

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

Lot _____ on Proposed Plan PS924837P, Bushland Way, Jackass Flat, VIC 3556

Vendor's name

Merrimu Views Pty Ltd ACN 147 782 634 as trustee for the Aitken Unit Trust

Date

24/10/2024

**Vendor's
signature**



Director/Secretary

**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) Their total does not exceed:

\$3,000.00

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.

None to the vendors knowledge.

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.

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 vendors 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:

Nil.

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:

Nil.

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:

Connected indicates that the service is provided by an authority and operating on the day of sale. The purchaser should be aware that the vendor may terminate any account with a service provider prior to settlement, and the purchaser may need to have the service reconnected.

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"/>
--	--	--	--	--

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.

- (a) Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

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.

- (a) Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

11. DISCLOSURE OF ENERGY INFORMATION

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 1000m²; (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

Is attached.

13. ATTACHMENTS

Title Search Volume 9343 Folio 842
Plan CP106350
Title Search Volume 11898 Folio 301
Plan PS748508Q
Title Search Volume 12429 Folio 279
Plan PS903679Y
Agreement Section 173 Planning and Environment Act 1987 - AH930656B
Agreement Section 173 Planning and Environment Act 1987 - AK024214N
Agreement Section 173 Planning and Environment Act 1987 - AS998048X
Planning Permit AM/904/2011/H
Proposed Plan of Subdivision & Engineering Plans Stage 7B & Stage 8
Memorandum of Common Provisions – DRAFT
Fencing Guidelines
Bushfire Management Plan
Salinity Management Guidelines
Planning Certificate
Planning & Property Reports
City of Greater Bendigo Land Information Certificate
State Revenue Office Land Tax Certificate
Vic Roads Certificate
EPA Priority Site Register

Heritage Victoria Certificate

Mine Report

Coliban Water Information Statement and Sewer Asset Map

Due Diligence Checklist

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

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 09343 FOLIO 842

Security no : 124118738250N
Produced 03/10/2024 01:47 PM

LAND DESCRIPTION

Land in Plan of Consolidation 106350.
PARENT TITLES :
Volume 09071 Folio 172 Volume 09098 Folio 945
Created by instrument CP106350 25/09/1979

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MERRIMU VIEWS PTY LTD of 8 GORDONS ROAD TEMPLESTOWE LOWER VIC 3107
AT697056T 16/10/2020

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE CP106350 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: 269 HOWARD STREET JACKASS FLAT VIC 3556

ADMINISTRATIVE NOTICES

NIL

eCT Control 20523B J + K LAW
Effective from 16/10/2020

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

The information supplied by InfoTrack (LEAP) has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited who is licensed by the State of Victoria to provide this information via LANDATA® System.



Imaged Document Cover Sheet


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

Document Type	Plan
Document Identification	CP106350
Number of Pages (excluding this cover sheet)	2
Document Assembled	03/10/2024 14:08

Copyright and disclaimer notice:

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


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

PLAN OF CONSOLIDATION
OF CROWN ALLOTMENT 160^E
AND PART OF CROWN ALLOTMENT 160^A
SECTION N
PARISH OF SANDHURST
COUNTY OF BENDIGO
SCALE  80 40 0 80 160
LENGTHS ARE IN METRES

CP106350
EDITION 2

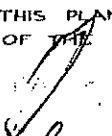
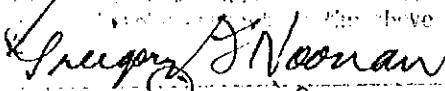
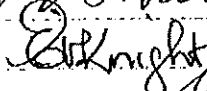
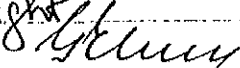
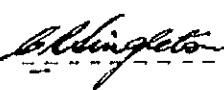
CP
Accepted
\$22
10/11/79
G...
OTHER
NOT
P...
11/11/79
10/11/79

DEPTH LIMITATION: 15.24m (LAND MARKED A)
DEPTH LIMITATION: 15m (LAND MARKED B)

APPROVED
per 
Assistant Registrar of Titles
DATE 29/8/79 TIME 8.55

SEE SHEET 2 FOR DIAGRAM

VOL 9343 FOR 842

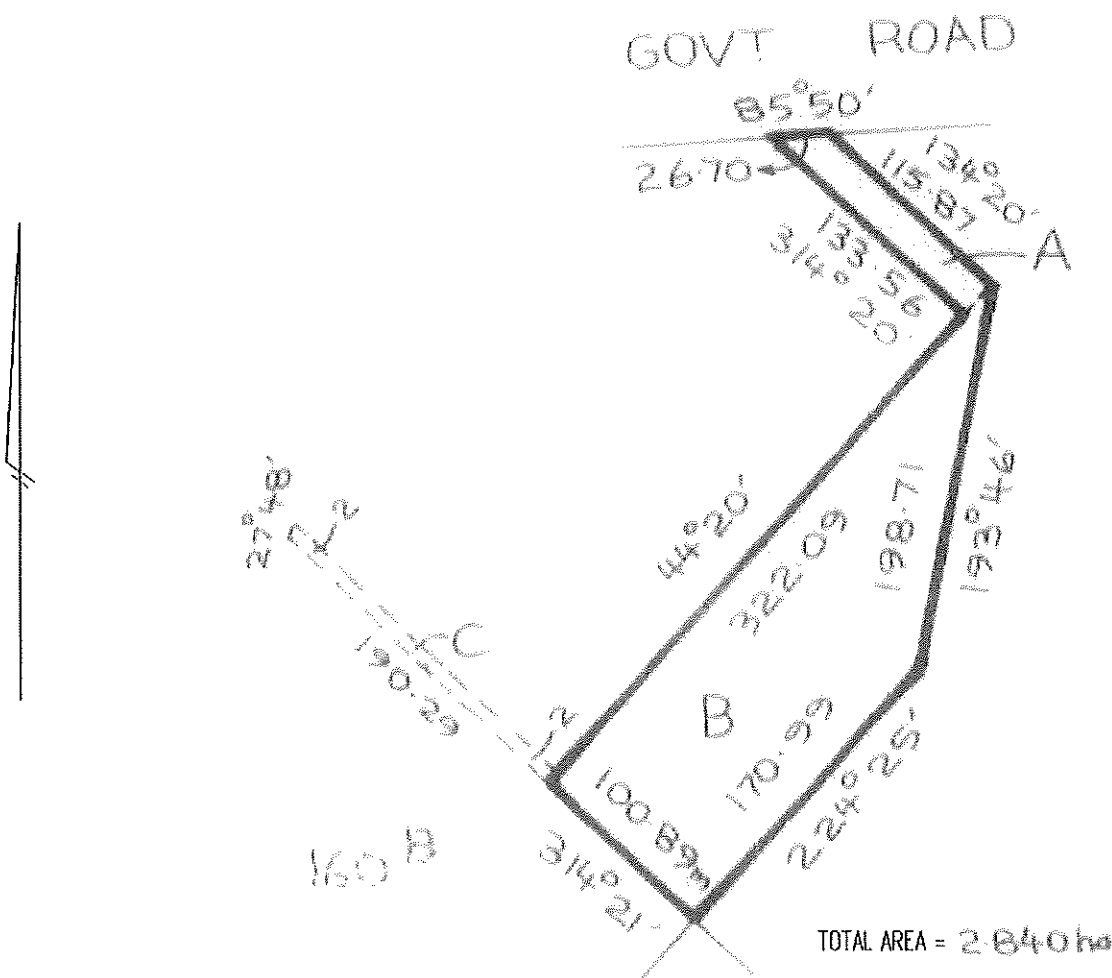
SEAL AND ENDORSEMENT OF MUNICIPALITY	SURVEYORS CERTIFICATION
<p>THIS PLAN IS SEALED PURSUANT TO SECTION 569 AB OF THE LOCAL GOVERNMENT ACT 1958.</p> <p> Mayor of the City of Sandhurst</p> <p> Councillor</p> <p> Councillor</p> <p> Councillor</p> <p>Sealed at Sandhurst on 29th August 1979.</p>	<p>I, CERTIFY THAT THIS PLAN HAS BEEN MADE BY ME OR UNDER MY IMMEDIATE SUPERVISION AND ACCORDS WITH TITLE.</p> <p> LICENSED SURVEYOR</p> <p>9-12-76 DATE</p> <p>CLIVE R. SINGLETON LICENSED SURVEYOR 974^A NORTH ROAD ORMOND Vic. 3204 PHONE 588554</p>

76362B

CP106350

NOTATIONS

TOGETHER WITH the water supply - --
easement and the rights in connection therewith over the land shown marked C-
reserved by Transfer 6665619 As to the land shown marked A TOGETHER WITH the-
easement relating to a water pipe created by Instrument 6761711



LIST OF MODIFICATIONS				
LAND	MODIFICATION	DEALING No.	A.R.T	EDN. No.
	APPURTENANT RIGHTS ENHANCED			2

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

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 11898 FOLIO 301

Security no : 124118738253K
Produced 03/10/2024 01:48 PM

LAND DESCRIPTION

Lot A on Plan of Subdivision 748508Q.
PARENT TITLE Volume 11334 Folio 183
Created by instrument PS748508Q 12/07/2017

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MERRIMU VIEWS PTY LTD of 8 GORDONS ROAD TEMPLESTOWE LOWER VIC 3107
PS748508Q 12/07/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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.

AGREEMENT Section 173 Planning and Environment Act 1987
AH930656B 05/05/2011

DIAGRAM LOCATION

SEE PS748508Q 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: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

The information supplied by InfoTrack (LEAP) has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited who is licensed by the State of Victoria to provide this information via LANDATA® System.



Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	PS748508Q
Number of Pages (excluding this cover sheet)	3
Document Assembled	03/10/2024 14:08

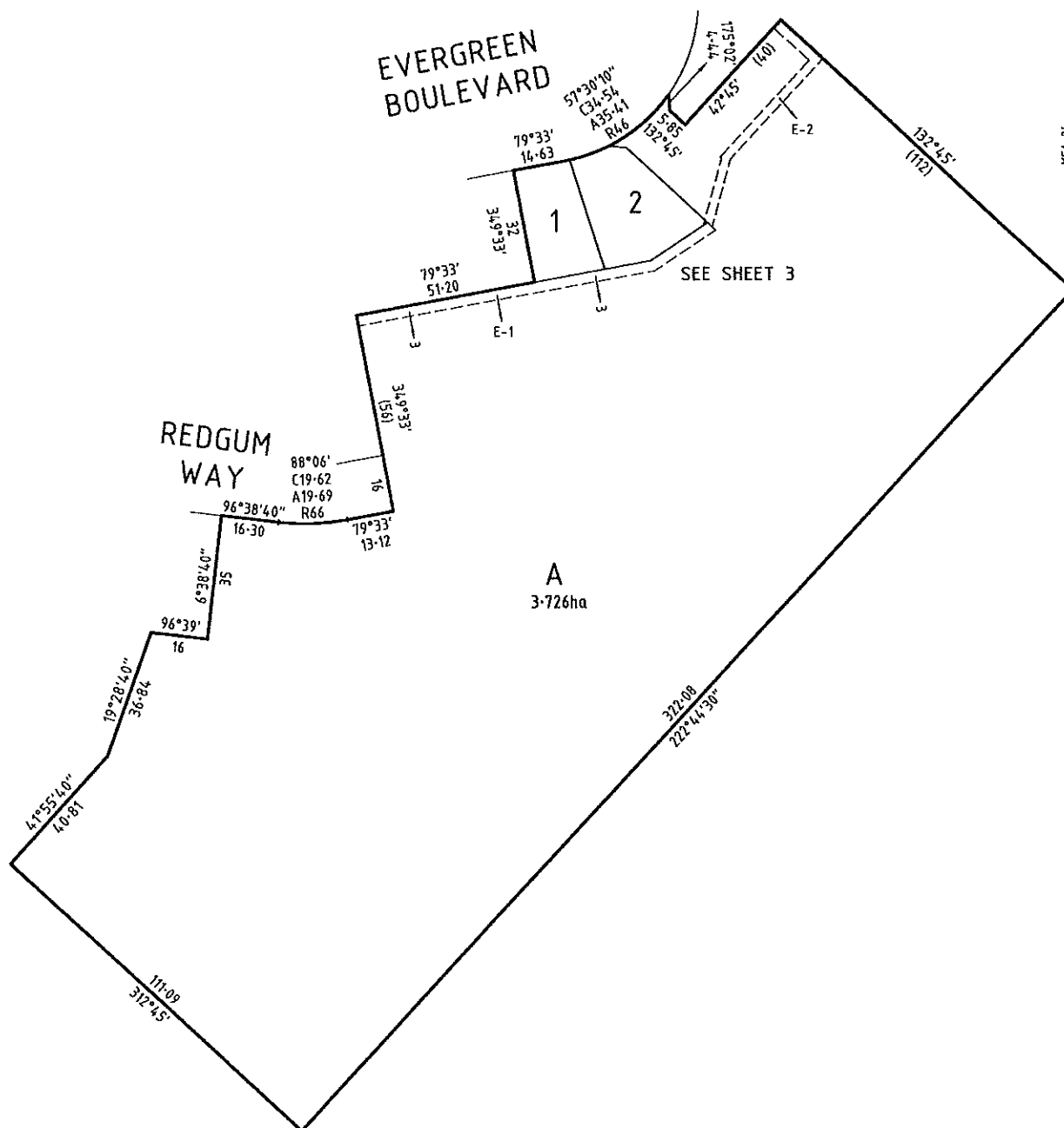
Copyright and disclaimer notice:

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

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

PLAN OF SUBDIVISION			EDITION 1		PS748508Q	
<div>LOCATION OF LAND</div> <div>PARISH: Sandhurst</div> <div>TOWNSHIP:</div> <div>SECTION: N</div> <div>CROWN ALLOTMENT: 160A (Part)</div> <div>CROWN PORTION:</div> <div>TITLE REFERENCE: C/T VOL 11334 FOL 183</div> <div>LAST PLAN REFERENCE: Lot F on PS629818P</div> <div>POSTAL ADDRESS: Evergreen Boulevard (at time of subdivision) Jackass Flat 3556</div> <div>MGA94 CO-ORDINATES: E: 257 470 ZONE: 55 (of approx centre of land in plan) N: 5 934 300</div>			<div>Council Name: Greater Bendigo City Council</div> <div>Council Reference Number: SC/226/2010/16 Planning Permit Reference: DS/226/2010 SPEAR Reference Number: S100762T</div> <div>Certification</div> <div>This plan is certified under section 6 of the Subdivision Act 1988</div> <div>Statement of Compliance</div> <div>This is a statement of compliance issued under section 21 of the Subdivision Act 1988</div> <div>Public Open Space</div> <div>A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made</div> <div>Digitally signed by: Liz Commadeur for Greater Bendigo City Council on 20/06/2017</div>			
VESTING OF ROADS AND/OR RESERVES			Notations			
IDENTIFIER		COUNCIL/BODY/PERSON				
NIL		NIL				
NOTATIONS						
DEPTH LIMITATION 15.24 metres below the surface						
<div>SURVEY: This plan is based on survey</div> <div>STAGING: This is not a staged subdivision Planning Permit No. PS/228/2010</div> <div>This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No. 34</div>						
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 & E-2	Pipelines or Ancillary Purposes	See Diagram	PS629818P - Sec 136 of The Water Act1989	Colliban Region Water Corporation		
E-1	Drainage	See Diagram	PS629818P	City of Greater Bendigo		
spiire		16 Bridge Street PO Box 1064 Bendigo Vic 3550 T 61 3 5448 2500 spiire.com.au	SURVEYORS FILE REF: 303730SV00		ORIGINAL SHEET SIZE: A3	
			Digitally signed by: Michael John Meehan (Spiire Australia Pty Ltd - Bendigo), Surveyor's Plan Version (1), 15/03/2017, SPEAR Ref: S100762T		SHEET 1 OF 3	
			PLAN REGISTERED TIME: 5:23 PM DATE: 12/7/17 L. White Assistant Registrar of Titles			

