

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

Questions marked with an asterisk (*) must be completed.

If the space provided on the form is insufficient, attach a separate sheet

Click for further information.

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name:
Suburb/Locality:		Postcode:

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.:	☐ Lodged Plan	☐ Title Plan	☐ Plan of Subdivision	No.:
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application

For what use, development or other matter do you require a permit? *

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Estimated cost of any development for which the permit is required *

Cost \$	You may be required to verify this estimate. Insert '0' if no development is proposed. If the application is for land within metropolitan Melbourne (as defined in section 3 of the <i>Planning and Environment Act 1987</i>) and the estimated cost of the development exceeds \$1.093 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.
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Existing Conditions

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

 Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- ☐ No
- ☐ Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:

Contact information for applicant OR contact person below	
Business phone:	Email:
Mobile phone:	Fax:

Contact person's details*		Same as applicant ☐
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:

		Same as applicant ☐
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:
Owner's Signature (Optional):		Date: day / month / year

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date:

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a council planning officer

☐ No

☐ Yes

If 'Yes', with whom?:

Date:

day / month / year

Checklist

Have you:

☐

Filled in the form completely?

☐

Paid or included the application fee?



Most applications require a fee to be paid. Contact Council to determine the appropriate fee.



Provided all necessary supporting information and documents?

☐

A full, current copy of title information for each individual parcel of land forming the subject site.

☐

A plan of existing conditions.

☐

Plans showing the layout and details of the proposal.

☐

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

☐

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void

☐

Completed the relevant council planning permit checklist?

☐

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Maribyrnong City Council
PO Box 58
Footscray VIC 3011

Cnr Napier & Hyde Streets
Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200
Email: email@maribyrnong.vic.gov.au
DX: 81112

Deliver application in person, by post or by electronic lodgement.

MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at planning-schemes.delwp.vic.gov.au

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Goulburn, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void.

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

⚠ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

⚠ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

⚠ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates"

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration

⚠ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

⚠ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

⚠ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

EXAMPLES

Example 1

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.: 4

St. No.: 26

St. Name: Planmore Avenue

Suburb/Locality: HAWTHORN

Postcode: 3122

Formal Land Description *
Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A

Lot No.: 2

☐ Lodged Plan ☐ Title Plan ☒ Plan of Subdivision

No.: LP93562

OR

B

Crown Allotment No.:

Section No.:

Parish/Township Name:

Example 2

For what use, development or other matter do you require a permit? *

Construction of two, double-storey dwellings and construction of two new crossovers.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Example 3

Existing Conditions

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single dwelling.

Provide a plan of the existing conditions. Photos are also helpful.

Example 4

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Title: Mr

First Name: Len

Surname: Browning

Organisation (if applicable): Responsible Developers P/L

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: 4

St. No.: 12

St. Name: Ardour Lane

Suburb/Locality: Wycheproof

State: Vic

Postcode: 3527

Contact information for applicant OR contact person below

Business phone: 9123 4567

Email: tcpl@bigpond.net.au

Mobile phone: 0412 345 678

Fax: 9123 4567

Contact person's details* ☐ Same as applicant

Name:

Title: Mr

First Name: Andrew

Surname: Hodge

Organisation (if applicable): Town Planning Consultants

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name: PO Box 111

Suburb/Locality: Parkdale

State: Vic

Postcode: 3194

☒ Same as applicant

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Owner's Signature (Optional):

Date:

day / month / year

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

Page 1 of 2

VOLUME 10340 FOLIO 637

Security no : 124135083255D
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CROWN GRANT

LAND DESCRIPTION

Crown Allotment 5J Section 15 and Crown Allotment 5L Section 15 Parish of
Cut-paw-paw.

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

VICTORIA UNIVERSITY of BALLARAT ROAD FOOTSCRAY VIC 3011
AR196665C 02/07/2018

ENCUMBRANCES, CAVEATS AND NOTICES

REGISTRAR'S CAVEAT as to part AQ272508F 21/09/2017

REGISTRAR'S CAVEAT as to part AQ272503R 21/09/2017

REGISTRAR'S CAVEAT as to part AQ272557R 21/09/2017

CAVEAT as to part AU058439J 18/02/2021

Caveator

TELSTRA CORPORATION LTD

Grounds of Claim

LEASE WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

07/04/2020

Estate or Interest

LEASEHOLD ESTATE

Prohibition

UNLESS I/WE CONSENT IN WRITING

Lodged by

CORNWALLS

Notices to

CORNWALLS of LEVEL 4 380 COLLINS STREET MELBOURNE VIC 3000

AMENDMENT OF ADDRESS ON CAVEAT AY772723T 13/01/2025

Any crown grant reservations exceptions conditions limitations and powers
noted on the plan or imaged folio set out under DIAGRAM LOCATION below.
For details of any other encumbrances see the plan or imaged folio set out
under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP076277P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

Page 2 of 2

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

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

OTHER TITLES WITH INTERESTS AFFECTING THIS LAND
11728/985, 11728/990

ADMINISTRATIVE NOTICES

NIL

eCT Control 16446R DEPARTMENT OF JOBS, SKILLS, INDUSTRY AND REGIONS (TERTIARY
EDUCATION)
Effective from 02/07/2018

