



# Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Land	4B Lower Beckhams Road, Maiden Gully 3551	
Vendor's name	Jeffrey Mark Kennedy	Date 31 July 2025
Vendor's signature	Signed by:  8C0AB179742F465...	
Vendor's name	Wendy Ann Kennedy	Date 30 July 2025
Vendor's signature	Signed by:  739D83C800F64A9...	
Purchaser's name		Date / /
Purchaser's signature		
Purchaser's name		Date / /
Purchaser's signature		

## 1 FINANCIAL MATTERS

### 1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

- (a) Are contained in the attached certificate/s.

### 1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

	To	
Other particulars (including dates and times of payments):		

### 1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable.

### 1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

Not Applicable.

### 1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPCC No. 100
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice of property clearance certificate or is as follows	Date: OR <input checked="" type="checkbox"/> Not applicable

## 2 INSURANCE

### 2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not Applicable.

### 2.2 Owner Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of the *Building Act* 1993 applies to the residence.

Not Applicable.

## 3 LAND USE

### 3.1 Easements, Covenants or Other Similar Restrictions

- (a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered): -

Is in the attached copies of title documents.

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

### 3.2. Road Access

There is NO access to the property by road if the square box is marked with an 'X'

☐

### 3.3. Designated Bushfire Prone Area

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

☐

### 3.4. Planning Scheme

Attached is a certificate with the required specified information.

## 4 NOTICES

### 4.1. Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

Not Applicable.

### 4.2. Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Not Applicable.

### 4.3. Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

Not Applicable.

## 5 BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land):

Not Applicable.

## 6 OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

Not Applicable.

## 7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not Applicable.

## 8 SERVICES

The services which are marked with an 'X' in the accompanying square box are NOT connected to the land:

Electricity supply <input checked="" type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
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## 9 TITLE

Attached are copies of the following documents:

### 9.1 (a) Registered Title

A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

## 10 SUBDIVISION

### 10.1. Unregistered Subdivision

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

Not Applicable.

### 10.2. Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

Not Applicable.

### 10.3. Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

Not Applicable.

## 11 DISCLOSURE OF ENERGY INFORMATION

*(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)*

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m<sup>2</sup>; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable.

## 12 DUE DILIGENCE CHECKLIST

*(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)*

- ☐ Vacant Residential Land or Land with a Residence
- ☒ Attach Due Diligence Checklist (this will be attached if ticked)

## 13 ATTACHMENTS

*(Any certificates, documents and other attachments may be annexed to this section 13)*

*(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)*

*(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)*

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## Due diligence checklist

### What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](https://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

### Urban living

#### Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

#### Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

### Growth areas

#### Are you moving to a growth area?

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

### Flood and fire risk

#### Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

### Rural properties

#### Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

#### Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

#### Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

### Soil and groundwater contamination

#### Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

## Land boundaries

### Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

## Planning controls

### Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

### Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

## Safety

### Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

## Building permits

### Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

### Are any recent building or renovation works covered by insurance?

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

## Utilities and essential services

### Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

## Buyers' rights

### Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.

(04/10/2016)

PLANNING PROPERTY REPORT

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 29 July 2025 09:41 AM

PROPERTY DETAILS

Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY 3551

Lot and Plan Number: Lot 8 PS827024

Standard Parcel Identifier (SPI): 8\PS827024

Local Government Area (Council): GREATER BENDIGO

Council Property Number: 260416

Planning Scheme: Greater Bendigo

Directory Reference: Vicroads 606 D4

[www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)

[Planning Scheme - Greater Bendigo](#)

UTILITIES

Rural Water Corporation: Goulburn-Murray Water

Urban Water Corporation: Coliban Water

Melbourne Water: Outside drainage boundary

Power Distributor: POWERCOR

STATE ELECTORATES

Legislative Council: NORTHERN VICTORIA

Legislative Assembly: BENDIGO WEST

OTHER

Registered Aboriginal Party: Dja Dja Wurrung Clans Aboriginal Corporation

Fire Authority: Country Fire Authority

[View location in VicPlan](#)

Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[SCHEDULE TO THE GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

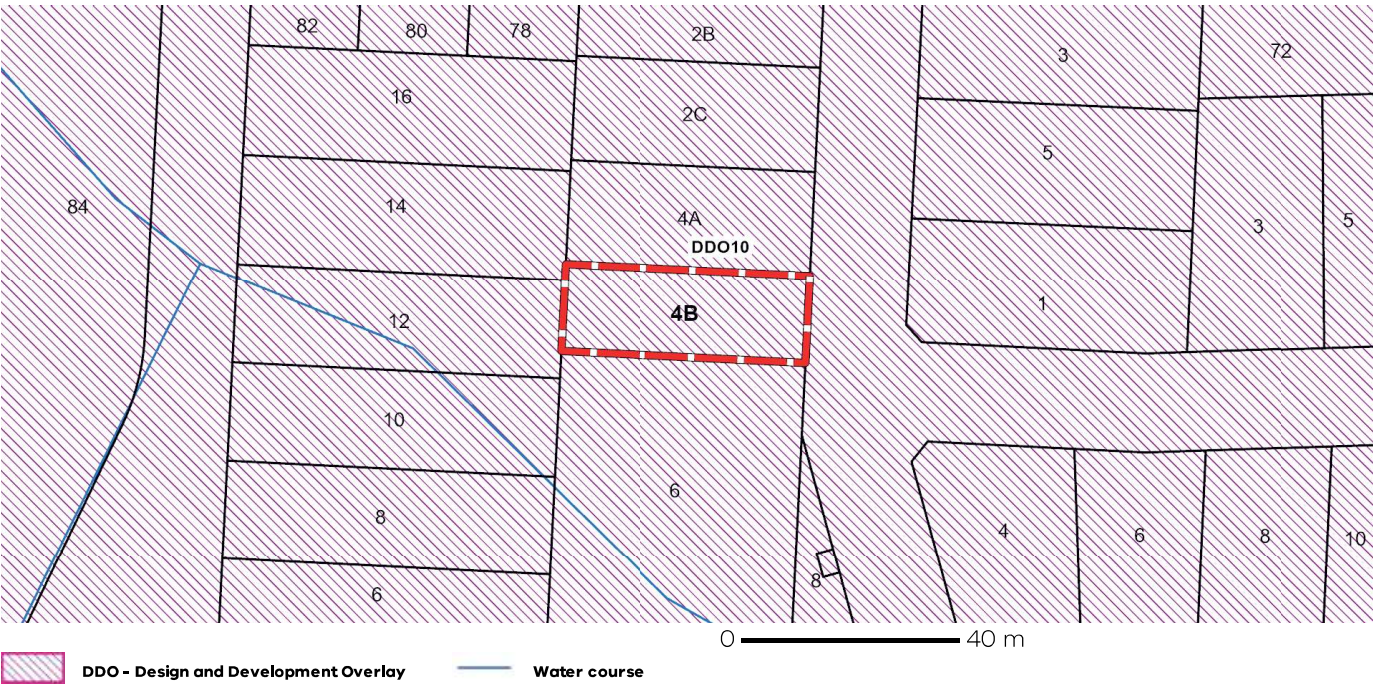


Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

PLANNING PROPERTY REPORT

Planning Overlays

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)  
[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 10 \(DDO10\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)  
[LAND SUBJECT TO INUNDATION OVERLAY \(LSIO\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend



