

easton consulting

planning, development & covenant consultants

PERMIT APPLICATION

**COVENANT
REMOVAL**

**7 Gilmore Road
Doncaster**

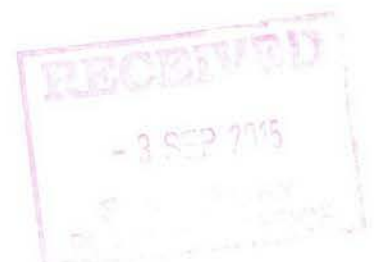
MANNINGHAM CITY COUNCIL

August 2015

REF: 10360

*easton consulting phone (03) 9857 4387 fax (03) 9857 7165
p.o.box 26 DONCASTER Vic 3108
Email: eastplan@bigpond.com*

ABN 62 722 707 764



1. INTRODUCTION

- 1.1 This is a submission providing background information in regard to a planning permit application to remove a covenant at 7 Gilmore Road Doncaster.
- 1.2 The covenant is a basic single dwelling covenant but also includes a provision restricting the building materials of the external walls to that of brick and the roof to be made of slate or tiles.
- 1.3 The site presently contains a single storey brick dwelling and a garage accessed via a concrete driveway on its southern boundary. The applicant is considering making a future application for more than one dwelling on the site which may include materials other than brick and tile or slate.



Figure 1: No. 7 Gilmore Road viewed from street frontage

- 1.4 The Council will be prevented from considering any such permit application by section 61(4) of the Planning and Environment Act which requires that *“If the grant of a permit would authorise anything which would result in a breach of a registered restrictive covenant, the responsible authority must refuse to grant the permit unless a permit has been issued, or a decision made to grant a permit, to allow the removal or variation of the covenant.”*
- 1.5 The applicant has therefore decided to apply for removal of the covenant prior to lodging a planning permit application for any additional dwellings on the land.



1.6 It is therefore submitted that it is appropriate for Council to remove this covenant.

2. PROPERTY

2.1 No. 7 Gilmore Road, Doncaster. The property is known as Lot 32 on Plan of Subdivision 56685 and being the land contained in Certificate of Title Volume 5693 Folio 588. The land is affected by the restrictive covenant contained in transfer No. B416069.

3. EXISTING ZONING

3.1 The subject land is in a General Residential Zone 2.

3.2 There is also a Design and Development Overlay (DDO8) applying to the site.

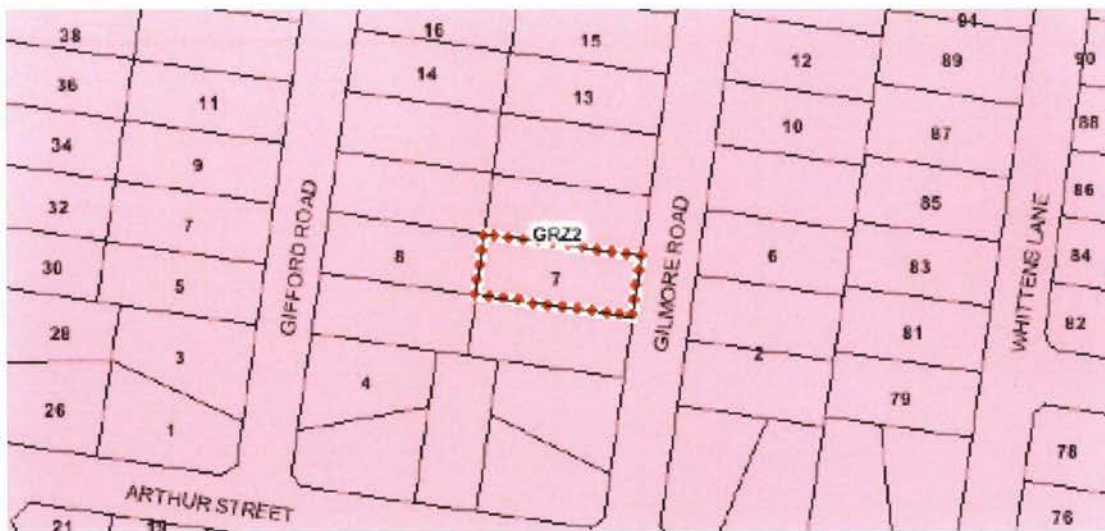


Figure 2: Extract of General Residential Zone Map 2.



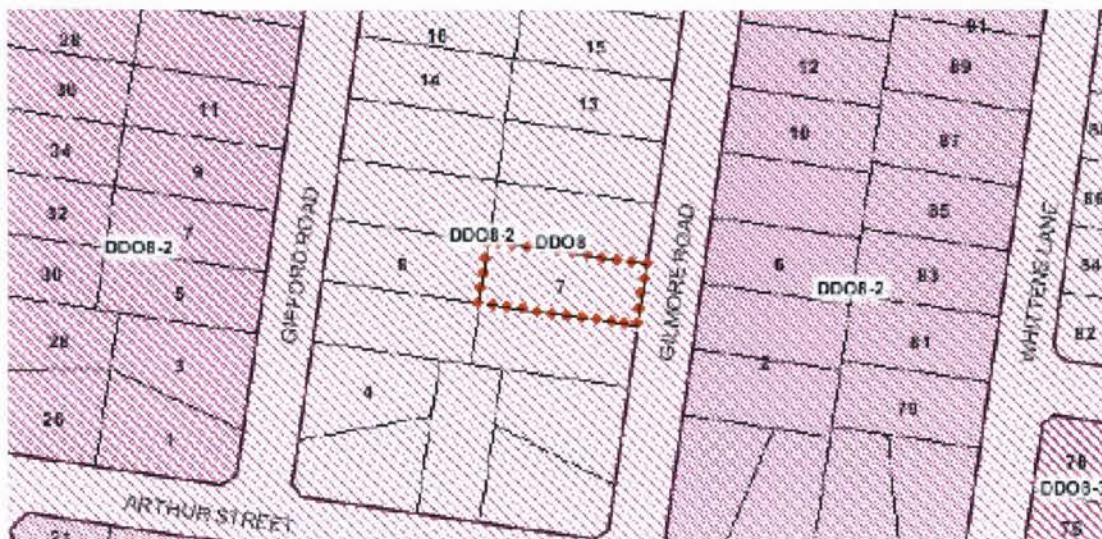


Figure 3: Extract of Design & Development Overlay 8 Map

4. PLANNING PROVISIONS

- 4.1 Clause 19.01 of the State Planning Policy Framework applies as there is no alternate provision in the Regional or Local section in regard to the removal or variation of the covenant.
- 4.2 Clause 19.01-2 relates to the removal or variation of restrictions to enable use or development that complies with planning schemes after the interests of affected people are considered.
- 4.3 Clause 52.02 (Easement Restrictions and Reserves) states that: *“a permit is required before a person proceeds ... under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or remove a condition in the nature of an easement in a Crown Grant ...”*
- 4.4 Section 47(1)(d) of the Planning and Environment Act requires a copy of the registered restrictive covenant to accompany the application. A copy of the covenant is attached.
- 4.5 Section 47(1)(e) requires information clearly identifying each allotment or lot benefited by the registered restrictive covenant. These details are set out later in this report.



5. SUBDIVISION ACT PROVISIONS

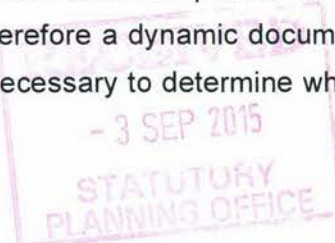
- 5.1 Section 23(1) enables a permit to authorise the removal or variation of a restriction. The person benefiting from the variation must lodge a certified plan at the Offices of Titles for registration. For the purpose of section 23 the person benefiting is the owner of the land rather than the beneficiaries of the covenant.
- 5.2 Section 23(2) removes the need to gain the consent of any other person who has an interest in the registration of a plan under Section 23(1).

6. LAND HAVING THE BURDEN OF THE COVENANT

- 6.1 This Covenant was created on 23 December 1960 when lot 32 on Plan of Subdivision 56685 was first transferred to Evandale Estates Proprietary Limited. It was registered on 9 May 1962 as the Transfer No. B416069.
- 6.2 This is the only lot burdened by this covenant. Similar covenants are presumed to operate as other lots in the area.

7. BENEFIT OF THE COVENANT

- 7.1 The benefit of the covenant is the legal term given to the parties with whom the covenant is entered into. In this case the covenant refers to several other titles and *"hereby for itself its successors and transferees registered proprietor or proprietors for the time being of **the land remaining untransferred** in the said Certificate of Title or any part thereof"*. This Certificate of Title is generally referred to as the parent title to the Covenant.
- 7.2 The parent title originally covered a large area of just under 34 acres extending south from Doncaster Road.
- 7.3 Unlike modern Title practice the technique used previously was to progressively cancel individual lots or groups of lots from the parent title as lots were sold. The parent title (or titles) was therefore a dynamic document which was progressively reducing in size. It is necessary to determine which



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lots were remaining in the parent title on the day the covenant was created. It is these remaining lots which have the benefit of the covenant.

