

MSPS - Certificates of Title and Plans

1.1 Peter, Gavin O’Sullivan and Brendan Griffin

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

VOLUME 09070 FOLIO 485

Security no : 124077485407K

Produced 16/05/2019 12:28 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 113736.
PARENT TITLE Volume 07822 Folio 084
Created by instrument LP113736 14/02/1975

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 2 of a total of 4 equal undivided shares

Sole Proprietor

BRENDAN THOMAS GRIFFIN of 100 GRANT STREET GOORNONG VIC 3557

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

GAVIN LAWRENCE O'SULLIVAN of 4 CAMPASPE STREET ELMORE VIC 3558

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

PETER EUGENE O'SULLIVAN of 64 CAMPASPE STREET ELMORE VIC 3558

AG400471F 13/03/2009

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169485Y 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

ABSOLUTELY

Lodged by

ASHURST AUSTRALIA

Notices to

CHRISTINA RECCHIA of 181 WILLIAM STREET MELBOURNE VIC 3000

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP113736 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AS169485Y (E)	CAVEAT Registered	16/05/2019

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

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

Street Address: MUSKERRY EAST SCHOOL ROAD MUSKERRY VIC 3557

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

VOLUME 04947 FOLIO 377

Security no : 124077485405M

Produced 16/05/2019 12:28 PM

LAND DESCRIPTION

Crown Allotment 5 Section D Parish of Muskerry.
PARENT TITLE Volume 04385 Folio 803
Created by instrument 1200517 22/01/1925

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 2 of a total of 4 equal undivided shares

Sole Proprietor

BRENDAN THOMAS GRIFFIN of 100 GRANT STREET GOORNONG VIC 3557

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

GAVIN LAWRENCE O'SULLIVAN of 4 CAMPASPE STREET ELMORE VIC 3558

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

PETER EUGENE O'SULLIVAN of 64 CAMPASPE STREET ELMORE VIC 3558

AG400471F 13/03/2009

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169485Y 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

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DIAGRAM LOCATION

SEE TP377167T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER

AS169485Y (E)

CAVEAT

STATUS

Registered

DATE

16/05/2019

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

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

VOLUME 09070 FOLIO 485

Security no : 124077485407K

Produced 16/05/2019 12:28 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 113736.
PARENT TITLE Volume 07822 Folio 084
Created by instrument LP113736 14/02/1975

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 2 of a total of 4 equal undivided shares

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ENCUMBRANCES, CAVEATS AND NOTICES

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THE REGISTERED PROPRIETOR(S)

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DIAGRAM LOCATION

SEE LP113736 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AS169485Y (E)	CAVEAT Registered	16/05/2019

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

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

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Document Type	Plan
Document Identification	TP377167T
Number of Pages (excluding this cover sheet)	2
Document Assembled	15/12/2022 11:58

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TITLE PLAN	EDITION 2	TP 377167T
Location of Land Parish: MUSKERRY Township: Section: D Crown Allotment: 5 Crown Portion: Last Plan Reference: Derived From: VOL 4947 FOL 377 Depth Limitation: NIL	Notations <h1 style="text-align: center;">ADVERTISED PLAN</h1> ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	

Description of Land / Easement Information

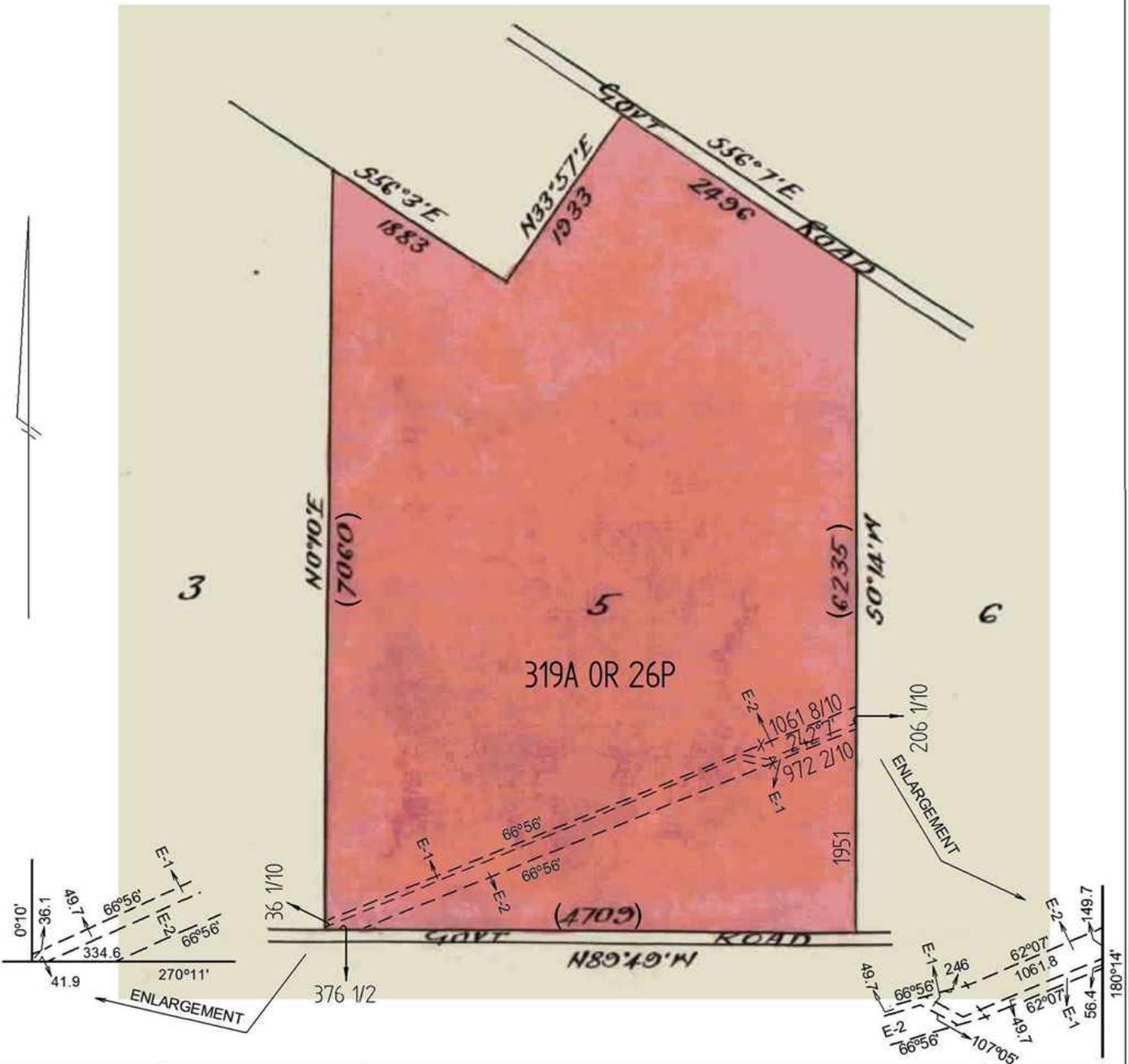
AS TO THE LAND MARKED E-1 & E-2 - THE EASEMENT FOR ELECTRICITY TRANSMISSION PURPOSES IN FAVOUR OF THE S.E.C.V. CREATED BY C/E A749313