PLANNING PROPERTY REPORT

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <https://heritage.achris.vic.gov.au/govQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.firstpeoplesrelations.vic.gov.au/aboriginal-heritage-legislation>



# PLANNING PROPERTY REPORT

VICTORIA  
State  
GovernmentDepartment  
of Transport  
and Planning

## Further Planning Information

Planning scheme data last updated on 24 July 2025.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit

<https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

# PLANNING PROPERTY REPORT



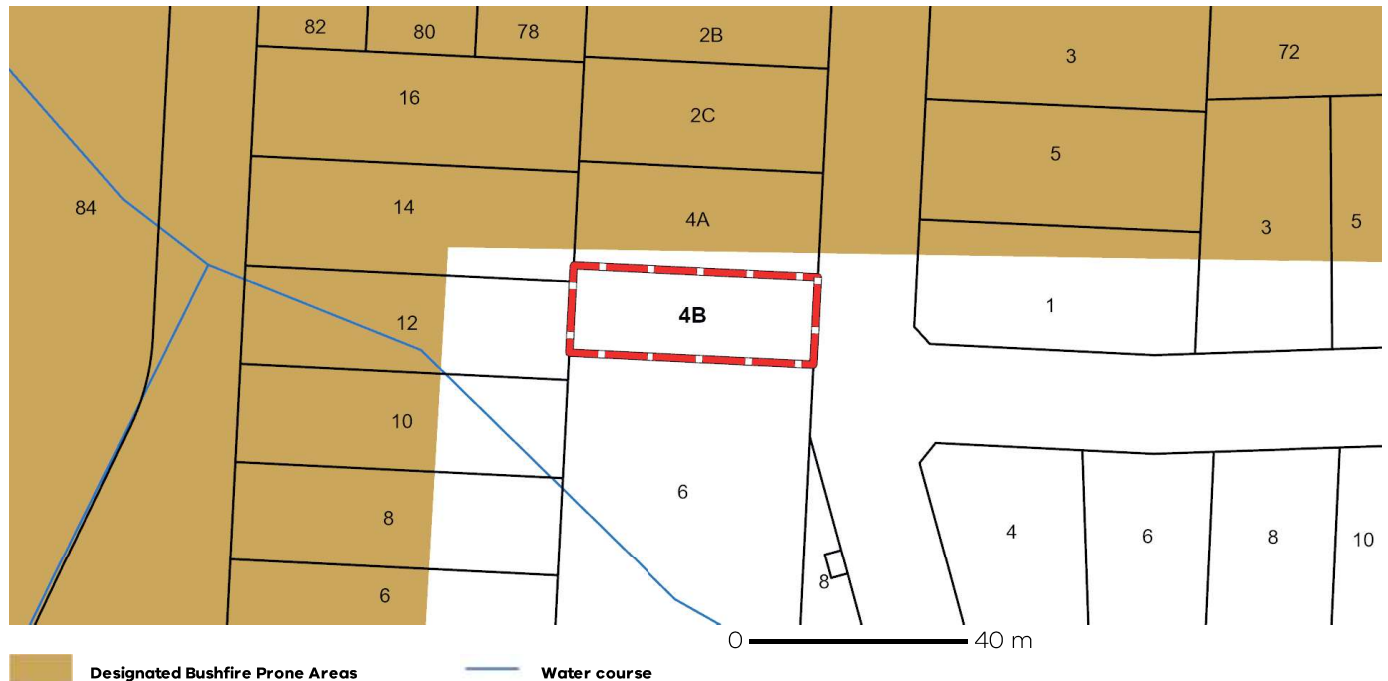
Department  
of Transport  
and Planning

## Designated Bushfire Prone Areas

**This property is not in a designated bushfire prone area.  
No special bushfire construction requirements apply. Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

## Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

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Read the full disclaimer at <https://www.vic.gov.au/disclaimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

# PROPERTY REPORT

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 29 July 2025 09:41 AM

## PROPERTY DETAILS

Address: **4B LOWER BECKHAMS ROAD MAIDEN GULLY 3551**

Lot and Plan Number: **Lot 8 PS827024**

Standard Parcel Identifier (SPI): **8\PS827024**

Local Government Area (Council): **GREATER BENDIGO**

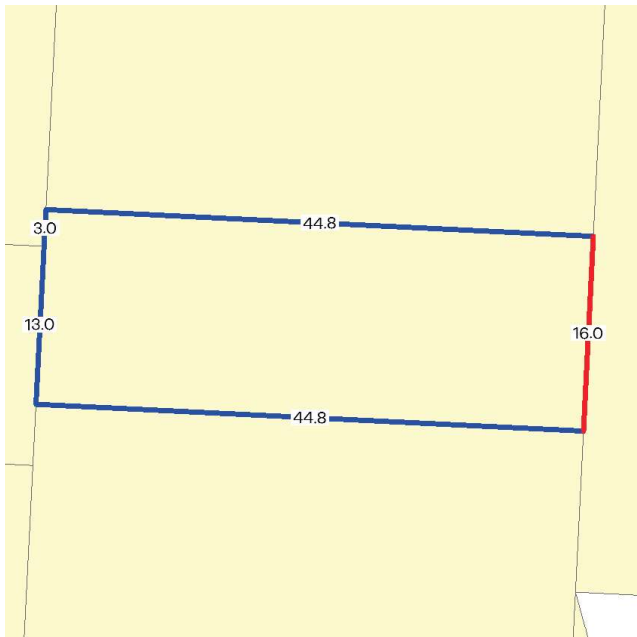
Council Property Number: **260416**

Directory Reference: **Vicroads 606 D4**

[www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)

## SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



**Area:** 718 sq. m

**Perimeter:** 122 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

## UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**

Urban Water Corporation: **Coliban Water**

Melbourne Water: **Outside drainage boundary**

Power Distributor: **POWERCOR**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**