DOCUMENT END

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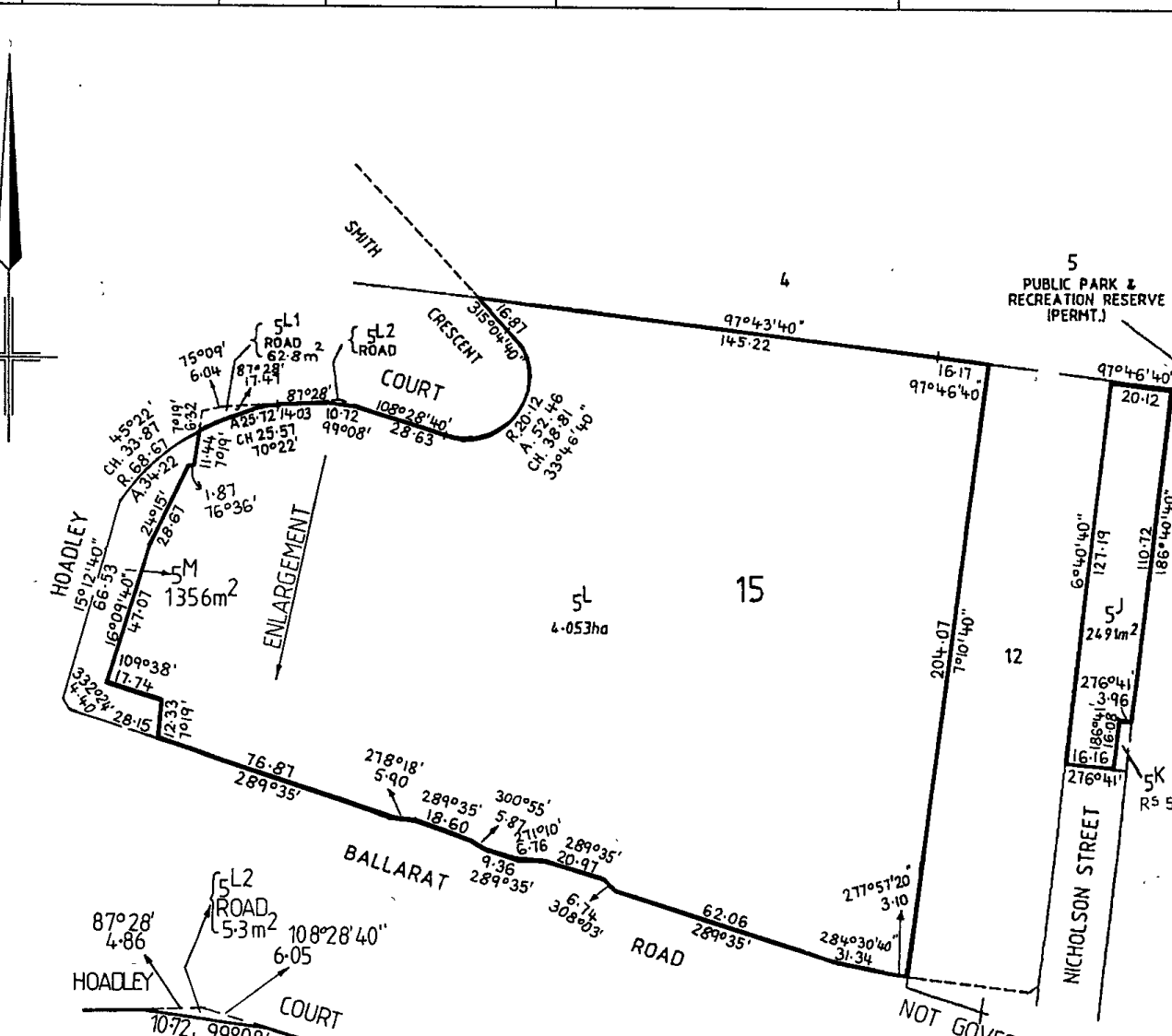
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TITLE PLAN		EDITION 2		TP 76277P	
Location of Land Parish CUT PAW PAW Township : Crown Allotments : 5J & 5L Crown Portion : -- Section : 15 Last Plan Reference -- Title References : VOL.10340 FOL 637 Depth Limitation : NIL				Notations : SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 10340 FOL. 637 AND NOTED ON SHEET 2 OF THIS PLAN LAND HEREIN IS SUBJECT TO: S.56 VICTORIA UNIVERSITY OF TECHNOLOGY ACT 1990	
Easement Information					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES Checked by :  Assistant Registrar of Titles Date 3 18 104
E - Encumbering Easement R - Encumbering Easement (ROAD) A - Appurtenant Easement					
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	



LENGTHS ARE IN METRES	SCALE	SHEET SIZE A3	
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Sheet 1 of 2 Sheet

RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS

Provided that this Grant is made subject to -

- (a) the reservation to Us Our heirs and successors of -
 - (i) any minerals within the meaning of the *Mineral Resources Development Act 1990* and petroleum within the meaning of the *Petroleum Act 1958* (hereinafter called "the reserved minerals");
 - (ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;
 - (iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;
- (b) the right to resume the said land for mining purposes pursuant to section 205 of the *Land Act 1958*;
- (c) the right of any person being a licensee under the *Mineral Resources Development Act 1990* or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.
- (d) the condition that the land shall only be used as a site for Educational Purposes.