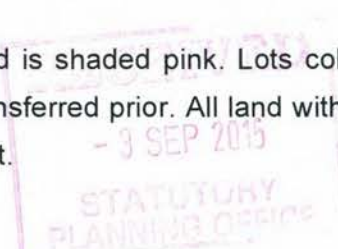
History of Transfers from PARENT Title FOR COVENANT

Volume 5693 Folio 588

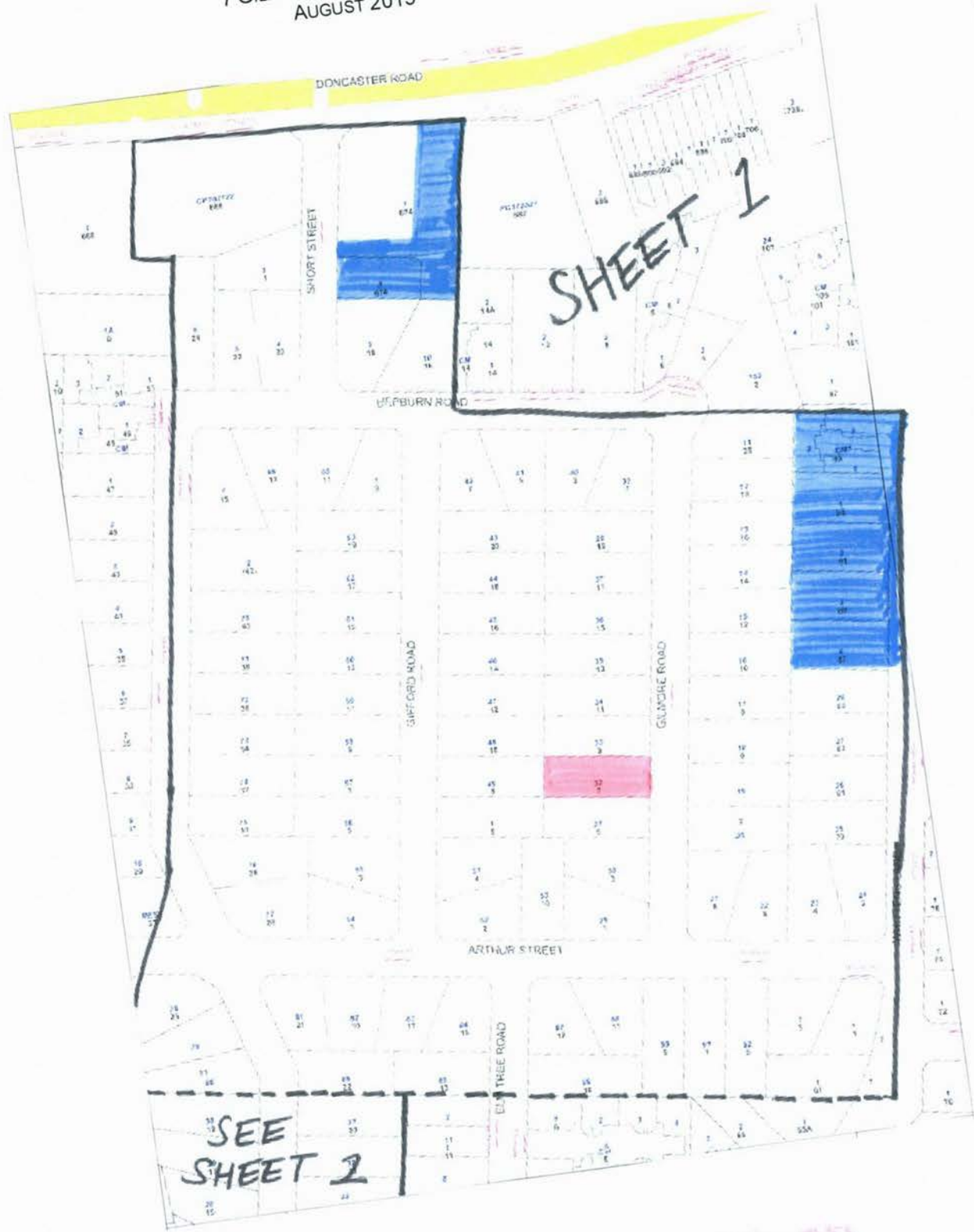
Date	Transfer	Vol/Folio	Lots
13/6/1945	1955748	6826/163	95 Whitten
18/12/1946	2048444	6951/187	L shape Church lot
22/12/1953	2614675	8033/764	part 95 Whitten
29/6/1957	A355061	8162/158	3
27/6/1951	A359752	8162/159	4
23/10/1957	A423535	8176/075	1
23/10/1957	A423536	8176/076	2
19/1/1956615	not visible	
7/7/1959	A771705	8293/025	All lots on LP 50286
15/12/1961	B416069 signed (7 Gilmore Road)		
9/5/1962	B416086	8503/300	Part of Arthur St reserve
11/7/1963	A970118	various	All lots on LP 56685 94 certs issued Lot 4 11/7/1963 Lot 5 11/7/1963 Lot 7 11/7/1963 Lot 8 11/7/1963 Lot 9 11/7/1963
26/5/1966	C498491	8628/122	Roads on LP 56685
10/11/1951	J708651	9465/252	664 Doncaster Rd
10/11/1951	J708651	9465/253 & 254	strip of Whittens Lane

7.4 Based on the foregoing the benefit of the covenant is given to all the land in the parent title, which therefore extends the benefit to the 91 lots remaining in the parent title and any subsequent subdivision of them.

7.5 A plan showing this follows. The subject land is shaded pink. Lots coloured blue do not have the benefit as they were transferred prior. All land within the thick black line has the benefit of the covenant.



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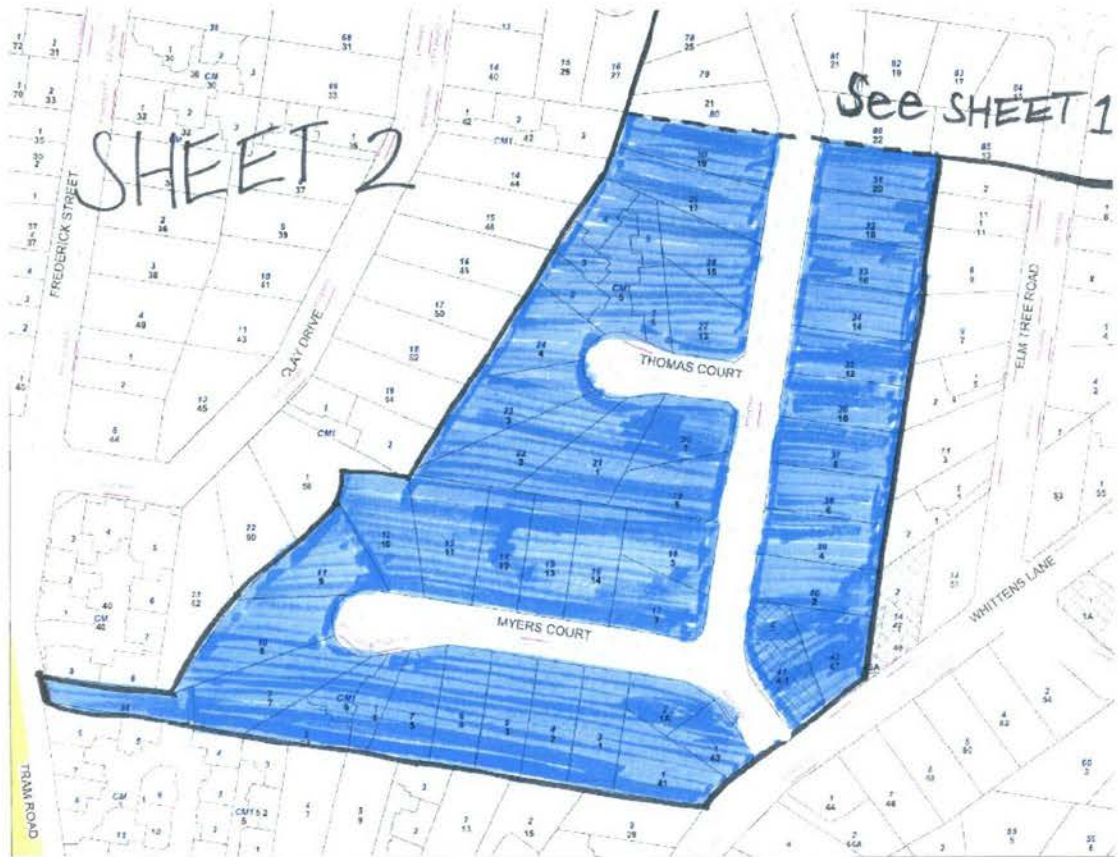


Figure 4: Plans in two parts showing land shaded blue does not have the benefit. All other lots within the thick black line have the benefit (subject land is shaded pink).

