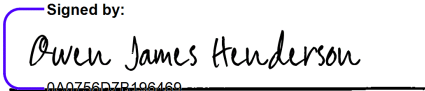


# Vendor Statement

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 | 22 LIGHTHORSE AVENUE, TRARALGON VIC 3844 |  |
|------|------------------------------------------|--|

|                                                                                                                                    |                      |           |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------|
| Vendor's name                                                                                                                      | Owen James Henderson | Date      |
| Vendor's signature                                                                                                                 |                      | 25/6/2026 |
| <div>Signed by:<br/><br/>0A0756D7B406460...</div> |                      |           |

|                                                                                                                                   |                         |           |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------|
| Vendor's name                                                                                                                     | Erin Patricia Henderson | Date      |
| Vendor's signature                                                                                                                |                         | 26/6/2026 |
| <div>Signed by:<br/><br/>FF29F7D842024FC</div> |                         |           |

|                       |  |      |
|-----------------------|--|------|
| 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 total does not exceed: \$4,900.00

| Authority                | Amount | Interest (if any) |
|--------------------------|--------|-------------------|
| (1) Latrobe City Council |        |                   |
| (2) Gippsland Water      |        |                   |

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

|        |    |  |
|--------|----|--|
| \$0.00 | 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

1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

|                                                                                                                                                                                                                                         |                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows | AVPC No. 110                                                        |
| (b) Is the land tax reform scheme land within the meaning of the CIPT Act?                                                                                                                                                              | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| (c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows    | Date:<br>OR<br><input checked="" type="checkbox"/> 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 document/s

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

Not Applicable

### 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 within the meaning of 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")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act* 1987.

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 ☐

Gas supply ☐

Water supply ☐

Sewerage ☐

Telephone services ☒

## 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.

- (a) Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.
- (b) The requirements in a statement of compliance relating to the stage in which the land is included that have Not been complied With are As follows:

NIL

- (c) The proposals relating to subsequent stages that are known to the vendor are as follows:

NIL

- (d) The contents of any permit under the Planning and Environment Act 1987 authorising the staged subdivision are:

NIL

### 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 1000m<sup>2</sup>; (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.)*

Is attached

## 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)*

---

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

VOLUME 11691 FOLIO 533

Security no : 124135847840H  
Produced 24/06/2026 12:58 PM

LAND DESCRIPTION

Lot 50 on Plan of Subdivision 732061W.  
PARENT TITLE Volume 11555 Folio 027  
Created by instrument PS732061W 15/07/2016

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
ERIN PATRICIA HENDERSON  
OWEN JAMES HENDERSON both of 22 LIGHTHORSE AVENUE TRARALGON VIC 3844  
AT792795W 20/11/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AY553133P 31/10/2024  
NEWCASTLE GREATER MUTUAL GROUP LTD

COVENANT AN066002R 01/09/2016

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  
AM405287T 14/12/2015

DIAGRAM LOCATION

SEE PS732061W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

| NUMBER        | STATUS                             | DATE       |
|---------------|------------------------------------|------------|
| BA305313X (E) | REMOVAL OF AGREEMENT<br>Registered | 15/04/2026 |

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

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

Street Address: 22 LIGHTHORSE AVENUE TRARALGON VIC 3844

ADMINISTRATIVE NOTICES

NIL

eCT Control 17675U LEGALSTREAM PTY LIMITED  
Effective from 31/10/2024

DOCUMENT END

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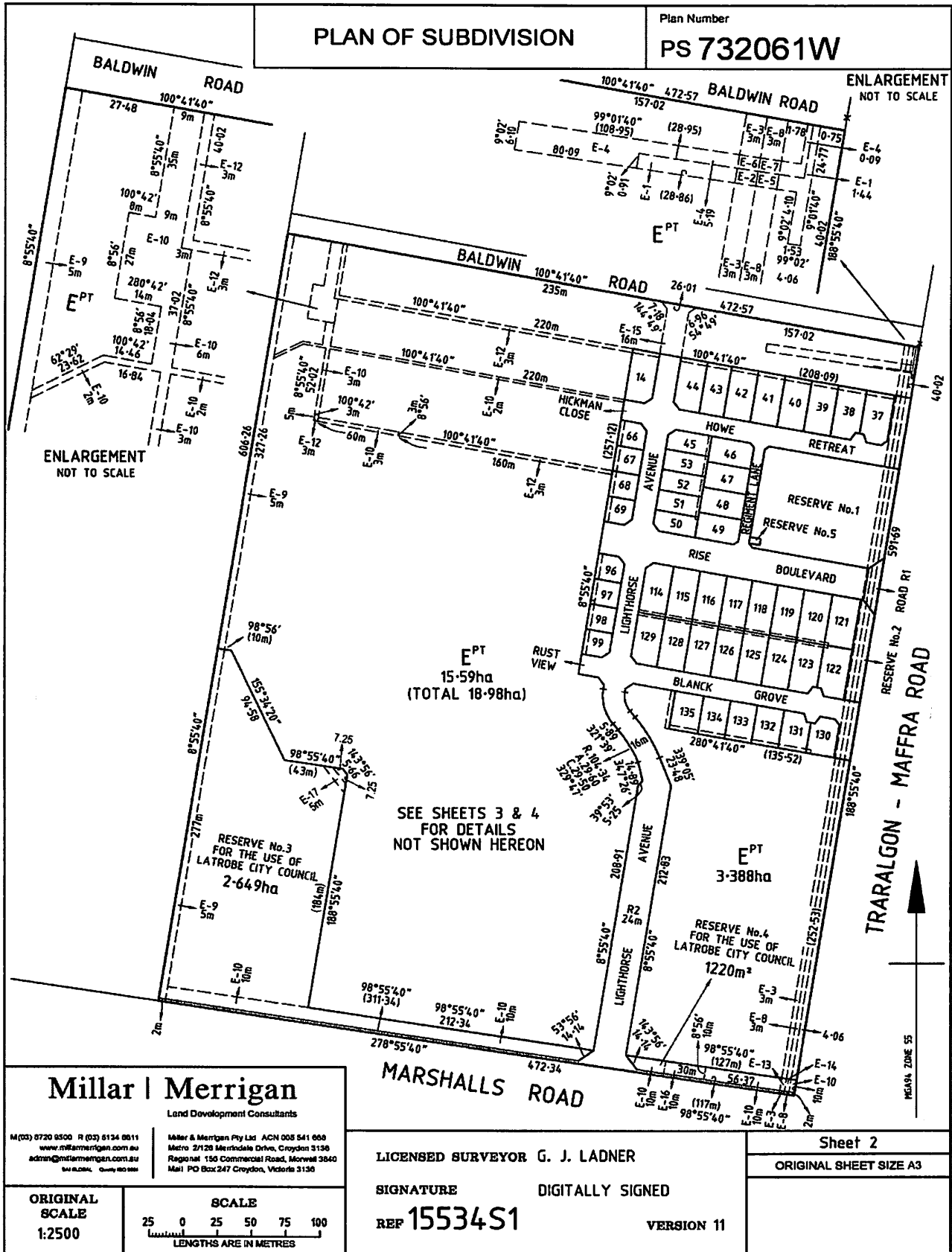
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Signed by Council: Latrobe City Council, PP Ref: 2013/271, Cert Ref: 2014/69/CRT, Original Certification: 10/06/2016, S.O.C.: 10/06/2016