AS TO THE LAND MARKED E-1 - THE COLIBAN REGION WATER AUTHORITY HAS PURSUANT TO SECTION 130 WATER ACT 1989 AND SECTION 19 LAND ACQUISITION AND COMPENSATION ACT 1986 ACQUIRED AN EASEMENT FOR WATER SUPPLY PIPELINE VIDE NOTIFICATION AF136522U

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

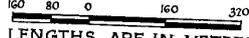
COMPILED: 06/04/2000

VERIFIED: B.H.



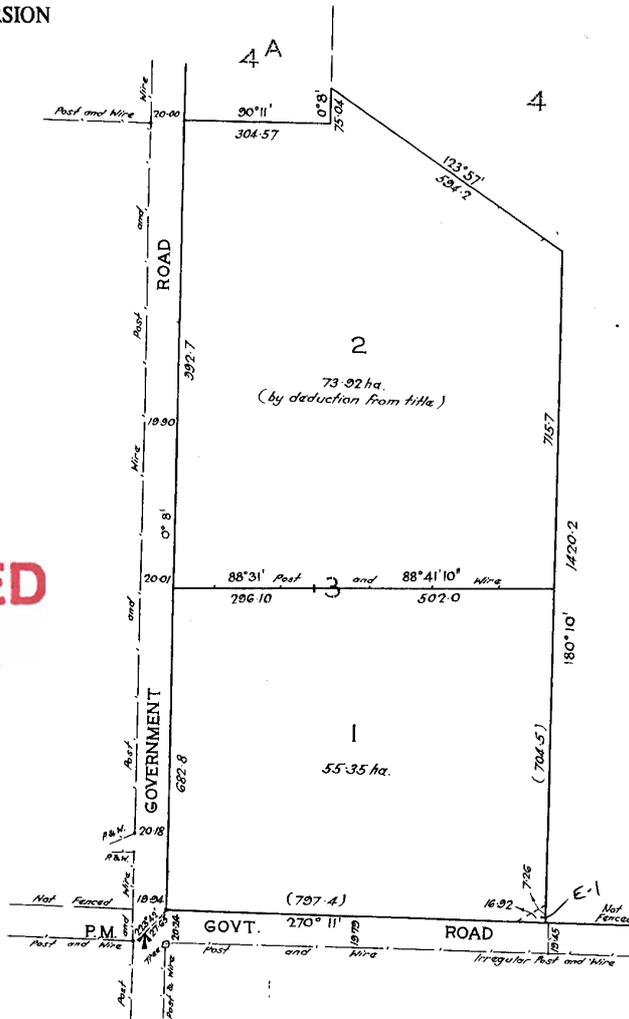
113736

LP113736
EDITION 2
APPROVED 6/11/74

<p>PLAN OF SUBDIVISION OF CROWN ALLOTMENT 3 SECTION D PARISH OF MUSKERRY COUNTY OF RODNEY</p> <p>SCALE:  320 LENGTHS ARE IN METRES</p> <p>V.7822 F.084</p>	<p>ENCUMBRANCES & OTHER NOTATIONS</p> <p><i>The land coloured blue is encumbered vide C/E A. 749313.</i></p> <p>AS TO THE LAND MARKED E-1 - THE COLIBAN REGION WATER AUTHORITY HAS PURSUANT TO SECTION 130 WATER ACT 1989 AND SECTION 19 LAND ACQUISITION AND COMPENSATION ACT 1986 ACQUIRED AN EASEMENT FOR WATER SUPPLY PIPELINE VIDE NOTIFICATION AF136522U</p> <p><i>Lot 2 is not the subject of this survey</i> <i>Road widths and easement are not drawn to scale.</i></p>
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COLOUR CONVERSION
E-1 = BLUE

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

VOLUME 08258 FOLIO 714

Security no : 124077485431J

Produced 16/05/2019 12:29 PM

LAND DESCRIPTION

Lot 1 on Title Plan 892631V.
PARENT TITLE Volume 07925 Folio 132
Created by instrument A860642 23/11/1959

**ADVERTISED
PLAN**

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

SANDHURST TRUSTEES LTD of 18 VIEW STREET BENDIGO VIC 3550 Legal Personal
Representative(s) of RICHARD THOMAS BURKE deceased
AM068008B 30/07/2015

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169492C 16/05/2019

Caveator
EDIFY ENERGY PTY LTD ACN: 606684995
Grounds of Claim
AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.
Parties
THE REGISTERED PROPRIETOR(S)
Date
21/02/2019
Estate or Interest
LEASEHOLD ESTATE
Prohibition
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Notices to
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DIAGRAM LOCATION

SEE TP892631V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AS169492C (E)	CAVEAT Registered	16/05/2019

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

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

Street Address: MUSKERRY EAST SCHOOL ROAD MUSKERRY VIC 3557

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

VOLUME 11659 FOLIO 176

Security no : 124077485426P

Produced 16/05/2019 12:29 PM

LAND DESCRIPTION

Crown Allotment 8 Section D Parish of Muskerry.
PARENT TITLE Volume 07471 Folio 025
Created by instrument AM811897Y 27/05/2016

**ADVERTISED
PLAN**

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

SANDHURST TRUSTEES LTD of 18 VIEW STREET BENDIGO VIC 3550 Legal Personal
Representative(s) of RICHARD THOMAS BURKE deceased
AM811895D 27/05/2016

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

SANDHURST TRUSTEES LTD of 18 VIEW STREET BENDIGO VIC 3550 Legal Personal
Representative(s) of JOHN MICHAEL BURKE deceased
AM811896B 27/05/2016

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

EQUITY TRUSTEES WEALTH SERVICES LTD of 18 VIEW STREET BENDIGO VIC 3550
Executor(s) of DOROTHY MARGARET BURKE deceased
AQ725578L 13/02/2018

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169494X 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

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Notices to

CHRISTINA RECCHIA of 181 WILLIAM STREET MELBOURNE VIC 3000

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

NOTICE as to part Section 10(1) Land Acquisition and Compensation Act 1986

COLIBAN REGION WATER AUTHORITY

ADDRESS FOR SERVICE OF NOTICES

COLIBAN REGION WATER AUTHORITY of 37-45 BRIDGE STREET BENDIGO VIC 3550

AE871475H 01/02/2007

DIAGRAM LOCATION

SEE TP670303D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

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NUMBER	CAVEAT	STATUS	DATE
AS169494X (E)		Registered	16/05/2019