Legislative Assembly: **BENDIGO WEST**

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

**Vicplan** <https://mapshare.vic.gov.au/vicplan/>

**Property and parcel search** <https://www.land.vic.gov.au/property-and-parcel-search>



PROPERTY REPORT

Area Map





# HISTORIC MINING ACTIVITY

## Form No. 692

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29 July, 2025

**Property Information:**

Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY 3551

**It is advised that:**

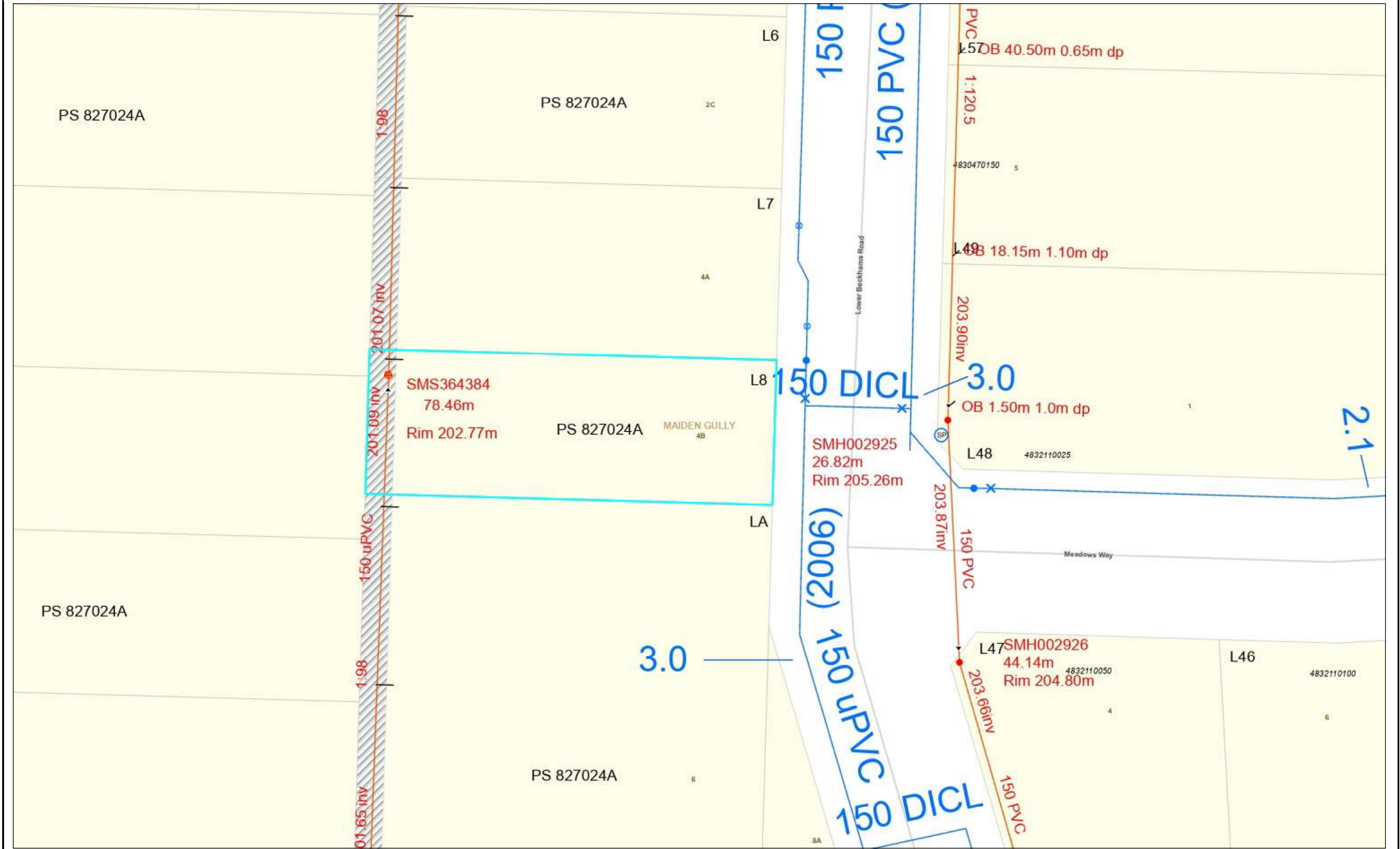
Our records do not indicate the presence of any mining activity on this site, and the site appears to be outside any known mined area. (4)

NOTE: Historic Mining activity information is provided from plans and records that may be incomplete and may not be entirely free from errors. It is provided for information only and should not be relied upon as definitive of the status of any area of land. It is provided on the basis that all persons accessing it undertake responsibility for assessing the relevance and accuracy of its content. The State of Victoria and its officers, agents or employees do not guarantee that the work is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this work.

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**For queries, contact:**

Department of Energy, Environment and Climate Action  
E-mail: [gsv\\_info@deeca.vic.gov.au](mailto:gsv_info@deeca.vic.gov.au)



# PLANNING CERTIFICATE

Official certificate issued under Section 199 Planning & Environment Act 1987  
and the Planning and Environment Regulations 2005

CERTIFICATE REFERENCE NUMBER

1161222

APPLICANT'S NAME & ADDRESS

HQ LAW C/- INFOTRACK (LEAP) C/- LANDATA  
DOCKLANDS

VENDOR

KENNEDY, JEFFREY MARK

PURCHASER

NOT KNOWN, NOT KNOWN

REFERENCE

1515

This certificate is issued for:  
LOT 8 PLAN PS827024 ALSO KNOWN AS 4B LOWER BECKHAMS ROAD MAIDEN GULLY  
GREATER BENDIGO CITY

The land is covered by the:  
GREATER BENDIGO PLANNING SCHEME

The Minister for Planning is the responsible authority issuing the Certificate.

The land:  
- is included in a GENERAL RESIDENTIAL ZONE  
- is within a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 10

A detailed definition of the applicable Planning Scheme is available at :  
<http://planningschemes.dpcd.vic.gov.au/schemes/greaterbendigo>  
Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian  
Heritage Register at:  
<http://vhd.heritage.vic.gov.au/>

Additional site-specific controls may apply.  
The Planning Scheme Ordinance should be checked carefully.  
The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

Copies of Planning Schemes and Amendments can be inspected at the relevant municipal offices.  
LANDATA®  
T: (03) 9102 0402  
E: [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