|                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                     |                |                                                                                                                                                |                                                                           |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--|
| PLAN OF SUBDIVISION                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                     |                | LRS USE ONLY<br>EDITION 3                                                                                                                      | Plan Number<br>PS 732061W                                                 |  |
| <div>Location of Land</div> <div>Parish: TRARALGON</div> <div>Crown Allotment: A8 (PT) &amp; A9 (PT)</div> <div>Title Reference: VOL.11555 FOL.027</div> <div>Last Plan Reference: PS729261G LOT A</div> <div>Postal Address: 145 TRARALGON - MAFFRA ROAD, TRARALGON, 3844.</div> <div>MGA Co-ordinates (of approx. centre of land in plan) E 461 490 Zone: 55 N 5774 430 GDA 94</div> |                                                                                                                                                                                                     |                | LATROBE CITY COUNCIL                                                                                                                           |                                                                           |  |
| Vesting of Roads and Reserves                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                     |                | NOTATIONS                                                                                                                                      |                                                                           |  |
| Identifier                                                                                                                                                                                                                                                                                                                                                                             | Council/Body/Person                                                                                                                                                                                 |                | THIS IS A SPEAR PLAN                                                                                                                           |                                                                           |  |
| ROAD R1<br>ROAD R2<br>RESERVE No.1<br>RESERVE No.2<br>RESERVE No.3<br>RESERVE No.4<br>RESERVE No.5                                                                                                                                                                                                                                                                                     | ROADS CORPORATION<br>LATROBE CITY COUNCIL<br>LATROBE CITY COUNCIL<br>LATROBE CITY COUNCIL<br>LATROBE CITY COUNCIL<br>LATROBE CITY COUNCIL<br>AUSNET ELECTRICITY SERVICES PTY LTD<br>ABN 91064651118 |                | LOT E CONTAINS 2 PARTS<br>LOTS 15-38, 54-65, 70-95 & 100-113<br>HAVE BEEN OMITTED FROM THIS PLAN                                               |                                                                           |  |
| Depth Limitation DOES NOT APPLY                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                     |                | AREA OF LAND IN THE PLAN: 28-29ha<br>No. OF LOTS & AREA: 48 LOTS - 3-172ha<br>1 BALANCE LOT - 18-98ha<br>5 RESERVES - 3-657ha                  |                                                                           |  |
| Survey This plan is based on survey IN PS729261G<br>This survey has been connected to permanent marks no(s) 100, 164, 223, 276, 279, 280, 310<br>In Proclaimed Survey Area No. ---<br>Staging This is not a staged subdivision<br>Planning Permit No. 2013/271                                                                                                                         |                                                                                                                                                                                                     |                |                                                                                                                                                |                                                                           |  |
| Easement Information                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                     |                |                                                                                                                                                |                                                                           |  |
| Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement or other Encumbrance<br>A - Appurtenant Easement R - Encumbering Easement (Road)                                                                                                                                                                                                             |                                                                                                                                                                                                     |                |                                                                                                                                                |                                                                           |  |
| Subject Land                                                                                                                                                                                                                                                                                                                                                                           | Purpose                                                                                                                                                                                             | Width (Metres) | Origin                                                                                                                                         | Land Benefited/In Favour Of                                               |  |
| E-1, E-2, E-5                                                                                                                                                                                                                                                                                                                                                                          | PIPELINE                                                                                                                                                                                            | SEE DIAGRAM    | 0464412                                                                                                                                        | ESSO EXPLORATION & PRODUCTION AUSTRALIA INC. & HEMATITE PETROLEUM PTY LTD |  |
| E-2, E-3, E-6, E-13                                                                                                                                                                                                                                                                                                                                                                    | PIPELINE                                                                                                                                                                                            |                | G567702                                                                                                                                        | GAS & FUEL CORPORATION OF VICTORIA                                        |  |
| E-4, E-6, E-7                                                                                                                                                                                                                                                                                                                                                                          | PIPELINE                                                                                                                                                                                            |                | H341878                                                                                                                                        | ESSO EXPLORATION & PRODUCTION AUSTRALIA INC. & HEMATITE PETROLEUM PTY LTD |  |
| E-5, E-7, E-8, E-14                                                                                                                                                                                                                                                                                                                                                                    | GAS DISTRIBUTION & AS SET OUT IN MCP No.AA1261                                                                                                                                                      |                | AK963396P                                                                                                                                      | VIC GAS DISTRIBUTION PTY LTD                                              |  |
| E-9                                                                                                                                                                                                                                                                                                                                                                                    | PIPELINES OR ANCILLARY PURPOSES                                                                                                                                                                     |                | PS729261G - SECTION 136 OF THE WATER ACT 1989                                                                                                  | CENTRAL GIPPSLAND REGION WATER CORPORATION                                |  |
| E-10, E-13, E-14, E-15, E-16                                                                                                                                                                                                                                                                                                                                                           | PIPELINES OR ANCILLARY PURPOSES                                                                                                                                                                     |                | THIS PLAN - SECTION 136 OF THE WATER ACT 1989                                                                                                  | CENTRAL GIPPSLAND REGION WATER CORPORATION                                |  |
| E-11, E-15,                                                                                                                                                                                                                                                                                                                                                                            | DRAINAGE                                                                                                                                                                                            |                | THIS PLAN                                                                                                                                      | LATROBE CITY COUNCIL                                                      |  |
| E-12                                                                                                                                                                                                                                                                                                                                                                                   | PIPELINES OR ANCILLARY PURPOSES                                                                                                                                                                     |                | THIS PLAN - SECTION 136 OF THE WATER ACT 1989                                                                                                  | CENTRAL GIPPSLAND REGION WATER CORPORATION                                |  |
|                                                                                                                                                                                                                                                                                                                                                                                        | DRAINAGE                                                                                                                                                                                            |                | THIS PLAN                                                                                                                                      | LATROBE CITY COUNCIL                                                      |  |
| E-15                                                                                                                                                                                                                                                                                                                                                                                   | POWER LINE                                                                                                                                                                                          |                | THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000                                                                                    | AUSNET ELECTRICITY SERVICES PTY LTD<br>ABN 91064651118                    |  |
|                                                                                                                                                                                                                                                                                                                                                                                        | CARRIAGEWAY                                                                                                                                                                                         |                | THIS PLAN                                                                                                                                      | CENTRAL GIPPSLAND REGION WATER CORPORATION                                |  |
| E-16                                                                                                                                                                                                                                                                                                                                                                                   | CARRIAGEWAY                                                                                                                                                                                         |                | THIS PLAN                                                                                                                                      | LOT E ON THIS PLAN                                                        |  |
| E-17                                                                                                                                                                                                                                                                                                                                                                                   | SEWERAGE                                                                                                                                                                                            |                | BA113235L                                                                                                                                      | CENTRAL GIPPSLAND REGION WATER CORPORATION                                |  |
| Millar   Merrigan<br>Land Development Consultants<br>M(03) 6720 5500 R (03) 6134 9611<br>www.millarmerrigan.com.au<br>survey@millarmerrigan.com.au<br>BAY CL ONAL Quality ISO 9001                                                                                                                                                                                                     |                                                                                                                                                                                                     |                | LICENSED SURVEYOR G. J. LADNER<br>SIGNATURE DIGITALLY SIGNED<br>REF 15534S1 VERSION 11: 17/3/2016                                              |                                                                           |  |
|                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                     |                | Sheet 1 of 5 Sheets<br>ORIGINAL SHEET SIZE A3<br>PLAN REGISTERED<br>TIME: 5:18 PM<br>DATE: 15/07/2016<br>R.I.<br>Assistant Registrar of Titles |                                                                           |  |

Signed by: Geoffrey John Ladner (Millar and Merrigan Pty Ltd) Surveyor's Plan Version (11) SPEAR Ref: S057834P 17/03/2016