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

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

Street Address: MUSKERRY EAST SCHOOL ROAD MUSKERRY VIC 3557

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Document Type	Plan
Document Identification	TP670303D
Number of Pages (excluding this cover sheet)	2
Document Assembled	15/12/2022 14:29

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TITLE PLAN

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EDITION 2

TP670303D

LOCATION OF LAND

PARISH: MUSKERRY
 TOWNSHIP:
 SECTION: D
 CROWN ALLOTMENT: 8
 CROWN PORTION:
 LAST PLAN REFERENCE: NIL
 DERIVED FROM: VOL.7471 FOL.025
 DEPTH LIMITATION: NIL

NOTATIONS

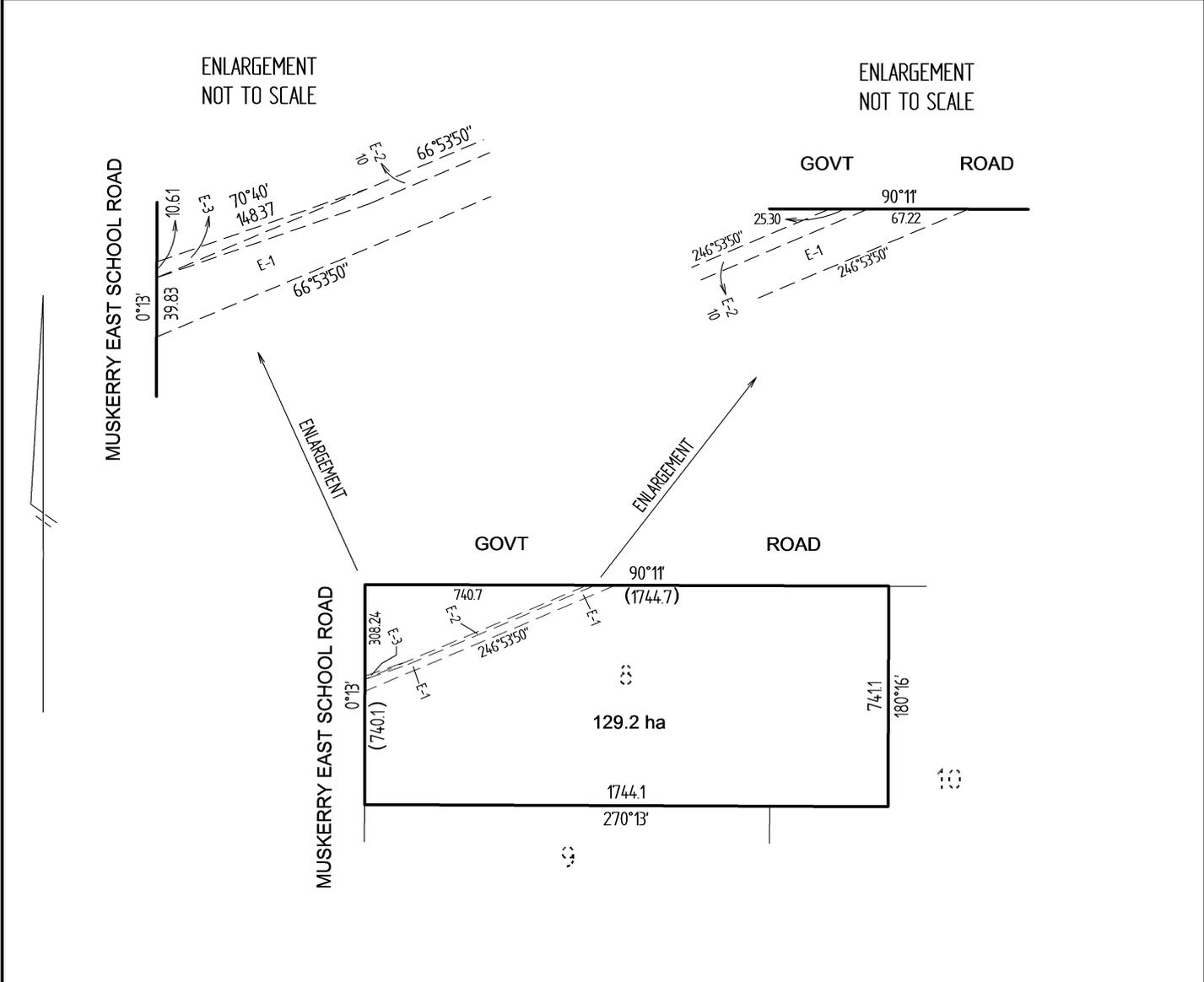
EASEMENT INFORMATION

E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of
E-1	WATER SUPPLY PIPELINE	10	SECTION 130 WATER ACT 1989 SEC 19 LAND ACQUISITION AND COMPENSATION ACT 1986 VIDE NOTIFICATION AF136747T	COLIBAN REGION WATER AUTHORITY

Checked by: D. POPEC
 Date: 3/07/07
 Assistant Registrar of Titles



LENGTHS ARE IN METRES	SCALE 1:15000	DEALING / FILE No: AF136616K	DEALING CODE: 88-2
		SHEET 1 OF 1	

ADVERTISED PLAN



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Document Type	Plan
Document Identification	TP867302J
Number of Pages (excluding this cover sheet)	2
Document Assembled	15/12/2022 14:27

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TITLE PLAN	EDITION 1	TP 867302J
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Location of Land Parish : WESTON Township: - Section: 2 Crown Allotment: 5A Crown Portion: - Last Plan Reference : - Derived From : VOL. 3326 FOL. 130 Depth Limitation : NIL	Notations SUBJECT TO THE RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 3326 FOL. 130 AND NOTED ON SHEET 2 OF THIS PLAN ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN
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Description of Land/ Easement Information