8. WHAT THE COVENANT PROVIDES

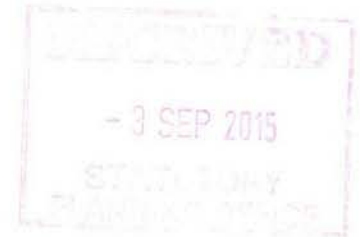
8.1 A copy of the covenant is attached.

8.2 The covenant has the following restriction:

“will not erect or allow or permit to be erected on the said lot any building other than one dwelling house together with the usual outbuildings and that such dwelling house shall have external walls of brick and roof of slate or tile”.

9. REMOVAL SOUGHT

9.1 The covenant as written raises the issue of the number of dwellings. It restricts the number of dwellings on the land to one dwelling house.



9.2 The removal is sought to remove the reference to "*one dwelling house*" so that one or more additional dwellings may be built.

9.3 It is also proposed to remove the reference to building materials so that modern materials may be used.

10. PUBLIC NOTIFICATION

10.1 Section 47(2) of the Planning and Environment Act exempts the giving of notice *if the land has been used or developed for more than two years before the date of the application in a manner which would have been lawful under this Act but for the existence of the restriction.*

10.2 In this case there has been no obvious breach of the covenant.

10.3 The properties having the benefit are shown uncoloured on Sheet 1 of Figure 4.

11. CONCLUSION

11.1 For the above reasons Council is requested to grant a planning permit for the removal of the covenant.

11.2 The permit would need to be expressed as follows:

The permit allows

The removal of the Restrictive Covenant contained in Transfer No B416069 related to Lot 32 on Plan of Subdivision 56685 (5693/588).

11.3 A draft plan of removal is contained in the attachments.

Robert Easton



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**A COPY OF TITLE
8420/998**

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Register Search Statement - Volume 8420 Folio 998

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

VOLUME 08420 FOLIO 998

Security no : 124053928220X
Produced 04/02/2015 12:01 pm

LAND DESCRIPTION

Lot 32 on Plan of Subdivision 056685.
PARENT TITLES :
Volume 05693 Folio 588 Volume 08406 Folio 987
Created by instrument A970118 11/07/1963

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
HONG CHONG LAI of 7 GILMORE ROAD DONCASTER VIC 3108
AC441272Q 30/10/2003

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT B416069 09/05/1962

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 LP056685 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 7 GILMORE ROAD DONCASTER VIC 3108

DOCUMENT END

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**B COPY OF RESTRICTION
B416069**

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8132589

8416069

8416069

RECORDED

RE-LOGGED
9 MAY 1962
931
OFFICE OF TITLES

£7-5-0

N. Jacobson
FRANCE WEBSTER
CT & Book & Binder
VICTORIA

7/1/62
8/1/62
A 188 CT'S
10/1/60

TRANSFER OF LAND



STAMP DUTY
-3 JAN 1961
VICTORIA

I FREDERICK JOHN PETTY of Doncaster Orchardist being registered as the proprietor of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder IN CONSIDERATION of the sum of FIVE HUNDRED POUNDS paid to me by CRESTVIEW DEVELOPMENT CO. PROPRIETARY LIMITED of 357 Little Collins Street Melbourne and FARGO INVESTMENTS PROPRIETARY LIMITED of 357 Little Collins Street Melbourne and IN FURTHER CONSIDERATION of the sum of ONE THOUSAND FOUR HUNDRED POUNDS paid to the said CRESTVIEW DEVELOPMENT CO. PROPRIETARY LIMITED and FARGO INVESTMENTS PROPRIETARY LIMITED by EVANDALE ESTATES PROPRIETARY LIMITED of 618 High Street East Kew DO HEREBY at the request and by the direction of the said CRESTVIEW DEVELOPMENT CO. PROPRIETARY LIMITED and FARGO INVESTMENTS PROPRIETARY LIMITED testified by their execution hereof TRANSFER to the said EVANDALE ESTATES PROPRIETARY LIMITED. All my estate and interest in ALL THAT piece of land being Lot 32 on Plan of Subdivision Number 5668 lodged in the Office of Titles in Number A-970116 and being part of Unwin's Crown Special Survey Parish of Bulleen and being part of the land more particularly described in Certificate of Title Volume 5693 Folio 588 AND the said Evandale Estates Proprietary Limited HEREBY for itself its successors and transferees registered proprietor or proprietors for the time being of the said lot or any part thereof COVENANT with the said Frederick John Petty his executors administrators and transferees registered proprietor or proprietors for the time being of the land remaining untransferred in the said Certificate of Title or any part thereof that they will not erect nor allow or permit to be erected on the said lot any building other than one dwelling house together with usual outbuildings and that such dwelling

6
2/1/62

6
1/5/62

KAY
6

990
9 MAY 1962



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house shall have external walls of brick and roof of slate or tile and it is intended that the foregoing Covenant be noted as an encumbrance on the Certificate of Title to be issued pursuant to this Transfer.

DATED this 23rd day of December One thousand nine hundred and sixty.

SIGNED by the said FREDERICK JOHN PETTY in Victoria in the presence

F. J. Petty

of:

Neil F. Betty

THE COMMON SEAL of ^{CRESTVIEW} CRESTVIEW DEVELOPMENT CO. PROPRIETARY LIMITED was



affixed hereto by authority of a resolution of the Board of Directors and in the presence of:

A. K. Ross
F. H. Ross

Director

Secretary

THE COMMON SEAL of FARGO INVESTMENTS PROPRIETARY LIMITED was affixed hereto



by authority of a resolution of the Board of Directors and in the presence of:

R. Fourn
A. K. Ross

Director

Secretary

THE COMMON SEAL of EVANDALE ESTATES PROPRIETARY LIMITED was hereunto



affixed by authority of the Directors in the presence of:

[Signature]

Director

[Signature]

person duly authorised by the Directors to sign.

ENCUMBRANCES REFERRED TO

as to as much of the said land as is shown blue in the said plan of subdivision, any amount affecting the same

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**C PARENT TITLE REFERRED TO IN
COVENANT**

5693/588



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Entered in the Register Book

Vol. 5693 Fol. 1138588

A substituted duplicate title has been issued, the duplicate having been cancelled in the Office of Titles.

A. B. White
Assistant Registrar
22nd April 1963.

Certificate of Title

UNDER THE "TRANSFER OF LAND ACT 1926-1915"

CANCELLED

Frederick John Petty of Doncaster Orchardist is -----
now the proprietor of an Estate in Fee-simple, subject to the Encumbrances
notified hereunder in All that piece of Land delineated and coloured
red on the map in the margin containing Thirty-three acres Three roods and -----
Twenty-three perches or thereabouts being part of Unwin's Crown Special Survey at -
Doncaster Parish of Bulleen County of Bourke -----

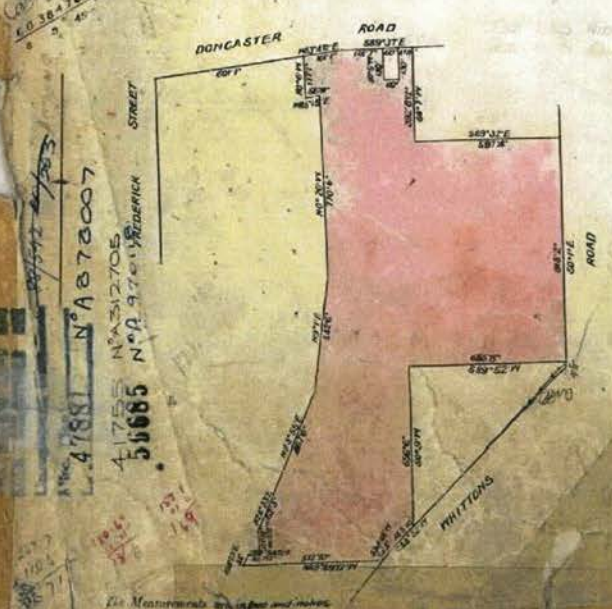
So much of the land herein as is comprised in Plan of Subdivision lodged in A 97018 has appurtenant
thereto the easement for carriage-way purposes granted by Indenture numbered G14683 in the Record Book
over the land colored blue on Certificates of Title Volume 8255 Folios 177 and 178.

Dated the Eleventh day of June
thousand nine hundred and twenty-nine.

ENCUMBRANCES REFERRED TO.

ORIGINAL CERTIFICATE.
Not to be dealt with outside the Titles Office.
APR 12 1963

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A right of carriage-way appurtenant to the land remaining untransferred has been created by Instrument B268055 Registered 24th August 1961.
A right of carriage way appurtenant to the land remaining untransferred has been created by Instrument B281696 Registered 14th September 1961.