PS748508Q

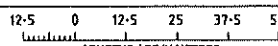


MGA 94
ZONE 55



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

SCALE
1: 1250



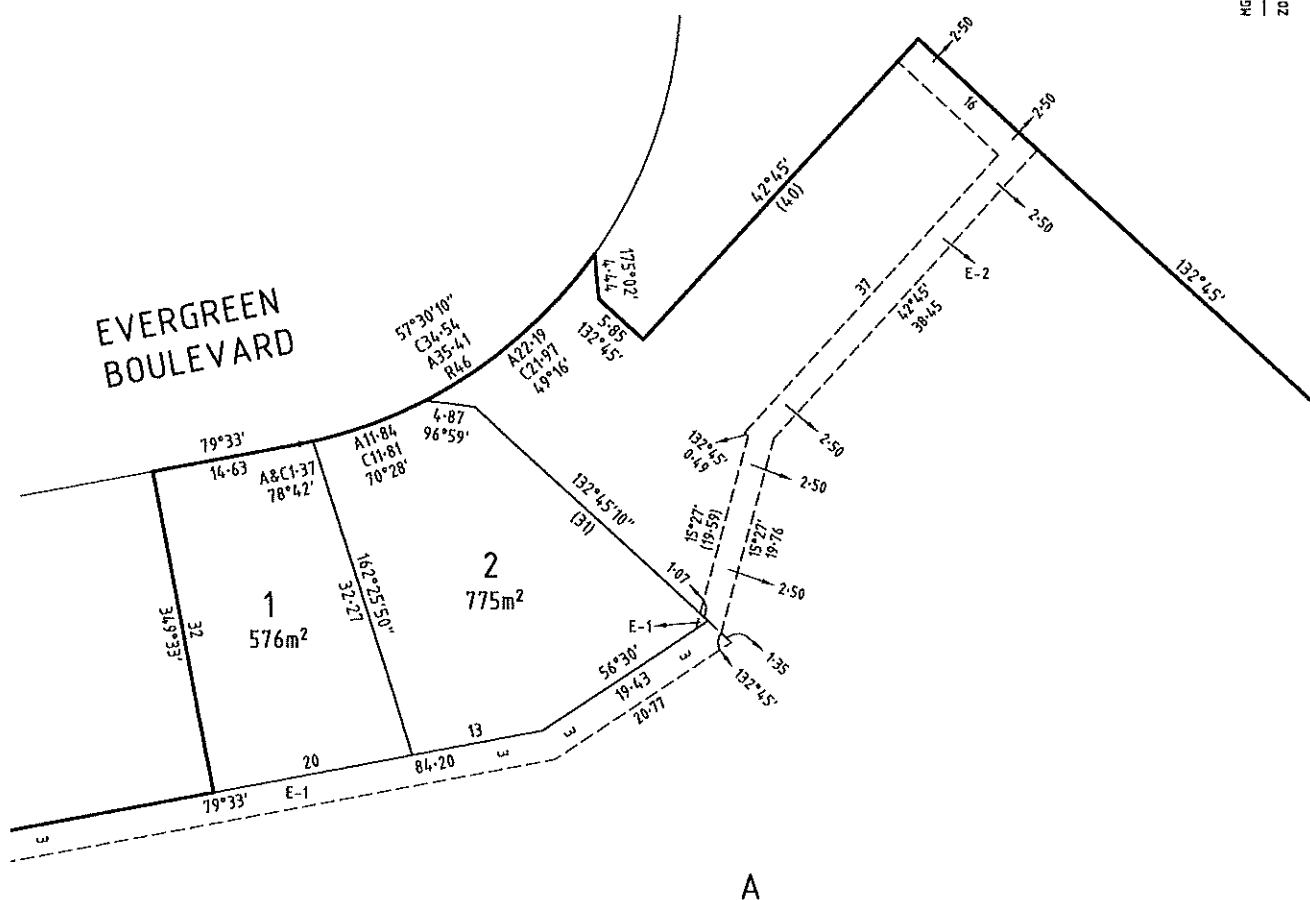
Digitally signed by: Michael John Meehan (Spiire Australia Pty Ltd - Bendigo),
Surveyor's Plan Version (1),
15/03/2017, SPEAR Ref: S100762T

ORIGINAL SHEET
SIZE: A3

SHEET 2

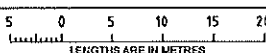
Digitally signed by:
Greater Bendigo City Council,
20/06/2017,
SPEAR Ref: S100762T

PS748508Q



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

SCALE
1: 500



Digitally signed by: Michael John Meehan (Spilre Australia
Pty Ltd - Bendigo),
Surveyor's Plan Version (1),
15/03/2017, SPEAR Ref: S100762T

ORIGINAL SHEET
SIZE: A3

SHEET 3

Digitally signed by:
Greater Bendigo City Council,
20/06/2017,
SPEAR Ref: S100762T

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

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 12429 FOLIO 279

Security no : 124118738247R
Produced 03/10/2024 01:47 PM

LAND DESCRIPTION

Lot A on Plan of Subdivision 903679Y.
PARENT TITLE Volume 12400 Folio 594
Created by instrument PS903679Y 10/10/2022

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MERRIMU VIEWS PTY LTD of 8 GORDONS ROAD TEMPLESTOWE LOWER VIC 3107
PS903679Y 10/10/2022

ENCUMBRANCES, CAVEATS AND NOTICES

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.

AGREEMENT Section 173 Planning and Environment Act 1987
AH930656B 05/05/2011

AGREEMENT Section 173 Planning and Environment Act 1987
AK024214N 14/11/2012

AGREEMENT Section 173 Planning and Environment Act 1987
AS998048X 18/02/2020

DIAGRAM LOCATION

SEE PS903679Y 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: BUSHLAND WAY JACKASS FLAT VIC 3556

ADMINISTRATIVE NOTICES

NIL

eCT Control 20523B J + K LAW
Effective from 10/10/2022

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

The information supplied by InfoTrack (LEAP) has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited



who is licensed by the State of Victoria to provide this information via LANDATA® System.



Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	PS903679Y
Number of Pages (excluding this cover sheet)	3
Document Assembled	03/10/2024 14:08

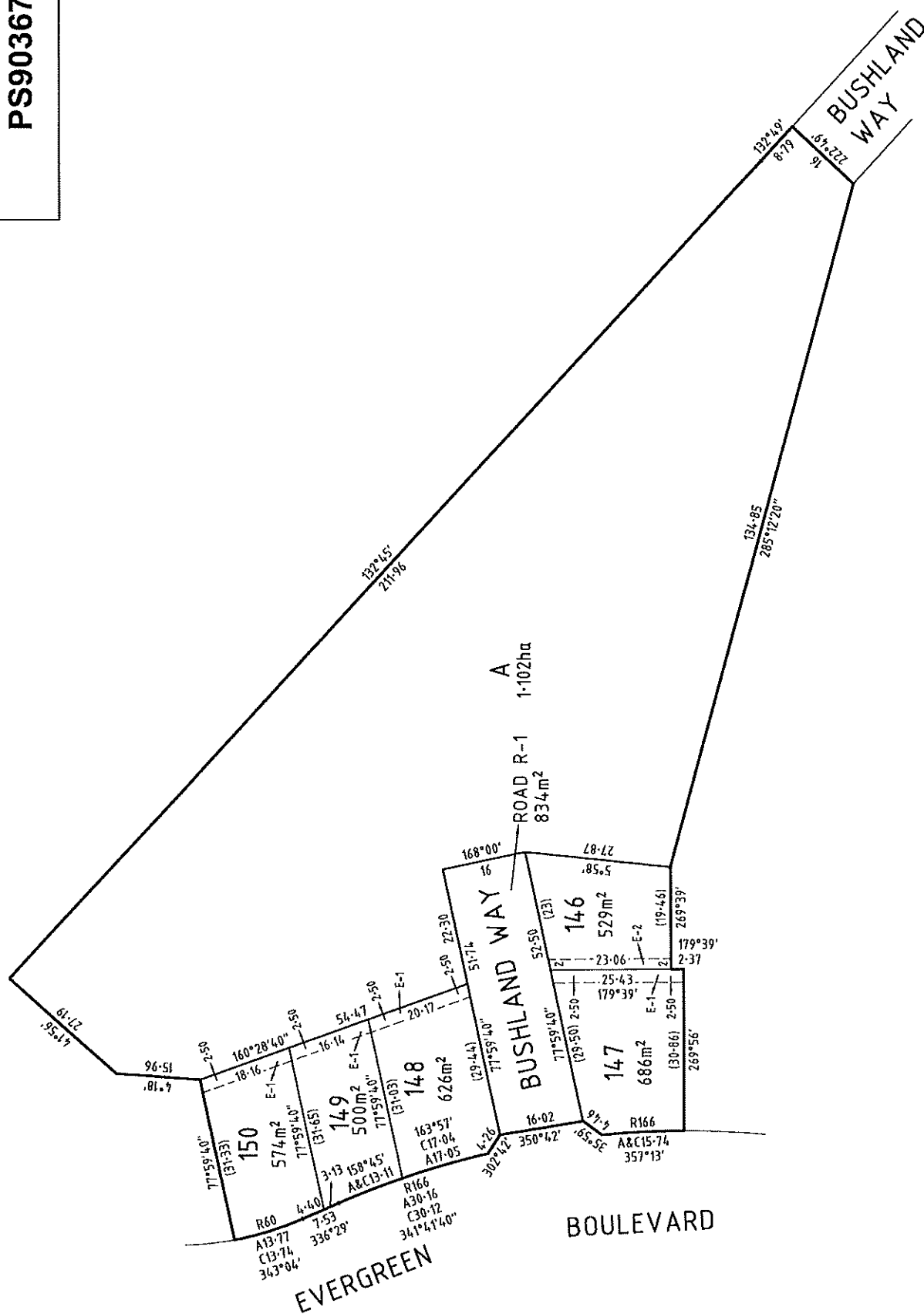
Copyright and disclaimer notice:

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

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

PLAN OF SUBDIVISION			EDITION 1		PS903679Y	
<div>LOCATION OF LAND</div> <div>PARISH: SANDHURST</div> <div>TOWNSHIP:</div> <div>SECTION: N</div> <div>CROWN ALLOTMENT: 160B (Part) and 160D (Part)</div> <div>CROWN PORTION:</div> <div>TITLE REFERENCE: C/T VOL FOL ...</div> <div>LAST PLAN REFERENCE: LOT A ON PS845420P</div> <div>POSTAL ADDRESS: EVERGREEN BOULEVARD, (at time of subdivision) JACKASS FLAT 3556</div> <div>MGA94 CO-ORDINATES: E: 257 360 ZONE: 55 (of approx centre of land in plan) N: 5 934 120</div>			<div>Council Name: Greater Bendigo City Council</div> <div>Council Reference Number: SC/226/2010/24</div> <div>Planning Permit Reference: AM/904/2011/5, DS/226/2010</div> <div>SPEAR Reference Number: S184543S</div> <div>Certification</div> <div>This plan is certified under section 11 (7) of the Subdivision Act 1988</div> <div>Date of original certification under section 6 of the Subdivision Act 1988: 06/07/2022</div> <div>Public Open Space</div> <div>A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied</div> <div>Digitally signed by: Peter O'Brien for Greater Bendigo City Council on 09/09/2022</div> <div>Statement of Compliance issued: 09/09/2022</div>			
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER		COUNCIL / BODY / PERSON				
ROAD R-1		CITY OF GREATER BENDIGO				
NOTATIONS			<div>Lots 1 to 145 (both inclusive) have been omitted from this plan.</div> <div>Depth Limitations:</div> <div>15.24 metres below the surface applies to Crown Allotment 160B</div> <div>15 metres below the surface applies to Crown Allotment 160D.</div> <div>Further Purpose of Plan</div> <div>Removal of that part of easement shown E-1 on PS645130P where now contained in Bushland Way.</div> <div>Grounds for Removal</div> <div>By Consent of the relevant authority under powers of Section 6(1)(k) of the Subdivision Act 1988.</div>			
DEPTH LIMITATION: See Notation on Right						
<div>SURVEY:</div> <div>This plan is based on survey</div> <div>STAGING:</div> <div>This is not a staged subdivision</div> <div>Planning Permit No. AM/904/2011/G, DS/226/2010</div> <div>This survey has been connected to permanent marks No(s). 2010</div> <div>In Proclaimed Survey Area No. 34</div>						
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	See Diagram	PS645130P- Sec 136 of the Water Act 1989	Coliban Region Water Corporation		
E-2	Drainage	See Diagram	This Plan	City of Greater Bendigo		
GOLDEN GROVE STAGE 7A (5 LOTS)			AREA OF STAGE - 3748m²			
<div>spiire</div> <div>16 Bridge Street PO Box 1064 Bendigo Vic 3550 T 61 3 5448 2500 spiire.com.au</div>		SURVEYORS FILE REF: 309453SV00		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 3	
		Digitally signed by: James Philip Tyrrell, Licensed Surveyor, Surveyor's Plan Version (3), 01/09/2022, SPEAR Ref: S184543S		PLAN REGISTERED TIME: 6 : 31 PM DATE: 10 / 10 / 2022 N RILEY Assistant Registrar of Titles		

PS903679Y



SURVEYOR'S FILE REF: 309453SV00

ORIGINAL SHEET
SIZE: A3

SHEET 2

116 Bridge Street
PO Box 1064
Bendigo VIC 3550
Tel 61 3 5448 2500
spilino.com.au

spire

Digitally signed by: James Philip Tyrrell, Licensed Surveyor,
Surveyor's Plan Version (3).
01/09/2022, SPEAR Ref: S184543S

Digitally signed by:
Greater Bendigo City Council,
09/09/2022,
SPEAR Ref: S184543S

PS903679Y

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 147 to 150 (both inclusive) on this plan
Benefited Land: Lots 146 to 150 (both inclusive) on this plan

Restriction:

The registered proprietor or proprietors for the time being of the burdened lots shall not construct any dwelling with a floor level less than that shown below.

Lot Number	Minimum Finished Floor Level
Lot 147	196.9m AHD
Lot 148	196.9m AHD
Lot 149	196.9m AHD
Lot 150	196.7m AHD

Expiry Date:

This restriction will expire on 31 December 2032.

CREATION OF RESTRICTION No. 2

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 146 to 150 (both inclusive) on this plan
Benefited Land: Lots 146 to 150 (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 AA8709.

Expiry Date:

This restriction will expire on 31 December 2032.

SURVEYOR'S FILE REF: 309453SV00		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), 01/09/2022, SPEAR Ref: S184543S	Digitally signed by: Greater Bendigo City Council, 09/09/2022, SPEAR Ref: S184543S	

FORM 18

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A RECORDING OF AN AGREEMENT

Section 181 Planning and Environment Act 1987



Lodged by:

Name: Rigby Cooke Lawyers
Phone: (03) 9321 7875
Address: Level 13
469 LaTrobe Street Melbourne VIC 3000
Ref: TDC:AED:20110776
Customer Code: 674R

Land: Certificates of Title Volume 9316 Folio 749, Volume 9040 Folio 463,
Volume 9013 Folio 784 and Volume 9011 Folio 566

Authority: Greater Bendigo City Council
of 195-229 Lyttleton Terrace, Bendigo 3552

Section and Act under this agreement made: Section 173 of the Planning and Environment Act 1987

A copy of the Agreement is attached to this Application.

Signature for the Authority:

Name of Officer: (full name)

CRAIG NIEMANN

Date: 3rd May 2011

27 APRIL 2011

rigbycooke|lawyers

Agreement under Section 173 of the Planning & Environment Act 1987

Greater Bendigo City Council
("Council")

Jackass Flat Developments Pty Ltd ACN 140 181 497
("Owner")

Land: Evergreen Waters Estate – Jobs Gully Road, Harveys Lane,
Callaghan Street and Howard Street, Jackass Flat

AH930656B

05/05/2011 \$105.20 173



Rigby Cooke Lawyers
Level 13, 469 La Trobe Street
Melbourne Vic 3000
T 61 3 9321 7888
F 61 3 9321 7900
GPO Box 4767UU
Melbourne Vic 3001
DX 191 Melbourne
ABN 58 552 536 547
www.rigbycooke.com.au
Our ref: TDC:AED:20080512

AH930656B



AGREEMENT

TABLE OF CONTENTS

Clause	Page No.
1 DEFINITIONS	4
2 INTERPRETATION	5
3 SPECIFIC OBLIGATIONS OF THE OWNER	6
4 FURTHER OBLIGATIONS OF THE OWNER.....	6
4.1 Notice and Registration	6
4.2 Further actions	6
4.3 Limitations on Subject Land and Ending of Agreement in respect of certain land	6
5 AGREEMENT UNDER SECTION 173 OF THE ACT	7
6 OWNER'S WARRANTIES.....	7
7 SUCCESSORS IN TITLE	7
8 GENERAL MATTERS	7
8.1 Notices	7
8.2 Service of Notice	7
8.3 No waiver	7
8.4 Severability.....	8
8.5 No Fettering of Council's Powers.....	8
9 COMMENCEMENT OF AGREEMENT.....	8

AH930656B

05/05/2011 \$105.20 173



AGREEMENT

DATE

THIS DEED is made the 27 day of April 2011

PARTIES

BETWEEN: Greater Bendigo City Council
195-229 Lyttleton Terrace, Bendigo 3552
("Council")

AND: Jackass Flat Developments Pty Ltd
The registered office and usual place of business of which is Level 2, 28
Albert Road, South Melbourne 3205
("Owner")

RECITALS

- A. Council is the responsible authority pursuant to the Act for the Planning Scheme.
- B. The Owner is the registered proprietor of the Subject Land.
- C. On 6 August 2010 Council issued a Planning Permit No. DS/226/2010 allowing the staged subdivision of the Subject Land, removal of native vegetation and removal of an easement on the Subject Land in accordance with the Endorsed Plan ("the Planning Permit"). Condition 11 of the Planning Permit provides:

"11. SALINITY

Testing:

Before a statement of compliance is issued for each stage of the subdivision, the area must be tested for salinity to the satisfaction of the responsible authority. The testing must consider the matters described in Planning Guidelines for Urban Salinity in the City of Greater Bendigo and the views of the North Central Catchment Management Authority.