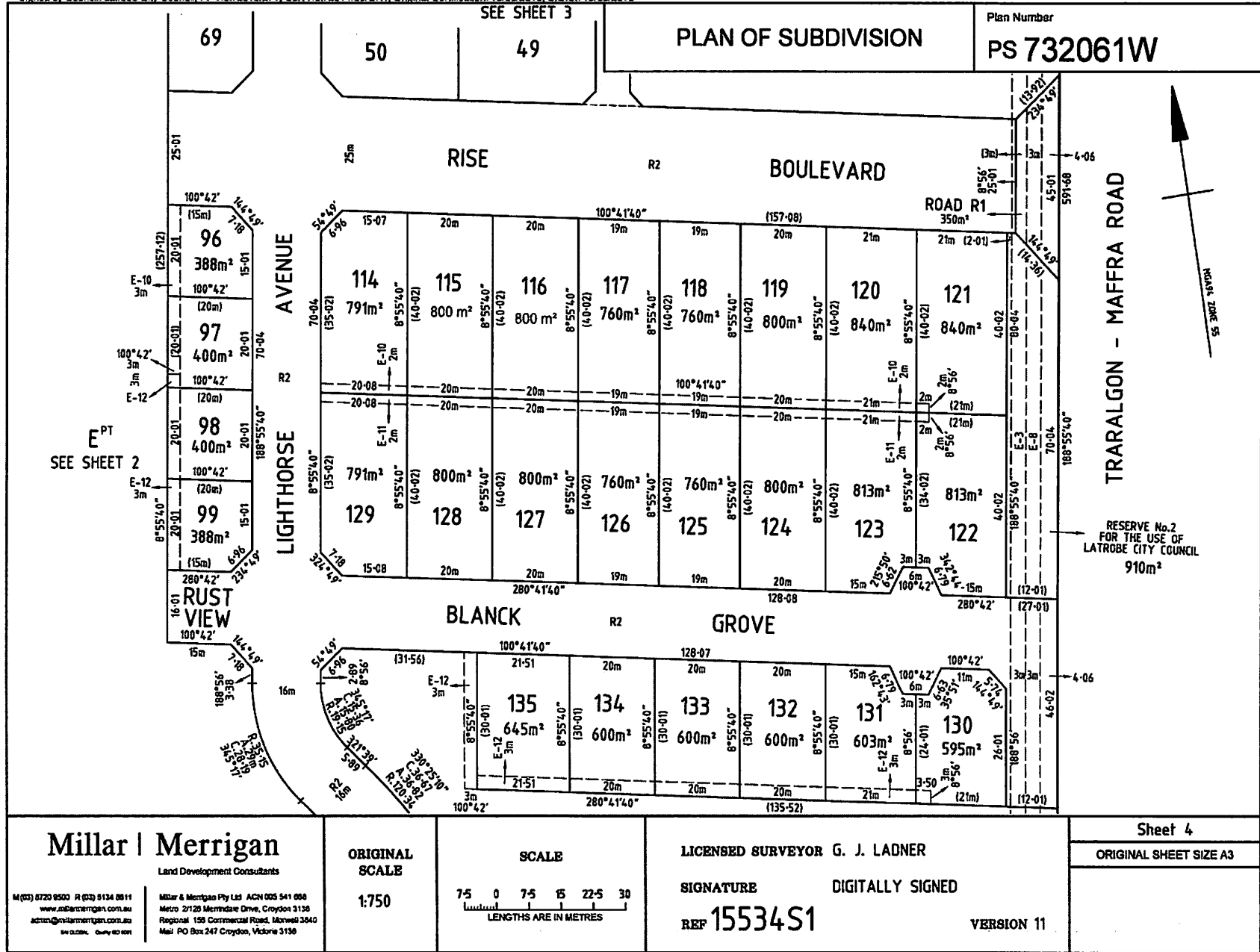
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[illegible]

Signed by Council: Latrobe City Council, PP Ref: 2013/271, Cert Ref: 2014/69/CRT, Original Certification: 10/06/2016, S.O.C.: 10/06/2016



## RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PS732061W

[illegible]

**Plan of Subdivision PS732061W  
Concurrent Certification and Statement of Compliance  
(Form 3)**



**SUBDIVISION (PROCEDURES) REGULATIONS 2011**

SPEAR Reference Number: S057834P  
Plan Number: PS732061W  
Responsible Authority Name: Latrobe City Council  
Responsible Authority Permit Ref. No.: 2013/271  
Responsible Authority Certification Ref. No.: 2014/69/CRT  
Surveyor's Plan Version: 11

**Certification**

☒ This plan is certified under section 6 of the Subdivision Act 1988

**Statement of Compliance**

☒ This is a statement of compliance issued under section 21 of the Subdivision Act 1988

**Public Open Space**

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

☐ Has not been made at Certification

Digitally signed by Council Delegate: Lorrae Dukes  
Organisation: Latrobe City Council  
Date: 10/06/2016

Signed by: Lorrae Dukes (Latrobe City Council) 10/06/2016



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**AN066002R**

# TRANSFER OF LAND

## Creating an Easement and/or Restrictive Covenant

### Section 45 Transfer of Land Act 1958

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Lodged by

Name: JP Conveyancing Works **CBA - MS**

Phone: **15771K**

Address: PO Box 637 MOE VIC 3825

Reference: 15/0820

Customer Code: 16369H

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)

Certificate of Title

Volume **11691** Folio **533**

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

All my estate in fee simple

~~All our estate in fee simple~~

~~All its estate in fee simple~~

Consideration:

\$132,200.00

Transferor: (full name)

MARSHALLS ROAD DEVELOPMENTS PTY LTD ACN149506776

Transferee: (full name and address including postcode)

KATHERINE ANN BORDONARO of 16 Paul Street, Traralgon, Vic 3844 as Sole Proprietor

Directing Party: (full name)

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

The Transferees for themselves and their successors and transferees the registered proprietor or proprietors for the time being of the Land hereby transferred and or each part thereof DO HEREBY COVENANT with the transferors their successors and transferees the registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. 732061W and each and every part thereof (other than the Land hereby transferred) that we shall not at any time:-