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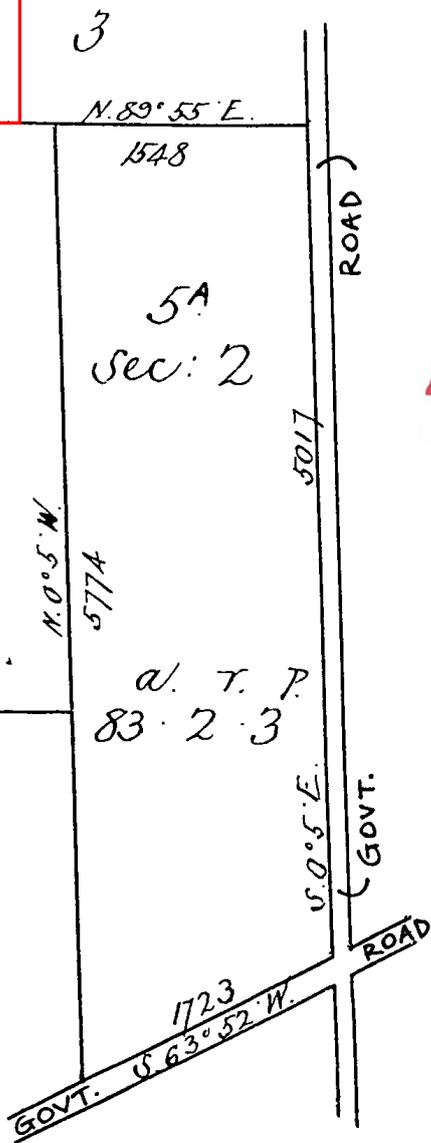
THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date 24/11/07

VERIFIED: A. DALLAS
Assistant Registrar of Titles

COLOUR CODE
 Y = YELLOW

ADVERTISED PLAN



TITLE PLAN

TP 867302J

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

ALL THAT PIECE OF LAND in the said State containing *eighty three acres five rods and three perches more or less -*
being allotment five A of section two in the Parish of Western County of Rodney

delimited with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow Excepting however unto us our heirs and successors all gold and silver and auriferous and argenteiferous earth or stone and all mines containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams lodges and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and under and within the boundaries of the land hereby granted AND ALSO reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argenteiferous earth or stone copper tin ores lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams lodges and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the

land hereby granted
terms conditions and events as the same might have been resumed for such purposes under the law in force at the date of these presents AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals or minerals or of a mining or mineral lease to enter therein and to mine for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to erect and to occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which the holder of a miner's right or of a mining or mineral lease had at the time of the passing of the *Land Act 1890* the right to mine for gold and silver in and upon Crown lands PROVIDED that compensation shall be paid to the said Grantee

his/her heirs executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided by the 179th section of the *Land Act 1901* and the payment thereof to be a condition precedent to such right of entry.

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LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 2 of 2 Sheets

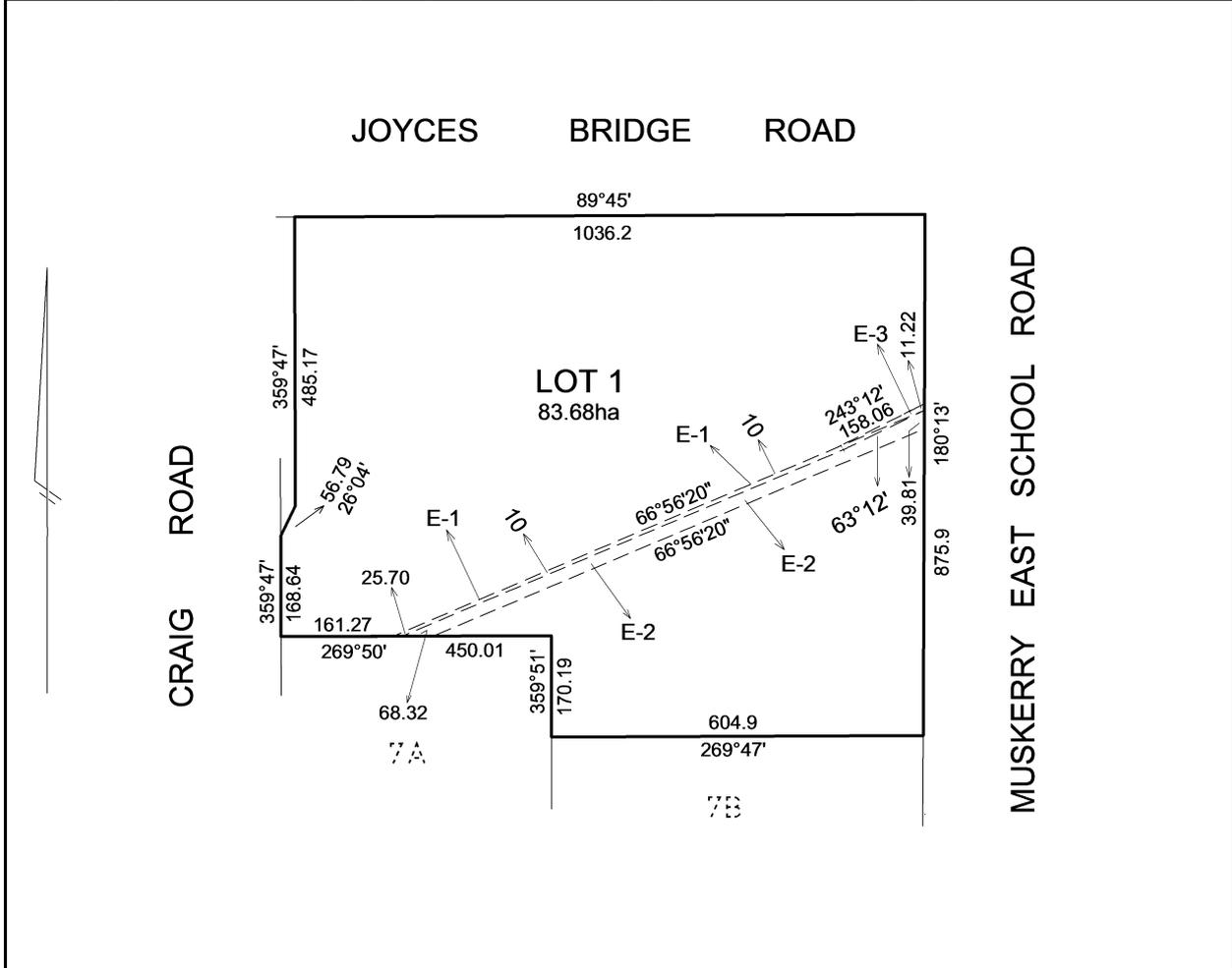
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TITLE PLAN EDITION 1 TP892631V

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LOCATION OF LAND
 PARISH: MUSKERRY
 TOWNSHIP: -
 SECTION: D
 CROWN ALLOTMENT: 7 (PART)
 CROWN PORTION: -
 LAST PLAN REFERENCE: -
 DERIVED FROM: VOL.8258 FOL.714
 DEPTH LIMITATION: NIL

EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES Checked by: ART Date: 4/7/2007 Assistant Registrar of Titles
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	
E-1, E-2	TRANSMISSION OF ELECTRICITY	SEE PLAN	C/E A916806	SECV	
E-1, E-3	WATER SUPPLY PIPELINE	SEE PLAN	SECTION 130 WATER ACT 1989 SEC 19 LAND ACQUISITION AND COMPENSATION ACT 1986 VIDE NOTIFICATION AF136660G	COLIBAN REGION WATER AUTHORITY	