Guidelines:

Before a statement of compliance is issued for each stage of the subdivision, and where testing shows that saline groundwater is present at a depth of 1.6m-2.5m, guidelines must be prepared to the satisfaction of the responsible authority. The guidelines must include:

- (a) Geo-technical standards for the construction of dwellings on the lots;
- (b) Methods that lot owners could use to conserve water, improve the soil and undertake plantings in response to the shallow saline groundwater.



Section 173 Agreement:

Before a statement of compliance is issued for each stage of the subdivision, the owner must enter into an agreement with the responsible authority and register the agreement on the titles to the relevant lots which provides that:

- a. Dwellings on lots affected by saline groundwater, where the depth to the water table is 1.6m-2.5m, will be constructed in accordance with the guidelines approved under this permit.
 - b. No dwellings will be constructed on lots where the depth to the water table is 0m-1.5m."
- D. The parties enter this Agreement:
- a. to give effect to the requirements of the Planning Permit; and
 - b. to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

OPERATIVE PART

THE PARTIES AGREE THAT:-

1 DEFINITIONS

In this Agreement the words and expressions set out in this clause have the following meanings unless the context admits otherwise:

- 1.1 "the Act" means the Planning and Environment Act 1987.
- 1.2 "this Agreement" means this agreement and any agreement executed by the parties expressed to be supplemental to this Agreement.
- 1.3 "Endorsed Plan" means the plan (or plans) endorsed with the stamp of Council from time to time as the plan (or plans) which forms a part of the Planning Permit. A copy of the Endorsed Plan is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.
- 1.4 "Guidelines" means the guidelines prepared to the satisfaction of the Responsible Authority which must include:
 - a. geo-technical standards for the construction of dwelling on the lots; and
 - b. methods that lot owners could use to conserve water, improve the soil and undertake plantings in response to the shallow saline groundwater.
- 1.5 "lot" has the same meaning as in the *Subdivision Act* 1988 and is limited to each lot for residential purposes created or to be created by the staged subdivision permitted by the Planning Permit.

AH930656B

05/05/2011 \$105.20 173



- 1.6 "Owner" means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the Subject Land or any part of it and includes a mortgagee-in-possession and includes each of the persons described as the Owner in the description of the parties to this Agreement.
- 1.7 "party or parties" means the Owner and Council under this Agreement as appropriate.
- 1.8 "Planning Permit" means the Planning Permit referred to in recital C of this Agreement. A copy of the Planning Permit is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.
- 1.9 "Planning Scheme" means the Greater Bendigo Planning Scheme and any other planning scheme which applies to the Subject Land.
- 1.10 "Subject Land" means that part of land situated at Evergreen Waters Estate – Jobs Gully Road, Harveys Lane, Callaghan Street and Howard Street, Jackass Flat and described in Certificates of Title Volume 9316 Folio 749, Volume 9040 Folio 463, Volume 9013 Folio 784, and Volume 9011 Folio 566 respectively proposed to be subdivided into lots in Stages 1-16 (inclusive) shown as "Stage 1" on the "Staging Plan" endorsed under the Planning Permit on 9 August 2010.

2 INTERPRETATION

In this Agreement unless the context admits otherwise:

- 2.1 The singular includes the plural and vice versa.
- 2.2 A reference to a gender includes a reference to each other gender.
- 2.3 A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 2.4 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5 A word or expression used in this Agreement has its ordinary meaning unless that word or expression is defined in this Agreement. If a word or expression is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
- 2.6 A reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
- 2.7 The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
- 2.8 The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land provided that if the Subject Land is subdivided, this Agreement must be read and applied so that each subsequent owner of a lot is only responsible for those covenants and obligations which relate to that owner's lot.



3 SPECIFIC OBLIGATIONS OF THE OWNER

The Owner covenants and agrees that:

- 3.1 Dwellings on lots affected by saline groundwater, where the depth of the water table is 1.6m-2.5m, will be constructed in accordance with the Guidelines; and
- 3.2 No dwellings will be constructed on lots where the depth to the water table is 0m – 1.5m.

4 FURTHER OBLIGATIONS OF THE OWNER

The Owner further covenants and agrees that:

4.1 Notice and Registration

The Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

4.2 Further actions

- a. The Owner will do all things necessary to give effect to this Agreement;
- b. The Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the Certificate of Title of the Subject Land in accordance with Section 181 of the Act and do all things necessary to enable Council to do so including signing any further agreement, acknowledgement or document or procuring the consent to this Agreement of any mortgagee or caveator to enable the recording to be made in the Register under that section; and

4.3 Limitations on Subject Land and Ending of Agreement in respect of certain land

- a. The Subject Land referred to in clause 1.10 is limited to those parts of the land described in the Certificates of Title specified in clause 1.10 as are or are to be created as lots intended for residential purposes by one or more plans of subdivision permitted by the Planning Permit. The Subject Land excludes any land within the said Certificates of Title not intended for lots for residential purposes pursuant to the Planning Permit.
- b. In respect of those parts of the Subject Land which are not or are not intended by the Planning Permit to be created as lots for residential purposes by subdivisions permitted by the Planning Permit, this Agreement shall end as to those parts progressively as each such part or parts is created as a separate parcel or lot.
- c. In respect of any lot where the Owner demonstrates to the satisfaction of the Responsible Authority that the depth to the water table is greater than 2.5m, this Agreement ends as to that lot.

AH930656B



5 AGREEMENT UNDER SECTION 173 OF THE ACT

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made as a Deed pursuant to Section 173 of the Act.

6 OWNER'S WARRANTIES

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

7 SUCCESSORS IN TITLE

Without limiting the operation or effect which this Agreement has:

- 7.1 the Owner must ensure that until such time as a memorandum of this Agreement is registered on the title to the Subject Land, successors in title shall be required to:
- a. give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
 - b. execute a deed agreeing to be bound by the terms of this Agreement.

8 GENERAL MATTERS

8.1 Notices

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- a. by delivering it personally to that party;
- b. by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- c. by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post.

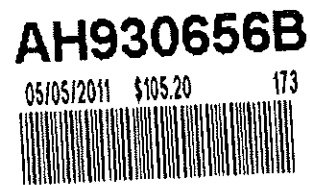
8.2 Service of Notice

A notice or other communication is deemed served:

- a. if delivered, on the next following business day;
- b. if posted, on the expiration of 7 business days after the date of posting; or
- c. if sent by facsimile, on the next following business day unless the receiving party has requested transmission before the end of that business day.

8.3 No waiver

Any time or other indulgence granted by Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by



Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of Council in relation to the terms of this Agreement.

8.4 Severability

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

8.5 No Fettering of Council's Powers

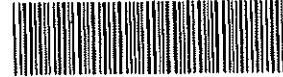
It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Subject Land or relating to any use or development of the Subject Land.

9 COMMENCEMENT OF AGREEMENT

Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.

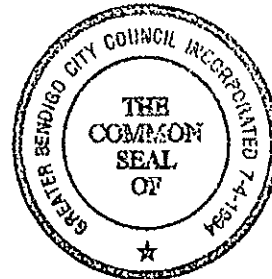
AH930656B

05/05/2011 \$105.20 173



EXECUTED by the parties as an agreement

THE COMMON SEAL of GREATER)
BENDIGO CITY COUNCIL was affixed on)
with the authority of)
the Council:)



.....
Chief Executive Officer

EXECUTED by JACKASS FLAT DEVELOPMENTS PTY LTD
in accordance with Section 127(1) of the Corporations Act 2001 (Cth):

.....
Sole Director & Sole Company Secretary
Vallence Gary Simonds
Level 2, 28 Albert Road, South Melbourne 3205

~~EXECUTED by JACKASS FLAT~~)
~~DEVELOPMENTS PTY LTD by its Attorney~~)
~~under Power of Attorney dated~~)
~~in the presence of:~~)



.....
Witness (signature)

.....
Full Name (print)

Application by a Responsible Authority for the making of a Recording of an Agreement

Section 181 Planning and Environment Act 1987

Lodged by:

Name: Rigby Cooke Lawyers
Phone: (03) 9321 7888
Address: Level 13 469 LaTrobe Street Melbourne VIC 3000
Ref: TDC:20122127
Customer Code: 674R

AK024214N



Land: Certificates of Title Volume 10027 Folio 546, Volume 9587 Folio 378, Volume 7626 Folio 192, Volume 11376 Folio 147 and Volume ~~44736~~ ¹¹³⁷⁶ Folio 146 Q

Authority: Greater Bendigo City Council
of 195-229 Lyttleton Terrace, Bendigo 3552

Section and Act under this agreement made: Section 173 of the Planning and Environment Act 1987

A copy of the Agreement is attached to this Application.

Signature for the Authority:

Name of Officer: (full name)

CRAIG NIEMANN

Date:

7 NOVEMBER 2012

rigbycooke|lawyers

Agreement under Section 173 of the Planning & Environment Act 1987

Greater Bendigo City Council
("Council")

Jackass Flat Developments Pty Ltd ACN 140 181 497
("Owner")

Land: Evergreen Waters Estate – (Phase 2)
162 & 184 Jobs Gully Road, Jackass Flat and 116 Harveys Lane, Jackass
Flat



Rigby Cooke Lawyers
Level 13, 469 La Trobe Street
Melbourne Vic 3000
T 61 3 9321 7888
F 61 3 9321 7900
GPO Box 4767UU
Melbourne Vic 3001
DX 191 Melbourne
ABN 58 552 536 547
www.rigbycooke.com.au
Our ref: TDC:AED:20080512

AGREEMENT

TABLE OF CONTENTS

Clause	Page No.
1 DEFINITIONS	4
2 INTERPRETATION	5
3 SPECIFIC OBLIGATIONS OF THE OWNER	5
4 FURTHER OBLIGATIONS OF THE OWNER.....	5
4.1 Notice and Registration	5
4.2 Further actions	6
4.3 Limitations on Subject Land and Ending of Agreement in respect of certain land	6
5 AGREEMENT UNDER SECTION 173 OF THE ACT	7
6 OWNER'S WARRANTIES.....	7
7 SUCCESSORS IN TITLE	7
8 GENERAL MATTERS	7
8.1 Notices	7
8.2 Service of Notice	7
8.3 No waiver	7
8.4 Severability.....	8
8.5 No Fettering of Council's Powers.....	8
9 COMMENCEMENT OF AGREEMENT.....	8

AK024214N





AGREEMENT

DATE

THIS DEED is made the 7 day of NOVEMBER 2012

PARTIES

BETWEEN: Greater Bendigo City Council
195-229 Lyttleton Terrace, Bendigo 3552
("Council")

AND: Jackass Flat Developments Pty Ltd
The registered office and usual place of business of which is Level 2, 28
Albert Road, South Melbourne 3205
("Owner")

RECITALS

- A. Council is the responsible authority pursuant to the Act for the Planning Scheme.
- B. The Owner is the registered proprietor of the Subject Land.
- C. On 5 June 2012 Council issued a Planning Permit Number DS/904/2011 allowing the staged subdivision of the subject land and removal of an easement on the subject land ("the Planning Permit"). Condition 8 of the Planning Permit provides:

"8. SALINITY

Before a statement of compliance is issued for each stage of the subdivision, the owner must enter into an agreement with the responsible authority and register the agreement on the titles to the relevant lots which provides that:

- a. Dwellings on lots affected by saline groundwater, where the depth to the water table is 1.6m-2.5m, will be constructed in accordance with the guidelines approved under this permit.
 - b. No dwellings will be constructed on lots where the depth to the water table is 0m 1.5m."
- D. The parties enter this Agreement:
- a. to give effect to the requirements of the Planning Permit; and
 - b. to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

AK024214N



OPERATIVE PART

THE PARTIES AGREE THAT:-

1 DEFINITIONS

In this Agreement the words and expressions set out in this clause have the following meanings unless the context admits otherwise:

- 1.1 "the Act" means the Planning and Environment Act 1987.
- 1.2 "this Agreement" means this agreement and any agreement executed by the parties expressed to be supplemental to this Agreement.
- 1.3 "Endorsed Plan" means the plan (or plans) endorsed with the stamp of Council from time to time as the plan (or plans) which forms a part of the Planning Permit. A copy of the Endorsed Plan is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.
- 1.4 "Guidelines" means the guidelines prepared to the satisfaction of the Responsible Authority which must include:
 - a. geo-technical standards for the construction of dwelling on the lots; and
 - b. methods that lot owners could use to conserve water, improve the soil and undertake plantings in response to the shallow saline groundwater.
- 1.5 "lot" has the same meaning as in the *Subdivision Act* 1988 and is limited to each lot for residential purposes created or to be created by the staged subdivision permitted by the Planning Permit.
- 1.6 "Owner" means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the Subject Land or any part of it and includes a mortgagee-in-possession and includes each of the persons described as the Owner in the description of the parties to this Agreement.
- 1.7 "party or parties" means the Owner and Council under this Agreement as appropriate.
- 1.8 "Planning Permit" means the Planning Permit referred to in recital C of this Agreement. A copy of the Planning Permit is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.
- 1.9 "Planning Scheme" means the Greater Bendigo Planning Scheme and any other planning scheme which applies to the Subject Land.
- 1.10 "Subject Land" means that part of land situated at Evergreen Waters Estate, Jackass Flat known as 162 and 184 Jobs Gully Road, Jackass Flat and 116 Harveys Lane, Jackass Flat, and described in Certificates of Title Volume 10027 Folio 546, Volume 9587 Folio 378, Volume 7626 Folio 192, Volume 11376 Folio 147 and Volume 11376

AK024214N



Folio 146 respectively proposed to be subdivided into lots in Stages pursuant to the Planning Permit.

2 INTERPRETATION

In this Agreement unless the context admits otherwise:

- 2.1 The singular includes the plural and vice versa.
- 2.2 A reference to a gender includes a reference to each other gender.
- 2.3 A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 2.4 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5 A word or expression used in this Agreement has its ordinary meaning unless that word or expression is defined in this Agreement. If a word or expression is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
- 2.6 A reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
- 2.7 The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
- 2.8 The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land provided that if the Subject Land is subdivided, this Agreement must be read and applied so that each subsequent owner of a lot is only responsible for those covenants and obligations which relate to that owner's lot.

3 SPECIFIC OBLIGATIONS OF THE OWNER

The Owner covenants and agrees that:

- 3.1 Dwellings on lots affected by saline groundwater, where the depth of the water table is 1.6m-2.5m, will be constructed in accordance with the Guidelines; and
- 3.2 No dwellings will be constructed on lots where the depth to the water table is 0m – 1.5m.

4 FURTHER OBLIGATIONS OF THE OWNER

The Owner further covenants and agrees that:

4.1 Notice and Registration

The Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

4.2 Further actions

- a. The Owner will do all things necessary to give effect to this Agreement;
- b. The Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the Certificate of Title of the Subject Land in accordance with Section 181 of the Act and do all things necessary to enable Council to do so including signing any further agreement, acknowledgement or document or procuring the consent to this Agreement of any mortgagee or caveator to enable the recording to be made in the Register under that section; and

4.3 Limitations on Subject Land and Ending of Agreement in respect of certain land

- a. The Subject Land referred to in clause 1.10 is limited to those parts of the land described in the Certificates of Title specified in clause 1.10 as are or are to be created as lots intended for residential purposes by one or more plans of subdivision permitted by the Planning Permit. The Subject Land excludes any land within the said Certificates of Title not intended for lots for residential purposes pursuant to the Planning Permit.
- b. In respect of those parts of the Subject Land which are not or are not intended by the Planning Permit to be created as lots for residential purposes by subdivisions permitted by the Planning Permit, this Agreement shall end as to those parts progressively as each such part or parts is created as a separate parcel or lot.
- c. In respect of any lot where the Owner demonstrates to the satisfaction of the Responsible Authority that the depth to the water table is greater than 2.5m, this Agreement ends as to that lot.



AK024214N



5 AGREEMENT UNDER SECTION 173 OF THE ACT

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made as a Deed pursuant to Section 173 of the Act.

6 OWNER'S WARRANTIES

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

7 SUCCESSORS IN TITLE

Without limiting the operation or effect which this Agreement has:

7.1 the Owner must ensure that until such time as a memorandum of this Agreement is registered on the title to the Subject Land, successors in title shall be required to:

- a. give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- b. execute a deed agreeing to be bound by the terms of this Agreement.