30800812A

**T2**

Page 1 of 3

Duty Use Only

**THE BACK OF THIS FORM MUST NOT BE USED**

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

AN066002R

# TRANSFER OF LAND

## Creating an Easement and/or Restrictive Covenant

### Section 45 Transfer of Land Act 1958

- a. In the event that the Land hereby transferred has a land area equal to or less than 600 square metres erect, place, permit, licence or authorise on the Land hereby transferred more than one dwelling house together with the usual outbuildings with such dwelling house to contain a floor area of not less than 100 square metres within the outer walls thereof (calculated by excluding that area of any carport, garage, terrace, pergola, verandah or outbuilding);
- b. In the event that the Land hereby transferred has a land area greater than 600 metres erect, place, permit, licence or authorise on the Land hereby transferred more than one dwelling house together with the usual outbuildings with such dwelling house to contain a floor area of not less than 140 square metres within the outer walls thereof (calculated by excluding the area of any carport, garage, terrace, pergola, verandah or outbuilding);
- c. Erect, place, permit, licence or authorise on the Land hereby transferred any dwelling house other than a dwelling house of which not less than fifty per centum (50%) of the external wall area is constructed of brick, brick veneer, stone, masonry or a foam rendered finish.
- d. Erect, place, permit, licence or authorise on the Land hereby transferred any dwelling house other than a dwelling house of which the external walls are constructed of a material other than any of materials referred to on Sub-Clause © hereof unless the Transferees first obtain the written approval of Marshalls Road Development Pty Ltd which approval may be withheld in its absolute discretion;
- e. Erect, place, permit, licence or authorise to be erected upon the said Land hereby transferred any building structure or fence constructed wholly or partly of second hand materials apart from secondhand bricks which if used must be covered with cement render;
- f. Erect, place, permit, licence or authorise to be erected upon the said Land hereby transferred any building structure or fence constructed wholly or partly of materials that are of a reflective nature;
- g. Use or permit or allow the Land hereby transferred to become overgrown with grass or weeds or allow any rubbish, car parts, automotive wrecks to be dumped, stored or accumulated on the Land hereby transferred at any time;
- h. Erect or replace on the Land hereby transferred any boundary fence (other than the front boundary fence) that is constructed of other than a hardwood post and treated pine capping box paling timber fence that has a minimum height of 900mm and a maximum height of 1,800mm;
- i. Erect, place, permit, licence or authorise on the Land hereby transferred any relocated building;
- j. Notwithstanding the provisions of paragraphs (a) & (b) hereof, erect more than one dwelling house on the Land hereby transferred unless the Transferors have consented in writing to the Transferees' written request (with such request to be made no later than 5 years from the date of this Transfer) to construct more than one dwelling house on the Land hereby transferred which request the Transferors shall be entitled to refuse in their absolute discretion without being called upon to give any reason for such refusal;
- k. Allow for any dwelling on the land hereby transferred to be occupied or sol unless a full concrete crossover and driveway has been constructed.

AND IT IS HEREBY AGREED That the benefit of the foregoing covenants shall be attached to and run at law and in equity with the land comprised in Plan of Subdivision No 732061W so that the burden thereof shall be annexed to and run at

34951404A

T2

Duty Use Only

Page 2 of 3

THE BACK OF THIS FORM MUST NOT BE USED

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

AN066002R

# TRANSFER OF LAND

## Creating an Easement and/or Restrictive Covenant

### Section 45 Transfer of Land Act 1958

law and in equity with the said Land hereby transferred and that the same shall be noted and appear on every future Certificate of title for the said Land as an encumbrance affecting the same and every part thereof.

Dated: 08/08/2016  
Execution and attestation:

Executed by Marshalls Road Developments Pty Ltd ACN149506776  
by being signed by PEARSE JOSEPH MORGAN as Power of Attorney dated  
12<sup>th</sup> November, 2014 as the person authorised to sign for the company

Signed by Power of Attorney.....

Full name: PEARSE JOSEPH MORGAN.....

Usual address: 7 Mervyn Street  
MOE VIC 3825

Signed by the Transferee  
in the presence of:

Witness.....

34951404A

Duty Use Only

# T2

Page 3 of 3

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



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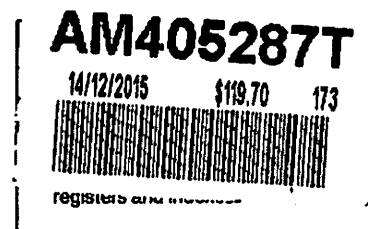
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The document is invalid if this cover sheet is removed or altered.

# Application by a Responsible Authority for the making of a Recording of an Agreement

Section 181 Planning and Environment Act 1987



Lodged by:

Name: Richard Horseman Pty Ltd  
Phone: (03) 5135 3300  
Address: DX 84001 MORWELL  
Reference: FCP:140142  
Customer Code: 11052R

The Responsible Authority having made an agreement referred to in Section 181(1) of the *Planning and Environment Act 1987* requires a recording to be made in the Register.

Land: (volume and folio)

Volume 11555 Folio 027

Responsible Authority: (full name and address including postcode)

Latrobe City Council of 141 Commercial Road, Morwell 3840

Section and Act under which agreement made:

Section 173 of the Planning and Environment Act

A copy of the agreement is attached to this Application.

Date: 4 December 2015

Signature for Responsible Authority:

Name of Officer:

Yvonne Buntin

(full name)

KEEP

THIS AGREEMENT is made the 4<sup>th</sup> day of December 2015

## PARTIES

1. LATROBE CITY COUNCIL of 141 Commercial Road, Morwell, VIC 3840 ("Council").
2. MARSHALLS ROAD DEVELOPMENTS PTY LTD ACN 149 506 776 of 33 Kirk Street, Moe, VIC 3825 ("Owner")

## RECITALS

- A. The Owner is the registered proprietor of the Subject Land.
- B. Council is the Responsible Authority for the administration and enforcement of the Scheme pursuant to the Act.
- C. Section 173 of the Act permits a Responsible Authority in its own behalf or jointly with any other person or bodies to enter into an agreement under seal not inconsistent with the Act or the Planning Scheme and which regulates the use or the development of the land or the doing of acts on the land;
- D. The Council has granted the Owner the Planning Permit which Permit allowed certain development on or with the land, but the conditions of which Permit require the Owner to enter into this Agreement pursuant to Section 173 of the Act and that the agreement be registered against title to the owner's land pursuant to Section 181 of the Act; and
- E. The parties enter into this Agreement to facilitate the requirements referred to in Paragraph D above.

## THE PARTIES AGREE

### 1. DEFINITIONS AND INTERPRETATION

#### Definitions

In this Agreement unless expressed or implied to the contrary:

"Act" means the Planning and Environment Act 1987;

"Agreement" means this agreement and any agreement executed by the parties expressed to be supplemental to this agreement;

"Approved" means approved by the Council;

"Council" means the council for the municipal district of the Latrobe City Council;

"Subject Land" means the land situated at 145 Traralgon-Maffra Road, Traralgon being the land referred to in Certificate of Title Volume 11555 Folio 027 and any reference to the Subject Land in this Agreement includes any lot created by the subdivision of the Subject Land or any part of it.

"Owner" means the person or persons from time to time registered or entitled to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple in the Land or any part of it and includes a Mortgagee in possession;

**AM405287T**

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**"Mortgagee"** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as Mortgagee of the Subject Land or any part of it.

**"Permit"** means Planning Permit Number 2013/271 (as amended) issued to the Owner by the Council;

**"Scheme"** means the Latrobe Planning Scheme;

**"Tribunal"** means the Victorian Civil and Administrative Tribunal.

**AM405287T**

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## **2. OWNER'S COVENANTS**

### **2.1 The Agreement**

The Owner has pursuant to Condition 8 of the Permit prepared Urban Design Guidelines (the "Guidelines") to all residential lots adjoining public open space areas and the narrowed road pavements along the Traralgon Maffra Road frontage of this site. This includes lots 36, 37, 121, 122 & 130. The Guidelines have been approved by Council. Annexed to this Agreement and endorsed by Council is a copy of the Guidelines marked "Plan Approved" under the Permit. The Council has required that the Guidelines be registered on title pursuant to Section 173 of the Act.

### **2.2 Notice**

The Owner covenants to bring this Agreement to the attention of all prospective purchasers, mortgagees, transferees and assigns of the Land.

### **2.3 Compliance**

The Owner covenants to:

- (a) comply with the requirements of all statutory authorities in relation to the development of the Land;
- (b) comply with all statutes, regulations, local laws and planning controls in relation to the Land; and
- (c) take all necessary steps to comply with the obligations of each clause in this Agreement;

### **2.4 Mortgagee to be Bound**

The Owner covenants to obtain the consent of any mortgagee to be bound by the covenants in this Agreement if the mortgagee becomes mortgagee in possession of the Land.

### **2.5 Council's Costs to be Paid**

The Owner covenants to pay immediately on demand to the Council the Council's reasonable costs and expenses (including legal expenses) incidental to the drawing and engrossment, registration, enforcement and release, when applicable, of this Agreement which (until paid) are and remain a charge on the Land.