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Vol. 693 Fol. 1138586 Transfer. 892096 Application

TRANSFER AS TO PART to
Neil Frederick Petty registered
on 13th June 1945 numbered 1955749
CANCELLED AS TO PART See Certificate of Title
Vol. 6826 Fol. 1365163
L. Kinnear
Assistant Registrar of Titles.

TRANSFER AS TO PART to
Albert Thomas
Cameron Mc Dowell and Thomas B. Cameron registered
on 18th December 1946 numbered 2048444
CANCELLED AS TO PART See Certificate of Title
Vol. 6951 Fol. 1390187
L. Kinnear
Assistant Registrar of Titles.

TRANSFER AS TO PART to
Edwin Lindsay Cameron registered
on 22 Dec 1953 numbered 2614675
CANCELLED AS TO PART See Certificate of
Title Vol. 8033 Fol. 764
L. Newson
Assistant Registrar of Titles

TRANSFER AS TO PART No. A253937
on 20 Nov 1953
CANCELLED AS TO PART See Vol. 8126 Fol. 237
L. Smith
Assistant Registrar of Titles

TRANSFER AS TO PART No. A355061
on 23 June 1957
CANCELLED AS TO PART See Vol. 8162 Fol. 158
L. Jones
Assistant Registrar of Titles

TRANSFER AS TO PART No. A359752
on 27th June 1957
CANCELLED AS TO PART See Vol. 8162 Fol. 159
L. Jones
Assistant Registrar of Titles

TRANSFER AS TO PART No. A423535
on 23 October 1957
CANCELLED AS TO PART See Vol. 8176 Fol. 075
L. R. Randon
Assistant Registrar of Titles

TRANSFER AS TO PART No. A423536
on 23 October 1957
CANCELLED AS TO PART See Vol. 8176 Fol. 076
L. R. Randon
Assistant Registrar of Titles

615 LOGGED 19 JAN 1959

CAVEAT No. 892096 REGISTERED 12 OCT 1945
Affecting part of the land herein Lot No. 3/T
Caveat transferred to new C/T
Affecting part of the land herein Lot No. 3/T
Caveat transferred to new C/T
Affecting part of the land herein Lot No. 3/T
Caveat transferred to new C/T

CAVEAT No. A862183 REGISTERED 24th Nov. 1946
Affecting part of the land herein Lot No. 56
CAVEAT WITHDRAWN
L. Kinnear

CAVEAT No. A915326 REGISTERED 25th Feb. 1946
Affecting part of the land herein Lot No. 86
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. A982472 REGISTERED 2nd June 1950
Affecting part of the land herein Lot No. 93
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. A982473 REGISTERED 2nd June 1950
Affecting part of the land herein Lot No. 65
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. A977517 REGISTERED 27th May 1950
Affecting part of the land herein Lot No. 90
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. A986123 REGISTERED 9th June 1950
Affecting part of the land herein Lot No. 63
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. A995745 REGISTERED 21st June 1950
Affecting part of the land herein Lot No. 2
Caveat transferred to new C/T
L. Kinnear

CANCELLED AS TO PART APPLICATION No. A7
registered 7 July 1959 See Vol. 8293 Fol. 025

CAVEAT No. B1852 REGISTERED 29th June 1960
Affecting part of the land herein Lot No. 37
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. B18794 REGISTERED 21st July 1960
Affecting part of the land herein Lot No. 11
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. B30743 REGISTERED 8th Aug. 1960
Affecting part of the land herein Lot No. 41
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. B35903 REGISTERED 15th Aug. 1960
Affecting part of the land herein Lot No. 81
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. B117955 REGISTERED 8th Dec. 1960
Affecting part of the land herein Lot Nos. 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42
Caveat transferred to new C/T
L. Kinnear

CAVEAT No. B123502 REGISTERED 15th Dec. 1960
Affecting part of the land herein Lot No. 83
Caveat transferred to new C/T
L. Kinnear

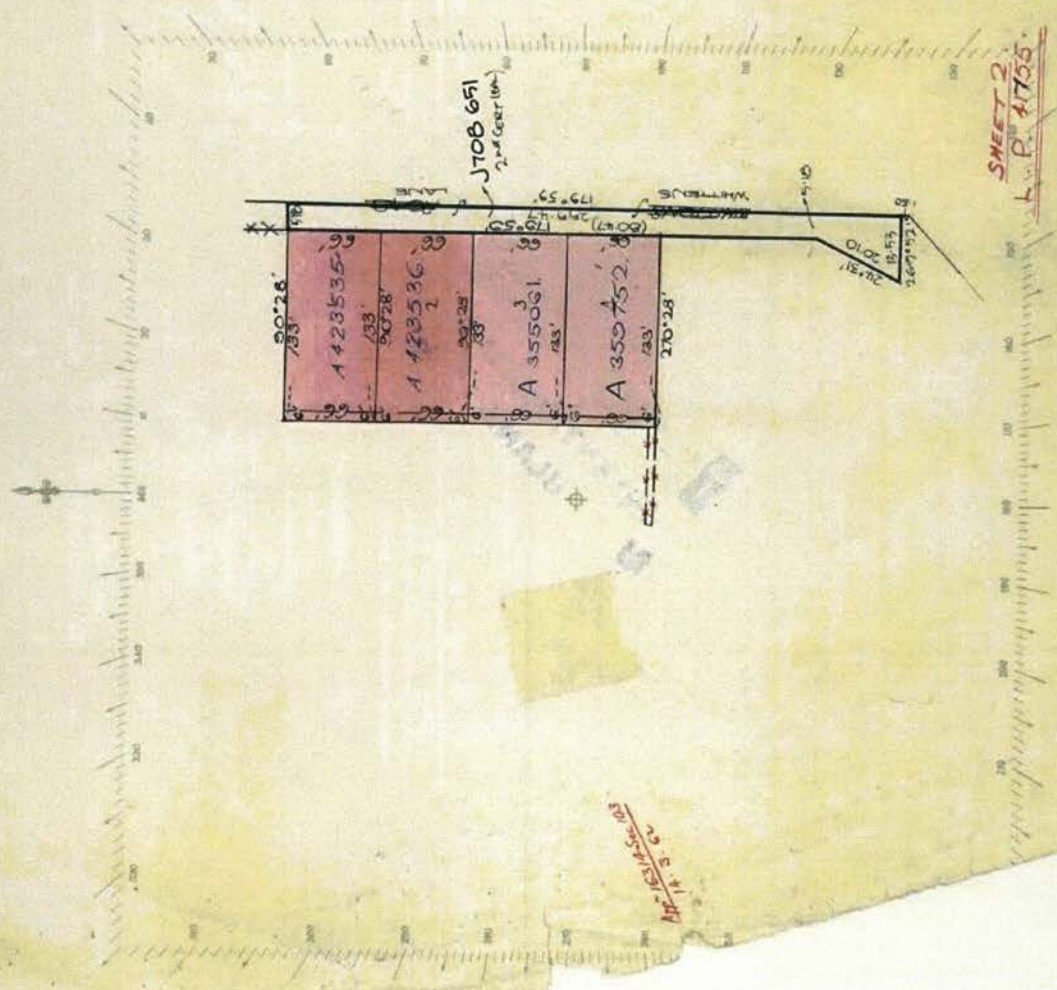
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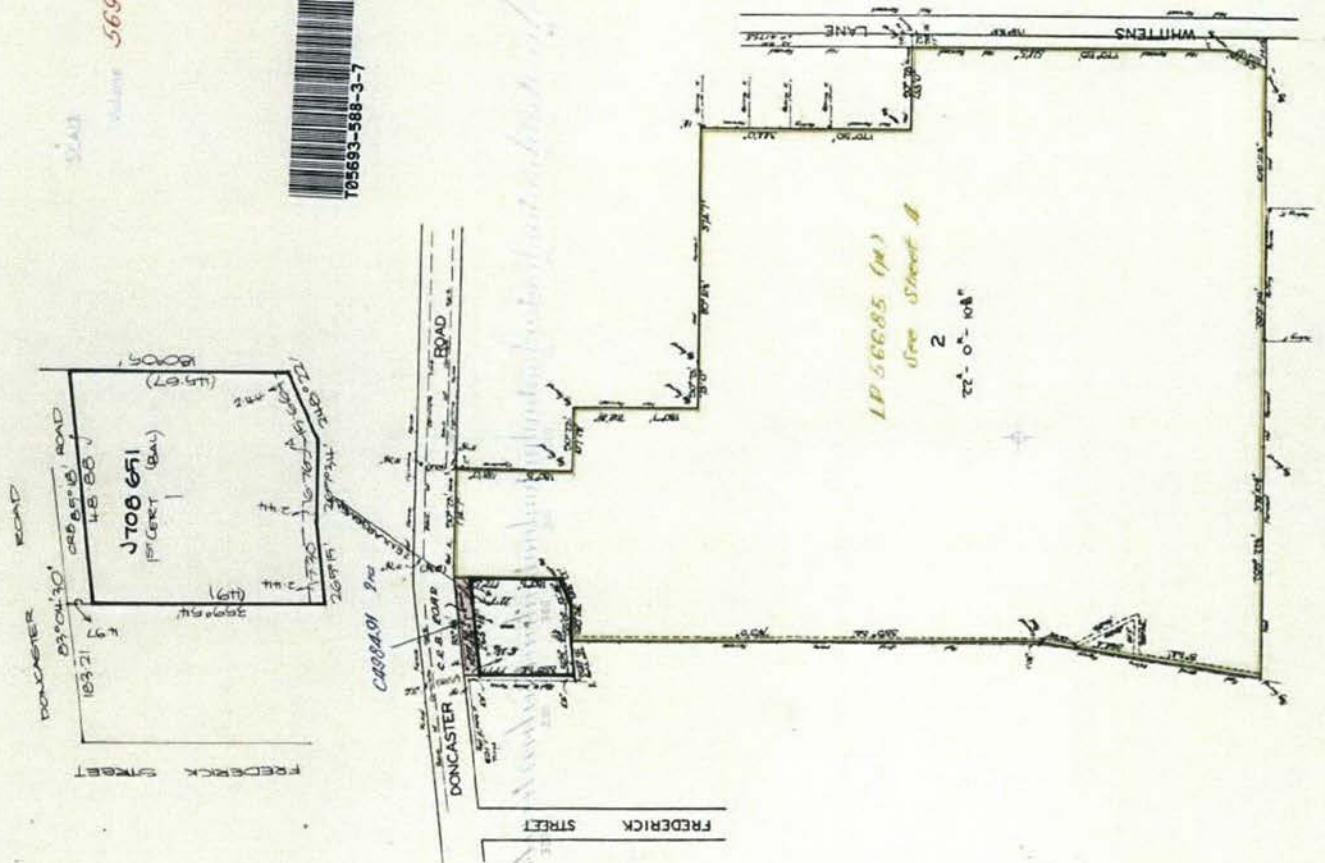