LENGTHS ARE IN METRES	SCALE —	DEALING / FILE No: AF136660G GOVERNMENT GAZETTE No:	DEALING CODE: 88-2 SHEET 1 OF 1
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1.3 Adam Touhey

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

VOLUME 10244 FOLIO 880

Security no : 124077485404N

Produced 16/05/2019 12:28 PM

LAND DESCRIPTION

Lots 1,2 and 4 on Title Plan 120975V.
PARENT TITLE Volume 07215 Folio 829
Created by instrument T711878D 05/06/1995

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ADAM JOHN TUOHEY of 72 TUOHEY ROAD MYOLA VIC 3551
AL466665B 05/11/2014

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AL466666Y 05/11/2014
BENDIGO AND ADELAIDE BANK LTD

CAVEAT AS169484B 16/05/2019

Caveator
EDIFY ENERGY PTY LTD ACN: 606684995
Grounds of Claim
AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.
Parties
THE REGISTERED PROPRIETOR(S)
Date
21/02/2019
Estate or Interest
LEASEHOLD ESTATE
Prohibition
ABSOLUTELY
Lodged by
ASHURST AUSTRALIA
Notices to
CHRISTINA RECCHIA of 181 WILLIAM STREET MELBOURNE VIC 3000

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP120975V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER STATUS DATE
AS169484B (E) CAVEAT Registered 16/05/2019

DOCUMENT END

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TITLE PLAN		EDITION 1	TP 120975V												
Location of Land Parish: MUSKERRY Township: Section: D Crown Allotment: 12A, 12B, 12E, & 12 (PT) Crown Portion: Last Plan Reference: Derived From: VOL 10244 FOL 880 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN													
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 25/08/1999 VERIFIED: PB												
<p style="text-align: center;">TOTAL AREA 188.4 ha</p>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> </thead> <tbody> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td>PARCEL 1</td> <td>= CA 12A</td> </tr> <tr> <td>PARCEL 2</td> <td>= CA 12B</td> </tr> <tr> <td>PARCEL 3</td> <td>= CA 12E</td> </tr> <tr> <td>PARCEL 4</td> <td>= CA 12 (PT)</td> </tr> </tbody> </table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1	= CA 12A	PARCEL 2	= CA 12B	PARCEL 3	= CA 12E	PARCEL 4	= CA 12 (PT)
TABLE OF PARCEL IDENTIFIERS															
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962															
PARCEL 1	= CA 12A														
PARCEL 2	= CA 12B														
PARCEL 3	= CA 12E														
PARCEL 4	= CA 12 (PT)														
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets													

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

VOLUME 01966 FOLIO 061

Security no : 124077485424R

Produced 16/05/2019 12:29 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 3 Section 2 Parish of Weston.

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

DENIS VINCENT RONEY of 847 TOOLLEEN ROAD AXEDALE VIC 3551
AG162150A 27/10/2008

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169488S 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

ABSOLUTELY

Lodged by

ASHURST AUSTRALIA

Notices to

CHRISTINA RECCHIA of 181 WILLIAM STREET MELBOURNE VIC 3000

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For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP869754K FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER

AS169488S (E)

CAVEAT

STATUS

Registered

DATE

16/05/2019

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

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

Street Address: TOOLLEEN-AXEDALE ROAD TOOLLEEN VIC 3551

DOCUMENT END

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

VOLUME 11392 FOLIO 481

Security no : 124077485417Y

Produced 16/05/2019 12:29 PM

LAND DESCRIPTION

Crown Allotments 12C and 12D Section D Parish of Muskerry, Crown Allotments 1,2,4 and 5 Section 2 Parish of Weston.
PARENT TITLE Volume 04807 Folio 376
Created by instrument PS704656W 03/12/2012

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

DENIS VINCENT RONEY of 847 TOOLLEEN ROAD AXEDALE VIC 3551
AG162150A 27/10/2008

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169488S 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

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For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

AGREEMENT as to part Section 173 Planning and Environment Act 1987

AJ472401V 07/02/2012

DIAGRAM LOCATION

SEE TP887296M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	CAVEAT	STATUS	DATE
AS169488S (E)		Registered	16/05/2019

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

VOLUME 03326 FOLIO 130

Security no : 124077485422T

Produced 16/05/2019 12:29 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 5A Section 2 Parish of Weston.

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

DENIS VINCENT RONEY of 847 TOOLLEEN ROAD AXEDALE VIC 3551
AG162150A 27/10/2008

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS169488S 16/05/2019

Caveator

EDIFY ENERGY PTY LTD ACN: 606684995

Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.

Parties

THE REGISTERED PROPRIETOR(S)

Date

21/02/2019

Estate or Interest

LEASEHOLD ESTATE

Prohibition

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DIAGRAM LOCATION

SEE TP867302J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER

AS169488S (E)