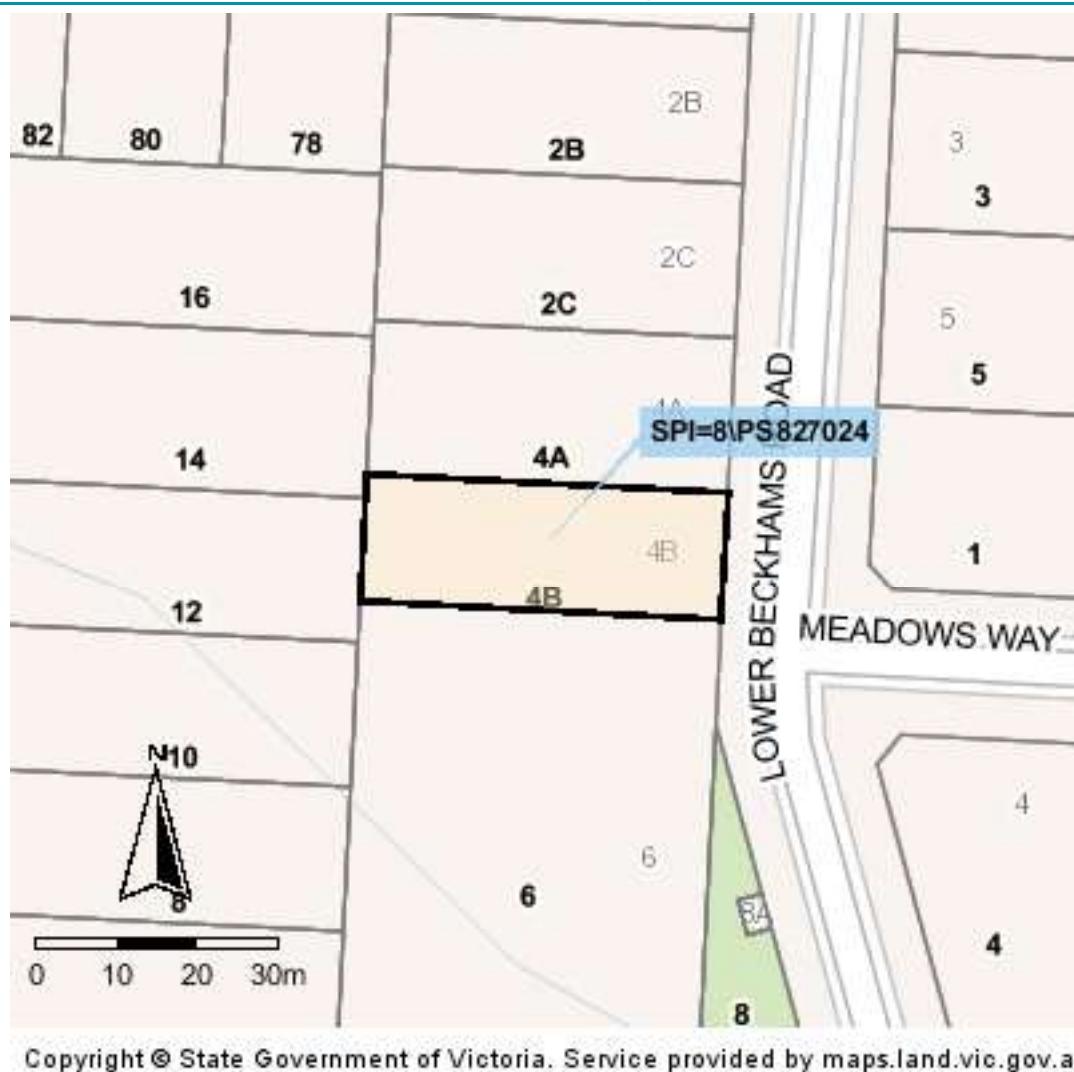
29 July 2025  
Sonya Kilkeny  
Minister for Planning

The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

The document has been issued based on the property information you provided. You should check the map below - it highlights the property identified from your information.

If this property is different to the one expected, you can phone (03) 9102 0402 or email [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

**Please note: The map is for reference purposes only and does not form part of the certificate.**



### Choose the authoritative Planning Certificate

#### *Why rely on anything less?*

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.  
Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour.  
Next business day delivery, if further information is required from you.

### Privacy Statement

The information obtained from the applicant and used to produce this certificate was collected solely for the purpose of producing this certificate. The personal information on the certificate has been provided by the applicant and has not been verified by LANDATA®. The property information on the certificate has been verified by LANDATA®. The zoning information on the certificate is protected by statute. The information on the certificate will be retained by LANDATA® for auditing purposes and will not be released to any third party except as required by law.



Issue Date: 29 July 2025  
Your Reference: 77576074-013-7:87691  
Certificate Number: 136936

Landata  
PO Box 500  
EAST MELBOURNE VIC 3002

**Land Information Certificate**

This Certificate is issued under Section 121 of the Local Government Act 2020. The Rates & Charges for the year ending 30 June 2026 became payable on 1 July 2025. Overdue rates attract interest at the rate of 10.0% per annum.

**PROPERTY ADDRESS:** 4B Lower Beckhams Road, MAIDEN GULLY 3551  
**PARCEL DETAILS:** Lot 8 PS 827024A  
**AVPCC:** 100 - Vacant Residential Dwelling Site/Surveyed Lot

**ASSESSMENT NUMBER** 208706 2

Site Value	\$305,000	Level of Valuation	01-Jan-2025
Capital Improved Value	\$305,000	Valuation Operative	01-Jul-2025
Net Annual Value	\$15,250	Basis of Rate	C.I.V.

RATES & CHARGES	CURRENT AMOUNT LEVIED
General Rates	\$1,124.90
Emergency Services and Volunteer Fund	\$188.75
	\$
<b>TOTAL LEVIED</b>	<b>\$1,313.65</b>
Arrears Outstanding	\$0.00
Current Legal Costs Outstanding	0.00
Arrears Legal Costs Outstanding	0.00
Interest to Date	\$0.00
<b>TOTAL OUTSTANDING</b>	<b>\$1,313.65</b>

Other Property Debt -	\$0.00
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**Total Outstanding for Property \$1,313.65**

Note: In accordance with Section 175(1) of the Local Government Act 1989, all outstanding rates and charges **MUST** be paid by the purchaser when that person becomes the owner of the land.

## Refer to the back of this Certificate for Prescribed, General and Other Information.

KATELYN STONE  
SENIOR COORDINATOR RATES & VALUATIONS



**Bill Code: 268813**  
**Ref: 2087062**

To obtain an updated balance prior to settlement or for any other information regarding this certificate please contact the Rates Team Directly on 03 5434 6262. Notices of Acquisition can be forwarded to [acquisitions@bendigo.vic.gov.au](mailto:acquisitions@bendigo.vic.gov.au)

**PRESCRIBED INFORMATION**



This Certificate PROVIDES information regarding valuation, rates, charges, other moneys owing, and any orders and notices made under the Local Government Act 2020, the Local Government Act 1989, the Local Government Act 1958 or under a local law of the Council.

This Certificate IS NOT REQUIRED to include information regarding planning, building, health, land fill, land slip, flooding information or service easements. Information regarding these matters may be available from Council or the relevant authority. A fee may be charged for such information.

### **GENERAL INFORMATION**

There is no potential liability, other than any which may be shown on the front of this certificate, for rates under the Cultural & Recreational Lands Act 1963.

There is no outstanding amount, other than any which may be shown on the front of this Certificate, required to be paid for recreational purposes or any transfer of land required to the Council for recreational purposes under Section 18 of the Subdivision Act 1988 or the Local Government Act 1958.

There are no monies owed, other than any which may be shown on the front of this certificate, under Section 119 of the Act.

At the date of this Certificate, there are no notices or orders on the land that have continuing application under the Local Government Act 1958, Local Government Act 1989 or under a local law or by law of the Council, other than any which may be shown on the front of this certificate.

Confirmation of the existence of any Housing Act 1983 Orders can be made by contacting Environmental Health & Local Laws at the City of Greater Bendigo, PO Box 733, Bendigo 3552, Telephone 1300 002 642.

There is no money owed in relation to the land under section 94(5) of the Electricity Industry Act 2000.

There is not any environmental upgrade charge in relation to the land which is owed under Section 181C of the Local Government Act 1989.

The amounts shown on the front of this certificate includes any levy amount specified as being due in an assessment notice in relation to the land under Section 25 of the **Fire Services Property Levy Act 2012**.