[illegible]

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AQ272503R

21/09/2017

\$0 106AR



REGISTRAR'S CAVEAT

Section 106 (1)(a) Transfer of Land Act 1958

REGISTRAR OF TITLES VICTORIA

This caveat prohibits any transfer of, or dealing with, the Land.

LAND:

Volume 10340 Folio 637 (Part) being the land formerly contained in Crown Allotment
5G Section 15 Parish of Cut-paw-paw

REASON(S) FOR RECORDING CAVEAT

RESERVATION: Temporary
PURPOSE: Educational Purposes
Source: Government Gazette 1941 page 2128

DATED 21/09/2017

A handwritten signature in black ink, appearing to be 'K. M.', written over a dotted line.

Assistant Registrar of Titles



No. 162.—June 11, 1941

2128

Victoria

DEPARTMENT OF LANDS AND SURVEY:

At the Executive Council Chamber, Melbourne, the tenth day of June, 1941:

PRESENT:

His Excellency the Governor of Victoria.
Sir George Goudie | Mr. Martin.
Mr. Pye

UNUSED AND UNMADE ROAD CLOSED.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby direct that, in pursuance of the provisions of section 304 of the *Land Act 1928* (No. 3709), the unused and unmade road referred to hereunder be closed, viz.:—

Parish of Cardigan, County of Grenville, being the road lying between the Water Supply reserve and allotment 5q, a line and 5q of section 15.—(C.102A) (C.85860).

LAND TEMPORARILY RESERVED FROM SALE.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of the *Land Act 1928*, reserve, temporarily, and also except from occupation for mining purposes under any miners' right, the land hereinafter described:—

FOOTSCRAY.—Site for Educational purposes.—7 acres 2 roods 11 perches, City of Footscray, Parish of Cut-paw-paw, County of Bourke: Commencing at the south-west angle of allotment 12 of section 15; bounded thence by the Ballantrath-road bearing N. 77 deg. 9 min. W. 1,229 5/10 links; by a Public Park and Recreation Reserve bearing N. 0 deg. 32 min. E. 639 4/10 links; by Farnsworth-avenue bearing N. 68 deg. 22 min. E. 30 links; N. 80 deg. 41 min. E. 181 5/10 links, S. 78 deg. 19 min. E. 847 links, and easterly 165 4/10 links in an arc of a circle whose centre lies 380 4/10 links northerly and with chord bearing N. 80 deg. 25 min. E. 164 1/10 links; and thence by allotment 12 aforesaid bearing S. 0 deg. 32 min. W. 682 7/10 links to the point of commencement.—(C.345) (14) (Rs.6216).

LAND TEMPORARILY RESERVED FOR AN ADDITIONAL PURPOSE.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of the *Land Act 1928*, reserve, temporarily, and also except from occupation for mining purposes under any miner's right, for the additional purpose of Public Recreation, the land hereinafter described:—

MILDURA.—Site for a Racecourse and Public Recreation.—126 acres 3 roods, Parish of Mildura, County of Karkaroo, being the site temporarily reserved by Order in Council of the 30th November, 1920, for a Racecourse.—(M.550) (4) (Rs.219).

PORTION OF ROAD IN THE TOWNSHIP OF MALDON EXCISED.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of section 3, subsection (b), of the *Land (Residence Area) Act 1933*, excise that portion of the road in the Township of Maldon as is defined by technical description hereunder, viz.:—

Township of Maldon, Parish of Maldon, County of Talbot: Commencing at a point bearing N. 89 deg. 50 min. E. 192 4/10 links from the south-eastern angle of allotment 15 of section 26; bounded thence by a line bearing north 559 links; by Hornsby-street bearing S. 89 deg. 50 min. E. 30 links; by lines bearing south 267 links, S. 80 deg. 47 min. E. 50 5/10 links and south 283 8/10 links; and thence by a road bearing S. 89 deg. 50 min. W. 80 links to the point of commencement.—(M.449) (10) (W.62508).

NOTICE OF INTENTION TO CANCEL WATER FRONTAGE LICENCE.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby approve, in pursuance of the provisions of section 863 of the *Local Government Act 1928*, that three months' notice be given to J. M. Burns of the intention to cancel water

frontage licence No. 10123, namely, for the frontage to Lake Yallakar abutting allotments 54a and 60, Parish of Awonga, situate in the Shire of Kovree.

And the Honorable A. E. Lind, His Majesty's Commissioner of Crown Lands and Survey for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the tenth day of June, 1941.

PRESENT:

His Excellency the Governor of Victoria.
Sir George Goudie | Mr. Martin.
Mr. Pye

PROVISIONS OF SECTION 212 OF THE FACTORIES AND SHOPS ACT 1928 (AS AMENDED BY SECTION 34 OF THE FACTORIES AND SHOPS ACT 1934 AND BY SECTION 2 OF THE FACTORIES AND SHOPS (BREAD) ACT 1940) APPLIED TO CERTAIN PORTIONS OF A SHIRE.

UNDER the powers in that behalf conferred by the Factories and Shops Acts, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth by this Order apply the provisions of section 212 of the *Factories and Shops Act 1928* (as amended by section 34 of the *Factories and Shops Act 1934* and by section 2 of the *Factories and Shops (Bread) Act 1940*) to the following portions of a shire, that is to say:—

"The Township of Merbeta within the Shire of Mildura and such portions of the said Shire of Mildura as are within a radius of one mile of the Red Cliffs Post Office and within a radius of one mile of the Irymple Post Office."