8 GENERAL MATTERS

8.1 Notices

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- a. by delivering it personally to that party;
- b. by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- c. by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post.

8.2 Service of Notice

A notice or other communication is deemed served:

- a. if delivered, on the next following business day;
- b. if posted, on the expiration of 7 business days after the date of posting; or
- c. if sent by facsimile, on the next following business day unless the receiving party has requested transmission before the end of that business day.

8.3 No waiver

Any time or other indulgence granted by Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by

Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of Council in relation to the terms of this Agreement.

8.4 Severability

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

8.5 No Fettering of Council's Powers

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Subject Land or relating to any use or development of the Subject Land.

9 COMMENCEMENT OF AGREEMENT

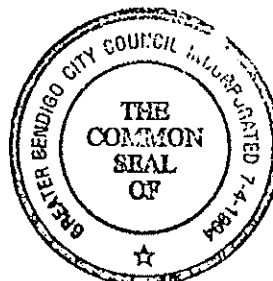
Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.

AK024214N



EXECUTED by the parties as an agreement

THE COMMON SEAL of GREATER)
BENDIGO CITY COUNCIL was affixed on)
with the authority of)
the Council:)




.....
Chief Executive Officer

EXECUTED by JACKASS FLAT DEVELOPMENTS PTY LTD
in accordance with Section 127(1) of the Corporations Act 2001 (Cth):

Sole Director & Sole Company Secretary
Vallence Gary Simonds
Level 2, 28 Albert Road, South Melbourne 3205

EXECUTED by JACKASS FLAT)
DEVELOPMENTS PTY LTD by its Attorney)
MARIA LOUISE WUZZA)
under Power of Attorney dated 5th)
APRIL, 2011 in the presence of:)





Witness (signature)

MATTHEW DEAN

Full Name (print)





Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	Instrument
Document Identification	AS998048X
Number of Pages (excluding this cover sheet)	11
Document Assembled	

Copyright and disclaimer notice:

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

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

Date

7 February

2020

CITY OF GREATER BENDIGO

AND

**MERRIMU VIEWS PTY LTD ACN 147782634 AS TRUSTEE FOR AITKEN
UNIT TRUST**

**PLANNING AND ENVIRONMENT ACT 1987
SECTION 173 AGREEMENT**

J + K Law
76 High Street
Eaglehawk VIC 3556
PO Box 32
Eaglehawk VIC 3556
Email: grace@jandklaw.com.au
Ref: KP:GE:192759

THIS AGREEMENT is made the 7th day of February 2020

BETWEEN City of Greater Bendigo of 195-229 Lyttleton Terrace, Bendigo, Victoria
3550 (Responsible Authority)

AND Merrimu Views Pty Ltd ACN 147782634 as trustee for Aitken Unit
Trust of 8 Gordons Road, Templestowe Lower, Victoria (Owner)

RECITALS

- A. The Owner is the owner and registered by the Registrar of Titles as the proprietor of an estate in fee simple in the land at Evergreen Waters Estate, 277 Howard Street, 162 & 184 Jobs Gully Road, Jackass Flat being Lot A on Plan of Subdivision 810185T and more particularly described in Certificate of Title Volume 12018 Folio 588 (Subject Land).
- B. The Responsible Authority is responsible for the administration and enforcement of the Greater Bendigo Planning Scheme (Planning Scheme) pursuant to the provisions of the Planning and Environment Act 1987 (the Act).
- C. On 5 June 2012 the Responsible Authority issued planning permit number AM/904/2011/G allowing the staged subdivision of land and removal of an easement and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63-67 (all inclusive) and Lot 69 (Planning Permit).
- D. Condition 22 of the Planning Permit requires the owner to enter into this agreement to provide for the matters set out in that condition.
- E. The Responsible Authority and the owner have agreed that, without restricting or limiting their respective powers to enter into this Agreement, and insofar as it can be so treated, this Agreement is an agreement entered into pursuant to section 173 of the Act.
- F. The Responsible Authority and the Owner have entered into this Agreement in order to achieve or advance the objectives of planning in Victoria or the objectives of the Planning Scheme.

OPERATIVE PART

1. Interpretation

This Agreement is governed by the laws of Victoria, and the parties, submit to the non-exclusive jurisdiction of the courts of that state.

In the interpretation of this agreement:

- (a) References to legislation or provisions of legislation include changes or re-enactments of the legislation and statutory instruments and regulations issued under the legislation;
- (b) Words denoting the singular include the plural and vice versa, words denoting individuals or persons include bodies corporate and vice versa, references to documents or agreements also mean those documents or agreements as changed, novated or replaced, and words denoting one gender include all genders;
- (c) Grammatical forms of defined words or phrases have corresponding meanings;
- (d) Parties must perform their obligations on the dates and times fixed by reference to the capital city of Victoria;
- (e) Reference to an amount of money is a reference to the amount in the lawful currency of the Commonwealth of Australia;
- (f) If the day on or by which anything is to be done is a Saturday, a Sunday or a public holiday in the place in which it is to be done, then it must be done on the next business day;
- (g) References to a party are intended to bind their executors, administrators and permitted transferees; and
- (h) Obligations under this agreement affecting more than one party bind them jointly and each of them severally.

2. Definitions

In this agreement unless inconsistent with the context or subject matter:

- (a) Act means the Planning and Environment Act 1987;
- (b) Agreement means this agreement and any agreement executed by the parties varying or expressed to be supplemental to this agreement;
- (c) Subject Land means the land described in recital A;
- (d) Owner means the owner for the time being of the land and the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor of an estate in fee simple in the land or any part thereof, and includes a mortgagee in possession;

-
- (e) Planning Permit means the planning permit referred to in recital C, including any plans endorsed under the planning permit;
 - (f) Planning Scheme means the Greater Bendigo planning scheme and any successor instrument or other planning scheme which applies to the subject land;
 - (g) Responsible Authority means Greater Bendigo Council or its successor as the authority responsible for administering and enforcing the planning scheme and includes its agents, officers, employees, servants, workers and contractors; and
 - (h) Tribunal means the Victorian Civil and Administrative Tribunal or any successor tribunal, court, institution or body.

3. Specific obligations of the owner

The Owner covenants with the Responsible Authority that:

- (a) The Owner acknowledges that this Agreement has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Planning Scheme;
- (b) The Owner acknowledges that the Bushfire Management Plan Drawing Nos.303949-V1-BMP sheets 1 and 2 in the BMS prepared by Spiire Australia dated 15 January 2018 contained at **Annexure A** forms part of the Planning Permit and must not be altered unless otherwise agreed in writing by the Country Fire Authority and the Responsible Authority;
- (c) If a dwelling is constructed on the Subject Land without a planning permit that the bushfire protection measures set out in the plan incorporated into this Agreement must be implemented and maintained to the satisfaction of the Responsible Authority on a continuing basis.

4. Further obligations of the Owner

The Owner further covenants that:

- (a) The Owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Subject Land or any part of it without first disclosing to its successors the existence and nature of this Agreement;
- (b) The Owner will do all that is necessary to enable the Responsible Authority to make an application to the Registrar of Titles to make a recording of this Agreement on the certificate of title to the Subject Land in accordance with section 181 of the Act, including the signing of any further agreement, acknowledgment or other document;
- (c) The Owner shall immediately on demand pay the reasonable legal costs and fees incurred and incidental to the preparation and

execution of this Agreement and the registration hereof pursuant to section 181 of the Act, together with all costs of enforcing this agreement if deemed necessary by the Responsible Authority. The Owner hereby agrees that any such costs are and remain a charge on the subject land until paid, and consents to the Responsible Authority registering a caveat on the certificate of title to the Subject Land in respect of any such costs and acknowledges that any such costs shall be capable of being recovered by the Responsible Authority in any court of competent jurisdiction as a civil debt recoverable;

- (d) That until such time as this Agreement is registered on the title to the Subject Land, the Owner shall ensure that successors in title will give effect to this Agreement, and do all acts and sign all documents which will require those successors to give effect to this Agreement, including executing a deed agreeing to be bound by the terms of this Agreement;
- (e) The Owner agrees to indemnify and keep Indemnified the Responsible Authority from and against all costs, expenses, losses or damages that it may sustain, incur, suffer or be or become liable for or in respect of any suit, action, proceeding, judgment or claim brought by any person arising from or referable to this Agreement and/or any non-compliance with this Agreement; and
- (f) The Owner agrees to allow the Responsible Authority to enter the Subject Land at any reasonable time to assess compliance with this Agreement.
- (g) This Agreement may be ended by mutual agreement between the Responsible Authority and the Owner either wholly or in part or as to any part of the Subject Land. As soon as reasonably practicable after this Agreement has ended, the Responsible Authority must, at the request and at the cost of the Owner, apply to the Registrar of Titles under Section 183 of the Act to cancel the recording of this Agreement on the Register.

5. Owner's warranties and acknowledgements

- (a) The Owner warrants that:
 - (i) It is the registered proprietor, or entitled to be so, of the Subject Land;
 - (ii) There are no mortgages, liens, charges or other encumbrances affecting the subject land which are not disclosed by the usual searches; and
 - (iii) If the Subject Land is affected by a mortgage, the mortgagee of the Subject Land consents to the Owner entering into this Agreement and the Agreement being registered on the title to the Subject Land.

-
- (b) The Owner acknowledges that any obligations imposed on the Owner under this agreement take effect as separate and several covenants which are annexed to the Subject Land and run at law and in equity with the land and every part thereof and bind the owner, its successors, assigns and transferees, and the registered proprietor for the time being of the whole or any part of the Subject Land.

6. Further assurance

The parties to this Agreement must do or cause to be done all things that are reasonably necessary to give effect to this Agreement.

7. Default

If the owner defaults or fails to perform any of its obligations under this Agreement the Responsible Authority may, without prejudice to any other remedies, rectify and remedy such default and the cost of doing so shall be borne by the Owner. The Owner hereby consents to the Responsible Authority registering a caveat on the certificate of title to the Subject Land in respect of any such costs, and acknowledges that any such costs shall be capable of being recovered by the Responsible Authority in any court of competent jurisdiction as a civil debt recoverable.

8. No waiver

Any time or other indulgence granted by the Responsible Authority to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by the Responsible Authority against the Owner will not in any way amount to a waiver of any of the rights or remedies of the Responsible Authority in relation to the terms of this Agreement.

9. No fettering of powers of responsible authority

The Owner expressly acknowledges and agrees that nothing in this Agreement nor the performance by the Owner of any of its obligations under this Agreement does or will restrain, limit or otherwise fetter the exercise by the Responsible Authority of the powers, duties and discretions that the Responsible Authority has or may have, as planning authority, Responsible Authority or otherwise, under the Act or under the planning scheme to consider, approve, amend or to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification relating to any use or development, or in relation to the commencement or initiation of any enforcement action or proceeding whatsoever.

10. Entire agreement

This Agreement constitutes the entire Agreement between the parties in connection with its subject matter and supersedes all previous agreements or understandings between the parties in connection with its subject matter.

11. Severability

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it shall be severed and the other provisions of this Agreement shall remain operative and be of full force and effect.

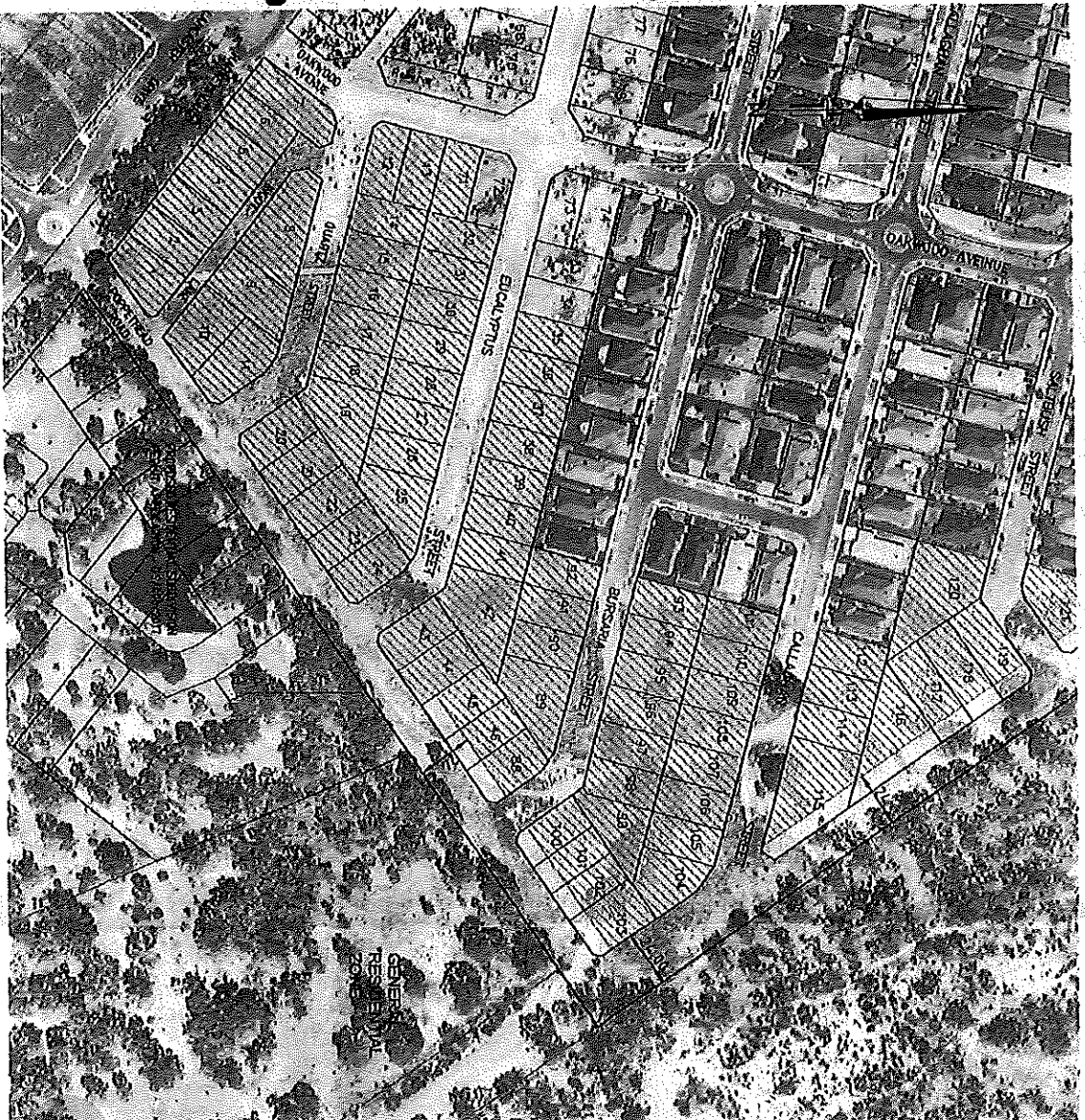
12. Disputes

- (a) If there is a dispute between the parties concerning the interpretation or implementation of this Agreement, that dispute must be referred to the tribunal for resolution to the extent permitted by the Act.
- (b) If there is a dispute concerning any matter which is not referable to the tribunal under the Act, that dispute must be referred for arbitration by an arbitrator agreed upon in writing by the parties, or, in the absence of such Agreement the chair of the Victorian Chapter of the Institute of Arbitrators Australia or his or her nominee, for arbitration.
- (c) The parties shall each be entitled to legal representation for the purposes of any proceedings or arbitration referred to clause 12(a) or (b) of this Agreement unless the tribunal or arbitrator otherwise directs, and each party must bear its own costs.

13. Commencement of agreement

Unless otherwise provided in this Agreement, this Agreement shall commence on the date of this Agreement.