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Sheet M

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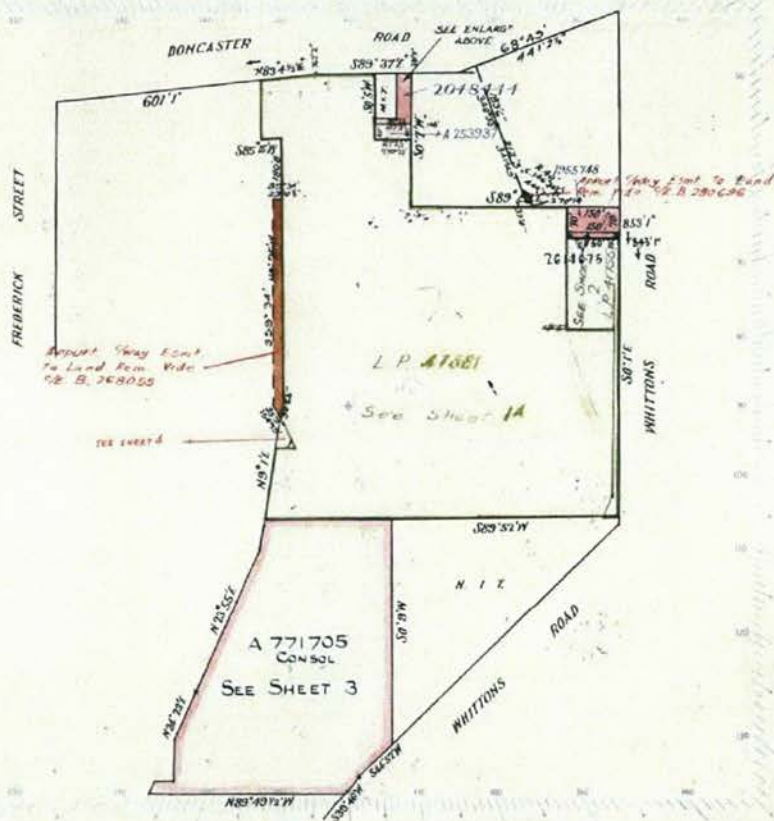
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Vol. 5693 fol. 588

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AP - 16214 See 413 14-3-02



APPROX. DRAINAGE & SEWERAGE EASMT TO BAL OF LAND HERON Vide RESⁿ IN TRA. A.784871, A.788615, 1803411 & A.918374

APPROX. C/INAL EASMT TO BAL OF LAND HERON Vide RESⁿ IN TRA A.788615 OVER ROADS BOUND ON L.P.'s 50286 & 50452



Sheet 1

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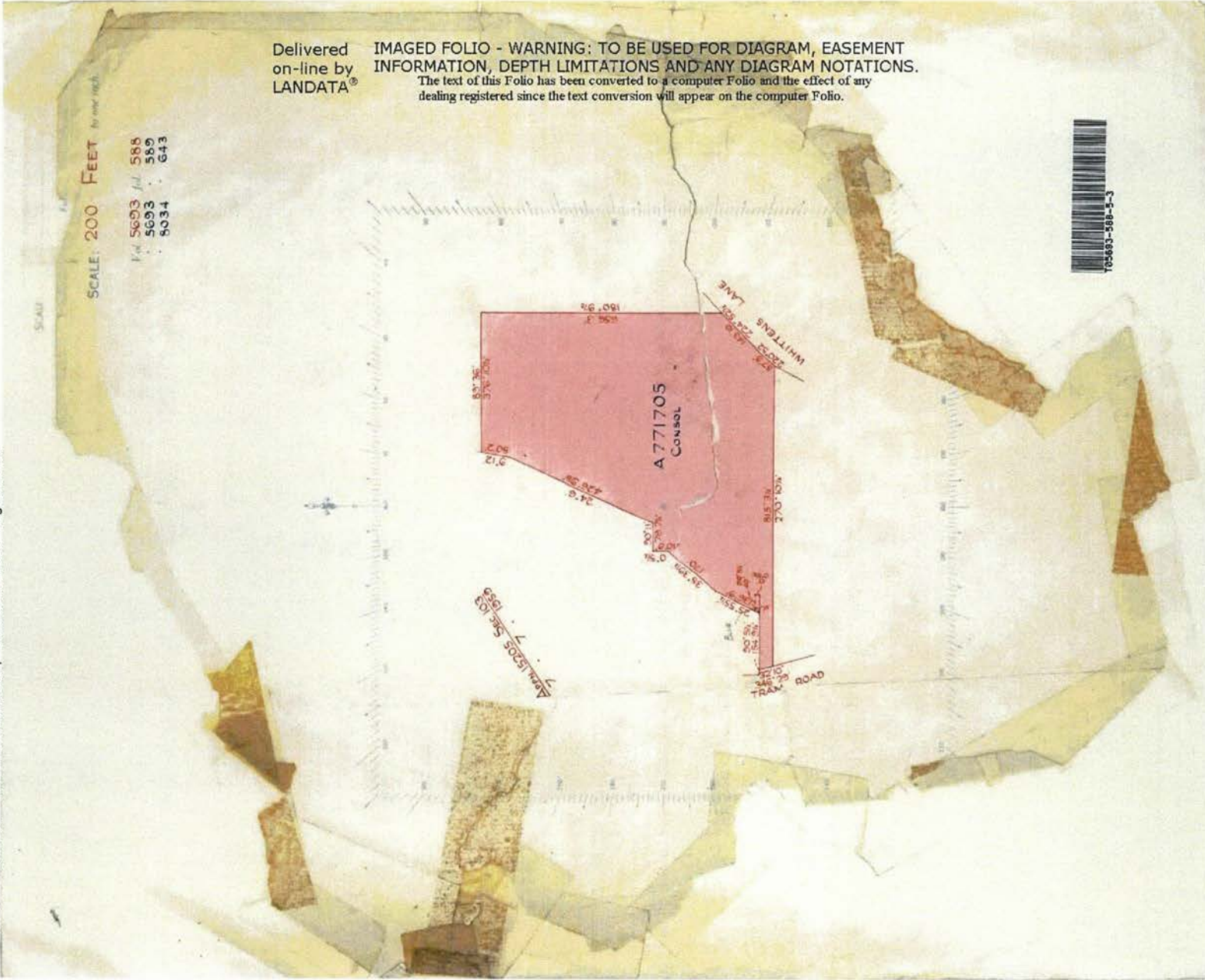
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Department of Environment and Planning
12/12/2013 18:20

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Lot 5693 of 588
5693 of 589
5034 of 643

