

Planning Enquiries Phone: (03) 9688 0200 Web: www.maribyrnong.vic.gov.au

VicSmart Planning Permit

This application form is only for **VicSmart** applications (those listed under Clause 92 or the schedule to Clause 94). For all other planning permit applications, please request the correct form from Council.

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.

A 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.

Clear Form

Application type

Nominate the VicSmart permit triggers (may be more than one)

State VicSmart triggers are listed in Clause 92

Select the VicSmart class(es)	and decision guidelines can be found in
Realign the common boundary between two lots	Clause 93.01
Subdivision of buildings and car parking spaces	Clause 93.02
Subdivide land into two lots (not in a rural zone)	Clause 93.02
Front fence in a residential zone	Clause 93.03
Buildings and works in a residential zone	Clause 93.04
Buildings and works in commercial and industrial zones	Clause 93.04
Buildings and works in special purpose zones	Clause 93.04
Buildings and works in an overlay	Clause 93.05
Remove, destroy or lop a tree	Clause 93.06
Subdivision and buildings and works in a Heritage Overlay	Clause 93.07
Subdivision and buildings and works in a Special Building Overlay	Clause 93.08
Advertising sign	Clause 93.09
Reducing the requirement for car parking	Clause 93.10
Reducing the requirement for loading	Clause 93.11
Two lot subdivision in a rural zone	Clause 93.12
Buildings and works in a rural zone	Clause 93.13
Extend one dwelling on a lot in a residential zone	Clause 93.14

Local VicSmart triggers are listed in the schedule to Clause 94. List if any apply.

Pre-application meeting

Has there been a pre-application meeting with a Council planning

No	Yes	If 'Yes', with whom?:		
		Date:	day / month / year	



The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions. Street Address * St. No.: Unit No.: St. Name: Postcode: Suburb/Locality: Formal Land Description * Codged Plan Title Plan Plan of Subdivision Complete either A or B. Lot No .: A This information can be OR of title. В Crown Allotment No.: Section No.: If this application relates to more than one address, attach a separate sheet setting out Parish/Township Name: any additional property details. The Proposal You must give full details of your proposal and attach the information required to assess the application. For what use, development or other matter do you Construction of a warehouse & reduction to a standard car parking require a permit? * ratio 🌌 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 A You may be required to verify this estimate. development for which the Cost \$690,000 Insert '0' if no development is proposed. permit is required * **Existing Conditions** Describe how the land is used and developed now EXISTING SINGLE STOREY HOUSE 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. Does the proposal breach, in any way, an encumbrance on title such as a restrictrive covenant, section 173 agreement or other obligation such as an easement or building envelope? Encumbrances on title * 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.

as 'instruments', for example, restrictive covenants.

The title includes: the covering 'register search statement', the title diagram and the associated title documents, known



Same as applicant

Postcode:

Applicant and Owner Details II

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

Α	n	nl	li	са	n	t	4

The person who wants the permit.

Name: First Name: PO Surname: LEONG Title: MR Organisation (if applicable): P.L GROUP (VIC) PTY. LTD. Postal Address: If it is a P.O. Box, enter the details here: St. No.: 1 St. Name: SOMERVILLE ROAD Unit No.: Suburb/Locality: FOOTSCRAY State: VIC Postcode: 3012

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.

Contact information for applicant OR contact person below Business phone: 03 9329 6691 Email: po@plgroup.net.au Mobile phone: 0411353339 Fax: Contact person's details*

St. Name:

Surname:

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

State:

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:		Same as applicant
Title: MR First Name: SHAU	Surname: N	MARCHESE
Organisation (if applicable): S & M N	RCHESE INVESTMEN	ITS PTY LTD
Postal Address:	If it is a P.O. Box, enter the de	etails here:
Unit No.: St. No.: 2	St. Name: GIBSON C	COURT
Suburb/Locality: SYDEHAM	State: VIC	Postcode: 3037
Owner's Signature (Optional):	Dat	te:
		day / month / year

Information requirements

Contact Council'

Name:

Title:

Postal Address:

Suburb/Locality:

Unit No.:

Organisation (if applicable):

his application and rmation may delay your application.

Have you completed the VicSmart information checklist(s)?

First Name:

St. No.:

Yes

No

Declaration I

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

of the permit.

I declare that I am the applicant; and that all the information in this application is true and permit application.

Signature:

Date: 5/02/2024

day / month / year



Need help with the Application?

If you need help to complete this form, read More Information at the end of this form.

General information about the VicSmart planning process is in the Applicant's Guide to Lodging a VicSmart Application which is available at www.planning.vic.gov.au

Assistance can also be obtained from Council's planning department.

Checklist I	Filled in the form completely?
Have you:	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 listed in Clause 93 and the schedule to Clause 95 for the appropriate VicSmart class of application?
	Completed and attached the relevant information checklist for the appropriate VicSmart application?
	Signed the declaration?

Lodgement II

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.

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.



ferent types of use

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 the Planning Schemes Online section of the department's website http://planning-schemes.delwp.vic.gov.au



details about your property. A 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

rural areas can be obtained by visiting www.landata.vic.gov.au Contact

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.