ANNEXURE A – Bushfire Management Plan



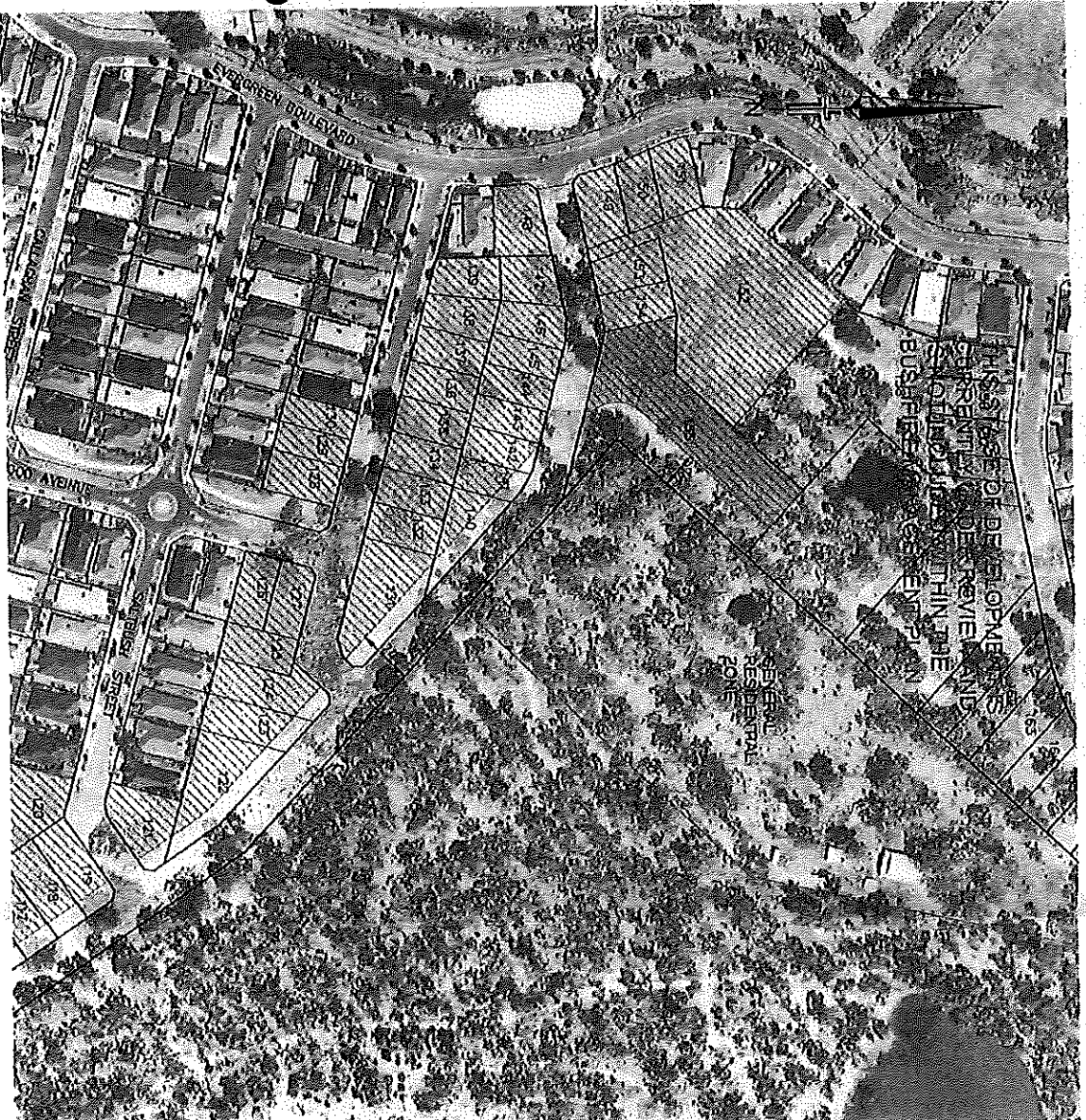
Aerial imagery supplied by Mapbox
 From Date: 06/10/2017

Bushfire Management Plan Golden Grove Estate Lancaster Drive, Jackass Flat	
Co-ordinate Datum MGA55	Scale A3 1:2000
Lengths are in metres	
Date: 14/12/2017 Drawing No.: 303046-V1-BMP CAD Ref.: G:\CONTRACTS\PLANNING\CAD Drawn By: SP Checked By: CC Date:	Sheet: 1 of 3 Version: 1 Date:
REF: AMENDMENT APPROVED: DATE:	

spire 16 Bridge Street PO Box 1084 Bendigo, VIC 3550 T 61 3 544 2500 spire.com.au	
---	--

- GENERAL**
1. All dimensions shown are in metres.
- DEFENDABLE SPACE**
2. Grass must be short cropped and maintained during the declared fire danger period.
 3. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 4. Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 5. Plants greater than 10 centimetres in height must not be placed within 3m of a window or other glass feature of the building.
 6. Shrubs must not be located under the canopy of trees.
 7. Individual and clumps of shrubs must not exceed 5sq metres in area and must be separated by at least 5 metres.
 8. Trees must not overhang or touch any elements of the building.
 9. The canopy of trees must be separated by at least 5 metres.
 10. There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- BUILDING CONSTRUCTION**
11. Buildings will be designed and constructed to the minimum Bushfire Attack Level designated for the site in accordance with AS3559-2009.
- WATER SUPPLY**
12. Each dwelling must have 5,000 litres of effective water supply that is maintained and used solely for fire fighting purposes which will meet the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for firefighting purposes made of corrosion resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies).
- ACCESS**
14. For driveways that are less than 30 metres in length (measured from the public road to either the building or the water supply outlet, whichever is longer) there are no design and construction requirements.

PLANNING AND ENVIRONMENT ACT
 GREATER BENDIGO PLANNING SCHEME
 PLAN REFERRED TO IN PLANNING PERMIT
 No: M/LC/2016/16
 For and on behalf of the City of Greater Bendigo
 Date: 24/11/18.



THIS SECTION OF DEVELOPMENT IS A
CURRENTLY UNDER REVIEW AND
SHOULD NOT BE WITHIN THE
BUSHFIRE MANAGEMENT PLAN

GENERAL
RESIDENTIAL
ZONE

GENERAL

DEPENDABLE SPACE

1. All dimensions shown are in metres.
2. Grass must be short cropped and maintained during the declared fire danger period.
3. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
4. Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
5. Plants greater than 10 centimetres in height must not be placed within 3m of a window or other glass feature of the building.
6. Shrubs must not be located under the canopy of trees.
7. Individual and clumps of shrubs must not exceed 5sq metres in area and must be separated by at least 5 metres.
8. Trees must not overhang or touch any elements of the building.
9. The canopy of trees must be separated by at least 5 metres.
10. There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

BUILDING CONSTRUCTION

11. Buildings will be designed and constructed to the minimum Bushfire Attack Level designated for the site in accordance with AS3959-2009.

WATER SUPPLY

12. Each dwelling must have 5,000 litres of effective water supply that is maintained and used solely for fire fighting purposes which will meet the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for firefighting purposes made of corrosion resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies).

ACCESS

14. For driveways that are less than 30 metres in length (measured from the public road to either the building or the water supply outlet, whichever is longer) there are no design and construction requirements.

0.05% ROAD SPACE

BAU25

BAU19

BAU9

BUILDING ENVELOPE

PLANNING AND ENVIRONMENT ACT
GREATER BENDIGO PLANNING SCHEME
PLAN REFERRED TO IN PLANNING PERMIT
No. 14/01/2016
For and on behalf of the City of Greater Bendigo
Date: 24/1/17, 1/1/17.

spire

16 Bridge Street
PO Box 1054
Bendigo Vic 3550
T 013 9448 2500
spire.com.au

Bushfire Management Plan
Golden Grove Estate
Lancaster Drive, Jackass Flat

Co-ordinate Datum
MGASS

Scale A3
1:2000

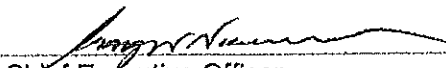


Date	14/12/2017	Sheet	2 of 3
Drawing No.	3039201-1-BMP	Version	1
CD Ref.	3039201-1-BMP	Checked By	CC
Drawn By	SP	Approved	DATE
REVISION		APPROVED	DATE

Execution page

SIGNED AS AN AGREEMENT

APPROVED under the COMMON
SEAL of the GREATER BENDIGO
CITY COUNCIL in the presence of;


Chief Executive Officer

Full name: Craig William Niemann

Usual Address: Lyttleton Terrace
Bendigo



EXECUTED BY MERRIMU VIEWS
PTY LTD ACN 147782634 AS
TRUSTEE FOR AITKEN UNIT TRUST


Director

Name: Graeme William Brennan


Director

Name: Meryl Patricia Brennan



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

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.

Produced 30/11/2021 11:32:54 AM

Status	Registered	Dealing Number	AS998048X
Date and Time Lodged	18/02/2020 09:37:02 AM		

Lodger Details

Lodger Code	16984L
Name	BECK LEGAL
Address	
Lodger Box	
Phone	
Email	
Reference	CCO:152318-2134

APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction	VICTORIA
--------------	----------

Privacy Collection Statement

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

Estate and/or Interest

FEE SIMPLE

Land Title Reference

12018/588

Instrument and/or legislation

RECORD - AGREEMENT - SECTION 173
Planning & Environment Act - section 173

Applicant(s)

Name	GREATER BENDIGO CITY COUNCIL
Address	
Street Number	3
Street Name	EVERGREEN
Street Type	BOULEVARD
Locality	JACKASS FLAT
State	VIC
Postcode	3556

Additional Details



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Refer Image Instrument

The applicant requests the recording of this Instrument in the Register.

Execution

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

Executed on behalf of	GREATER BENDIGO CITY COUNCIL
Signer Name	MEGAN MCDONALD
Signer Organisation	BOWCOLE PTY LTD
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	18 FEBRUARY 2020

File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. AMENDED PLANS

Before the plan of subdivision is certified amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- (a) Building envelope plan showing front and rear boundary setbacks nominated
- (b) Bushfire Management Plan showing front and rear boundary setbacks nominated
- (c) A Native Vegetation Removal Plan which maps the extent of vegetation to be deemed lost, including any impacts of fencing.

2. PLANS TO BE ENDORSED

The plans to be endorsed and which will then form part of the permit are the plans submitted with the application.

3. LAYOUT PLANS

The subdivision, as shown on the endorsed plans, must not be altered without the prior written consent of the responsible authority.

4. STAGED SUBDIVISION

The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed to by the responsible authority.

5. LANDSCAPE PLAN

Before a statement of compliance is issued for each stage of the subdivision a landscape plan for the relevant stage must be submitted to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and then form part of the permit.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

6. COMPLETION OF LANDSCAPING

Before a statement of compliance is issued for each stage of the subdivision the landscaping works shown on the endorsed must be carried out and completed, or secured by a bond, for that stage to the satisfaction of the responsible authority.

7. LANDSCAPING MAINTENANCE

The landscaping works shown on the endorsed plans must be maintained to the satisfaction of the responsible authority for 12 months after the works are completed, including that any dead, diseased or damaged plants are to be replaced.

8. EARTHWORKS

All earthworks on the site which involve filling must comply with AS 3798-2007 Level 1 inspection and testing. Within one month of a statement of compliance being issued for each stage of the subdivision a geotechnical report must be submitted to the responsible authority confirming the standard of earthworks on the site.

9. SALINITY

Before a statement of compliance is issued for each stage of the subdivision, the owner must enter into an agreement with the responsible authority and register the agreement on the titles to the relevant lots which provides that:

- (a) Dwellings on lots affected by saline groundwater, where the depth to the water table is 1.6m-2.5m, will be constructed in accordance with the guidelines approved under this permit.
- (b) No dwellings will be constructed on lots where the depth to the water table is 0m-1.5m.

10. DETAILED DRAINAGE

Prior to the certification of the plan of subdivision under the Subdivision Act 1988, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

the permit. The plans must be drawn to scale with dimensions. The plans must include:

- (a) Direction of stormwater run off.
- (b) A point of discharge for each lot.
- (c) Independent drainage for each lot.
- (d) Approval from the relevant authority for the point of discharge.

11. DRAINAGE EASEMENTS

The subdivision must provide easements for drainage within and through the subject land for external outfall drainage to a point of lawful discharge to the satisfaction of the responsible authority.

12. STORMWATER DETENTION

Prior to the issue of a statement of compliance, the owner or applicant must provide onsite surface and stormwater detention to pre-development levels in accordance with plans and specifications to the satisfaction of the responsible authority. Allowable discharge: $Q_{30} = 30$ l/s per hectare. The responsible authority may waive this condition if the North Central CMA does not require the provision of stormwater detention.

13. STORMWATER QUALITY

Before the use or development is commenced, the owner or applicant must provide a stormwater treatment system to achieve the Best Practice Environmental Guidelines storm water quality (Victoria Stormwater Committee 1999) in accordance with plans and specifications to the satisfaction of the responsible authority.

14. CONSTRUCTION OF WORKS

Road works, drainage and other civil works must be constructed in accordance with the City of Greater Bendigo Infrastructure Design Manual and plans and specifications approved by the responsible authority and must include - Internal roads:

- (a) Fully sealed pavement with kerb and channel.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- (b) Paved footpaths and shared pedestrian/bicycle paths where required.
- (c) Underground drainage.
- (d) Indented car parking and bus parking bays where required.
- (e) Underground conduits for water, gas, electricity and telephone.
- (f) Appropriate intersection and traffication measures.
- (g) Appropriate street lighting and signage.
- (h) High stability permanent survey marks, as required.

15. HARVEYS LANE UPGRADE

Before a statement of compliance is issued for Stage 28 of the approved subdivision Harveys Lane, from the site boundary to Edwards Road, must be constructed to a standard required to accommodate public transport access for buses to the satisfaction of the responsible authority.

16. DECORATIVE LIGHTING

The decorative lighting style is to be consistent with any adjacent decorative lighting. The Responsible Authority shall determine decorative lighting style where conflicts arise. The applicant shall submit for approval full details of any proposed decorative lighting to the Responsible Authority prior to commencement of works. Prior to the issue of the statement of compliance the applicant will make payment to the Responsible Authority in accordance with Table 15 of the Infrastructure Design Manual.

17. PUBLIC ASSETS

Before the development starts, the owner or developer must submit to the responsible authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb and channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

must pay for any damage caused to any public infrastructure caused as a result of the development or use permitted by this permit.

18. CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of works the owner or applicant must submit a Construction Management Plan (CMP) for approval by the responsible authority. The plan must include:

- (a) A site specific plan showing proposed erosion and sedimentation control works.
- (b) Techniques and intervention levels to prevent a dust nuisance.
- (c) Techniques to prevent mud and dirt being transported from the site to adjacent streets.
- (d) The protection measures taken to preserve any vegetation identified for retention.

During construction of works associated with the subdivision, the must employ and provide the protection methods contained in the CMP to the satisfaction of the responsible authority and the Environment Protection Agency.

19. COLIBAN WATER

- (a) The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets. Services are to be provided in accordance with Coliban Water's specifications.
- (b) All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.
- (c) This development is within a mandated recycled water area that requires all the properties to connect with recycled water network. A recycled water mains extension will be required to service all the proposed lots in this subdivision.

20. POWERCOR

- (a) This letter shall be supplied to the applicant in its entirety.
- (b) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- referred to the Distributor in accordance with Section 8 of that Act.
- (c) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- (d) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- (e) The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.
Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
- RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.
 - The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- (f) The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.
Notes:
- Existing easements may need to be amended to meet the Distributor's requirements
 - Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
 Planning Scheme: **Greater Bendigo Planning Scheme**
 Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Easement reference	Purpose	Width (metres)	Origin	Land benefited / In Favour of
	Power Line		Section 88 – Electricity Industry Act 2000	Powercor Australia Ltd

21. TELECOMMUNICATIONS

(a) The owner of the land must enter into an agreement with:

- i. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- ii. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

(b) Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

22. GAS

- (a) Easements in favour of SPI Networks (Gas) Pty Ltd must be created on the plan to the satisfaction of SP AusNet (Gas).
- (b) The plan of subdivision submitted for certification must be referred to SP AusNet (Gas) in accordance with Section 8 of the Subdivision Act 1988.

23. COUNTRY FIRE AUTHORITY

- (a) Mandatory condition:
Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:
 - i. State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Greater Bendigo Planning Scheme.
 - ii. Incorporate the plan prepared in accordance with clause 53.02-4-4 of this planning scheme and approved under this permit.
 - iii. State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
- (b) Bushfire Management Plan
The Bushfire Management Plan (Appendix 2 - Drawing No's: 303949-V1-BMP - Sheets 1 & 2, in the BMS prepared by Spiire Australia dated 15/1/2018) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
- (c) Hydrants
Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
 - i. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

- ii. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

(d) Roads

- i. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- ii. Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.
- iii. Dead end roads and cul-de-sac's more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.
- iv. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- v. Curves must have a minimum inner radius of 10 metres.

24. COUNTRY FIRE AUTHORITY

Bushfire Management Plan Required

Prior to certification under the Subdivision Act 1988, an amended Bushfire Management Plan must be prepared to the satisfaction of CFA then submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Authority. The plan must be generally in accordance with the BMP prepared by Spiire (Drawing No: 309300-V6-BMP (Version 2), dated 09/05/2023) but amended to include or replace the conditions for Defendable space, Construction standards, Access and Water Supply with:

(a) Defendable space

Defendable space is to be provided for a distance of 33 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 201-221, 226-256 and 265-266

And

Defendable space is to be provided for a distance of 24 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 222-225, 257-264 and 267-273 where vegetation (and other flammable materials) for all Lots will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

(b) Construction standards

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Dwellings within Lots 201-221, 226-256 and 265-266 must be constructed to a minimum Bushfire Attack Level of 12.5 (BAL12.5).