## **2.6 Indemnity**

The Owner covenants to indemnify and keep indemnified the Council, its officers, employees, agents, workmen and contractors from and against all costs, expenses, losses or damages which they or any of them may sustain incur or suffer or be or become liable for or in respect of any suit action proceeding judgment or claim brought by any person arising from or referable to this Agreement or any non-compliance with this Agreement.

## **2.7 Council Access**

The Owner covenants to allow the Council and its officers, employees, contractors or agents or any of them, to enter the Land (at any reasonable time) to assess compliance with this Agreement.

## **2.8 Registration of Agreement**

The Owner agrees to do all things necessary register this Agreement with the Registrar of Titles in accordance with Section 181 of the Act including the signing of any further agreement, acknowledgment or other document and to do so at the Owner's own expense and to provide all required proofs to the Council of the due registration thereof.

# **3. EFFECT OF AGREEMENT**

## **3.1 Agreement under Section 173 of the Act**

The Council and the Owner agree that without limiting or restricting their respective powers to enter into this Agreement that this Agreement is made pursuant to Section 173 of the Act.

## **3.2 Agreement runs with the Land**

This Agreement will come into force and effect as from the date of this Agreement and the benefit and burden of this Agreement will run with and be annexed to the Land and bind the Owner, its successors in title, assignees and transferees and the registered proprietor for the time being of the Land.

## **3.3 Planning Objectives**

The parties acknowledge that the provisions of this Agreement are intended to achieve or advance the objectives of planning in Victoria and the objectives of the Scheme.

# **4. OWNER'S WARRANTIES**

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Land which may be affected by this Agreement.

# **5. SUCCESSORS IN TITLE**

Without limiting the operation or effect which this Agreement has, the Owner must ensure that, until such time as this Agreement is registered on the title to the Land, successors in title shall be required to:

**AM405287T**

14/12/2015 \$119.70 173



- (a) give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- (b) execute a deed agreeing to be bound by the terms of this Agreement.

## 6. NOTICES

Any notice or other communication required or permitted to be served on any other party must be in writing and may be served or given by:

- (a) delivering it personally or sending it by pre-paid post to that party at its address as set out in this Agreement or to such other address as that party may nominate in writing from time to time; or
- (b) sending it by email to that party provided that a communication sent by email shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post;

and the notice of communication will be deemed to have been served or given:

- (c) if delivered personally, on the date of delivery;
- (d) if sent by email, on the date on which the sending party's email records that the email has been despatched; and
- (e) if sent by email, on the next following business day unless the receiving party has requested retransmission before the end of that business day.

## 7. FURTHER ASSURANCE

Each of the parties to this Agreement will sign and execute all further documents and deeds and do all acts and things as will reasonably be required to effect the terms and conditions contained in this Agreement.

## 8. NO WAIVER

Any time or other indulgence granted by either party to this Agreement to the other party or any variation of the terms and conditions of this Agreement or any judgment or order obtained by either party against the other party will not in any way amount to a waiver of any of the rights or remedies of that party in relation to the terms of this Agreement.

## 9. SEVERABILITY

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it will be severed and the other provisions of this Agreement will remain operative.

## 10. GOVERNING LAW

This Agreement is governed by and will be construed in accordance with the laws from time to time in force in the State of Victoria.

## 11. DISPUTES

11.1 In the event of any dispute between the parties concerning the interpretation or implementation of this Agreement, such dispute shall be referred to the Tribunal



for resolution to the extent permitted by the Act. In the event of a dispute concerning any matter which is not referable to the Tribunal pursuant to the act, such disputes shall be and is hereby referred for arbitration by an Arbitrator agreed upon in writing by the parties or, in the absence of such agreement the Chairman of the Victorian Chapter of the Institute of Arbitrators, Australia or his nominee, for arbitration.

11.2 Where provision is made in this Agreement that any matter be done to the satisfaction of the Council or any of its officers and a dispute arises in relation to such provision, the dispute shall be referred to the Tribunal in accordance with the Act.

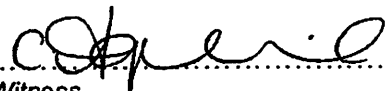
11.3 The parties shall be entitled to legal representation for the purposes of any arbitration or referred to in clauses 11.1 and 11.2 and, unless the Arbitrator, Chairman, nominee or the Tribunal shall otherwise direct, each party must bear its own costs.

## 12. NO FETTERING OF RESPONSIBLE AUTHORITY'S POWERS

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of the Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification or any plans of subdivision applicable to the Land or relating to any use or development of the Land.

## EXECUTED AS A DEED PURSUANT TO SECTION 174(1) OF THE ACT

Signed for and on behalf of Latrobe City Council by Gary Van Driel pursuant to Instrument of Delegation dated 12 June 2015 in the presence of:

  
.....  
Witness

)  
)  
)  
)  
)  
)  
.....  
Gary Van Driel  
Chief Executive Officer

Signed by MARSHALLS ROAD DEVELOPMENTS PTY LTD ACN 149 506 776 by being signed by Pearse Joseph Morgan pursuant to a Power of Attorney dated 12 November 2014 which is in the form authorised by Victorian legislation and of which the attorney has no notice of revocation in the presence of:

  
.....  
Witness

  
.....  
Pearse Joseph Morgan

**AM405287T**

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# THE RISE ESTATE URBAN DESIGN GUIDELINES

**PLANNING & ENVIRONMENT ACT 1987**  
**LATROBE CITY COUNCIL**

Plan Approved Under  
 Planning Permit No 2013/271

Sheet \_\_\_\_ of \_\_\_\_ sheet(s)

Date: 19/11/2015

  
 Council Delegate

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 14/12/2015 11:30 173

ABN 194 748 327 43  
 Metro Level 1, Queens Road, Melbourne 3004  
 Regional 382 Raymond Street, Sale 3850  
 Mail 156 Commercial Road, Morwell 3840  
 Telephone: 03 5143 0340  
 Facsimile: 03 5143 1244  
 nick@nbagroup.com.au  
 www.nbagroup.com.au

**NBAgroup**

| Version | Date           | Description                                  | Author     | Approved      |
|---------|----------------|----------------------------------------------|------------|---------------|
| 1       | October 2014   | Draft for comment                            | Tom Vercoe | Nick Anderson |
| 2       | December 2014  | Issued for Endorsement                       | Tom Vercoe | Nick Anderson |
| 3       | August 2015    | Amended in accordance with Council feedback. |            | Nick Anderson |
| 4       | September 2015 | Amended in accordance with Council feedback. |            | Nick Anderson |

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## 1 Introduction & Application

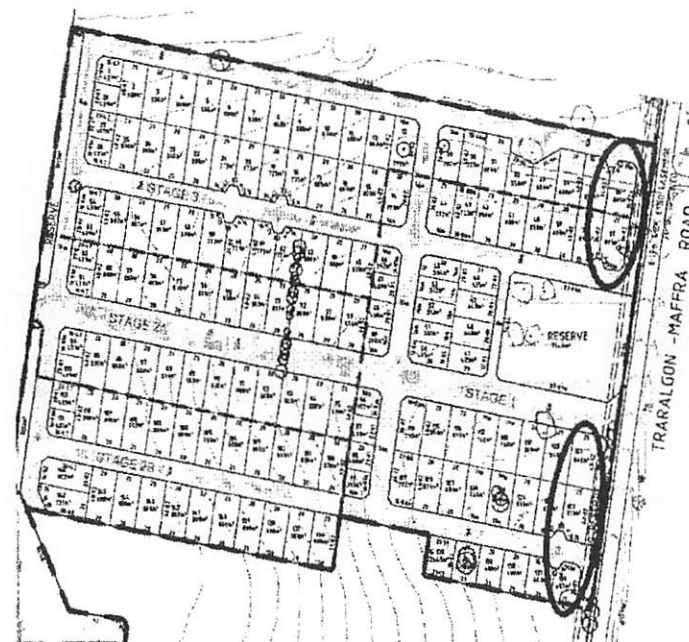
These design guidelines have been prepared in accordance with the requirements of Condition 8 of Planning Permit 2013/271.