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

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

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

- Restrictive Covenants: A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land
 - of building materials to be used).
- Section 173 Agreements: A 'section 173 agreement' is a contract between an owner of the land and the responsible authority 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' boundaries for the land.

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

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.

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 granting of 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.



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?

Т

fecting 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.

A 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

requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov

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 . 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

▲ 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

Need help with the Application?

If you have attended a pre-application meeting with a Council planner,

consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

Υ

to describe the proposal in enough detail for a decision to be made. It is important that copies of all plans and information submitted with the application are legible.

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 planning permit checklist
- · signed the declaration on the last page of the application form

A The more complete the information you provide with your permit application, the sooner a decision will be made.

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.

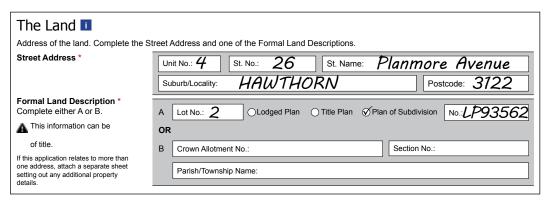
Contact details are listed in the lodgement section on the last page of the form.

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.

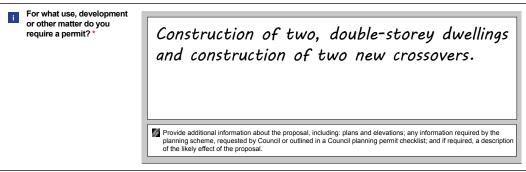


EXAMPLES

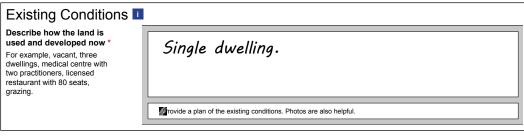
Example 1



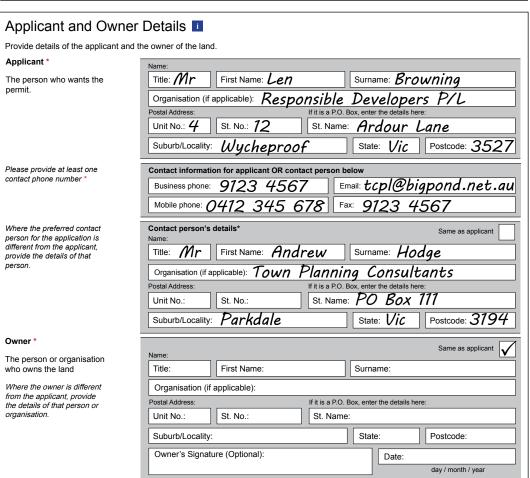
Example 2



Example 3



Example 4





Maribyrnong City Council - Urban Planning Department

Cnr Hyde and Napier Streets, Footscray

T: 9688 0200 email: planningapplications@maribyrnong.vic.gov.au



AMENDMENT TO AN APPLICATION FOR A PLANNING PERMIT - Request Form (before permit is issued)

Privacy Information: Any material submitted with this application, including plans and personal information, will be available for public viewing, including electronically, and copies may be made to interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. **Requests for access to and/or amendment of the information provided may be made to Council's Privacy Officer on: 9688 0200.**

DETAILS OF APPLICATION TO BE AMENDED					
Application Number: Address of Land :					
TP48/2024(1) 382 SOMERVILLE ROAD WEST FOOTSCRAY					
Under what section of the Planning and Environment Act 1987, is the amendment being sought: Section 50 – Amendment to the application prior to notice Section 57A – Amendment to the application after notice (Note – A fee of 40% of the original application fee is required with this request)					
THE APPLICANT					
Name: PO LEONG		Organisation: P.L GROUPT (VIC) P/L			
Address: 1326/401 DOCK	(LANDS DRIVE, DO	CKLANDS VIC. 3008			
Contact Phone Number: 9	3296691				
Email: po@plgroup.net.a	u				
		ermit application? Yes Doermit application may ask Council to amend the			
DETAILS OF THE PROPOS	ED CHANGES				
Is there a change to the desc		☐ Yes 🔼 No			
Is there a change to the plans and/or other documents Yes No					
submitted with the application?					
Is there a change to the use and/or development of the land?					
List in detail the proposed changes (This can be listed on a separate page)					
- Remove Clause 52.06					
DECLARATION TO BE COM	MPLETED FOR APPL	ICATIONS			
I declare that all					
information I have given	Applicant Signatur	e:			
is true.	Date: 16/08/20	24			

HOW TO REQUEST FOR AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT

ALL OF THE INFORMATION OUTLINED BELOW MUST ACCOMPANY THIS APPLICATION.