### **RATES AND CHARGES**

Rates and Charges for financial year ending 30 June 2026. All Rates and Charges due by four (4) instalments due 30 September 2025, 01 December 2025, 02 March 2026 and 01 June 2026.

Interest will be charged on payments received after the due dates at the rate of 10.0% p.a. This applies to both full payment and instalments.

### **OTHER INFORMATION**

This certificate is valid for 90 days from the date of issue. Amounts outstanding may vary if payments/adjustments are made after the issue date. It is the responsibility of the applicant to obtain an update prior to settlement. After the issue of this certificate, Council may be prepared to provide a verbal update of the information to the applicant about the matters disclosed in this certificate, but if it does so, Council accepts no responsibility whatsoever for the accuracy of the verbal information given and no employee of the Council is authorised to bind Council by the giving of such verbal information. Updates will only be provided to the applicant.

**PLEASE NOTE: Updates will not be provided after the 90 day period has passed, a new certificate will be required.**

Property Clearance Certificate

Land Tax



INFOTRACK / HQ LAW

Your Reference:	46776
Certificate No:	92470502
Issue Date:	29 JUL 2025
Enquiries:	ESYSPROD

Land Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY VIC 3551					
Land Id	Lot	Plan	Volume	Folio	Tax Payable
49145043	8	827024	12385	413	\$0.00

Vendor: WENDY ANN KENNEDY & JEFFREY MARK KENNEDY

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year Taxable Value (SV)	Proportional Tax	Penalty/Interest	Total
MISS HAYLEY MANSFIELD	2025	\$305,000	\$1,365.00	\$0.00

Comments: Land Tax of \$1,365.00 has been assessed for 2025, an amount of \$1,365.00 has been paid.

Current Vacant Residential Land Tax	Year Taxable Value (CIV)	Tax Liability	Penalty/Interest	Total
-------------------------------------	--------------------------	---------------	------------------	-------

Comments:

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
---------------------	------	------------------	------------------	-------

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.



Paul Broderick  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE (CIV):	\$305,000
SITE VALUE (SV):	\$305,000
CURRENT LAND TAX AND VACANT RESIDENTIAL LAND TAX CHARGE:	\$0.00





# Notes to Certificate - Land Tax

Certificate No: 92470502

**Power to issue Certificate**

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

**Amount shown on Certificate**

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
- Land tax that has been assessed but is not yet due,
  - Land tax for the current tax year that has not yet been assessed, and
  - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

**Land tax is a first charge on land**

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

**Information for the purchaser**

4. Pursuant to section 96 of the *Land Tax Act 2005*, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge and Vacant Residential Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

**Information for the vendor**

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

**Apportioning or passing on land tax to a purchaser**

6. A vendor is prohibited from apportioning or passing on land tax including vacant residential land tax, interest and penalty tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

**General information**

7. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
8. An updated Certificate may be requested free of charge via our website, if:
- The request is within 90 days of the original Certificate's issue date, and
  - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

**For Information Only**

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$1,365.00

Taxable Value = \$305,000

Calculated as \$1,350 plus ( \$305,000 - \$300,000) multiplied by 0.300 cents.

VACANT RESIDENTIAL LAND TAX CALCULATION

Vacant Residential Land Tax = \$3,050.00

Taxable Value = \$305,000

Calculated as \$305,000 multiplied by 1.000%.

**Land Tax - Payment Options**

**BPAY**



Billers Code:5249  
Ref: 92470502

**Telephone & Internet Banking - BPAY®**

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

[www.bpay.com.au](http://www.bpay.com.au)

**CARD**



Ref: 92470502

**Visa or Mastercard**

Pay via our website or phone 13 21 61.  
A card payment fee applies.

[sro.vic.gov.au/paylandtax](http://sro.vic.gov.au/paylandtax)

Property Clearance Certificate

Commercial and Industrial Property Tax



INFOTRACK / HQ LAW

Your Reference:	46776
Certificate No:	92470502
Issue Date:	29 JUL 2025
Enquires:	ESYSPROD

Land Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY VIC 3551					
Land Id	Lot	Plan	Volume	Folio	Tax Payable
49145043	8	827024	12385	413	\$0.00
AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment	
100	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.	

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

Paul Broderick  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	\$305,000
SITE VALUE:	\$305,000
CURRENT CIPT CHARGE:	\$0.00



# Notes to Certificate - Commercial and Industrial Property Tax

**Certificate No:** 92470502

## Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

## Amount shown on Certificate

2. The Certificate shows any commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

## Australian Valuation Property Classification Code (AVPCC)

3. The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the *Valuation of Land Act 1960*:
  - a general valuation of the land;
  - a supplementary valuation of the land returned after the general valuation.
4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the *Commercial and Industrial Property Tax Reform Act 2024* (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
  - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
  - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
  - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

## Commercial and industrial property tax information

5. If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
  - the date on which the land became tax reform scheme land;
  - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
  - the date on which the land will become subject to the commercial and industrial property tax.
6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

## Change of use of tax reform scheme land

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification

must be given to the Commissioner within 30 days of the change of use.

## Commercial and industrial property tax is a first charge on land

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid commercial and industrial property tax.

## Information for the purchaser

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

## Information for the vendor

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

## Passing on commercial and industrial property tax to a purchaser

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

## General information

12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to [www.sro.vic.gov.au/CIPT](http://www.sro.vic.gov.au/CIPT).
14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
15. An updated Certificate may be requested free of charge via our website, if:
  - the request is within 90 days of the original Certificate's issue date, and
  - there is no change to the parties involved in the transaction for which the Certificate was originally requested.

# Property Clearance Certificate

## Windfall Gains Tax



INFOTRACK / HQ LAW

Your Reference:	46776
Certificate No:	92470502
Issue Date:	29 JUL 2025

Land Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY VIC 3551

Lot	Plan	Volume	Folio
8	827024	12385	413

Vendor: WENDY ANN KENNEDY & JEFFREY MARK KENNEDY

Purchaser: FOR INFORMATION PURPOSES

WGT Property Id	Event ID	Windfall Gains Tax	Deferred Interest	Penalty/Interest	Total
		\$0.00	\$0.00	\$0.00	\$0.00

Comments: No windfall gains tax liability identified.

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick  
Commissioner of State Revenue

CURRENT WINDFALL GAINS TAX CHARGE:  
\$0.00



# Notes to Certificate - Windfall Gains Tax

Certificate No: 92470502

### Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

### Amount shown on Certificate

2. The Certificate shows in respect of the land described in the Certificate:
- Windfall gains tax that is due and unpaid, including any penalty tax and interest
  - Windfall gains tax that is deferred, including any accrued deferral interest
  - Windfall gains tax that has been assessed but is not yet due
  - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
  - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

### Windfall gains tax is a first charge on land

3. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, windfall gains tax, including any accrued interest on a deferral, is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid windfall gains tax.

### Information for the purchaser

4. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
6. A purchaser cannot rely on a Certificate obtained by the vendor.

### Information for the vendor

7. Despite the issue of a Certificate, the Commissioner may recover a windfall gains tax liability from a vendor, including any amount identified on this Certificate.