Dwellings within Lots 222-225, 257-264, and 267-273 must be constructed to a minimum Bushfire Attack Level of 19 (BAL19).

(c) **Water supply**

2,500 litres of effective water supply for fire fighting purposes must be provided within Lots 243, 244, 265 & 266 which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use.

5,000 litres of effective water supply for fire fighting purposes must be provided within Lots 215-242, 245-264, 267-273 which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use.

10,000 litres of effective water supply for fire fighting purposes must be provided within Lot 214 which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Be located within 60 metres of the outer edge of the approved building.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

(d) Access

Access for fire fighting purposes must be provided within Lot 214 which meets the following requirements:

- Access must have a load limit of at least 15 tonnes.
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all-weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the accessway.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

25. COUNTRY FIRE AUTHORITY

Implementation of defendable space

Before the statement of compliance is issued under the Subdivision Act 1988, the defendable space shown on the endorsed Bushfire Management Plan must be implemented to the satisfaction of the Responsible Authority.

26. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY

- (a) All new allotments must be filled to at least the estimated 1% AEP flood level(s). Prior to issuing a statement of compliance a certified survey plan of the finished surface levels must be submitted to the responsible authority and North Central CMA for its approval.
- (b) Prior to certification a suitable restriction is to be placed on title which specifies the minimum floor level of any new dwelling(s) on each new allotment. The minimum floor level must be no lower than 300mm above the estimated flood level.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- (c) Prior to the commencement of works, appropriate silt control measures must be installed to prevent sediment laden runoff from entering the waterway. The silt control measures must be maintained throughout the construction period.

27. TRANSPORT FOR VICTORIA

- (a) Prior to the issue of a Statement of Compliance for any subdivision stage that contains any portion of Jobs Gully Road, Howard Street and Harveys Lane (as identified in the endorsed development plan as a potential bus route), that portion of road must be constructed in accordance with the Public Transport Guidelines for Land Use and Development in order to accommodate public transport access for buses to the satisfaction of the Director of Public Transport.
- (b) Any roundabouts constructed on roads designated a future public transport route within the subdivision, must be designed to accommodate ultra low floor buses, to the satisfaction of the Director of Public Transport.
- (c) Intersections, slow points, splitter islands and the like must be designed and constructed in accordance with the Public Transport Guidelines for Land Use and Development. The use of speed humps, raised platforms, one-way road narrowing and 'weave points' are not accepted on any portion of the potential bus route.

28. DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION

- (a) Prior to the commencement of any works or before the statement of compliance is issued under the Subdivision Act 1988, whichever is sooner, the applicant must provide details of the area of exact losses of native vegetation to be removed under each site or sub-site, in line with the endorsed plans and the Jackass Flat Vegetation Precinct Plan to the satisfaction of the Department of Energy, Environment and Climate Action.
- (b) In order to offset the removal of native vegetation approved as part of this permit, the applicant must provide appropriate offsets. To provide the required offset, within 12 months of the native vegetation removal, or before the statement of compliance is issued under the Subdivision Act 1988, whichever is sooner, the applicant or the owner must

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

either:

- Provide to the responsible authority, an Allocated Credit Extract issued by the Department of Energy, Environment and Climate Action Native Vegetation Credit Register which satisfies the required offset, or
- Provide an offset plan to the responsible authority. The offset plan must be prepared to the satisfaction of the Department of Energy, Environment and Climate Action and submitted to and approved by the responsible authority. The offset plan must include:
 - Description of the site where the offset will be provided, including a site plan.
 - Schedule of works to achieve the offset over a 10 year period, detailing:
 - Management actions to be performed (e.g. fencing, weed control, pest control, revegetation).
 - Person(s) responsible for implementing the specific management actions.
 - Timeline for the implementation of management actions.
 - Method by which management actions will be undertaken.
 - Standard to which management actions will be undertaken.

When approved the offset plan will be endorsed and will then form part of the permit.

- (c) Within twelve months of vegetation removal or prior to the issue of statement of compliance whichever is sooner:
- The endorsed offset site must be permanently protected to the satisfaction of the responsible authority (eg. through encumbrance on title).
 - A copy of the endorsed offset plan and protection mechanism (eg. title showing encumbrance) must be lodged with the department.
- (d) Before works start, a protection fence must be erected around the boundaries of retained native vegetation, outside the canopy of the overstorey and at the extent of the native understorey. The delineated area will define a 'Vegetation Protection Zone'. The protection fence must be constructed to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until all works are completed to the satisfaction of the responsible authority. Adequate signage to indicate the 'Vegetation Protection Zone' must be attached to the protection fence and maintained until all works are

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
 Planning Scheme: **Greater Bendigo Planning Scheme**
 Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

completed. Except with the written consent of the responsible authority and approval of the Department of Energy, Environment and Climate Action, within the Vegetation Protection Zone there is to be:

- No vehicular or pedestrian access, trenching or soil excavation.
- No storage or dumping of tools, equipment or waste.
- No physical damage to vegetation.
- No works or construction activities.

29. BUILDING ENVELOPES

- (a) The plan of subdivision must include a building envelope restriction (for lots 1-9; 47-59; 63-67 (all inclusive); and Lot 69) in accordance with the endorsed plan. No building may be constructed outside the building envelopes shown on the endorsed plan.
- (b) The plan of subdivision submitted for certification must include a restriction for lots 239, 240, 242 and 254 specifying that no buildings or structures are permitted to be constructed within Tree Protection Zones for trees identified for retention as shown on the endorsed Tree Retention Plan.
- (c) The plan of subdivision submitted for certification and for lots 222, 223, 224, 225 and 257-265, 267 – 273 must include a building envelope restriction specifying that no building is permitted to be constructed outside the endorsed Building Envelope Plan – Design and Development Overlay (DDO6) Golden Grove Estate – North, unless with the prior written consent of the responsible authority.

30. GOLDEN PARK ESTATE DESIGN GUIDE – REAR LOADED LOTS

The design guide is an endorsed document under the Planning Permit and must be registered on title in the form of a Memorandum of Common Provisions pursuant to Section 91A of the Transfer of Land Act, 1958.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

31. SECTION 173 AGREEMENT

Prior to the issue of a Statement of Compliance, the owner must enter into a section 173 Agreement under the Planning and Environment Act 1987. The agreement must specify that:

- (a) The trees identified for retention on Lots 239, 240, 242 and 254 as shown on the endorsed Tree Retention Plan must not be removed, except with the prior written consent of the responsible authority.

The Agreement must be executed and registered on title prior to the issue of a Statement of Compliance under the Subdivision Act 1988. The applicant must meet all costs associated with drafting and execution of the Agreement, including those incurred by the responsible authority

32. EXPIRY OF THE PERMIT - SUBDIVISION

This permit will expire unless:

- (a) All stages of the approved subdivision have been certified within ten years of the date of this permit; or
(b) Any stage of the approved subdivision is not completed within five years of the certification of the plan of subdivision under the Subdivision Act 1988.

The responsible authority may extend the time for certification of a plan of any stage of the subdivision if a request is made in writing before the permit expires, or thereafter, within the period allowed by section 69 of the Planning and Environment Act 1987.

33. EXPIRY OF PERMIT – DWELLING CONSTRUCTION IN THE DESIGN AND DEVELOPMENT OVERLAY

This permit will expire if one of the following circumstances applies:

- (a) the development is not commenced within twelve (12) years from the date of issue of this permit; or
(b) the development is not completed within fourteen (14) years from the date of issue of this permit.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
Planning Scheme: **Greater Bendigo Planning Scheme**
Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

The time within which the development must be completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

NCCMA NOTE: Flood levels for the 1% AEP (100 year ARI) flood event have been determined for this area under provisions of the Water Act 1989. The applicable 1% AEP flood level for the location described above grades from 199.6 metres AHD down to 194.5 metres AHD, which was obtained from Bendigo Urban Flood Study (2013).

DEECA NOTE: Works or any other activities on public land which may impact on protected native plants will require a Protected Flora Licence or Permit in respect of the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be impacted should be checked against the Protected Flora List (DSE 2010) to determine whether FFG approvals are required. Protected Flora Permits can be obtained through the regional departmental office.

CFA NOTE: CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrants for Fire fighting Purposes" available under publications on the CFA web site (www.cfa.vic.gov.au)

CHMP NOTE:

An approved Cultural Heritage Management Plan (prepared by Heritage Insight Pty Ltd, reference number 18337, dated 1 September 2022) applies to the subject land. All works for the development must occur in accordance with the approved Cultural Heritage Management Plan.

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
 Planning Scheme: **Greater Bendigo Planning Scheme**
 Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

This permit has been amended as follows:

This permit has been amended as follows:

Date:	Brief Description of Amendment:	Authority:
10 August 2012	Condition 22 - CFA vegetation management - was corrected.	City of Greater Bendigo
31 July 2013	The expiry provisions of the permit (Condition 26) have been revised.	City of Greater Bendigo
2 March 2012	Condition 14 (Harveys Lane Upgrade) has been revised.	City of Greater Bendigo
14 September 2017	<ul style="list-style-type: none"> Statement of what the permit allows amended to include reference to the creation of a restriction (building envelopes) on nominated lots. New conditions (26 and 27) included in the permit with respect to the creation of building envelopes and the need for the Golden Park Estate Design Guidelines to be registered on Title. 	City of Greater Bendigo
12 January 2018	Change to Stage number in Condition 14 (Harveys Lane upgrade)	City of Greater Bendigo
24 April 2018	<ul style="list-style-type: none"> Reduced forest setback (north eastern boundary) from 30 to 26 metres; Inclusion of construction of dwellings under the Design and Development Overlay Schedule 6; 	City of Greater Bendigo

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

PLANNING PERMIT

Permit No. **AM/904/2011/H**
 Planning Scheme: **Greater Bendigo Planning Scheme**
 Responsible Authority: **Greater Bendigo City Council**

ADDRESS OF THE LAND: **Evergreen Waters Estate - 1 & 3 Evergreen Boulevard, 269 & 277 Howard Street, 162 & 184 Jobs Gully Road, Lot B Eucalyptus Street, JACKASS FLAT 3556 Lot A PS 748508Q, Lot RES1 PS 629818P, CP 106350, Lot A PS 748508Q, Lot B PS 810190B, Lot 88-102, A & B PS 839777E, Lots 201-219, E, F & RES1 PS 629818P, Lot 199 PS 737179U, Lot 1 PS 719970G, Lot 2 PS 719970G, CA 188G Sec N**

THE PERMIT ALLOWS: **Staged subdivision of land and removal of an easement; and creation of a restriction (building envelopes) on lots 1-9; 47-59; 63- 67 (all inclusive); Lots 69, 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273; and construction of a dwelling on each lot within Design and Development Overlay Schedule 6 and removal of native vegetation**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

	<ul style="list-style-type: none"> • Inclusion of permission (and relevant CFA/mandatory conditions) under the Bushfire Management Overlay; and • Deletion of condition 22 replaced with a new Condition 22 consistent with the Country Fire Authority conditional consent to the amendment of the permit dated 19 February 2018 	
3/05/2024	<p>Amendment under s. 72 as follows:</p> <ul style="list-style-type: none"> • Amendment to the approved plan of subdivision to change the layout and to include 269 Howard Street, Jackass Flat within the subdivision and approve a Bushfire Management Plan. • Amendment to the land to which the permit applies to include 269 Howard Street, Jackass Flat. • Amendment to what the permit allows to include removal of native vegetation and creation of a restriction for lots 222, 223, 224, 225, 239, 240, 242, 254, 257-265, 267 – 273. • Amendment to conditions to include a new condition 1 (Amended plans) and renumber conditions onwards, amend conditions 5 (Landscape plans), 14 (Construction of works), 19 (Coliban Water), 20 (Powercor), 21 (Telecommunications), 22 (Gas), 23 (CFA) add new conditions 24 and 25 (CFA), amend conditions 26 (NCCMA), 28 (DEECA) and 29 (Building envelope restrictions) and add a new condition 31 (S173 Agreement – Tree retention) 	City of Greater Bendigo

Signature for the
Responsible Authority



Date Issued: 5 June, 2012

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning & Environment Act 1987*)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the *Planning & Environment Act 1987*.

WHEN DOES A PERMIT BEGIN?

A permit operates:


- from the date specified in the permit, or
- if no date is specified, from:
 - (i) the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

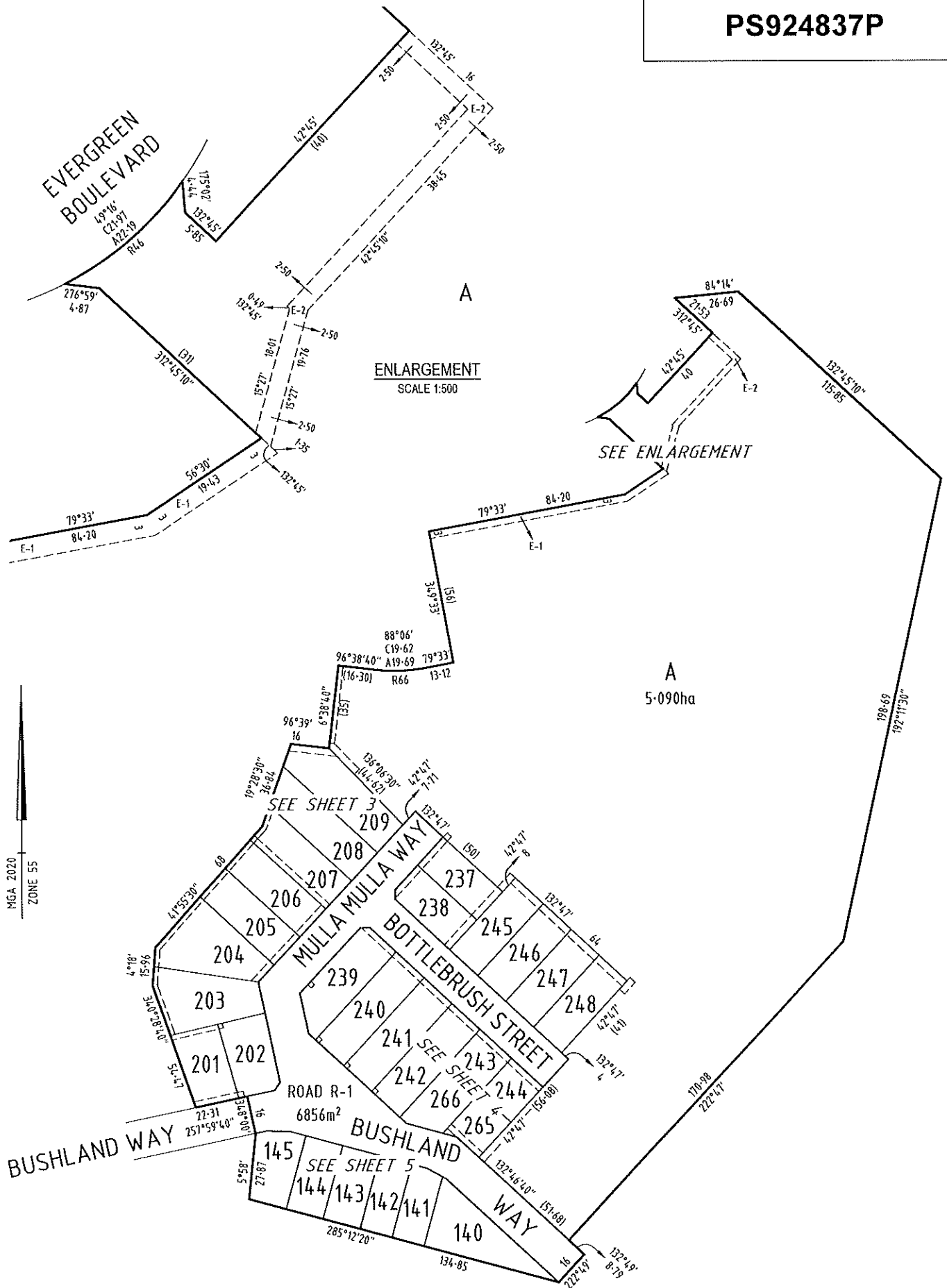
1. A permit for the development of land expires if –
 - the development or any stage of it does not start within the time specified in the permit, or
 - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if –
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of the land expires if –
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision –
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under the permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil & Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.