RESCISSION OF EXEMPTION FROM SATURDAY HALF-HOLIDAY AND REGULATION OF SHOPS FOR THE SALE OF FRESH UNCOOKED MEAT WITHIN A RADIUS OF ONE AND A HALF MILES OF THE MORNINGTON RAILWAY STATION.

UNDER the powers in that behalf conferred by the Factories and Shops Acts, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, upon a petition signed by a majority of all the shopkeepers (exclusive of hawkers and pedlars) keeping shops for the sale of fresh uncooked meat within the portion of the municipal district of the Shire of Mornington within a radius of one and a half miles of the Mornington Railway Station, doth hereby revoke the Regulation made on the sixth day of January, 1915, directing that all shops for the sale of fresh uncooked meat within the portion of the municipal district of the Shire of Mornington within a radius of one and a half miles of the Mornington Railway Station shall be exempted from the Saturday Half-Holiday, and fixing the closing hours of all such shops on Saturdays, Fridays, and Wednesdays.

REGULATION OF SHOPS FOR THE SALE OF FRESH UNCOOKED MEAT WITHIN THE SHIRE OF MORNINGTON.

UNDER the powers in that behalf conferred by the Factories and Shops Acts, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, upon a petition signed by a majority of all the shopkeepers (exclusive of hawkers and pedlars) keeping shops for the sale of fresh uncooked meat within the municipal district of the Shire of Mornington, doth hereby make the following Regulation, that is to say:—

All shops for the sale of fresh uncooked meat within the municipal district of the Shire of Mornington shall be closed in each week during the whole of each year from the hour of Five o'clock on the evenings of Monday, Tuesday, Wednesday, Thursday, and Friday.

And the Honorable Henry Stephen Bailey, for and on behalf of His Majesty's Minister of Labour for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

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21/09/2017

\$0 106AR



REGISTRAR'S CAVEAT

Section 106 (1)(a) Transfer of Land Act 1958

REGISTRAR OF TITLES VICTORIA

This caveat prohibits any transfer of, or dealing with, the Land.

LAND:

Volume 10340 Folio 637 (Part) being Crown Allotment 5J Section 15 Parish of Cut-paw-paw and (Part) being the land formerly contained in Crown Allotment 5E and 5H Section 15 Parish of Cut-paw-paw

REASON(S) FOR RECORDING CAVEAT

RESERVATION: Temporary

PURPOSE: Educational Purposes

Source: Government Gazette 1988 page 3696

DATED 21/09/2017

Assistant Registrar of Titles

AQ272557R

21/09/2017

\$0 106AR



3696 G 47 7 December 1988

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION

The Governor in Council under section 10 of the *Crown Land (Reserves) Act 1978* gives notice of intention to revoke the following temporary reservations:

NOWA NOWA—The temporary reservation as a site for a Racecourse by Order in Council of 7 March 1961 and for the additional purposes of Public Recreation by Order in Council of 7 December 1982 of 83.43 hectares of land in the Parish of Nowa Nowa so far only as the portion containing 28.54 hectares being Crown Allotment 12A, Parish of Nowa Nowa as shown on Certified Plan No. 108546 lodged in the Central Plan Office—(Rs. 1827).

WOODEND—The temporary reservation by Order in Council of 26 February 1952 of 1.548 hectares, more or less, of land in the Township of Woodend as a site for Public Recreation and Tourist Camping Purposes—(Rs. 118).

Dated 30 November 1988

Responsible Minister:

KAY SETCHES

Minister for Conservation, Forests and Lands

KATHY OUZOUNIS

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

CROWN LANDS TEMPORARILY RESERVED

The Governor in Council under sections 4 and 7 of the *Crown Land (Reserves) Act 1978* temporarily reserves for the purposes mentioned and also excepts from prospecting or from occupation for mining purposes under any miners right the following Crown lands:

Municipal District of the Shire of Orbost

BEMM, NUNGAL, TAMBOON and TONGHI—Preservation of Species of Native Plants, 350 hectares, more or less, of land in the Parishes of Bemm, Nungal, Tamboon and Tonghi shown bordered red on plan marked A/18/11/88 attached to Department of Conservation, Forests and Lands correspondence No. Rs. 13991 and being the land described in the Land Conservation Council's Final Recommendation F6 for the East Gippsland Area Review—(Rs. 13991).

Municipal District of the Shire of Kerang

KERANG—Management of Wildlife, 150 hectares, more or less, of land in the Parish of Kerang shown bordered red on plan marked K:22-11-88 attached to Department of Conservation, Forests and Lands correspondence No. Rs. 13918 and being the land described in the Land Conservation Council's Final

Victoria Government Gazette

Recommendation C3 for the Murray Valley Area, excluding roads, the remaining land temporarily reserved as a site for Water Supply Purposes by Order in Council of 13 December 1880, land permanently reserved for Public Purposes by Order in Council of 23 May 1881 and land vested in the State Transport Authority—(Rs. 13918).

