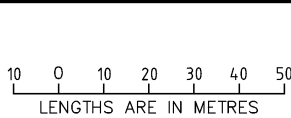
LAND TO BE BURDENED LOTS 33 TO 41 (BOTH INCLUSIVE) AND LOT 63

DESCRIPTION OF RESTRICTION THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF LOTS 33 TO 41 (BOTH INCLUSIVE) AND LOT 63 ON THIS PLAN TO WHICH THE FOLLOWING RESTRICTIONS APPLY SHALL NOT: CONSTRUCT ANY DWELLING REQUIRING SEWER CONNECTION OUTSIDE THE AREA SHOWN THUS:



Tomkinson Group
PROJECT MANAGERS DEVELOPMENT PLANNERS
LICENSED SURVEYORS CIVIL ENGINEERS

BSI
ISO 9001
FREECALL: 1800 810 170 TEL: (03) 5445 8700 FAX: (03) 5441 3648
PO BOX 421, BENDIGO 3552 57 MYERS STREET, BENDIGO 3550
WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com FS520488



ORIGINAL SCALE SHEET SIZE
1:1000 A3

LICENSED SURVEYOR (PRINT).....
SIGNATURE..... DATE.....
REF 964203 VERSION 03 PLOTTED 18-07-2012 P.J.L.

SHEET 10

DATE.....
COUNCIL DELEGATE SIGNATURE.....
Original sheet size A3



Plan of Subdivision PS638647P
Certifying a New Version of an Existing Plan (Form 21)

SUBDIVISION (PROCEDURES) REGULATIONS 2000

SPEAR Reference Number: S009078M
Plan Number: PS638647P
Council Name: Greater Bendigo City Council
Council Reference Number 1: CERT/959/2008/2/A
Surveyor's Plan Version: 10

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988
Date of original certification under section 6: 24/03/2011

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

Has been made and the requirement has been satisfied

Digitally signed by Council Delegate: Stephen Wainwright
Organisation: Greater Bendigo City Council
Date: 12/05/2011

Transfer of Land

Section 45 Transfer of Land Act 1958

AK344869Y

15/05/2013 \$463 45



Lodged by:

Name: CAHILLS
Phone: 5443 9344
Address: 7-9 View Point
Bendigo
Reference: AGL 6120272
Customer Code: 0573X

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 and folio) Lot 49 on Plan of Subdivision No. 638647P contained in Certificate of Title Volume 1141 Folio 983

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

all our estate and interest in fee simple

Consideration:
\$136,000.00

Transferor: (full name)
TERENCE PATRICK SHELTON and MARJORY ANN SHELTON

Transferee: (full name and address including postcode)
TANIA JOY KLEMM of Lot 49 Sundew Drive, Kangaroo Flat, 3555

Directing Party: (full name)
None

Creation and/or Reservation of Easement and/or Restrictive Covenant:

The Transferee and her heirs, executors, administrators, assigns and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and every part thereof DOTH HEREBY COVENANT with the said TERENCE PATRICK SHELTON and MARJORY ANN SHELTON and their and each of their heirs, executors, administrators, assigns and transferees and other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. 638647P and every part or parts thereof (other than the land hereby transferred) as follows:-

- That no main building erected on the said Lot shall be other than of new materials and the outer walls thereof in brick, brick veneer or rendered concrete masonry;
- That **save and except** for the Lots referred to in (j) hereof where the area shall not be less than one hundred and ten square metres, no main building shall be erected on the said lot which has a floor area of less than one hundred and twenty square metres including the outer walls thereof such area being calculated by excluding the area of carports, garages, terraces, pergolas and/or verandahs;

4051110A

Order to Register

Duty Use Only

T2

Please register and issue Certificate of Title to

*Law Perfect Pty Ltd

Signed

Customer Code:

Page 1 of 2

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

- c. That no fence, garage, shed or other outbuilding constructed partly or wholly of galvanised iron cladding or aluminium cladding shall be erected on the said lot;
- d. That no fence shall be erected or caused to be erected or be allowed to remain erected on the said lot unless such fence is constructed of steel colorbond material in the colour "RIVERGUM" or if that material or colour is no longer manufactured then in an equivalent material or colour and such fence shall not exceed two metres in height from the natural ground level. The side boundary fences shall taper to half height at the street boundary such tapering to commence 4.8 metres from the street boundary;
- e. That without the prior written consent of the Transferors no permanent fence shall be erected on the said lot other than on the rear and side boundaries prior to the completion of the construction of a dwelling house thereon at which time fences of the type referred to in (d) above may be erected between the dwelling house and the side or rear boundaries. For the purpose of clarification, the expression "side boundaries" shall not include a boundary adjoining a street;
- f. That no mud brick or mud bricks shall be used in the construction of any building or structure upon the said Lot;
- g. That the gross floor area of all outbuildings erected on the said Lot shall not exceed eighty square metres and no outbuilding shall exceed in height four metres;
- h. That no carport, garage, shed or other outbuilding erected on the said Lot shall be other than of new materials;
- i. That no garage, shed or other outbuilding erected on the said Lot or any tent, caravan or other form of portable accommodation standing on the said Lot shall be used for the purpose of residential accommodation;
- j. That the said lot will not be re-subdivided nor will more than one residence be erected on the said lot with the exception of lots 4, 16, 31, 37, 47, 52 & 60.

The foregoing Restrictive Covenants shall expire on the 31st day of December 2020 and thereafter be of no further force or effect.

AND IT IS AGREED that the foregoing Restrictive Covenants shall be noted upon and appear on every future Certificate of Title for the land hereby transferred or any part or parts thereof as an encumbrance affecting the same.

Dated: 13 May 2013
Execution and attestation

~~Signed by TERENCE PATRICK SHELTON~~) ~~T. Shelton~~
~~and MARJORY ANN SHELTON in the presence of:~~)
~~Witness:~~) ~~M. Shelton~~


Signed by TANIA JOY KLEMM in the presence of:) T. Klemm T. Klemm
 Witness: Manning)

[Signature]
 Duty Use Only

4051110A Order to Register

T2 Please register and issue Certificate of Title to

*Law Perfect Pty Ltd Signed Customer Code:

AK344869Y
 15/05/2013 \$463 45


Annexure Page

Transfer of Land Act 1958

This is page 3 of *Approved Form T2* dated **13/5/13**
between **TERENCE PATRICK SHELTON** AND **MARJORY ANN SHELTON** AND **TANIA JOY KLEMM**



Signatures of the Parties

Panel Heading

SIGNED by **TERENCE PATRICK SHELTON**)
by being signed by **MARK ROBERT AUSTIN**)
under a General Power of Attorney dated 9th June)
2010 in the presence of:) *[Signature]* M.R. Austin

Witness *[Signature]*

SIGNED by **MARJORY ANN SHELTON**)
by being signed by **MARK ROBERT AUSTIN**)
under a General Power of Attorney dated 9th June)
2010 in the presence of:) *[Signature]* M.R. Austin

Witness *[Signature]*

4051110A

A1

*Law Perfect Pty Ltd
Page 3 of 3

1. If there is insufficient space to accommodate the required information in a panel of the attached Form insert the words "See Annexure Page 2" (or as the case may be) and enter all the information on the Annexure Page under the appropriate panel heading.
2. The approved Annexure Pages must be properly identified and signed by the parties to the attached Form to which it is annexed.
3. All pages must be attached together by being stapled in the top left corner.

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010