ALL REQUESTS SUBMIT:

- Application form
- 2. A written statement detailing all alterations/amendment proposed
- 3. Application fee if required

If you are amending the description of the land, please submit:

- 1. Provide the street number, street name, town, postcode, the lot number and lodged plan number or other title particulars
- 2. If you attach a plan, include:
 - The boundaries of the land and their measures:
 - The street it faces, the nearest intersecting street, the distance from this street and the name
 of all streets on the plan;
 - Reasons for the amendment

If you are amending the use and/or development of the land, please submit:

- 1. Details of the changes to the use and development of the land;
- 2. Reasons for wishing to amend the use and/or development;

If you are amending the plans, please submit:

- 1. An electronic copy of the plans (coloured to highlight the proposed amendments):
 - Site plan of the existing site and all amendments that are proposed;
 - Floor plans showing existing conditions, and all proposed amendments;
 - Elevation plans of the existing proposal, and all proposed amendments.



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and C past, present and emerging.



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

Page 1 of 1

VOLUME 08224 FOLIO 014

Security no : 124112359798N Produced 03/02/2024 12:33 PM

LAND DESCRIPTION

Lot 1 on Title Plan 236838K.
PARENT TITLE Volume 04972 Folio 356
Created by instrument A697917 04/03/1959

REGISTERED PROPRIETOR

Estate Fee Simple TENANTS IN COMMON

As to 1 of a total of 2 equal undivided shares

Sole Proprietor

J.K. RAPA INVESTMENTS PTY LTD of 1 STRAHAN COURT KEILOR DOWNS VIC 3038 As to 1 of a total of 2 equal undivided shares Sole Proprietor $\,$

S & M MARCHESE INVESTMENTS PTY LTD of 2 GIBSON COURT SYDENHAM VIC 3037 AW539481M 10/02/2023

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT 1197990

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 TP236838K 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: 382 SOMERVILLE ROAD WEST FOOTSCRAY VIC 3012

DOCUMENT END

Title 8224/014 Page 1 of 1

Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	TP236838K
Number of Pages	1
(excluding this cover sheet)	
Document Assembled	03/02/2024 12:33

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TITLE PLAN EDITION 1 TP 236838K

Location of Land

Parish: CUT-PAW-PAW

Township: Section: Crown Allotment: Crown Portion:

Last Plan Reference: LP18780
Derived From: VOL 8224 FOL 014

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: 07/12/1999

VERIFIED: P.J.

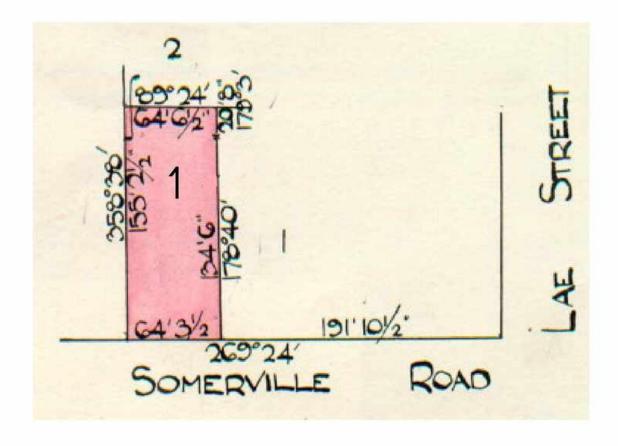


TABLE OF PARCEL IDENTIFIERS

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 = LOT 2 (PT) ON LP18780

LENGTHS ARE IN FEET & INCHES Metres = 0.3048 x Feet Metres = 0.201168 x Links

Sheet 1 of 1 sheets

Imaged Document Cover Sheet

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Document Type	Instrument
Document Identification	1197990
Number of Pages	4
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Document Assembled	03/02/2024 12:40

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AND I the said Wilkiam XX wax Wood for myself my heirs executors administrators and transferees registered proprietor or proprietors for the time being of the said land hereby transferred HEREBY - -COVENANT with the said Emma Elizabeth Le Croissette Thomson, Çecil Percy Thomson and their and each of their heirs executors - - administrators and transferees and with the said The Trustees - -Executors and Agency Company Limited and its transferees registered Twe The book in 71 1197990 proprietor or proprietors for the time being of the land comprised in the said Certificate of Title Volume 2280 Folio 455826 that I Horace Rendall the said William Minner Wood and my heirs executors administrators and transferees registered proprietor or proprietors for the time being of the said land hereby transferred/will not at any time - quarry for stone or carry on any noxious trade upon the said land hereby transferred or any part thereof or allow any stone to be excavated therefrom below a depth of two feet from the surface thereof nor allow any noxious trade to be carried on upon the said land hereby transferred or any part thereof or in any building - -Horace Rendall erected thereon AND the said Wikking Kongack Wood hereby consents

to the foregoing covenant appearing as an encumbrance on the - - Certificate of Title to issue for the said land hereby transferred

pursuant to this transfer and to run with such land.

24 day of december 1924 DATED the

SIGNED in Victoria by the said EMMA - - X & & L. Thomlow presence of:-

For St medowing

SIGNED in Victoria by the said CECIL PERCY THOMSON in the presence of:-

I Ceil & Thomson

Lackhour o

THE COMMON SEAL of THE TRUSTEES --EXECUTORS AND AGENCY COMPANY LIMITED -was hereto affixed by authority of the
Board of Directors --

Hany Enne

General Manager.

RENDALL MINIOR WOOD in the presence of:-

A Buchows

ENCUMBRANCES REFERRED TO.

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