Municipal District of the Shire of Portland

HOMERTON—Preservation of Species of Native Plants, 150 hectares, more or less, of land in the Parish of Homerton shown bordered red on plan marked H:17/10/88 attached to Department of Conservation, Forests and Lands correspondence No. Rs. 13969 and being the land described in the Land Conservation Council's Final Recommendation G4 for the South-Western Area District I Review—(Rs. 13969).

Dated 29 November 1988

Responsible Minister:

KAY SETCHES

Minister for Conservation, Forests and Lands

KATHY OUZOUNIS

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

CROWN LAND TEMPORARILY RESERVED

The Governor in Council under sections 4 and 7 of the *Crown Land (Reserves) Act 1978* temporarily reserves for the purpose mentioned and also excepts from prospecting or from occupation for mining purposes under any miners right the following Crown land:

Municipal District of the City of Footscray

CUT-PAW-PAW—Educational Purposes, 1.1829 hectares being Crown Allotments 5E, 5H and 5J, Section 15, Parish of Cut-paw-paw as shown on Certified Plan No. 109127 lodged in the Central Plan Office—(Rs. 5215).

Dated 29 November 1988

Responsible Minister:

KAY SETCHES

Minister for Conservation, Forests and Lands

KATHY OUZOUNIS

Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

CROWN LAND TEMPORARILY RESERVED

The Governor in Council under sections 4 and 7 of the *Crown Land (Reserves) Act 1978* temporarily reserves for the purpose mentioned and also excepts from prospecting or from occupation for mining purposes under any miners right the following Crown land:

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REGISTRAR'S CAVEAT

Section 106 (1)(a) Transfer of Land Act 1958

REGISTRAR OF TITLES VICTORIA

This caveat prohibits any transfer of, or dealing with, the Land.

LAND:

Volume 10340 Folio 637 (Part) being the land formerly contained in Crown Allotment
5F Section 15 Parish of Cut-paw-paw

REASON(S) FOR RECORDING CAVEAT

RESERVATION: Temporary
PURPOSE: Educational Purposes
Source: Government Gazette 1965 page 1892

DATED 21/09/2017


.....
Assistant Registrar of Titles

AQ272508F

21/09/2017

\$0 106AR



Victoria Gazette

1891

No. 45.—June 16, 1965

LAW DEPARTMENT.

Commissioners for Taking Declarations, &c.

RAYMOND FRANCIS SHAW, care of Commonwealth Banking Corporation, Parkdale,
 MAXWELL EMERY WOOD, care of The Australian Dried Fruits Association, "Sunraysia House", 24 Jeffcott-street, West Melbourne,
 ERICE AUGUST WILHELM LEDER, care of A. H. McDonald and Co. Pty. Ltd., 566 Bridge-road, Richmond,
 ROBERT HENRY BRANN, care of Fibremakers Ltd., Canterbury-road, Bayswater,
 GORDON DESMOND GASCOYNE, care of Town Hall, Preston,
 BRUCE HACKETT, care of Legal and General Assurance Society Ltd., 392 Little Collins-street, Melbourne, and
 FREDERICK JOHN LACK, care of Plumbers and Gasfitters Employees' Union, 55 Victoria-street, Melbourne, to be Commissioners for taking Declarations and Affidavits, pursuant to the provisions of the Evidence Act 1958, to resign upon ceasing to occupy their present positions; and
 WALTER BERNARD WELCH, 46 Fromer-street, Moorabbin, to be a Commissioner for taking Declarations and Affidavits, pursuant to the provisions of the Evidence Act 1958, to resign upon removing from the neighbourhood of the address stated.

Stipendiary Magistrate, &c.

JAMES MONTEITH STANLEY HUMPHREY to be a Stipendiary Magistrate, pursuant to the provisions of the Justices Act 1958; a Coroner for the State of Victoria, pursuant to the provisions of the Coroner's Act 1958; and a Warden of the Goldfields in and for the State of Victoria, pursuant to the provisions of the Mines Act 1958, to take effect from the date of commencement of duty.

DEPARTMENT OF PUBLIC WORKS.

Wharf Manager and Assistant Wharf Manager.

Senior Constable NORMAN MURRAY McDONALD, No. 9809, to be Wharf Manager, and
 First Constable MALCOLM CLIVE GRANT, No. 12758, to be Assistant Wharf Manager, at Mornington, to carry out that portion of Part II. of the Marine Act 1958, which relates to the management of Public Wharves, and to be officers under section 19 of such Act to levy and collect wharfage rates thereat, both at a remuneration of £50 each, per annum.

DEPARTMENT OF WATER SUPPLY.

Waterworks Trusts Commissioners.

MALCOLM MONCUR THOMSON to be a Commissioner of the Apollo Bay Waterworks Trust for a period of four years from the date hereof, subject to the provisions of the Water Act; and
 LINDSAY GUSTAV DEGENHARDT to be a Commissioner of the Murtoa Waterworks Trust for a period of four years from the date hereof, subject to the provisions of the Water Act.

J. COLQUHOUN,
 Clerk of the Executive Council.

At the Executive Council Chamber,
 Melbourne, 9th June, 1965.

RESIGNATIONS.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, has, by Orders made on the 9th day of June, 1965, accepted the resignations of the persons named hereunder of the offices mentioned, viz.:-

LAW DEPARTMENT.