PLAN OF SUBDIVISION			EDITION 1	PS924837P
LOCATION OF LAND PARISH: SANDHURST TOWNSHIP: SECTION: N CROWN ALLOTMENT: 160A (Part), 160B (Part), 160D (Part), 160E CROWN PORTION: TITLE REFERENCE: C/T VOL 9343 FOL 842 VOL 11898 FOL 301 VOL 12429 FOL 279 LAST PLAN REFERENCE: LOT A ON PS903679Y LOT A ON PS748508Q CP106350 POSTAL ADDRESS: BUSHLAND WAY (at time of subdivision) JACKASS FLAT 3556 MGA2020 CO-ORDINATES: E: 257 400 ZONE: 55 (of approx centre of land in plan) N: 5 934 160				
VESTING OF ROADS AND/OR RESERVES			NOTATIONS	
IDENTIFIER	COUNCIL / BODY / PERSON		Lots 1-139, 146-200, 210-236, and 249-264 (all inclusive) and Lots B-N (both inclusive) have been omitted from this plan. Depth Limitations: 15.24 metres below the surface applies to Crown Allotment 160B and 160A. 15 metres below the surface applies to Crown Allotment 160D and 160E.	
ROAD R-1	CITY OF GREATER BENDIGO			
NOTATIONS				
DEPTH LIMITATION : DOES NOT APPLY				
SURVEY: This plan is based on survey STAGING: This is not a staged subdivision Planning Permit No. AM/904/2011/H This survey has been connected to permanent marks No(s). 2010 In Proclaimed Survey Area No. 34				
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, E-2	Pipelines or Ancillary Purposes	See Diagram	PS629818P - Sec 136 of the Water Act 1989	Coliban Region Water Corporation
E-1	Drainage	See Diagram	PS629818P	City of Greater Bendigo
E-3, E-4	Pipelines or Ancillary Purposes	See Diagram	This Plan - Sec 136 of the Water Act 1989	Coliban Region Water Corporation
E-4, E-5	Drainage	See Diagram	This Plan	City of Greater Bendigo
GOLDEN GROVE - STAGE 7B/8 (29 LOTS)			AREA OF STAGE - 2.578ha	
 16 Bridge Street PO Box 1064 Bendigo Vic 3550 T 61 3 5448 2500 spiire.com.au		SURVEYORS FILE REF: 322226SV00	ORIGINAL SHEET SIZE: A3	SHEET 1 OF 6
		Licensed Surveyor: James Philip Tyrrell Version: 1		

PS924837P



SURVEYOR'S FILE REF: 322226SV00

SCALE 1: 1500

15 0 15 30 45 60

LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3

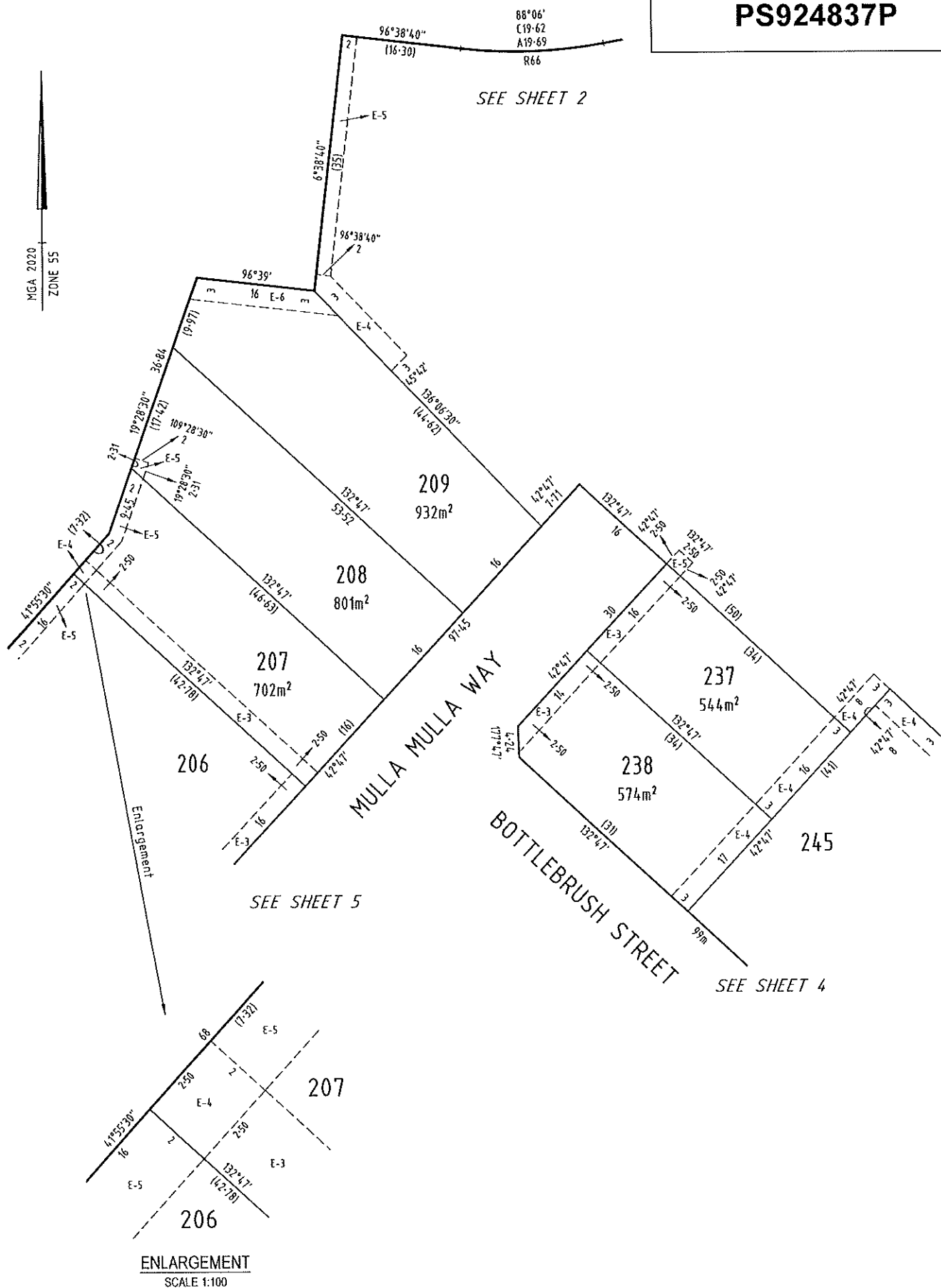
SHEET 2

spiire

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

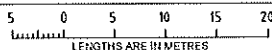
Licensed Surveyor: James Philip Tyrrell
Version: 1

PS924837P



SURVEYOR'S FILE REF: 322226SV00

SCALE
1: 500



ORIGINAL SHEET
SIZE: A3

SHEET 3

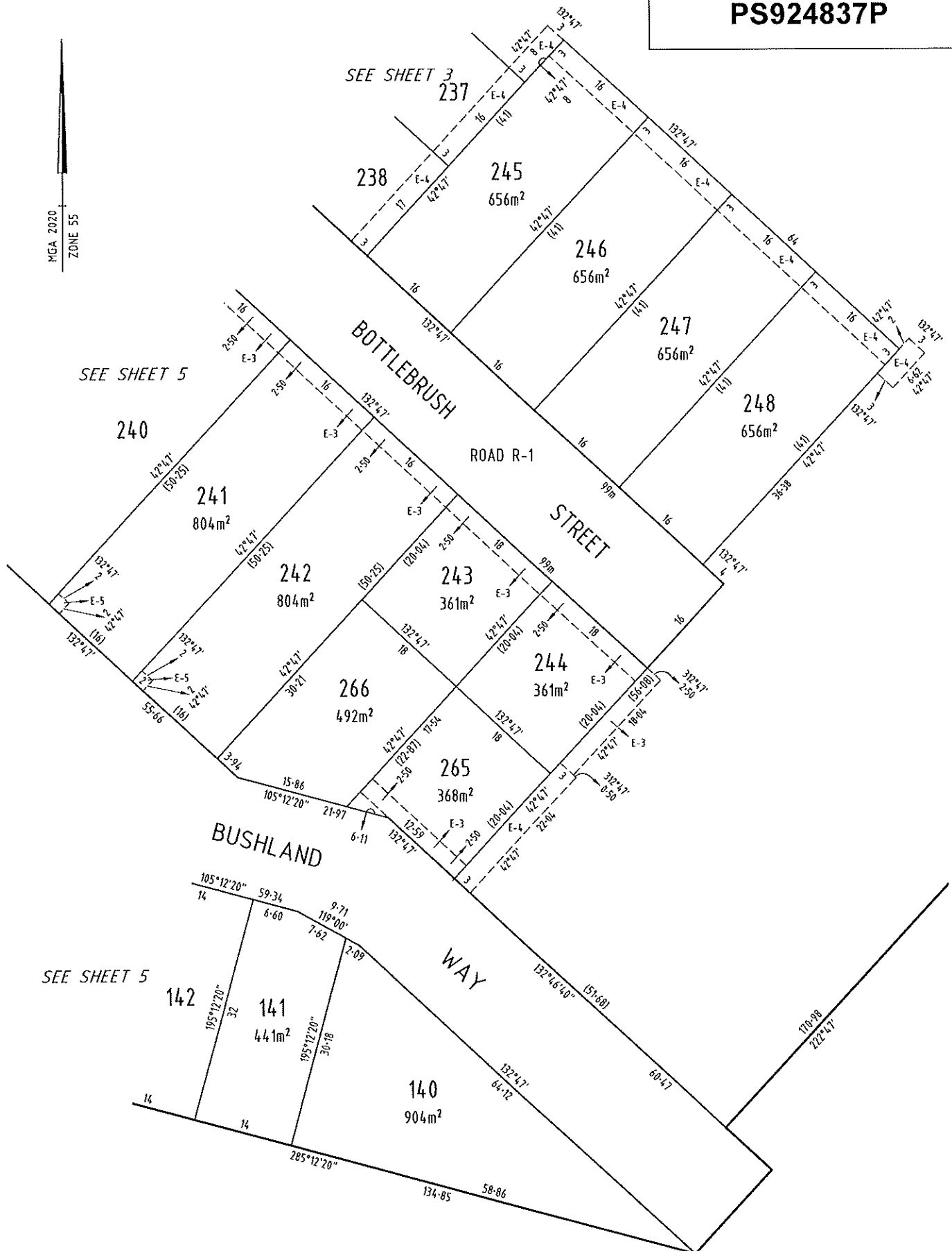
spiire

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

Licensed Surveyor: James Philip Tyrrell
Version: 1

MGA 2020

ZONE 55

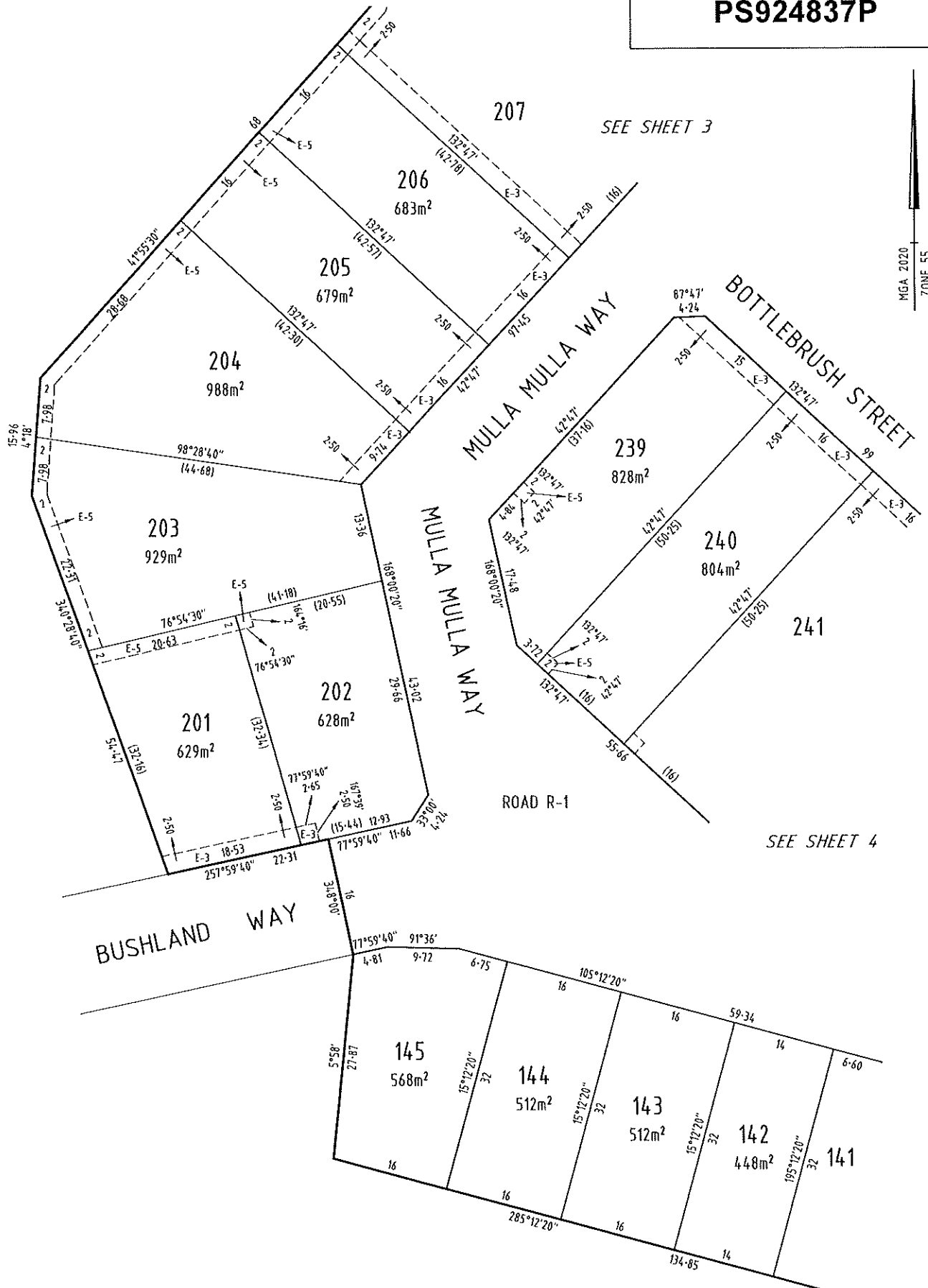


spiire

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

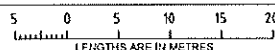
Licensed Surveyor: James Philip Tyrrell
Version: 1

PS924837P



SURVEYOR'S FILE REF: 322226SV00

SCALE
1: 500



ORIGINAL SHEET
SIZE: A3

SHEET 5

spiire

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

Licensed Surveyor: James Philip Tyrrell
Version: 1

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 239, 240, 241 and 242 on this plan
Benefited Land: Lots 239, 240, 241 and 242 on this plan

Restriction:

Except with the consent of the responsible authority, the registered proprietors of the burdened land must not construct or allow to be constructed any buildings or structures within the Trees Protection Zones identified on the Tree Retention Plan endorsed by the City of Greater Bendigo under planning permit number AM/904/2011/H.

Expiry Date:

The Restriction shall expire on the 31st of December 2034

CREATION OF RESTRICTION No. 2

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 140 to 145, 201 to 209, 237 to 248, 265 and 266 (all inclusive) on this plan
Benefited Land: Lots 140 to 145, 201 to 209, 237 to 248, 265 and 266 (all inclusive) on this plan

Restriction:

Except with the consent of the responsible authority, 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 xxxxx.

Expiry Date:

This restriction will expire on 31 December 2034.

CREATION OF RESTRICTION No. 3

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: Lot 265 on this plan
Benefited Land: Lots 243, 244 and 266 on this plan

Restriction:

Except with the consent of the responsible authority, the registered proprietors of the burdened land must not construct or allow to be constructed any buildings outside of the building envelopes shown on the Building Envelope Plan - Design and Development Overlay (DD06) Golden Grove Estate - North endorsed by the City of Greater Bendigo under planning permit number AM/904/2011/H.

Expiry Date:

This restriction will expire on 31 December 2034.