These Design Guidelines are to apply to Lots 36, 37, 121, 122 and 130 as outlined at Figure 1.

The guidelines set out a number of siting and design requirements to ensure that development responds appropriately to the public domain and offers a high standard of development consistent with the preferred character of the area.

Any development on the subject lots must be in accordance with the design guidelines except with the written consent from Latrobe City Council.

Figure 1 - Lots affected by Design Guidelines.



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## THE RISE ESTATE URBAN DESIGN GUIDELINES

### 2 Objectives

The key intent of the Design Guidelines is to ensure that the interface between residential lots and the public realm is managed appropriately.

Condition 8 of Planning Permit 2013/271 requires design guidelines to be prepared for all residential allotments adjoining public open space areas and narrowed road pavements along the Traralgon-Maffra Road frontage of the site. Condition 8 makes specific reference to Lots 36, 37, 121, 122 and 130 and details that the guidelines must include the following:

- a) Where appropriate, specifications that dwellings must not present 'side fences' to the public open space areas or to Traralgon Maffra Road. If unavoidable, part (b) of the design guidelines should apply;*
- b) Specifications that boundary fencing adjoining public open space reserves and lots adjoining Traralgon Maffra Road must be no higher than 1.2m high or constructed in material with at least 75% permeability to the satisfaction of the Responsible Authority;*
- c) Guidance as to appropriate building materials, design, garaging, fencing and landscaping to activate all frontages;*
- d) Requirement that any development on the relevant lots must be in accordance with the design guidelines except with written consent from Council.*

In implementing this condition, the objectives of the design guidelines are:

- Appropriate fencing treatment to provide surveillance to public spaces;
- Appropriate dwelling design that overlooks the public spaces, creates visual interest and contributes to an attractive streetscape;
- Ensuring that landscaping is a key consideration early in the dwelling design process.

Implementation of the following guidelines will ensure the highest quality design outcomes for the The Rise Estate are achieved.

Figure 2 identifies the lot frontages that the design guidelines specifically relate to.

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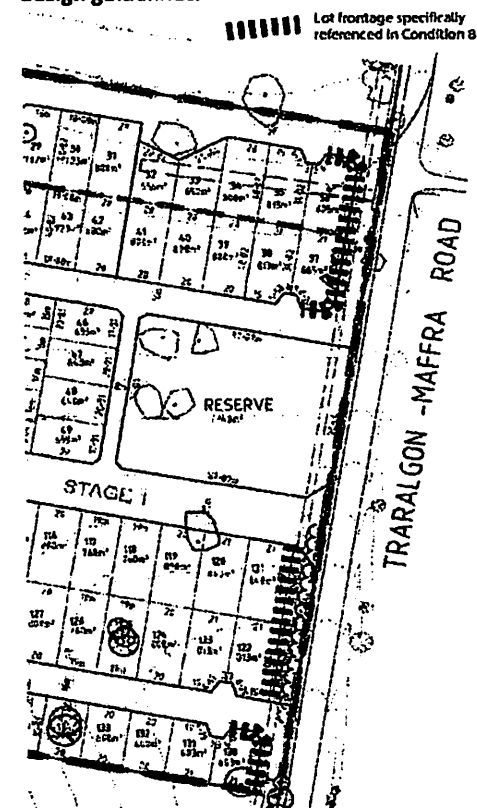
## THE RISE ESTATE URBAN DESIGN GUIDELINES

### 3 Guidelines

The guidelines on the following pages are provided to inform the development of lots affected by the design guidelines.

It is noted that these guidelines should be considered in addition to the requirements of the Latrobe Planning Scheme (particularly Clauses 54 and 55), as well as the *Safer Design Guidelines for Victoria* and the *Guidelines for Higher Density Residential Development*, prepared by the former Department of Sustainability and Environment.

**Figure 2. Lots frontages that are subject to these design guidelines.**



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### 3.1 Guideline 1 - No Side Fencing

Pursuant to Condition 8(a), dwellings must not present side fences to the public open space areas or to Traralgon-Maffra Road. In the instance that some form of fencing is unavoidable, then Guideline 2 applies. Instances where some form of fencing would be unavoidable include where views to/from private open space require buffering to promote privacy.

When future landowners are designing dwellings adjacent to public spaces it is important that consideration is given to local areas of private open space to the 'non-active' frontages (i.e. common boundaries between residential allotments).

Figures 3, 4 and 5 provide examples of corner allotments that have been designed with dwellings that address each road frontage (and consequently require no side fencing).

Figure 3 - Guideline 1 example.



Figure 4. Guideline 1 example.

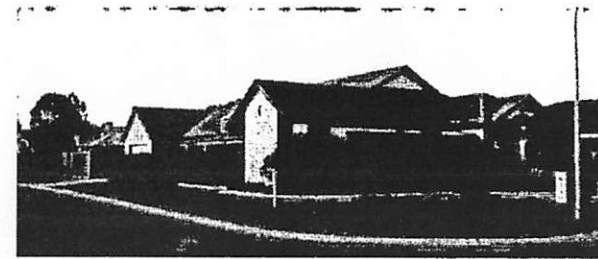


Figure 5. Guideline 1 example.



### 3.2 Guideline 2 - Low and Permeable Fencing

Pursuant to Condition 8(b), boundary fencing adjoining public open space reserves and lots adjoining Traralgon-Maffra Road must be no higher than 1.2m or constructed in material with at least 75% permeability to the satisfaction of the Responsible Authority.

A combination of permeable fencing and feature landscaping can assist in providing a quality streetscape and maximising appeal of these lots. In the context of these design guidelines, feature landscaping would include the planting of small shrubs and trees in the area adjacent to the fence line (refer to Figure 6).

Figures 6 and 7 provide an example of fencing treatments encouraged as part of Guideline 2, whilst Figure 8 provides an example of fencing which is actively discouraged.

Figure 6. Preferred fencing example which incorporates feature landscaping.

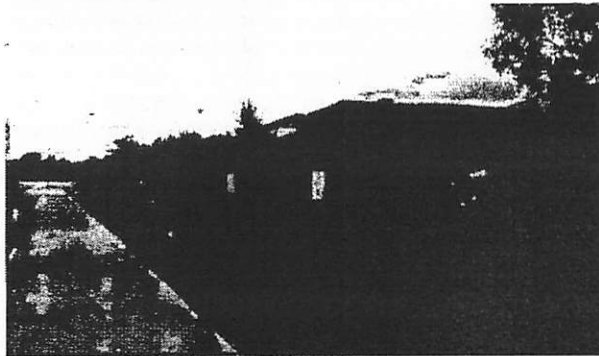


Figure 7. Guideline 2 example of permeable fencing.