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www.nra.gov.au

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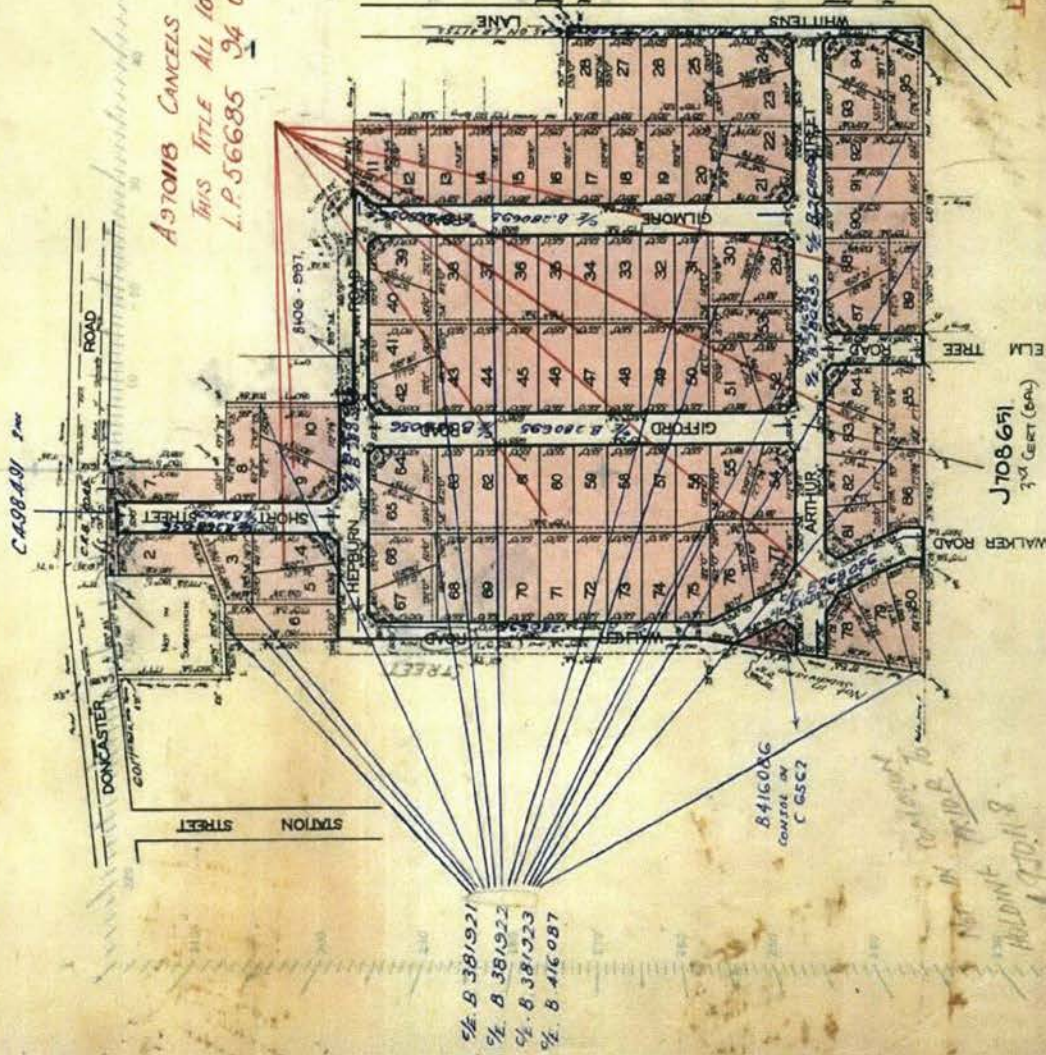
Volume 5693 Folia 588
" 8406 " 387

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ASTONB CANCELS THIS TITLE ALL LOTS L.P. 56685 34 CANCELLED



L.P. 56685 SHEET 4

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Natural Resources and Environment
DEPARTMENT OF RESOURCES, CONSERVATION AND LAND MANAGEMENT

30
- 3 SEP 2015
REGISTRY OFFICE

This is the Sheet marked

referred to in Certificate of Title entered in the Register Book Vol.

5693 Fol 588

ORIGINAL



Assistant Registrar of Titles

CREATION OF EASEMENT

Registered 24th August 1961
Numbered B268056



CREATION OF EASEMENT

Registered 14th September 1961
Numbered B280695.



CREATION OF EASEMENT

Registered 14th March 1962
Numbered B381921.



CREATION OF EASEMENT

Registered 14th March 1962
Numbered B381922.



CREATION OF EASEMENT

Registered 14th March 1962
Numbered B381923.



CREATION OF EASEMENT

Registered 9th May 1962
Numbered B416087.



CAVEAT No. B148678 **LODGED** 2nd Feb. 1961
Affecting part of the land herein Lot No 12
Caveat transferred to new C/T
12 1/5 56685

CAVEAT No. B22063 **LODGED** 3rd July 1961
Affecting part of the land herein Lot No 40
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B257365 **LODGED** 7th Aug. 1961
Affecting part of the land herein Lot No 69
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B259423 **LODGED** 11th Aug. 1961
Affecting part of the land herein Lot No 21, 22
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B277407 **LODGED** 8th Sept. 1961
Affecting part of the land herein Lot No 11
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B370348 **LODGED** 22nd Feb. 1962
Affecting part of the land herein Lot No 82
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B417645 **LODGED** 10th May 1962
Affecting part of the land herein Lot No 89
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B480101 **LODGED** 9th Aug. 1962
Affecting part of the land herein Lot No 56
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B492012 **LODGED** 13th Aug. 1962
Affecting part of the land herein Lot No 44
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B593797 **LODGED** 7th Feb. 1963
Affecting part of the land herein Lot No 18
Caveat transferred to new C/T
1/5 56685

CAVEAT No. B593605 - Lot 47 1/5 56685
Caveat transferred to new C/T

CANCELLED AS TO PART
Pursuant to Regulation 12 and Titles
issued as set out hereunder on 11 July 1963
Lots 7 to 15 - being Vol. 8420
To " 8421
" 8421

SO
FREDERICK JOHN PETTY died on 18th December 1960
Probate of his Will has been granted to NEIL
FREDERICK PETTY of Main Road Doncaster -
Orchardist and KEVIN GEORGE COOKE of -
383 Collins Street Melbourne Solicitor.
DATED 9th May 1962
No. B416085

**TRANSFER AS TO PART and CREATION OF
EASEMENT No. B416086**
registered 9th May 1962.
CANCELLED AS TO PART
See Vol 550 Fol 300

TRANSFER AS TO PART No. (478491)
registered 21st May 1962
CANCELLED AS TO PART
See Vol 628 Fol 122

CAVEAT No. E 98231 **LODGED** 26 JUL 1962
Affecting part of the land herein Lot No 1 1/5 4781
**CAVEAT WILL LAPSE ON
REGISTRATION OF J108651
20 MAY 1982**

TRANSFER AS TO PART No. J108651
registered 10th November 1981
CANCELLED AS TO PART
See Vol 9165 Fol 252

**CANCELLED SEE VOL 9465 FOL 253 and
WHICH IS ISSUED PURSUANT
TO SECTION 32 (2) ACT 6399
REGISTERED 10th NOVEMBER 1981
No. J108651**
CANCELLED

F

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- 9 SEP 2015

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Entered in the Register Book

Vol. 5693 Fol. 1138588

VICTORIA.

Certificate of Title

UNDER THE "TRANSFER OF LAND ACT 1916."



Frederick John Petty of Doncaster Orchardist is -----

now the proprietor of an Estate in Fee-simple, subject to the Encumbrances notified hereunder in All that piece of Land delineated and coloured red on the map in the margin containing Thirty-three acres Three roods and

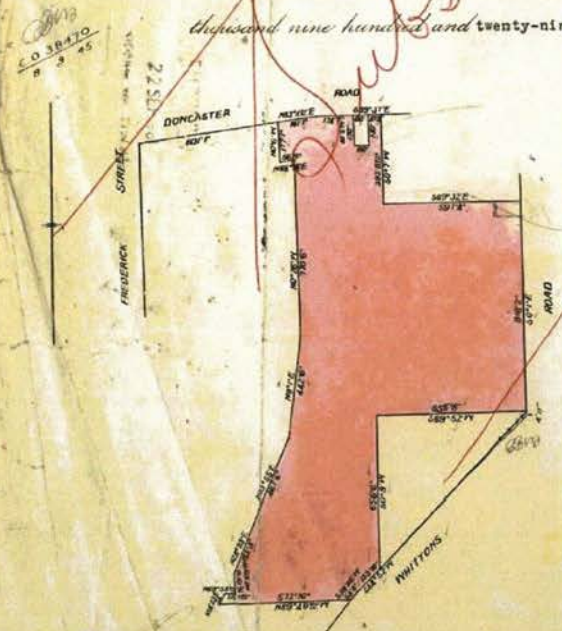
Twenty-three perches or thereabouts being part of Unwin's Crown Special Survey at -- Doncaster Parish of Balleen County of Bourke -----

So much of the land herein as is comprised in Plan of Subdivision lodged A37018 has appurtenant thereto the easement for carriage purposes granted by indenture numbered G14689 in the Record Book over the land colored blue on Certificates of Title Volume 8255 Folios 177 and 178.