### Passing on windfall gains tax to a purchaser

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

### General information

9. A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
10. An updated Certificate may be requested free of charge via our website, if:
- The request is within 90 days of the original Certificate's issue date, and
  - There is no change to the parties involved in the transaction for which the Certificate was originally requested.
11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

## Windfall Gains Tax - Payment Options

<div><div>BPAY</div><div><div></div><div>Billers Code: 416073 Ref: 92470509</div></div></div> <div><div>Telephone &amp; Internet Banking - BPAY®</div><div>Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.</div><div><a href="http://www.bpay.com.au">www.bpay.com.au</a></div></div>	<div><div>CARD</div><div><div></div><div>Ref: 92470509</div></div></div> <div><div>Visa or Mastercard</div><div>Pay via our website or phone 13 21 61. A card payment fee applies.</div><div><a href="http://sro.vic.gov.au/payment-options">sro.vic.gov.au/payment-options</a></div></div>	<div><div>Important payment information</div><div>Windfall gains tax payments must be made using only these specific payment references.</div><div>Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.</div></div>
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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 Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 12385 FOLIO 413

Security no : 124126617897E  
Produced 29/07/2025 09:40 AM

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 827024A.  
PARENT TITLE Volume 09892 Folio 128  
Created by instrument PS827024A 22/06/2022

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
JEFFREY MARK KENNEDY  
WENDY ANN KENNEDY both of 4B LOWER BECKHAMS ROAD MAIDEN GULLY VIC 3551  
AZ008309M 31/03/2025

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS827024A 22/06/2022

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 PS827024A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AZ008308P (E)	DISCHARGE OF MORTGAGE	Registered	31/03/2025
AZ008309M (E)	TRANSFER	Registered	31/03/2025

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

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

Street Address: 4B LOWER BECKHAMS ROAD MAIDEN GULLY VIC 3551

ADMINISTRATIVE NOTICES

NIL

eCT Control 16838X HQ LAW  
Effective from 31/03/2025

DOCUMENT END



# Imaged Document Cover Sheet


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Document Type	<b>Plan</b>
Document Identification	<b>PS827024A</b>
Number of Pages (excluding this cover sheet)	<b>3</b>
Document Assembled	<b>29/07/2025 09:40</b>

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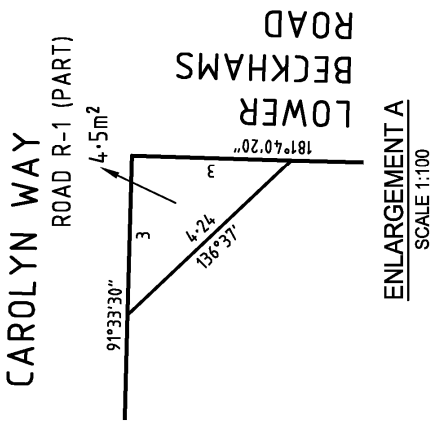
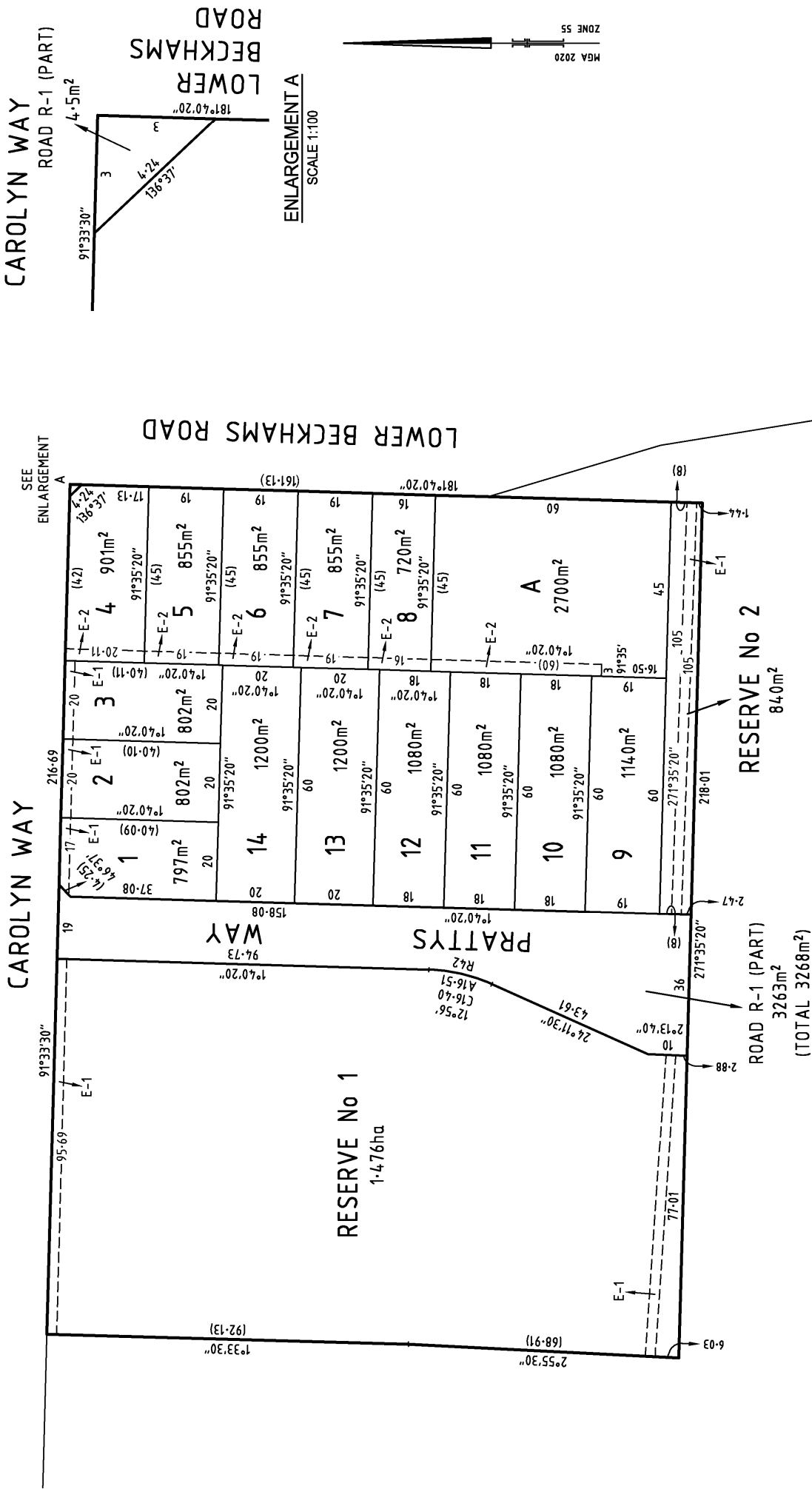
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PLAN OF SUBDIVISION			EDITION 1		PS827024A	
<p>LOCATION OF LAND</p> <p>PARISH: MARONG</p> <p>TOWNSHIP: -</p> <p>SECTION: -</p> <p>CROWN ALLOTMENT: 11 (Part)</p> <p>CROWN PORTION: -</p> <p>TITLE REFERENCE: C/T VOL 9892 FOL 128</p> <p>LAST PLAN REFERENCE: LOT 4 ON LP216523D</p> <p>POSTAL ADDRESS: 80-96 CAROLYN WAY (at time of subdivision) MAIDEN GULLY 3551</p> <p>MGA2020 CO-ORDINATES: E: 250 240 ZONE: 55 (of approx centre of land in plan) N: 5 929 525</p>			<p>Council Name: Greater Bendigo City Council</p> <p>Council Reference Number: SC/183/2017/1 Planning Permit Reference: DS/183/2017 SPEAR Reference Number: S173242A</p> <p><b>Certification</b></p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has been satisfied</p> <p>Digitally signed by: Shannon Rosewarne for Greater Bendigo City Council on 31/03/2022</p> <p><b>Statement of Compliance</b> issued: 17/06/2022</p>			
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER		COUNCIL / BODY / PERSON		<p>Further Purpose of Plan Removal of easements shown E-1, E-2 &amp; E-3 on LP216523D</p> <p>Grounds for Removal By Direction of Planning Permit DS/183/2017 issued by City of Greater Bendigo</p> <p>Creation of Restriction applies to lots in this plan- see sheet 3.</p> <p><b>WARNING:</b> The restrictive covenant(s)/restriction(s) in this plan may have been varied or removed. For current information, please refer to the relevant folio(s) of the Register, noting section 88(3) of the Transfer of Land Act 1958</p>		
ROAD R-1		City of Greater Bendigo				
RESERVE No. 1		City of Greater Bendigo				
RESERVE No. 2		City of Greater Bendigo				
NOTATIONS						
DEPTH LIMITATION Nil						
SURVEY: This plan is based on survey						
STAGING: This is not a staged subdivision Planning Permit No. DS/183/2017						
This survey has been connected to permanent marks No(s). 3 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		
E-1	PIPELINES OR ANCILLARY PURPOSES	2.50	THIS PLAN- SEC 136 OF THE WATER ACT 1989	COLIBAN REGION WATER CORPORATION		
E-2	PIPELINES OR ANCILLARY PURPOSES	3	THIS PLAN- SEC 136 OF THE WATER ACT 1989	COLIBAN REGION WATER CORPORATION		
E-2	DRAINAGE	3	THIS PLAN	CITY OF GREATER BENDIGO		
		16 Bridge Street PO Box 1064 Bendigo Vic 3550 T 61 3 5448 2500 spiire.com.au		SURVEYORS FILE REF: 303605SV00		
		Digitally signed by: James Philip Tyrrell, Licensed Surveyor, Surveyor's Plan Version (3), 28/02/2022, SPEAR Ref: S173242A		ORIGINAL SHEET SIZE: A3		
				SHEET 1 OF 3		
				PLAN REGISTERED TIME: 5:43 PM DATE: 22/06/2022		
				K. LIEW Assistant Registrar of Titles		