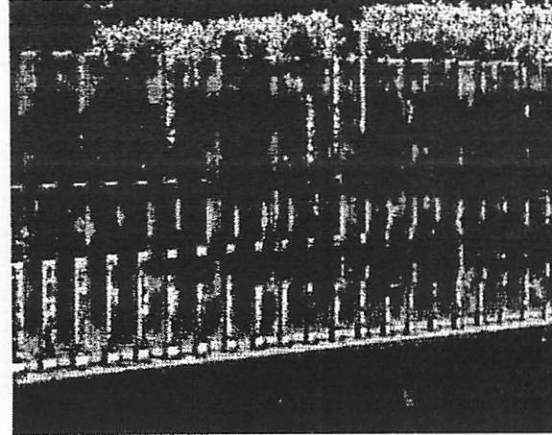
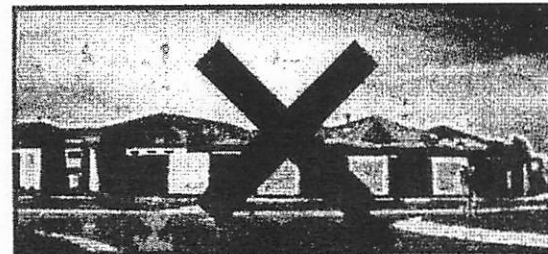


Figure 8. Example of poor fencing interface which is inconsistent with these design guidelines.



### 3.3 Guideline 3 - Interface Design

Pursuant to Condition 8(c), Guideline 3 provides guidance as to appropriate building materials, design, garaging, fencing and landscaping to activate all frontages.

#### 3.3.1 Built Form and Materials

Buildings are to be designed to overlook the public realm at ground level and from upper floors to provide for passive surveillance, and are to be appropriately setback from side boundaries abutting public open space to allow adequate space for landscaping. The default setback adopted by these guidelines is 1m, although this may be varied following the preparation of a detailed landscape plan. Service areas containing bins, storage sheds, etc. must be screened so that they are not visible from the street or areas of public open space.

Buildings facades, particularly those which face areas of open space, are to be suitably articulated (refer to Figure 9 for an example). This is to be achieved by recessing upper stories and utilising changes in materials, textures, finishes and windows. All buildings are to be constructed of high quality materials that seek to soften the look of built form and help the development to integrate with the surrounds.

#### 3.3.2 Garages

Garages are to be designed and sited to ensure they are not dominant upon the street frontage. This is to be achieved by ensuring that garages do not protrude beyond the front facade of a dwelling. In addition to this, garages are not to abut areas of public open space unless they are suitably setback and a landscape treatment is employed to soften the look of built form.

#### 3.3.3 Fencing and Landscaping

Fencing on side boundaries should have regard to topography and incorporate landscaping as a way of screening hard surfaces. Along active frontages (i.e. a boundary adjacent to a street and/or area of public open space), any fencing is to be semi permeable (in accordance with Guideline 2) and must complement the design of the dwelling.

No high, non-permeable fences (e.g. paling) are to be constructed along an active frontage and all fences are to be finished in materials which complement the streetscape. The extent of fencing may vary between lots and is dependent on the design of the dwelling and the location of its private open space.

Where lots have a side abuttal to reserves a mix of fencing treatments is to be utilised in conjunction with landscaping to create an attractive public domain with high levels of surveillance, whilst also maintaining secluded private open space (refer to Figure 10).

Figure 9 - Guideline 3 examples.

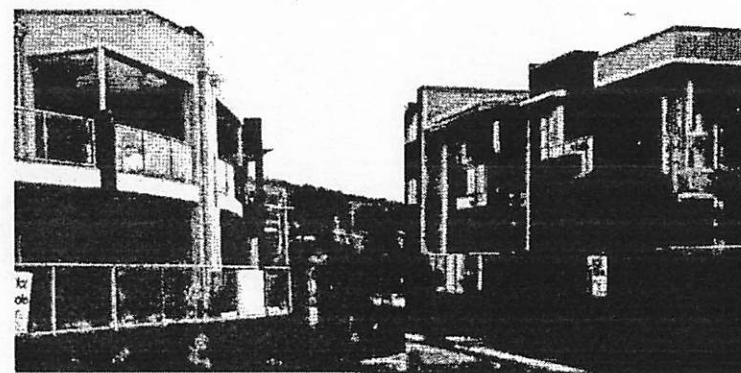
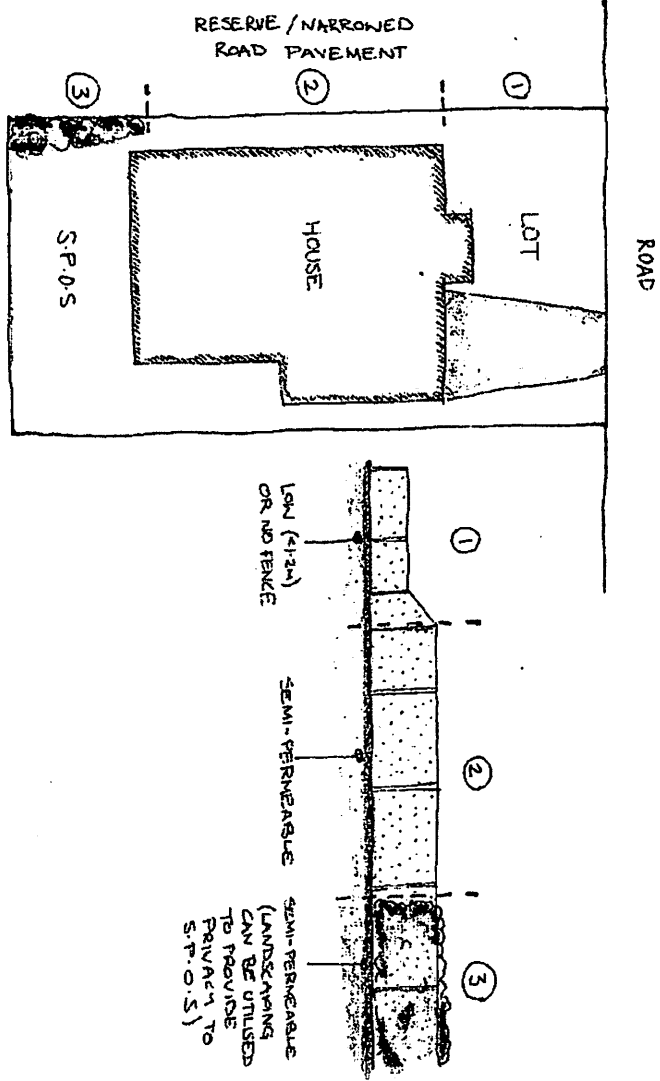


Figure 10 - Guideline 3 Preferred Fencing Sketch.



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## THE RISE ESTATE URBAN DESIGN GUIDELINES

### 4 Conclusion

Development on allotments adjacent to public open space must be in accordance with these design guidelines. Guideline 1 seeks to actively discourage side fencing, Guideline 2 seeks to ensure that where some form of side fencing is unavoidable it is low and/or semi-permeable in nature, whilst Guideline 3 provides guidance in relation to interface design. Together these guidelines seek to achieve the objective of encouraging active frontages between residential allotments and areas of open space.