VICTOR HUGO BAUDINETTE, as a Justice of the Peace for the Western Bailiwick of the State of Victoria.
 VICTOR HUGO BAUDINETTE, as a Deputy Coroner, pursuant to the provisions of the Coroner's Act 1958.
 LAURENCE EDWARD SMITH, as a Commissioner for taking Declarations and Affidavits, pursuant to the provisions of the Evidence Act 1958.

J. COLQUHOUN,
 Clerk of the Executive Council.

At the Executive Council Chamber,
 Melbourne, 9th June, 1965.

DEPARTMENT OF CROWN LANDS AND SURVEY.

At the Executive Council Chamber, Melbourne, the ninth day of June, 1965.

PRESENT:

His Excellency the Governor of Victoria.
 Mr. Chandler | Mr. Bloomfield.
 Mr. Reid

REVOCATION OF TEMPORARY RESERVATION OF LAND BY ORDER IN COUNCIL.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of the Land Act 1958, revoke the temporary reservation of land by Order in Council hereinafter referred to, viz.:-

MALDON.—Order in Council of the 11th November, 1868, of 3 acres 0 roods 14 perches of land in the Township of Maldon, as a site for Public Gardens, revoked as to part by Order of the 20th November, 1957, so far as the balance thereof containing 2 acres 3 roods 32 perches, more or less. —(Rs.3677).

And the Honorable James Charles Murray Balfour, Her Majesty's Minister of Lands for the State of Victoria, shall give the necessary directions herein accordingly.

J. COLQUHOUN,
 Clerk of the Executive Council.

DEPARTMENT OF CROWN LANDS AND SURVEY.

At the Executive Council Chamber, Melbourne, the ninth day of June, 1965.

PRESENT:

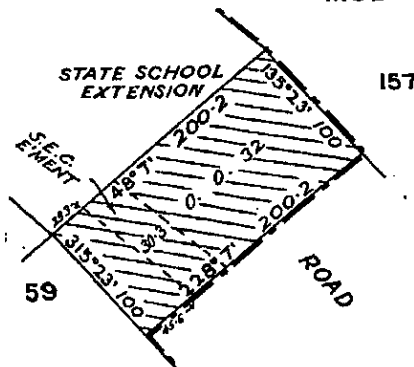
His Excellency the Governor of Victoria.
 Mr. Chandler | Mr. Bloomfield.
 Mr. Reid

LANDS TEMPORARILY RESERVED AS SITES.

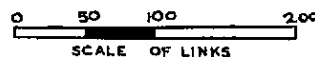
HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of the Land Act 1958, reserve, temporarily, and also except from occupation for mining purposes under any miner's right, the lands hereinafter described:—

ALLAMBEE EAST (CHILDERS).—Site for State School purposes, 32 perches, Parish of Allambee East, County of Buln Buln, as indicated by hachure on plan hereunder.—(A.177⁽¹⁴⁾) (Rs.8131).

MOE



ALLAMBEE EAST



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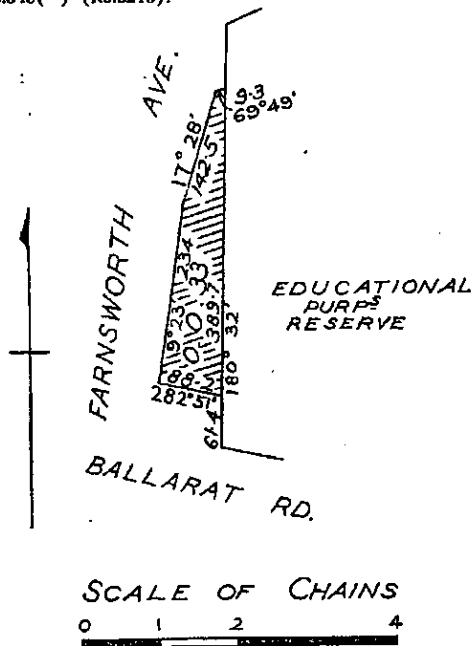
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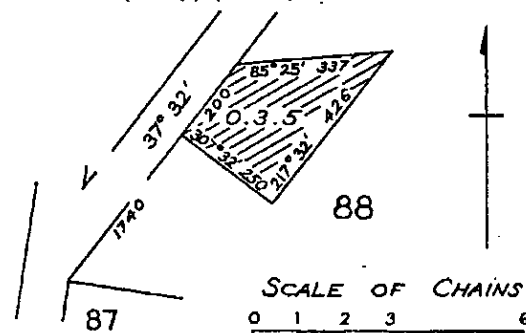
No. 45.—June 16, 1965

1892

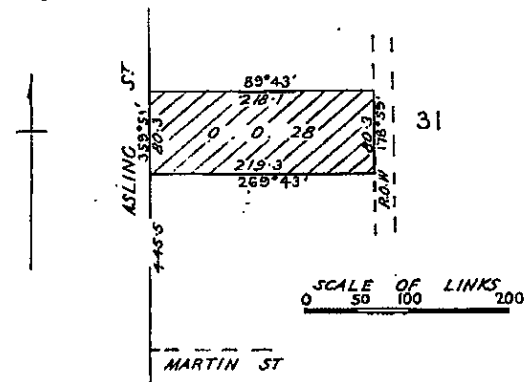
CUT-PAW-PAW (FOOTSCRAY).—Site for Educational purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of the 10th June, 1941, 33 perches, Parish of Cut-paw-paw, County of Bourke, as indicated by hachure on plan hereunder.—(C.345⁽¹⁾) (Rs.5215).