PS827024A



SURVEYOR'S FILE REF: 303605SV00		ORIGINAL SHEET SIZE: A3		SHEET 2	
16 Bridge Street PO Box 1064 Bendigo Vic 3550 T 61 3 5448 2600 spire.com.au		Digitally signed by: James Phillip Tyrrell, Licensed Surveyor, Surveyor's Plan Version (3), 28/02/2022, SPEAR Ref: S173242A		Digitally signed by: Greater Bendigo City Council, 31/03/2022, SPEAR Ref: S173242A	

**PS827024A**

### CREATION OF RESTRICTION No. 1

The following restriction is to be created upon registration of this plan:

The registered proprietors of the burdened land covenant with the registered proprietors of the benefited land as set out in the restriction with the intent that the burden of the restriction runs with and binds the burdened land and the benefit of the restriction is annexed to and runs with the benefited land.

Burdened Land: Lots 1 to 14 (both inclusive) on this plan  
Benefited Land: Lots 1 to 14 (both inclusive) on this plan

Restriction:

The burdened land must not be used or developed other than in accordance with the provisions recorded in the Memorandum of Common Provisions with dealing number AA8151.

Expiry Date:

This restriction will expire 10 years after the date of registration of this plan.

SURVEYOR'S FILE REF: 303605SV00

ORIGINAL SHEET  
SIZE: A3

SHEET 3



16 Bridge Street  
PO Box 1064  
Bendigo Vic 3550  
T 61 3 5448 2500  
spiire.com.au

Digitally signed by: James Philip Tyrrell, Licensed Surveyor,  
Surveyor's Plan Version (3),  
28/02/2022, SPEAR Ref: S173242A

Digitally signed by:  
Greater Bendigo City Council,  
31/03/2022,  
SPEAR Ref: S173242A

**Memorandum of common provisions  
Restrictive covenants in a plan  
Section 91A Transfer of Land Act 1958**

**AA8151**

**Privacy Collection Statement**

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

**Lodged by:**

**Name:** BECK LEGAL, Solicitors  
**Phone:** 03 5445 3333  
**Address:** 177 View Street  
Bendigo VIC 3550  
**Reference:** NDI:536611-4  
**Customer Code:** 16984L

This memorandum contains provisions which are intended for inclusion in plans under the Subdivision Act 1988 to be subsequently lodged for registration.

**Operative words including words to bind the burdened land and words of annexation must not be included.**

Provisions to apply to the plan:

**Burdened land:** As set out in the plan.

**Benefited land:** A set out in the plan.

**Covenants:**

**INTRODUCTION**

- 1.1. This MCP has been prepared in order to regulate the use, siting, form and design of residential development at the Maison Estate, so as to create a high level of amenity for owners and residents of allotments within the plan which refers to this MCP (**Plan**).
- 1.2. The provisions of this MCP are incorporated into the restrictions created by any plan of subdivision expressed to be subject to the terms of this MCP.
- 1.3. The Plan and this MCP restrict certain owners from developing an allotment other than in accordance with this MCP.
- 1.4. This MCP is retained by the Registrar of Titles pursuant to section 91A of the Transfer of Land Act 1958.
- 1.5. A reference to "Land" in this MCP means any allotment on the Plan.
- 1.6. A copy of the Maison Estate Fencing and Landscaping Guidelines can be obtained from the Maison Estate Design Assessment Panel by request to email [bendigo@yourland.com](mailto:bendigo@yourland.com).

35402012

V3

1. The provisions are to be numbered consecutively from number 1.
2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in instruments and plans.