CAVEAT

STATUS

Registered

DATE

16/05/2019

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

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

Street Address: TOOLLEEN-AXEDALE ROAD TOOLLEEN VIC 3551

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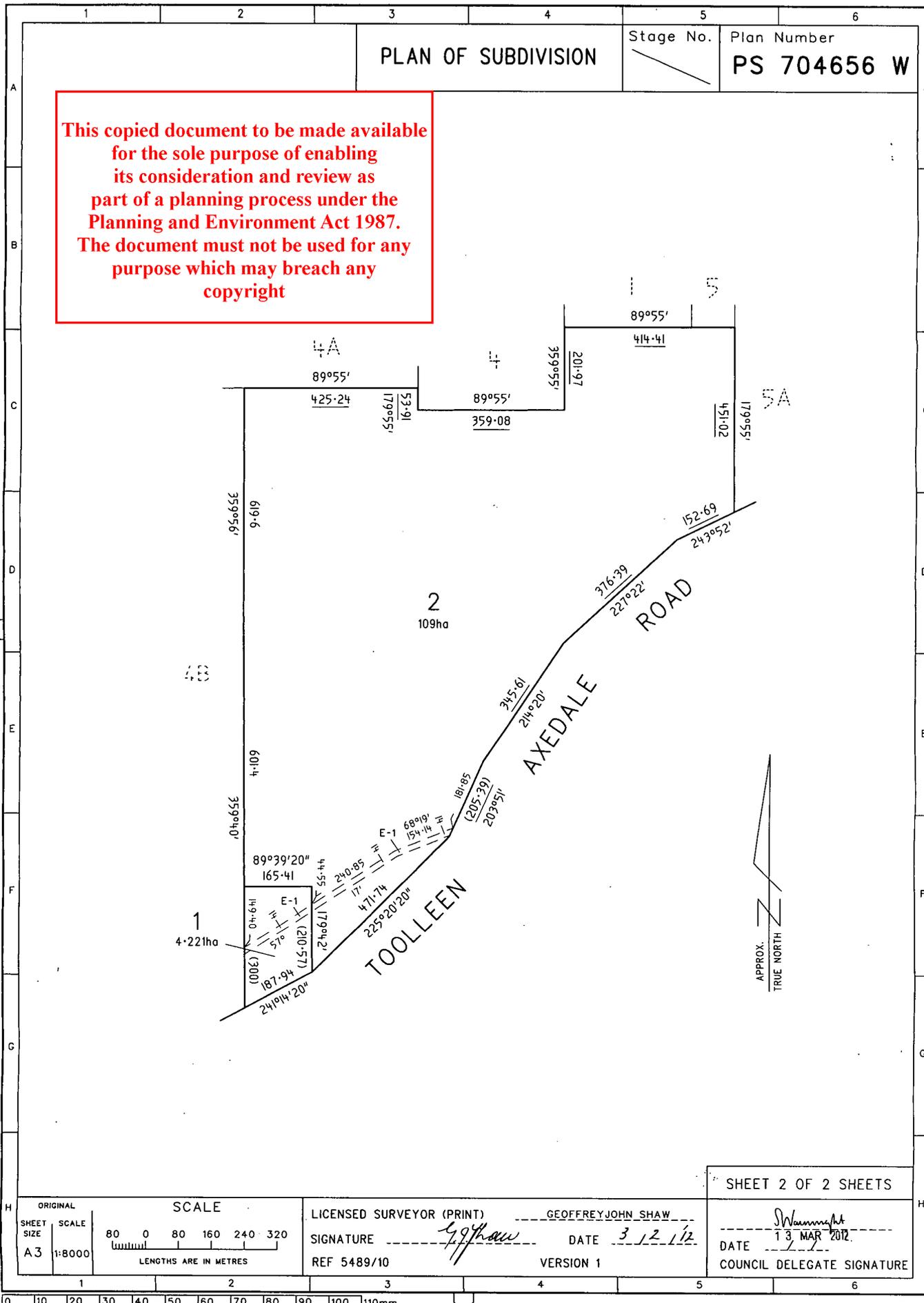
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PLAN OF SUBDIVISION		Stage No. /	LR use only EDITION 1	PS704656W 27/11/2012 \$1,086.30 PS P 
Location of Land Parish: WESTON Township: Section: 2 Crown Allotment: 4C & 6 Crown Portion: LR base record: DCMB Title References: Vol 4807 Fol 376 Vol 9428 Fol 467 Last Plan Reference: TP291926B & TP887296M Postal Address: 841 AXEDALE-TOOLLEEN ROAD TOOLLEEN 3551 MGA Co-ordinates: E 286780 Zone 55 (Of approx. centre of plan) N 5931150		Council Certification and Endorsement Council Name: CITY OF GREATER BENDIGO Ref: DS/715/2011 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. Open Space (i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage. Council Delegate <i>Shaw</i> Council seal 13 MAR 2012 Date / /		
Vesting of Roads or Reserves		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		
Identifier	Council/Body/Person			
Nil	Nil			
Notations		Depth Limitation: 15.24 METRES BELOW THE SURFACE APPLIES TO CROWN ALLOTMENT 4C ONLY. DIMENSIONS SHOWN UNDERLINED ARE NOT THE SUBJECT OF THIS SURVEY. AREA OF LOT 2 BY DEDUCTION FROM TITLE. Staging This is /is not a staged subdivision Planning Permit No. DS/715/2011 Survey:- This plan is / is not based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 6, 7. In proclaimed Survey Area no.		
Easement Information		LR use only _____		
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		Statement of Compliance / Exemption Statement		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	POWERLINE	14	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	POWERCOR AUSTRALIA LTD.
		Received <input checked="" type="checkbox"/>		
		Date 27/11/12		
		LR use only _____		
		PLAN REGISTERED		
		TIME 4:32pm		
		DATE 3/12/2012		
		Laura Campbell Assistant Registrar of Titles		
		Sheet 1 of 2 Sheets		
GEOFF SHAW & ASSOCIATES CONSULTING LAND SURVEYORS 8 HOPETOUN STREET BENDIGO, 3550 PH 03 54430320		LICENSED SURVEYOR (PRINT) <u>GEOFFREY JOHN SHAW</u> SIGNATURE <i>G.J. Shaw</i> DATE <u>3/12/2012</u> REF 5489/10 VERSION 1		<i>Shaw</i> DATE <u>13 MAR 2012</u> COUNCIL DELEGATE SIGNATURE Original sheet size A3

ADVERTISED
PLAN



SHEET 2 OF 2 SHEETS

ORIGINAL	SCALE
SHEET SIZE A3	SCALE 1:8000
<p>LENGTHS ARE IN METRES</p>	

LICENSED SURVEYOR (PRINT) GEOFFREY JOHN SHAW

SIGNATURE *G. Shaw* DATE 3/12/12

REF 5489/10 VERSION 1

DATE 13 MAR 2012

COUNCIL DELEGATE SIGNATURE *Wainwright*

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Number of Pages (excluding this cover sheet)	8
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Lodged at the Titles Office by:

Name: BECK LEGAL PTY. LTD.
Phone: (03) 5445 3333
Ref: JAN 152318-1774
Customer Code: 0469S

AJ472401V

07/02/2012 \$107.50 173



FORM 18

Planning and Environment Regulations 2005

**APPLICATION FOR RECORDING OF AN AGREEMENT
Section 181 (1) Planning and Environment Act 1987**

The 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 for the land.

LAND

Lots 1 and 2 on plan attached and being the whole of the land contained in Certificate of Title Volume.9428 Folio 467 and part of the land contained in Certificate of Title Volume 4807 Folio 376.

AUTHORITY OR COUNCIL

GREATER BENDIGO CITY COUNCIL,
Municipal Offices, Lyttleton Terrace Bendigo

SECTION AND ACT UNDER WHICH AGREEMENT MADE:

Section 173 of Planning and Environment Act 1987

A copy of the Agreement is attached to this Application.