APN 12 Sec 71 11 C 62

Dated the Eleventh day of June thousand nine hundred and twenty-nine.

ENCUMBRANCES REFERRED TO.



A right of carriage way appurtenant to land remaining untransferred here created by Instrument B268055 Registered 24th August 1961

A right of carriage way appurtenant to land remaining untransferred here created by Instrument B280696 Registered 14th September 1961

The Measurements are in feet and inches

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Vol. 5693 Fol. 1138586/7. Transfer. 1392096 Application.

TRANSFER AS TO PART to

Neil Frederick Petty registered
on 13th June 1945 numbered 1955748
CANCELLED AS TO PART See Certificate of Title
Vol. 6826 Fol. 1365168

Assistant Registrar of Titles.

TRANSFER AS TO PART to Albert James
Cully Albert Frederick Officer Stanley James
McDowell and Thomas Petty registered
on 18th December 1946 numbered 2049444
CANCELLED AS TO PART See Certificate of Title
Vol. 6951 Fol. 1390187

Assistant Registrar of Titles.

TRANSFER AS TO PART to
Edwin Lindsay Cameron registered
on 22 Dec 1953 numbered 2614675
CANCELLED AS TO PART See Certificate of
Title Vol. 8033 Fol. 764 21 Newson

Assistant Registrar of Titles

TRANSFER AS TO PART No. A253937
registered 30 Jan 1951
CANCELLED AS TO PART See Vol. 8131 Fol. 237
Assistant Registrar of Titles

TRANSFER AS TO PART No. A355061
registered 20 June 1957
CANCELLED AS TO PART See Vol. 8162 Fol. 158
Assistant Registrar of Titles

TRANSFER AS TO PART No. A359752
registered 27 June 1957
CANCELLED AS TO PART See Vol. 8162 Fol. 159
Assistant Registrar of Titles

TRANSFER AS TO PART No. A423535
registered 23 October 1957
CANCELLED AS TO PART
Vol. 8176 Fol. 075 Assistant Registrar of Titles

TRANSFER AS TO PART No. A423536
registered 23 October 1957
CANCELLED AS TO PART
Vol. 076 Assistant Registrar of Titles

TRANSFER AS TO PART APPLICATION No. A771705
See Vol. 8293 Fol. 025

CREATION OF EASEMENT

Registered 24th August 1961
Numbered B268056

CREATION OF EASEMENT

Registered 14th September 1961
Numbered B280695.

CREATION OF EASEMENT

Registered 14th March 1962
Numbered B381921.

CREATION OF EASEMENT

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CREATION OF EASEMENT

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CREATION OF EASEMENT

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PERMIT APPLICATION
7 GILMORE ROAD DONCASTER
AUGUST 2015

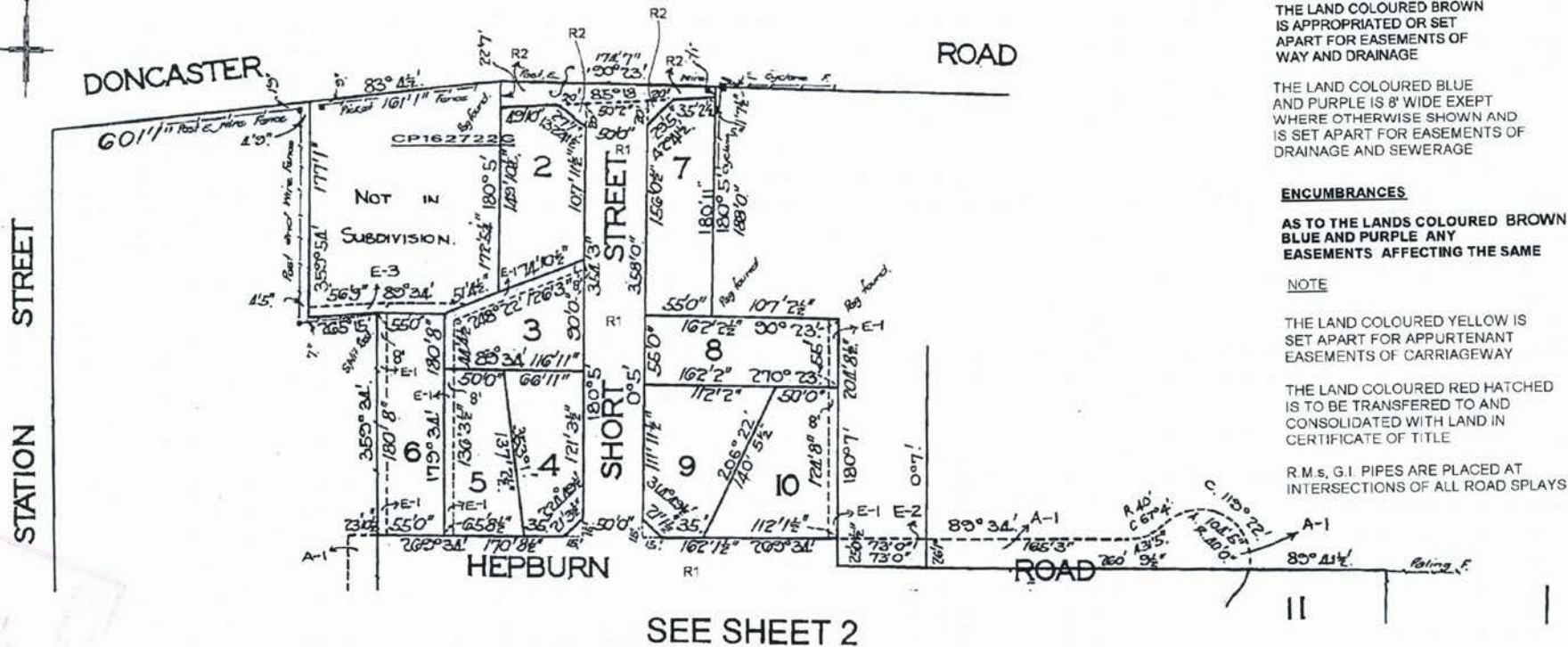
**D ORIGINAL PLAN OF SUBDIVISION
LP 56685**

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PLAN OF SUBDIVISION OF
PART OF UNWINS
CROWN SPECIAL SURVEY
PARISH OF BULLEEN
COUNTY OF BOURKE

Measurements are in Feet & Inches

Conversion Factor
FEET X 0.3048 = METRES
VOL.5693 FOL.588
VOL.8406 FOL.987



LP 56685
EDITION 3
PLAN MAY BE LODGED
23/10/62.

3 SHEETS
SHEET 1.

COLOUR CODE

- E-1 = BLUE
- R1, R2 & E-2 = BROWN
- E-3 = PURPLE
- E-4 = RED HATCHED
- A-1 = YELLOW

APPROPRIATIONS

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

THE LAND COLOURED BLUE AND PURPLE IS 8' WIDE EXCEPT WHERE OTHERWISE SHOWN AND IS SET APART FOR EASEMENTS OF DRAINAGE AND SEWERAGE

