

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Instrument
Document Identification	AQ767984M
Number of Pages (excluding this cover sheet)	4
Document Assembled	14/09/2023 12:50

Copyright and disclaimer notice:

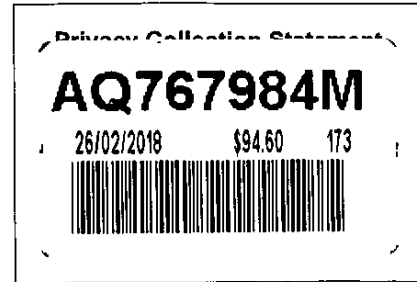
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

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

This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright

**ADVERTISED
PLAN**

Application by a responsible authority for the making of a recording of an agreement
Section 181 Planning and Environment Act 1987



Lodged by

Name: MARIPA & CO LAWYERS
Phone: 0437 009 648
Address: 28 BAMBURGH ST, JACANA, VIC 3047
Reference: JAN 2018
Customer code: 13890M

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 1162 FOLIO 032

Responsible authority:(full name and address, including postcode)

HUME CITY COUNCIL 1473 PASCOE VALE RD, BROADMEADOWS, VIC 3047

Section and act under which agreement is made:

S173

A copy of the agreement is attached to this application:

YES

Signing:

This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright

ADVERTISED PLAN

35271702A

181PEA

Page 1 of 2

THE BACK OF THIS FORM MUST NOT BE USED


Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us

Application by a responsible authority for the making of a recording of an agreement
Section 181 Planning and Environment Act 1987

Pri:	AQ767984M		
Tr	26/02/2018	\$94.60	173
colle			
a			
ma			

Certifications

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

Executed on behalf of HUME CITY COUNCIL
 Signer Name VINCENT MICHEAL MARIPA
 Signer Organisation MARIPA & CO LAWYERS
 Signer Role AUSTRALIAN LEGAL PRACTITIONER
 Signature 

Execution Date 23/02/2018

This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright

ADVERTISED PLAN

35271702A

181PEA

Page 2 of 2

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us

49

THIS AGREEMENT is made the 22nd day of NOVEMBER 20 17

BETWEEN:

HUME CITY COUNCIL (hereinafter called "the Council")

- AND -

Name/s.	THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE
Address.	383 ALBERT STREET EAST MELBOURNE VIC 3002

(hereinafter called 'the owners')

WHEREAS:

A. The owner(s) are entitled to be registered at the Office of Titles as the proprietor(s) of an estate in fee simple in the land described in Certificate of Title as;

Address.	PC 374395X Vol 11632 Fol 032
No.	5-9 DRUMMOND ST GREENVALE VIC 3059

(hereinafter called 'the subject land')

B. The Council is the Responsible Authority for the enforcement and carrying out of the Hume Planning Scheme (hereinafter called the Planning Scheme").

C. The Owners wish to erect a building or other structure over a Council easement on the subject land.

Description of Building.	Fence constructed over an Easement.
---------------------------------	-------------------------------------

D. The Council has given its consent to the erection of the building on the subject land on the basis that the Owner enter into this agreement with the Council.

E. The Council and the Owner(s) have agreed that this Agreement is made pursuant to Section 173 of the Planning and Environment Act 1987.

NOW THE OWNER(S) AGREE AS FOLLOWS:

- To permit the Council to enter into and upon the building or other structure and/or the easement for the purpose of inspecting maintaining or repairing any sewer or drain or other works of the Council now laid or which may be hereafter laid by the Council and of constructing any sewer or drain or other works of the Council which may be hereafter laid by the Council.
- To be solely responsible for all injury, loss or damage which may be occasioned to the said building or other structure by reason of or incidental to the carrying out of the inspection construction maintenance or repair of the said sewer or drain or other works or by reason of or incidental to the presence of the said sewer or drain or other works.
- To indemnify the Council against all actions claims suits and demands arising out of or incidental to the erection and/or retention of the said

26/02/2018 \$94.50 173
AQ767984M

This copy of land to be made available for the sole purpose of enabling Responsible Authority for the enforcement of the Planning and Environment Act 1987. The document must not be used for any purpose other than structure copyright

ADVERTISED PLAN

ADVERTISED PLAN



26/02/2018 \$94.60 173

AQ767984M


building or other structure over the said sewer drain or other works and/or the said easement.

4. To pay to the Council any additional costs incurred by it in inspecting construction maintaining or repairing the said sewer or drain or other works by reason of the said building or other structure having been erected over such sewer or drain or other works and/or the said easement.
5. Not to sell or mortgage land to which this agreement refers without first disclosing the contents of this Agreement to the purchaser or mortgagee.
6. To ensure that the foundations of the said building or other structure shall be clear of any sewer, drain or other works already in the easement of which may laid in the easement.
7. To construct the floor in a way that the said sewer or drain or other works will be accessible for repair. In case of a concrete floor, slabs over the sewer or drain or other works are to be not greater than 900 x 900 with caneite or bitumen joints 12mm wide running longitudinally on both sides of the slabs which are directly above the pipe of other works.
8. To pay to the Council the Council's reasonable costs and expenses of and incidental to the preparation execution and subsequent registration, amendment or cancellation of the memorandum of this Agreement.
9. The Council and the Owner(s) acknowledge and agree that the obligations imposed upon the Owners hereunder are intended to take effect as covenants which shall be annexed to and run at law and in equity with the said land and by the Owners, the Owners' successors, assignees and transferees, the registered proprietor or proprietors for the time being of the said and every part thereof.
10. An application shall be made by the Council to the Registrar of Titles for the entry of a memorandum of this Agreement on the said Certificates of Title to the said land.

This copied document to be made available
 for the sole purpose of enabling
 its consideration and review as
 part of a planning process under the
 Planning and Environment Act 1987.
 The document must not be used for any
 purpose which may breach any
 copyright

IN WITNESS WHEREOF the parties have hereunto set their hands the day and year first hereinbefore mentioned.

Signed by and on behalf, and with the authority, of the Hume City Council by Peter Jolly, Municipal Building Surveyor, in the exercise of a power conferred by an Instrument of Delegation:

)
)
)
)
) 
) Peter Jolly, MBS

SIGNED by the said

THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE	x Signature, 
--	--

In the presence of: MICHAEL PRICE

Signature: 

Date: 22/11/2017