DATED the 27 day of January 2011 12

Signature for the Responsible Authority

Name of Officer: Craig William Niemann

PRUC MANSFIELD

Office Held : Chief Executive Officer

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**ADVERTISED
PLAN**

DATED 27 January 2012

AJ472401V

07/02/2012 \$107.50 173



GREATER BENDIGO CITY COUNCIL

-AND-

DENIS VINCENT RONEY and
TRACEY PATRICIA RONEY

-AND-

DENIS VINCENT RONEY

SECTION 173 AGREEMENT

**ADVERTISED
PLAN**

BECK LEGAL

Lawyers

165-171 Hargreaves Street

BENDIGO VIC 3550

Ph: (03) 5445 3333

Fax: (03) 5445 3355

Ref: JAN:152318-1774

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ADVERTISED PLAN

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BECK LEGAL

LAWYERS

THIS AGREEMENT is made the 27 day of January **BENDIGO** 2012

BETWEEN:

GREATER BENDIGO CITY COUNCIL of Lyttleton Terrace Bendigo in the State of Victoria (hereinafter called "the Responsible Authority") of the first part

AND

DENIS VINCENT RONEY and **TRACEY PATRICIA RONEY** both of 847 Toolleen-Axedale Road Toolleen in the said State (hereinafter called "the firstnamed Owners") of the second part.

AND

DENIS VINCENT RONEY of 847 Toolleen-Axedale Road Toolleen in the said State (hereinafter called "the secondnamed Owner") of the third part.

WHEREAS:

- A. The Firstnamed Owners are the registered proprietors of ALL THAT piece of land being Crown Allotment 4C Section 2 Parish of Weston and being the whole of the land described in Certificate of Title Volume 9428 Folio 467 (hereinafter called "the land").
- B. The Secondnamed Owner is the registered proprietor of ALL THAT piece of land being Crown Allotment 6 Section 2 Parish of Weston and being part of the land described in Certificate of Title Volume 4807 Folio 376.
- C. The land is within the Municipality of the Greater Bendigo City Council and is affected by the Greater Bendigo Planning Scheme.
- D. The Responsible Authority is the Responsible Authority administering the Greater Bendigo Planning Scheme.
- E. That on the 19th day of October 2011 the Responsible Authority issued Planning Permit No. DS/715/2011 (hereinafter called "the Permit") permitting the re-subdivision of land into 2 lots of the land in accordance with proposed Plan of Subdivision PS 704656W and compliance with the conditions of the Permit.
- F. Condition 3 of Permit No. DS/715/2011 provides as follows:

"3. SECTION 173 AGREEMENT

Before the plan of subdivision is certified the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 and must make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act, to the effect that:

- (a) Lot 1 and 2 may not be further subdivided.

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G. The firstnamed and secondnamed Owners shall be responsible for all reasonable legal costs involved in the preparation and registration of the Agreement.

- H. It is intended by the parties hereto that this Agreement is to run with the land so as to bind the firstnamed and secondnamed Owners for themselves, their heirs, transferees and successors in title as Owner or Owners for the time being of the land and every part thereof.
- I. The Agreement is to be registered on the relevant Certificates of Title to the land comprised in proposed Plan of Subdivision PS 704656W.
- J. The parties acknowledge that this Agreement provides for :-
 - (a) the restriction and regulation of the use of the land,
 - (b) matters intended to achieve and advance the objectives of planning in Victoria,
 - (c) matters intended to achieve and advance the objectives of planning in the Greater Bendigo Planning Scheme and is made pursuant to Section 173 of the Planning and Environment Act 1987.
- K. In pursuance of Condition 3 of Permit No. DS/715/2011 and in further pursuance of the provisions of Section 173 of the Planning and Environment Act 1987, the Responsible Authority has requested the firstnamed and secondnamed Owners to enter into and execute the within Agreement in relation to the land, which the firstnamed and secondnamed Owners have agreed to do.

NOW THIS DEED WITNESSES as follows :-

- 1. The firstnamed and secondnamed Owners **HEREBY COVENANT AND AGREE** with the Responsible Authority as follows :
 - 1.1 The firstnamed and secondnamed Owners and any successive owner of a lot created will develop the land in accordance with Permit No. DS/715/2011 and the firstnamed and secondnamed Owners must advise all prospective purchasers of any lot on proposed Plan of Subdivision PS 704656W that :-
 - (a) Lots 1 and 2 on proposed Plan of Subdivision PS 704656W may not be further subdivided.
 - (b) Lot 2 on proposed Plan of Subdivision PS 704656W may not be used or developed for the purpose of a dwelling.
 - 1.2 The firstnamed and secondnamed Owners shall pay the reasonable legal costs and disbursements of the Responsible Authority in connection with the preparation execution and registration of this



ADVERTISED PLAN

ADVERTISED PLAN

AJ472401V



Agreement.

- 1.3 It is intended by the parties hereto that this Agreement is to run with the land so as to bind the firstnamed and secondnamed Owners for themselves, their heirs, transferees and successors in title as Owner or Owners for the time being of the land and every part thereof.
- 1.3 The Agreement is to be registered on the relevant Certificates of Titles to the land comprised in proposed Plan of Subdivision PS 704656W.
- 2. The parties hereby agree as follows :
 - 2.1 The Responsible Authority will lodge a copy of this Agreement at the Office of the Minister for the time being administering the Planning and Environment Act 1987 without delay after this Agreement is executed.
 - 2.2 The Responsible Authority shall as soon as practicable after the execution of this Agreement make application to the Registrar of Titles pursuant to Section 181 of the Planning and Environment Act 1987 to register this Agreement on the Certificates of Title for the land.
 - 2.3 Any notice hereunder shall be sufficiently served by delivering the same to the firstnamed and secondnamed Owners at their address appearing in this Agreement or by placing the same into the post in a pre-paid envelope addressed to the Owners at such address or such other postal address as shall be notified by the Owners to the Responsible Authority in writing for the purposes of this Agreement and any notice so posted shall be conclusively deemed to have been served on the next ordinary business day after the day of posting.

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

APPROVED under the **COMMON SEAL**)
of the **GREATER BENDIGO CITY**)
COUNCIL in the presence of :)

Mansfield

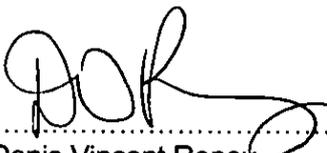
ACTING

Chief Executive Officer
Craig William-Niemann *PRVE MANSFIELD*
Lyttleton Terrace Bendigo 3550



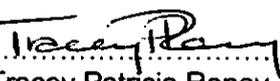
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Signed Sealed and Delivered by the said
DENIS VINCENT RONEY in the presence of :

) 
.....
) Denis Vincent Roney


.....
Witness

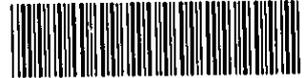
Signed Sealed and Delivered by the said
TRACEY PATRICIA RONEY in the
presence of :

) 
.....
) Tracey Patricia Roney


.....
Witness

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**ADVERTISED
PLAN**

PLAN OF SUBDIVISION	Stage No.	LR use only	PS
	/	EDITION	

Location of Land
 Parish: WESTON
 Township:
 Section: 2
 Crown Allotment: 4C & 6
 Crown Portion:

LR base record: DCMB
 Title References:
 Vol 4807 Fol 376
 Vol 9428 Fol 467

Last Plan Reference: TP291926B & TP887296M
 Postal Address: AXEDALE-TOOLLEEN ROAD
 TOOLLEEN 3551

MGA Co-ordinates: E 286780 Zone 55
 (Of approx. centre of plan) N 5931150

Vesting of Roads or Reserves	
Identifier	Council/Body/Person
NII	NII

Council Certification and Endorsement

Council Name: CITY OF GREATER BENDIGO Ref:

1. This plan is certified under section 6 of the Subdivision Act 1988.
2. This plan is certified under section 11(7) of the Subdivision Act 1988.
 Date of original certification under section 6 / /
3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made.