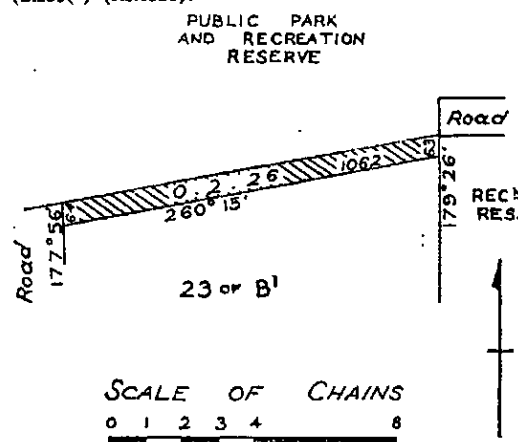
LONGWARRY (ATHLONE).—Site for Public purposes (Public Hall), 3 roods 5 perches, Parish of Longwarry, County of Mornington, as indicated by hachure on plan hereunder.—(L.162⁽¹⁾) (Rs.8453).



PAHRAN (GARDENVALE).—Site for Public purposes (Police purposes), 28 perches, East of Elsternwick, Parish of Prahran, County of Bourke, as indicated by hachure on plan hereunder.—(P.81⁽¹⁾) (Rs.8459).

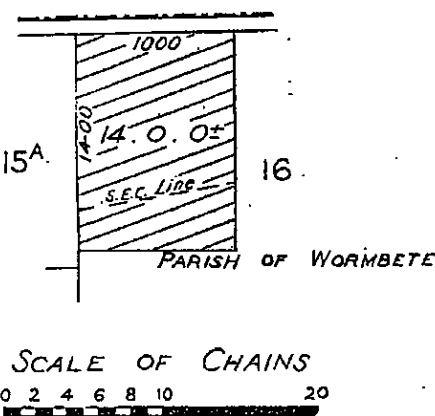


SALE.—Site for Public Park and Public Recreation, in addition to and adjoining the site temporarily reserved therefor by Order in Council of the 6th June, 1956, 26 perches, Township of Sale, Parish of Sale, County of Tanjil, as indicated by hachure on plan hereunder.—(S.239⁽²⁾) (Rs.1321).



WORMBETE.—Site for Public purposes (Supply of Gravel), 14 acres, more or less, Parish of Wormbete, County of Grant, as indicated by hachure on plan hereunder.—(W.205^(*)) (Rs.8454).

PARISH OF TUTECONG



And the Honorable James Charles Murray Balfour, Her Majesty's Minister of Lands for the State of Victoria, shall give the necessary directions herein accordingly.

J. COLQUHOUN,
Clerk of the Executive Council.

DEPARTMENT OF CROWN LANDS AND SURVEY.

At the Executive Council Chamber, Melbourne, the ninth day of June, 1965.

PRESENT:

His Excellency the Governor of Victoria.
Mr. Chandler | Mr. Bloomfield.
Mr. Reid

UNUSED ROADS CLOSED.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby direct that, in pursuance of the

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Caveat

Section 89 Transfer of Land Act 1958

AU058439J
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1. Land/s

Land Title

Volume 10340 Folio 637

Description PART OF THE LAND IN VOLUME
10340 FOLIO 637 SHOWN
HACHURED IN ANNEXURE A

2. Caveator/s

Caveator

Name TELSTRA CORPORATION
LIMITED

ACN 0 5 1 7 7 5 5 5 6

3. Grounds of Claim

LEASE WITH THE FOLLOWING PARTIES AND
DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date of Claim

Date: (DD/MM/YYYY) 07/04/2020

4. Estate or Interest claimed

LEASEHOLD ESTATE

5. Prohibition

UNLESS I/WE CONSENT IN WRITING

6. Address for Service of Notice

*Australian Legal Practitioner /Law Practice /Licensed
Conveyancer /Conveyancing Practice /Caveator
Name*

CORNWALLS

Address

Property Name

Unit Type

Unit Number To Unit Number

Floor Type LEVEL

Floor Number 10 Floor Suffix

Unit Street No 114

Street Name WILLIAM

Street Type STREET

Locality MELBOURNE

State VIC Postcode 3000

7. Signing

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

AU058439J

Caveat

Section 89 Transfer of Land Act 1958

Privacy Collection Statement

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

Caveator

Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the caveator.
- 2.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 3.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of TELSTRA CORPORATION
LIMITED
Signer Name RATI SOOD
Signer Organisation CORNWALLS
Signer Role AUSTRALIAN LEGAL
PRACTITIONER
Signature