ENCUMBRANCES

AS TO THE LANDS COLOURED BROWN AND PURPLE ANY EASEMENTS AFFECTING THE SAME

NOTE

THE LAND COLOURED YELLOW IS SET APART FOR APPURTENANT EASEMENTS OF CARRIAGEWAY

THE LAND COLOURED RED HATCHED IS TO BE TRANSFERRED TO AND CONSOLIDATED WITH LAND IN CERTIFICATE OF TITLE

R.M.s. G.I. PIPES ARE PLACED AT INTERSECTIONS OF ALL ROAD SPLAYS

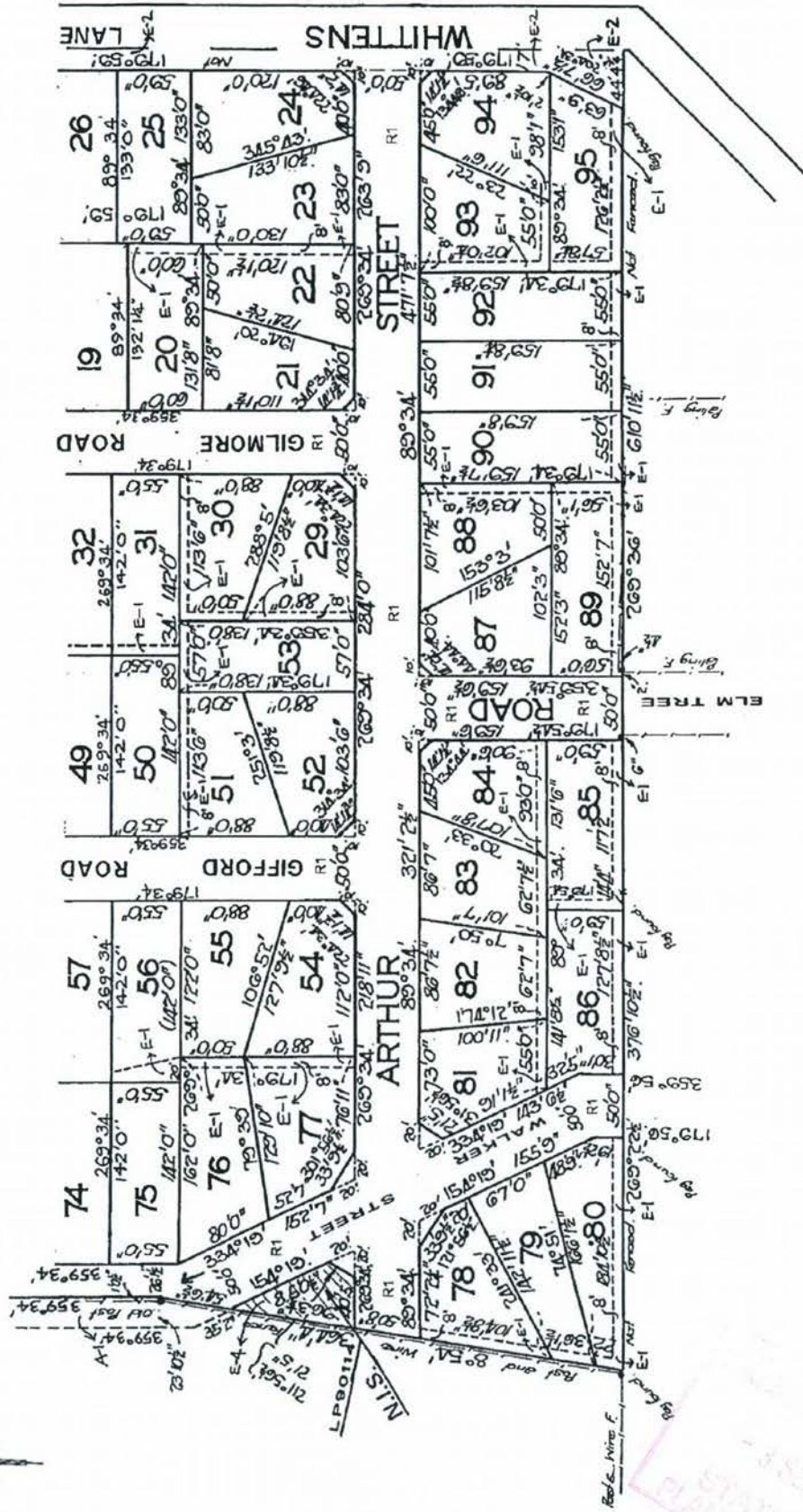
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LP 56685

3 SHEETS
SHEET 3

SEE SHEET 2

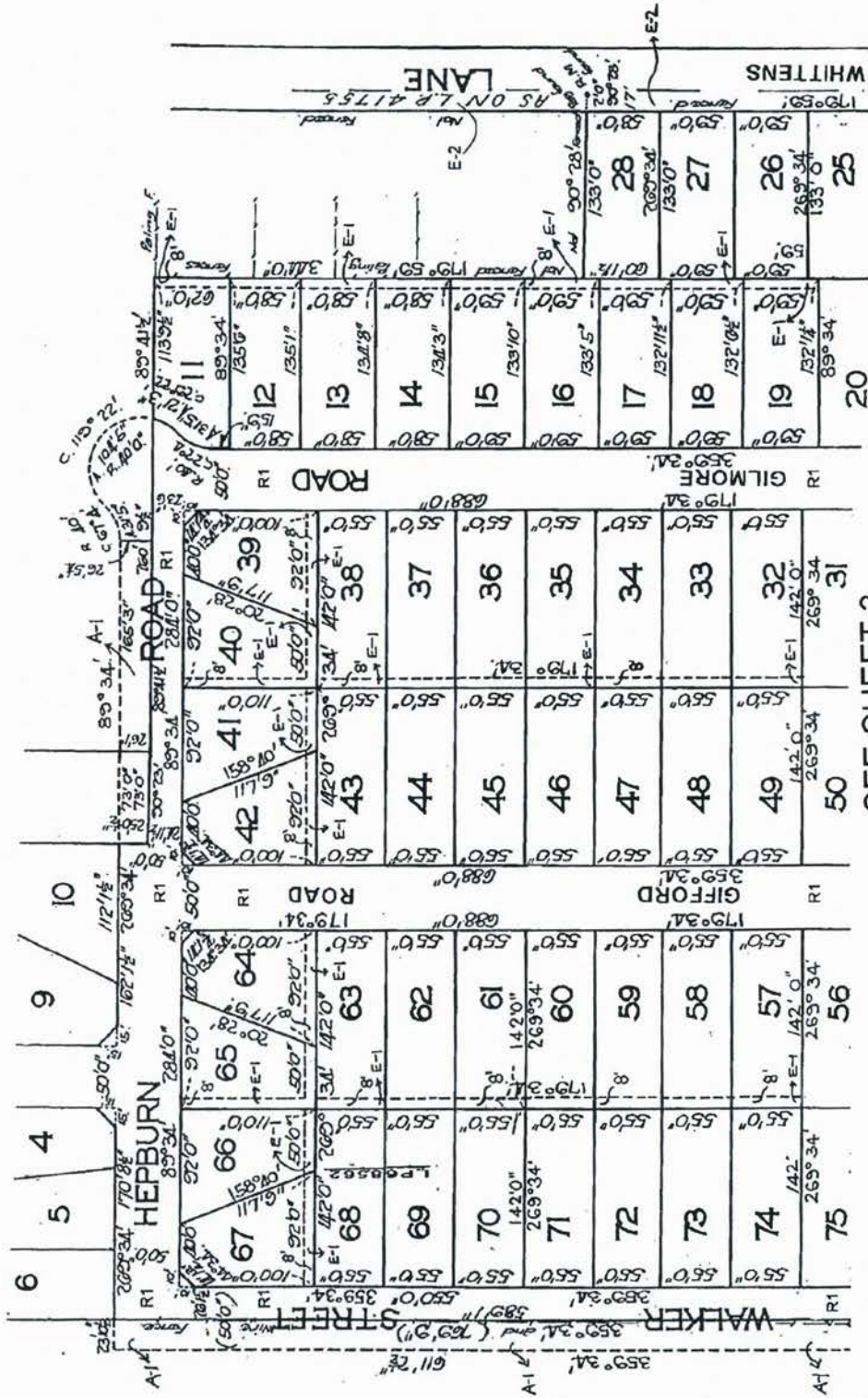


26/03/2015
 SURVEY AND
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LP 56685

3 SHEETS
SHEET 2

SEE SHEET 1



SEE SHEET 3

REGISTERED
- 1 SEP 2015
SIR LLOYD
REGISTERED

MODIFICATION TABLE

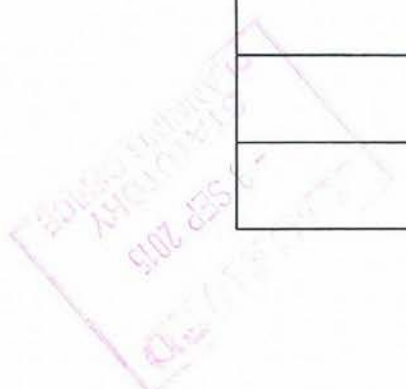
RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.

PLAN NUMBER

LP 56685

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
THIS PLAN		EASEMENTS ENHANCED				2	MLB
ROADS	R1, R2 & E-2	EASEMENT ENHANCED				3	AD



E DRAFT SUBDIVISION ACT DOCUMENT FOR CERTIFICATION

SUBDIVISION ACT 1988

PLAN OF REMOVAL OF RESTRICTION

Upon registration of this plan the following restriction is to be removed

This removal is required or authorised by planning permit number issued by the City of Manningham a copy of which is attached.

Land over which the restriction is to be varied:

No. 7 Gilmore Road Doncaster being the land in Lot 32 on LP56685 and further being all the land contained in Certificate of Title Volume 5693 Folio 588.

Identity of restriction: Covenant B416069

1. This plan is certified under Section 6 of the Subdivision Act 1988.
2. This is a Statement of Compliance issued under Section 21 of the Subdivision Act 1988.

* (Council delegate)

Date:

Applicant: Gilmore Estate Holdings Pty Ltd

Executed by the said Gilmore Estate Holdings Pty Ltd ACN

by being

signed by those persons who are authorized to sign for the company:

.....
Date:

.....
Sheet 1 of 1

Note: If the plan has more than one sheet, each sheet must be numbered. Each sheet must be signed and dated by council delegate and applicant or surveyor.

PLAN REGISTERED	
TIME:	
DATE: / / Assistant Registrar of Titles