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# Memorandum of common provisions

## Section 91A Transfer of Land Act 1958

AA8151

### 2. COVENANTS

The registered proprietor of the Burdened Land, shall not without the prior written consent of the transferor:

2.1. erect on the Land hereby transferred or cause to be erected or allow to remain erected on the Land hereby transferred:

2.1.1.any dwelling house, garage, shed, outbuilding or fence using other than new materials;

2.1.2.any dwelling house unless not less than 50% of the external surface area of the external walls or external wall surfaces of such dwelling (excluding windows) are constructed of brick, brick veneer or rendered finishes;

2.1.3.any dwelling house which has a floor area of less than 140 square metres and the floor area shall include the outer walls thereof, such area being calculated by excluding the area of carports, garages, terraces, pergolas or verandahs;

2.1.4.any more than one dwelling house, such expression to include any flat, unit or apartment;

2.1.5.any dwelling house unless the whole of that structure is situated at least 4 metres from the front street boundary;

2.1.6.where the Land hereby transferred is Lot 1 on the Plan, any dwelling house unless:

- (a) that dwelling house is oriented to face the northern boundary of the Land abutting Carolyn Way; and
- (b) that dwelling house features a front façade that is at least 14 metres wide;
- (c) that dwelling house features at least a double garage facing the front street boundary of the Land; and
- (d) the garage side of that dwelling house is situated at least 0.2 metres from the relevant side title boundary;

2.1.7.where the Land hereby transferred is Lot 4 on the Plan, any dwelling house unless:

- (a) that dwelling house is oriented to face the eastern boundary of the Land abutting Lower Beckhams Road;
- (b) that dwelling house features a front façade that is at least 11 metres wide;
- (c) that dwelling house features at least a double garage facing the front street boundary of the Land; and
- (d) the garage side of that dwelling house is situated at least 0.2 metres from the relevant side title boundary;

## Memorandum of common provisions

### Section 91A Transfer of Land Act 1958

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2.1.8. where the Land hereby transferred is Lot 2, 3, 5, 6, 7, 9, 10, 11, 12, 13 and 14 on the Plan, any dwelling house unless:

- (a) that dwelling house features a front façade that is at least 14 metres wide;
- (b) that dwelling house features at least a double garage facing the front street boundary of the Land; and
- (c) the garage side of that dwelling house is situated at least 0.2 metres from the relevant side title boundary;

2.1.9. where the Land hereby transferred is Lot 8 on the Plan, any dwelling house unless:

- (a) that dwelling house features a front façade at least 11 metres wide;
- (b) that dwelling house features at least a double garage facing the front street boundary of the Land; and
- (c) the garage side of that dwelling house is situated at least 0.2 metres from the relevant side title boundary;

2.1.10. any temporary building or other temporary structure except a single shed for use by a builder during the course of construction of a dwelling house;

2.1.11. any carport;

2.1.12. any dependent person's unit or dwelling;

2.1.13. any garage unless it is fully enclosed and located under the main roof of the dwelling house and having a common wall with the dwelling house;

2.1.14. any building or other structure which is constructed wholly or partly of mud brick, galvanised iron cladding or aluminium or reflective cladding;

2.1.15. any shed or outbuilding unless the external walls or external wall surfaces of such shed or outbuilding are constructed of double sided Colorbond panels, brick, brick veneer or rendered finishes or are substantially similar to the external finish of the dwelling house;

2.1.16. any shed or outbuilding having a combined floor area in excess of:

- (a) 60 square metres in the case of a lot having an area of less than 850 square metres; and
- (b) 80 square metres in the case of a lot having an area of 850 square metres or more,

2.1.17. any shed or outbuilding having a height in excess of 3.6 metres from the natural surface level of the ground at the highest point;

2.1.18. any shed or outbuilding unless it is constructed at the rear of the dwelling house;

2.1.19. any fence, unless such fence is constructed of steel Colorbond material in the colour Bushland (or if that material is no longer manufactured, then in an equivalent material);

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- 2.1.20. any fence not in accordance with the fencing design guidelines maintained and amended from time to time by the transferor (Maison Estate Fencing Design Guidelines);
- 2.1.21. any fence not equal to a height of 1.8 metres from the natural ground level (except where permitted by Maison Estate Fencing Design Guidelines);
- 2.1.22. any driveway unless such driveway is constructed from concrete, pressed bricks, pavers, asphalt or other durable all weather surface;
- 2.1.23. unless the land hereby transferred is Lot 1 or 4 on the Plan, any more than one driveway or crossover;
- 2.1.24. where the land hereby transferred is Lot 1 on the Plan, any driveway or crossover unless such driveway or crossover is constructed:
  - (a) on the northern boundary of the Land and is located within 8 metres of the western boundary of the Land; or
  - (b) on the western boundary of the Land and is located within 6 metres of the eastern boundary of the Land;
- 2.1.25. where the land hereby transferred is Lot 4 on the Plan, any driveway or crossover unless such driveway or crossover is constructed:
  - (a) on the northern boundary of the Land and is located within 6 metres of the western boundary of the Land; or
  - (b) on the eastern boundary of the Land and is located within 8 metres of the southern boundary of the Land;
- 2.1.26. any hot water service or door (other than a front entrance door or a garage door) which is visible from the street frontage of the Land hereby transferred;
- 2.2. shall not build or cause to be built or allow to be built or allow to remain a dwelling house or any other improvements, or carry out, cause to be carried out or allow to be carried out any building or construction works on the Land hereby transferred unless:
  - 2.2.1. copies of building plans, elevations, site plan (incorporating set-back from all boundaries, building envelope, existing contour, proposed finished floor levels and site levels, all proposed driveways and paths and details of outbuildings) and fencing diagrams have been submitted to the transferor or its delegated agent; and
  - 2.2.2. the transferor or its delegated agent has given approval in writing to the plans prior to the commencement of works, with the transferor reserving the right to withhold approval of plans at its absolute discretion;
- 2.3. shall not use, cause to be used or allow to be used any dwelling house erected on the Land for any purpose other than as a residence which may include a home office and shall not use any building erected on the Land for commercial purposes unless a planning permit for that use is granted;
- 2.4. shall not erect or cause to be erected on the Land, or allow to be erected or remain or display, cause to be displayed or allow to be displayed any sign, hoarding or advertising of any description including a "for sale" sign unless construction of a dwelling house has been completed and an occupancy permit has issued;

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**Memorandum of common provisions**  
**Section 91A Transfer of Land Act 1958**

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- 2.5. shall not permit or cause to be permitted or allow to be permitted recreation or commercial vehicles including but not limited to utility trucks, vans, boats, caravans or motorcycles to be parked or accommodated on the Land where they can be visible from any street or from parkland;
- 2.6. shall not accumulate or cause to be accumulated or allow to be accumulated any waste, rubbish, building or site excavations, grass clippings or pruning on the Land;
- 2.7. shall not subdivide the Land hereby transferred;
- 2.8. shall not at any time allow, use or cause to be used or suffer or otherwise allow to be used the Land or any part of the Land for the purposes of carrying on any noxious or offensive trade or works; or
- 2.9. shall not place, keep or allow to be placed or kept any landscaping in front of a dwelling house on the Land (or on the secondary street frontage of the Land where the Land hereby transferred is Lot 1 and 4 on the Plan) other than in accordance with the front landscaping design guidelines maintained and amended from time to time by the transferor (Maison Estate Front Landscaping Design Guidelines).

**Expiry:**

Ten years from the date of registration of the plan of subdivision 827024A by the Registrar of titles this MCP is recorded on.

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