Execution Date 4/1/2021

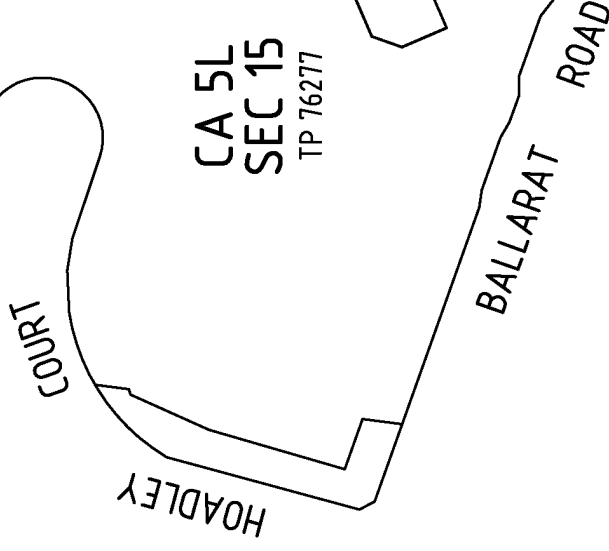
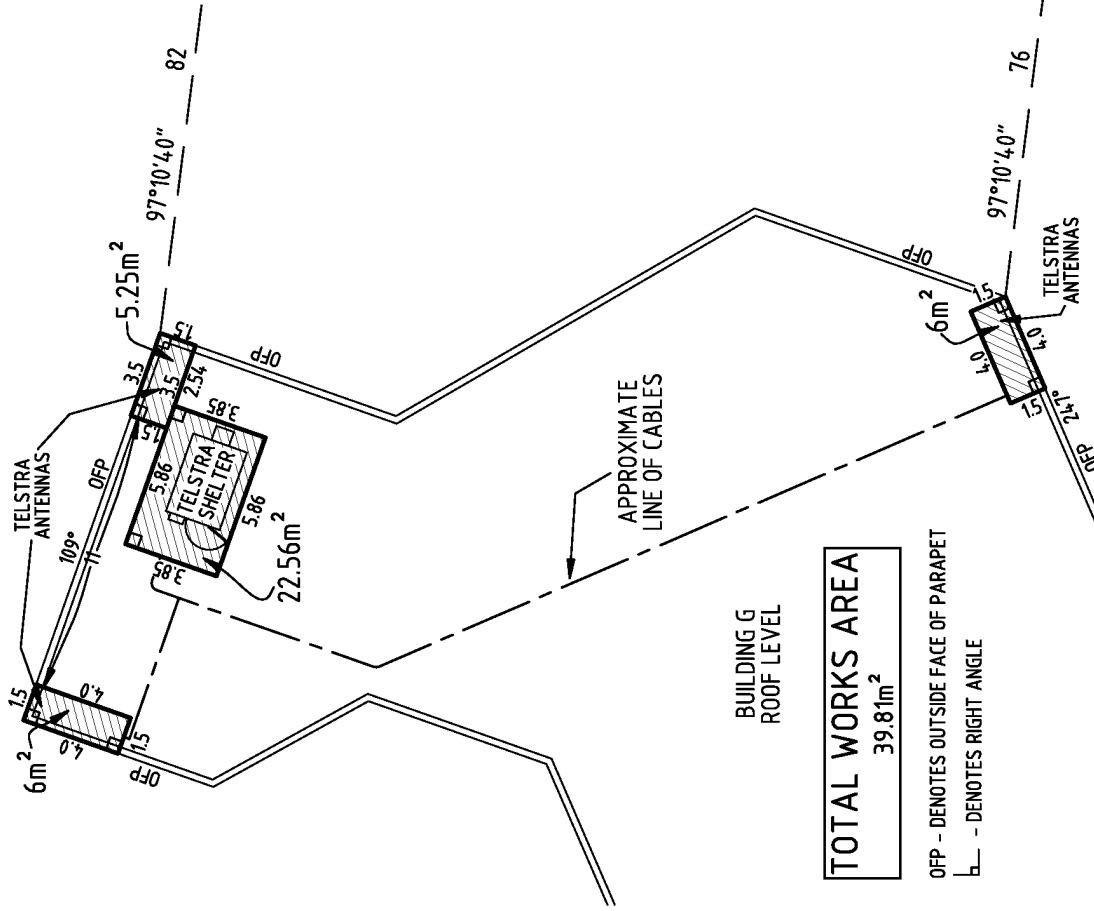
8. Lodging Party

Customer Code 0676M
Reference 1050343

AU058439J

L.G.A.: MARIBYRNONG
Locality: FOOTSCRAY
Parish: CUT-PAW-PAW
County: BOURKE

DERIVED FROM TELSTRA PLAN V104466 SHEET S1 ISSUE 9 (19/1/18)



SCALE 1:2500

ALL DIMENSIONS IN METRES

JDE No. 31774-100

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA	KM	CW	Original	SEJ	AA	16/12/19	1
NA	KM	CW	Amended for Compliance	SEJ	JC	25/1/21	2
NA	KM	CW	Amended	SEJ	JC	31/3/21	3

DIAGRAM
SCALE 1:300

SURELINE GEOMATICS SPATIAL SOLUTIONS 25 GEOFFREY STREET CONSTITUTION HILL NSW 2145 TEL (02) 9896 8025		CT: VOL 10340 FOL G37 Owner: VICTORIA UNIVERSITY Address: BALLARAT ROAD, FOOTSCRAY, VIC 3011
NOTE: Covenants or Restriction to user have not been investigated for the purpose of this plan		SVY -- REF 19686

Telstra MOBILE NETWORK SITE 190873 MARIBYRNONG SITE TENURE PLAN		DWG NO. V104466	SHT NO. G1 INDEX
VUT BUILDING G, BALLARAT ROAD, FOOTSCRAY, VIC 3011		A4	