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# PLANNING PROPERTY REPORT



Department  
of Transport  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 24 June 2026 12:57 PM

## PROPERTY DETAILS

Address: **22 LIGHTHORSE AVENUE TRARALGON 3844**  
Lot and Plan Number: **Lot 50 PS732061**  
Standard Parcel Identifier (SPI): **50\PS732061**  
Local Government Area (Council): **LATROBE**  
Council Property Number: **55345**  
Planning Scheme: **Latrobe**  
Directory Reference: **Vicroads 697 M2**

[www.latrobe.vic.gov.au](http://www.latrobe.vic.gov.au)

[Planning Scheme - Latrobe](#)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
Urban Water Corporation: **Gippsland Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

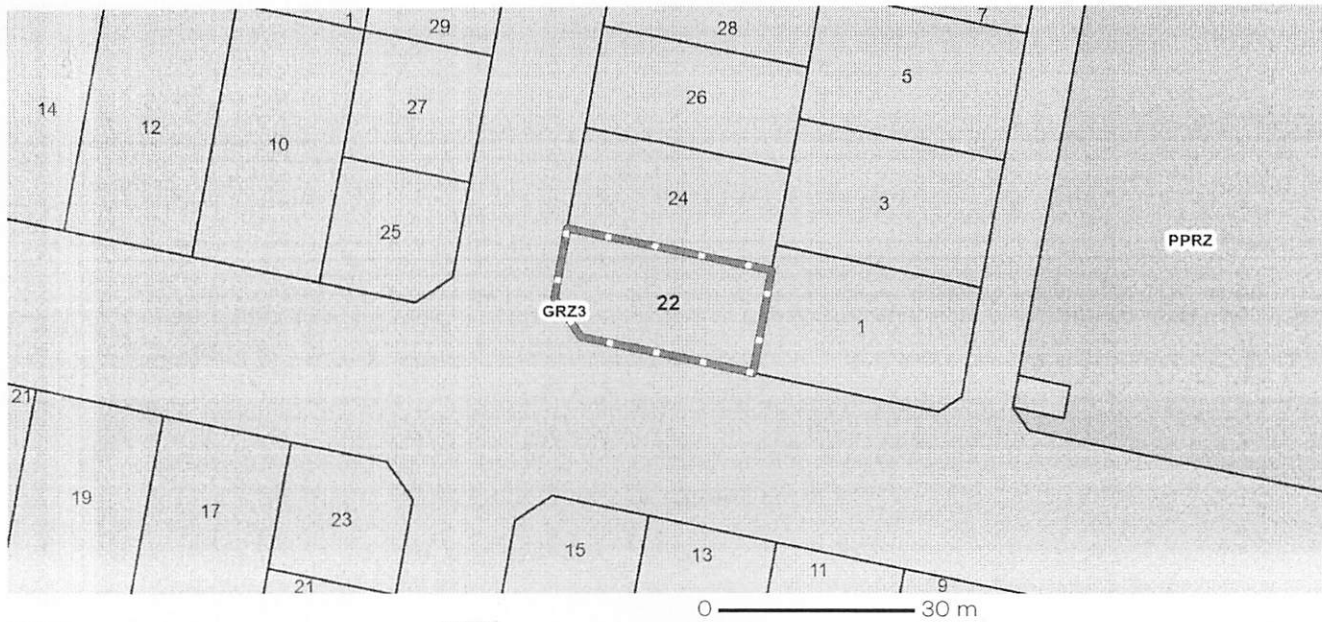
Legislative Council: **EASTERN VICTORIA**  
Legislative Assembly: **MORWELL**  
**OTHER**  
Registered Aboriginal Party: **Gunaikurnai Land and Waters  
Aboriginal Corporation**  
Fire Authority: **Fire Rescue Victoria & Country  
Fire Authority**

[View location in VicPlan](#)

## Planning Zones

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

[GENERAL RESIDENTIAL ZONE - SCHEDULE 3 \(GRZ3\)](#)



GRZ - General Residential

PPRZ - Public Park and Recreation

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

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Read the full disclaimer at <https://www.vic.gov.au/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 PROPERTY REPORT

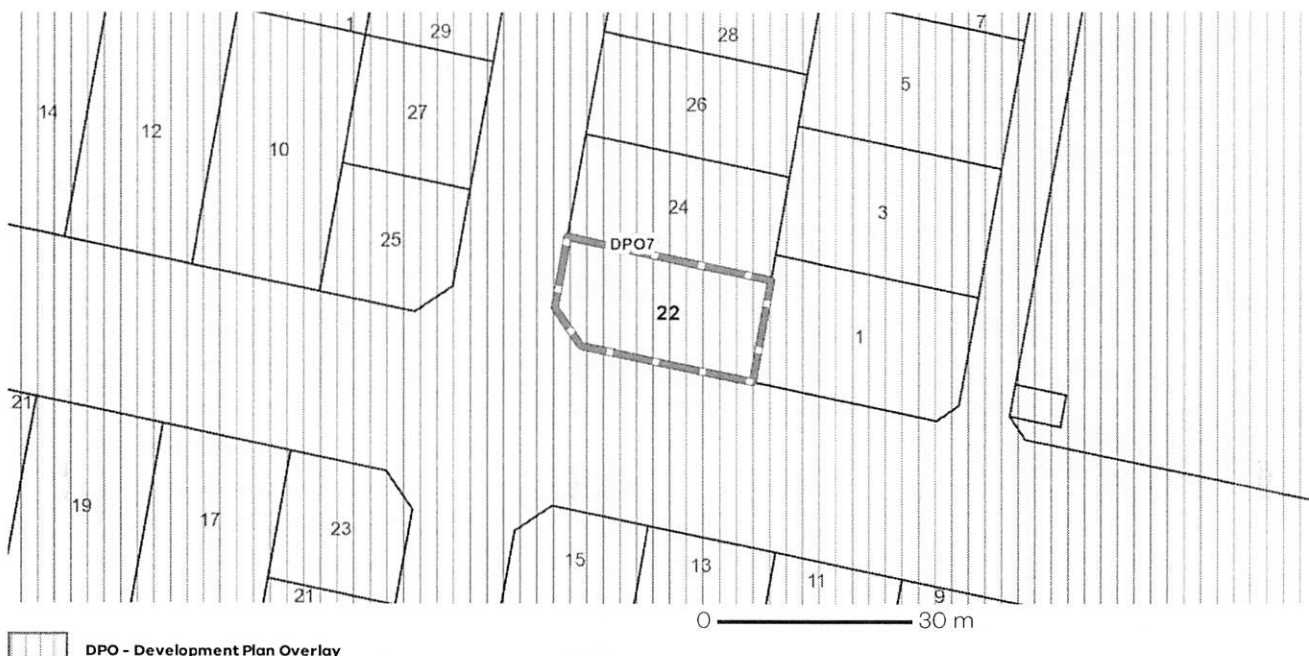


Department  
of Transport  
and Planning

## Planning Overlay

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY - SCHEDULE 7 (DPO7)



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

## Further Planning Information

Planning scheme data last updated on 11 June 2026.

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 <https://mapshare.vic.gov.au/vicplan/>

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

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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 PROPERTY REPORT



Department  
of Transport  
and Planning

## Designated Bushfire Prone Areas

**This property is not in a designated bushfire prone area.**  
**No special bushfire construction requirements apply. Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

## Native Vegetation

Native plants that are indigenous to Victoria and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#).

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Regulations Map (NVR Map) <https://mapshare.vic.gov.au/nvr/> and [Native vegetation \(environment.vic.gov.au\)](http://www.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](http://www.environment.vic.gov.au).

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## Vendor GST Withholding Notice

Pursuant to Section 14-255 Schedule 1 Taxation Administration Act 1953 (Cwlth)

To:

From: Owen James Henderson and Erin Patricia Henderson, 22 Lighthorse Avenue, Traralgon VIC 3844

Property Address: 22 Lighthorse Avenue, Traralgon VIC 3844

Lot: 50 Plan of subdivision: 732061W

The Purchaser is not required to make a payment under Section 14-250 of Schedule 1 of the Taxation Administration Act 1953 (Cwlth) in relation to the supply of the above property

Dated: 25/06/2026



Signed for an on behalf of the Vendor: *KCR CONVEYANCING PTY. LTD.*

# 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.

Owen James Henderson and Erin Patricia Henderson

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**VENDORS STATEMENT.**

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**22 Lighthorse Avenue, Traralgon VIC 3844**

- KCR Conveyancing Pty. Ltd.
- Licenced Conveyancers
- 252 Raymond Street
- SALE 3850.
- Tel: 51431456 File No.