(ii) The requirement has been satisfied.

(iii) The requirement is to be satisfied in Stage

Council Delegate
 Council seal

Date / /

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Notations

Depth Limitation: 15.24 METRES BELOW THE SURFACE
 APPLIES TO CROWN ALLOTMENT 4C ONLY.

Staging This ~~is~~/is not a staged subdivision
 Planning Permit No.

ADVERTISED
PLAN

Survey:- This plan is / ~~is not~~ based on survey. in PS 709656W
 To be completed where applicable.
 This survey has been connected to permanent marks no(s).
 In proclaimed Survey Area no.

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
	POWERLINE	14	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	POWERCOR AUSTRALIA LTD.

LR use only _____
 Statement of Compliance / Exemption Statement

Received

Date / /

LR use only _____
 PLAN REGISTERED
 TIME
 DATE / /

Assistant Registrar of Titles

Sheet 1 of 2 Sheets

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GEOFF SHAW & ASSOCIATES
 CONSULTING LAND SURVEYORS
 8 HOPETOUN STREET BENDIGO, 3550
 PH 03 54430320

LICENSED SURVEYOR (PRINT) GEOFFREY JOHN SHAW

SIGNATURE _____ DATE / /

REF 5489/10 VERSION 1

 DATE / /
 COUNCIL DELEGATE SIGNATURE

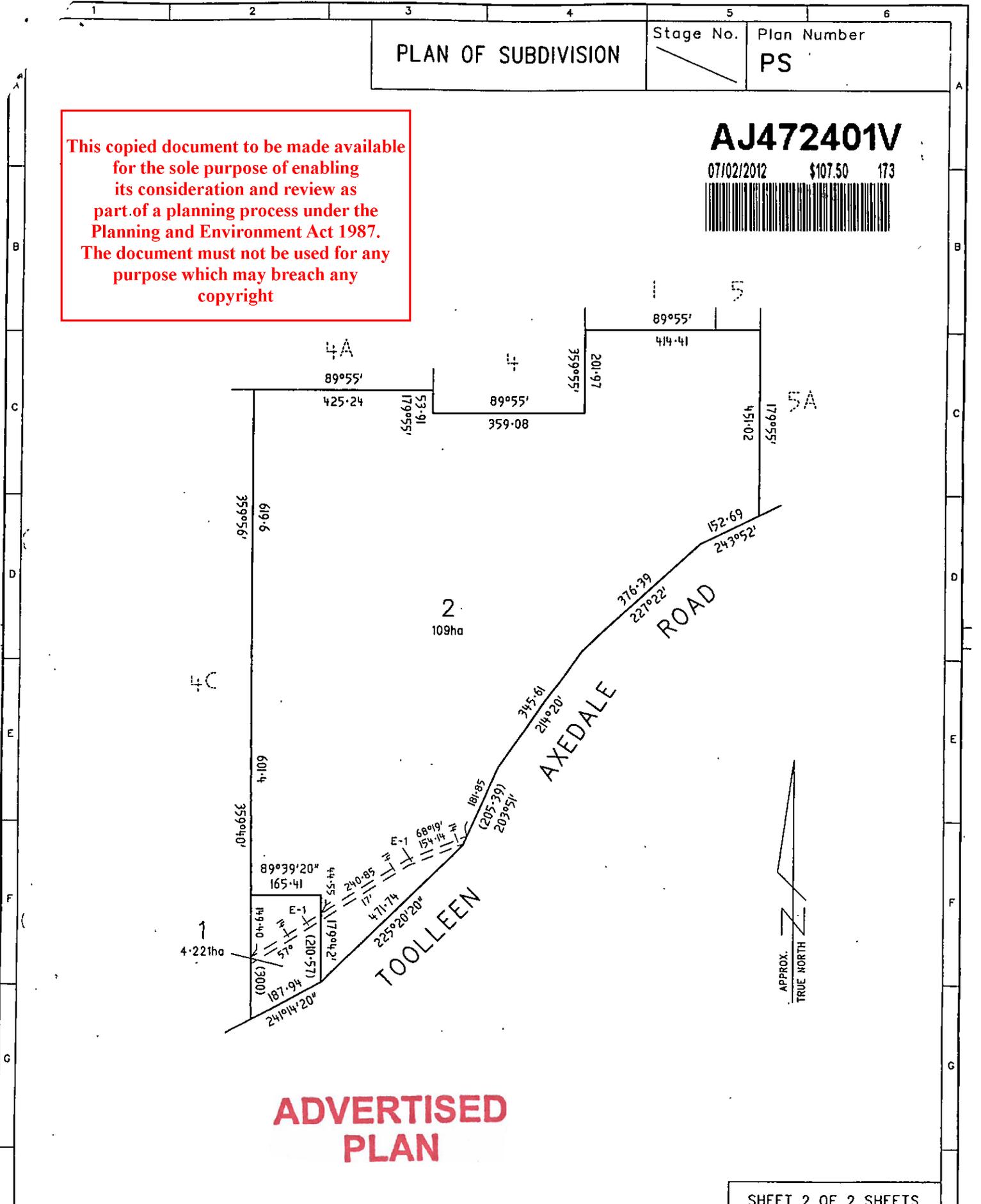
Original sheet size A3

PLAN OF SUBDIVISION	Stage No.	Plan Number PS
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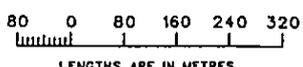
07/02/2012 \$107.50 173

SHEET 2 OF 2 SHEETS

DATE _____

COUNCIL DELEGATE SIGNATURE _____

ORIGINAL	SCALE	
SHEET SIZE A3	SCALE 1:8000	 <p style="font-size: 8pt;">LENGTHS ARE IN METRES</p>

LICENSED SURVEYOR (PRINT) GEOFFREY JOHN SHAW

SIGNATURE _____ DATE _____

REF 5489/10 VERSION 1