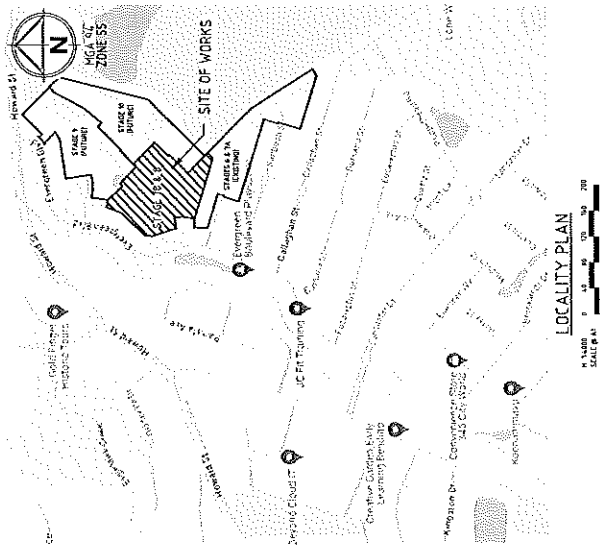
**GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
WARRINGAL VIEWS P/L**

GENERAL NOTES

- [illegible]

DRAWING SCHEDULE

DRAWING	DESCRIPTION	SHEET No.	REVISION
0388	GENERAL NOTES - SHEET 1	1	A
0389	ROAD LAYOUT PLANS - SHEET 1	2	A
0390	ROAD LAYOUT PLANS - SHEET 2	3	A
0392	ROAD LAYOUT PLANS - EARTHWORKS - SHEET 1	4	A
0393	ROAD LAYOUT PLANS - EARTHWORKS - SHEET 2	5	A
0399	ROAD LONG SECTIONS - SHEET 1	6	A
0397	ROAD LONG SECTIONS - SHEET 2	7	A
0400	ROAD CROSS SECTIONS - SHEET 1	8	A
0401	ROAD CROSS SECTIONS - SHEET 2	9	A
0402	ROAD CROSS SECTIONS - SHEET 3	10	A
0403	ROAD CROSS SECTIONS - SHEET 4	11	A
0404	ROAD CROSS SECTIONS - SHEET 5	12	A
0405	ROAD CROSS SECTIONS - SHEET 6	13	A
0406	INTERSECTION DETAILS - SHEET 1	14	A
0407	INTERSECTION DETAILS - SHEET 2	15	A
0408	INTERSECTION DETAILS - SHEET 3	16	A
0409	BRANCHED LONG SECTIONS - SHEET 1	17	A
0409	BRANCHED LONG SECTIONS - SHEET 2	18	A
0410	BRANCHED LONG SECTIONS - SHEET 3	19	A
0411	BRANCHED LONG SECTIONS - SHEET 4	20	A
0412	BRANCHED LONG SECTIONS - SHEET 5	21	A
0413	BRANCHED LONG SECTIONS - SHEET 6	22	A
0414	BRANCHED LONG SECTIONS - SHEET 7	23	A
0415	OPEN DRAIN CROSS SECTIONS - SHEET 1	24	A
0416	OPEN DRAIN CROSS SECTIONS - SHEET 2	25	A
0417	OPEN DRAIN CROSS SECTIONS - SHEET 3	26	A
0418	PAYMENT AND TYPICAL DETAILS - SHEET 1	27	A
0419	SHOULDER AND UNIMPAVED - SHEET 1	28	A



SERVICE LOCATION TABLE

[illegible]

1. TELECOMMUNICATIONS AND ELECTRICITY CABLES TO BE CONSTRUCTED IN A COMMON TRENCH IN ACCORDANCE WITH ELECTRICITY STANDARDS 2063.
2. GAS AND WATER MAINS TO BE CONSTRUCTED IN A COMMON TRENCH.
3. 11' OFFSET FROM BACK OF KERB



WARNING

BEWARE OF UNDERGROUND/OVERHEAD SERVICES
THE LOCATION OF SERVICES ARE APPROPRIATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN. SPECIAL CONSIDERATION SHOULD BE GIVEN TO CONSTRUCTION PROCEDURES UNDER OVERHEAD ELECTRICITY TRANSMISSION LINES.

[illegible]

© Spore Australia Pty Ltd All Rights Reserved
This document is produced by Spore Australia Pty Ltd solely for the
benefit of individuals who are clients in accordance with the terms of the
relevant Spore Australia Pty Ltd share sale and will not constitute any
guarantee of liability or otherwise in any third party dispute, or
any claim or response to third party on the content of this document.

eris

10 UNIPOL STREET DENNISTON
VICTORIA 3200 AUSTRALIA T 03 5448 2500
F 03 5448 2501

Designed	M.RULE
Authorised	8.1895

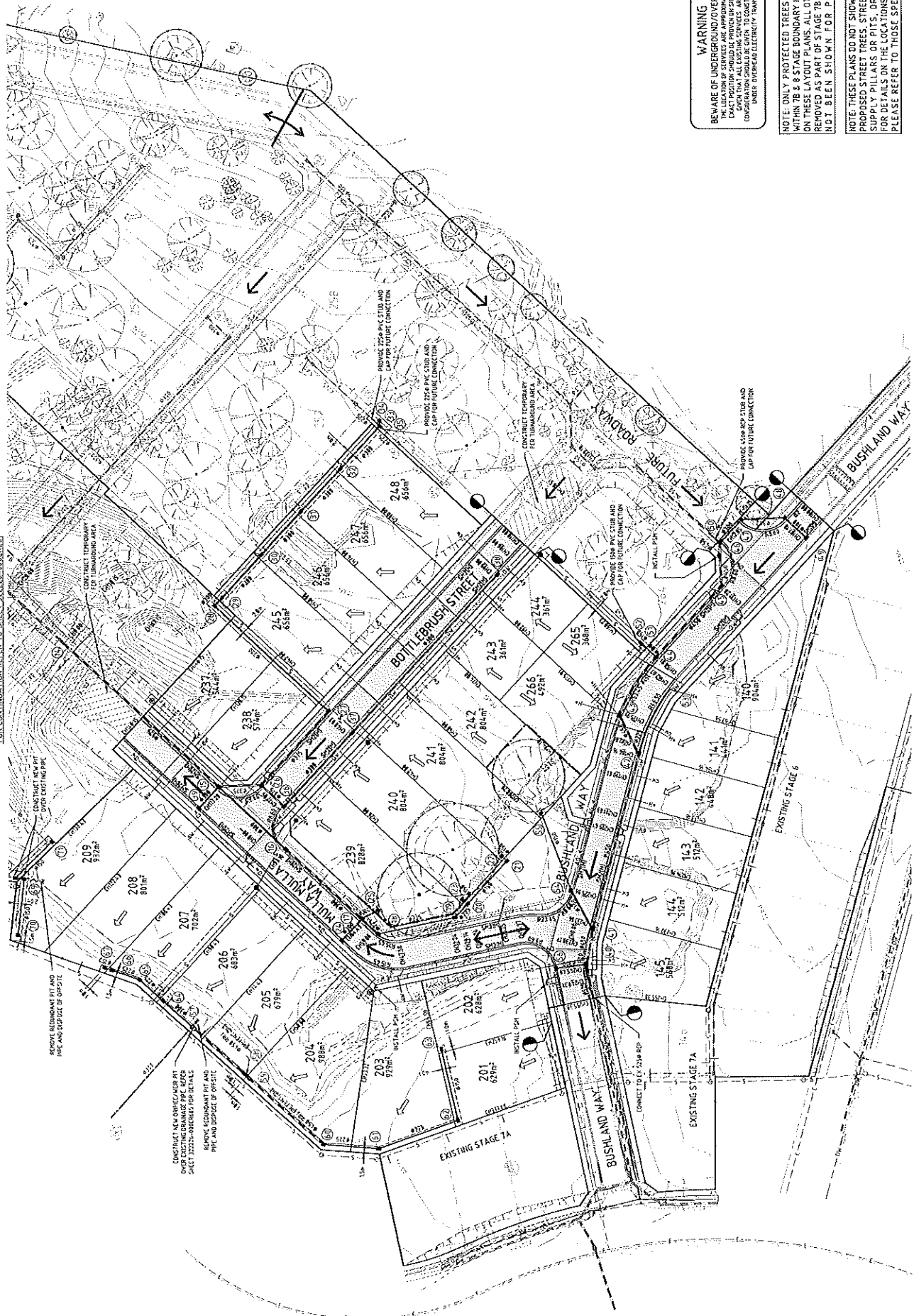
Checked
B. JBS
Date
OCT 2024

**GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD AND DRAINAGE
GENERAL NOTES - SHEET 1
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L**

PRELIMINARY



FOR CONTINUATION REFER TO SHEET 322226-000CR200



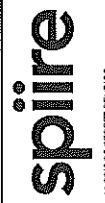
WARNING
BEWARE OF UNDERGROUND/OVERHEAD SERVICES
THE LOCATION OF SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVIDED ON SITE. NO GUARANTEE IS GIVEN THAT THE SERVICES WILL BE FOUND AT THE LOCATIONS SHOWN. CONSTRUCTION SHOULD BE OPEN TO CONSTRUCTION PROCEDURES UNDER OVERHEAD ELECTRICAL TRANSMISSION LINES.

NOTE ONLY PROTECTED TREES TO BE RETAINED
WITHIN 7.5 M STAKE BOUNDARY HAVE BEEN IDENTIFIED. ALL OTHER TREES TO BE REMOVED. THE LOCATION OF TREES TO BE REMOVED ARE NOT SHOWN FOR CLARITY.

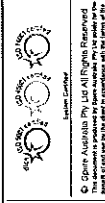
NOTE THESE PLANS DO NOT SHOW THE LOCATION OF PROPOSED STREET TREES, STREET LIGHTS, POWER SUPPLY PILLARS OR PITS, OR TELECOM PITS. FOR DETAILS ON THE LOCATIONS OF THESE ITEMS PLEASE REFER TO THOSE SPECIFIC DRAWINGS.

**GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD LAYOUT PLANS - SHEET 1
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L**

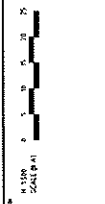
PRELIMINARY 322226-000CR200 A



10 BRIDGE STREET BENDIGO
VICTORIA 3550 AUSTRALIA T 61 3 5440 2500
spire@spire.com.au AIN 22 603 829 660



© Spire Australia Pty Ltd All Rights Reserved
This document is the property of Spire Australia Pty Ltd and is not to be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Spire Australia Pty Ltd.



Rev	Description	Approved	Date
A	PRELIMINARY ISSUE	D.J.	OCT 2024

Flow Amendments



NOTE: THESE PLANS DO NOT SHOW THE LOCATION OF PROPOSED STREET TREES, STREET LIGHTS, POWER SUPPLY PILLARS OR PITS, OR TELECOM PITS. FOR DETAILS ON THE LOCATIONS OF THESE ITEMS PLEASE REFER TO THOSE SPECIFIC DRAWINGS

PRELIMINARY 322225-000CR201 A

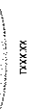


LEGEND

EXCAVATION GREATER THAN 200mm



FILLING GREATER THAN 200mm



TOP/TOE OF BATTER LEVEL



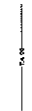
FINISHED SURFACE LEVELS (AT BOUNDARIES)



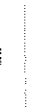
EXISTING SURFACE LEVELS (AT BOUNDARIES)



PROPOSED RETAINING WALL



EXISTING SURFACE CONTIGUE WALLS



EXISTING SURFACE CONTIGUE MINORS



CONTIGUES SHOWN AT 250mm INTERVAL



BUILDING ENVELOPES



PROTECTED FILL (TO BE RETAINED)



NOTE: EXCAVATION/FILL HATCHING AND EXISTING SURFACE LEVELS SHOWN REFER TO NATURAL SURFACE BELOW STOCKPILES.

WARNING

BEWARE OF UNDERGROUND/OVERHEAD SERVICES
THE LOCATION OF SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVIDED BY THE CLIENT. NO GUARANTEE IS GIVEN FOR THE ACCURACY OF THE INFORMATION PROVIDED. CONSTRUCTION SHOULD BE DONE TO CONSTRUCTION PROCEDURES UNDER OVERHEAD ELECTRICITY TRANSMISSION LINE.

FOR CONTINUATION REFER TO SHEET 322226-000CR202



16 BRIDGES STREET BENDIGO
VICTORIA 3550 AUSTRALIA T 61 3 5468 3500
spire@spire.au AIN 55 020 820 855

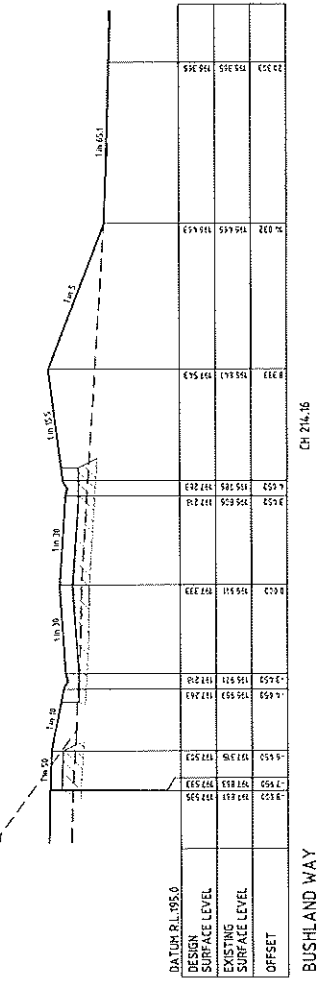
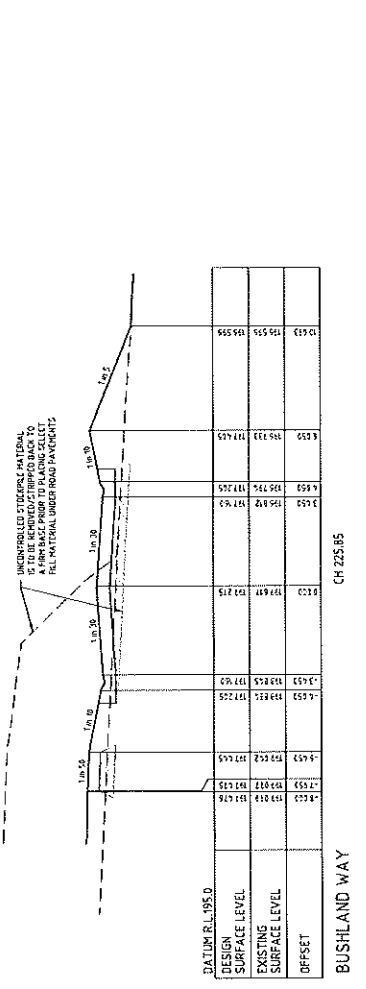
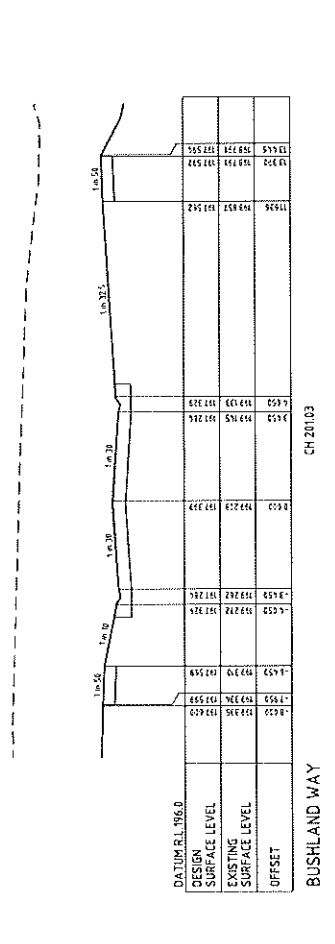
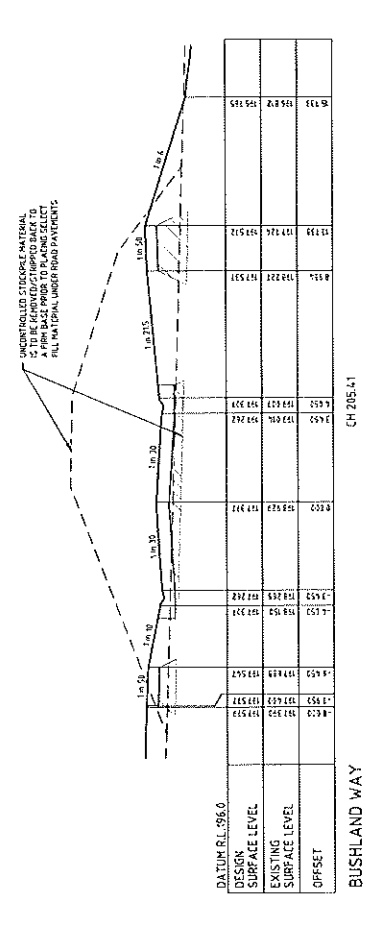
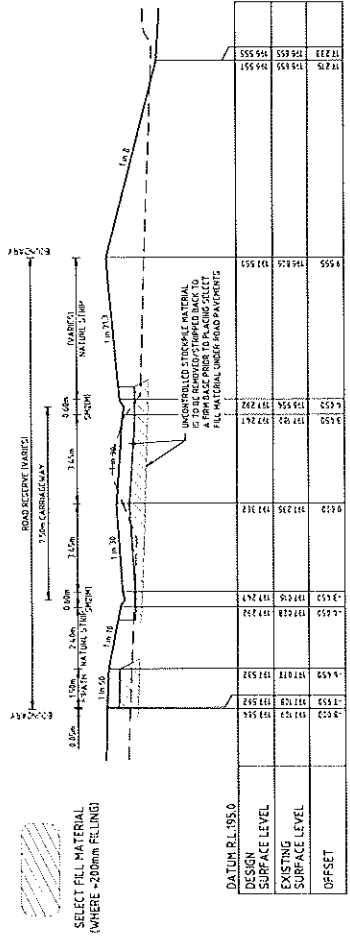
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire
spire is a registered trademark of spire

Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000
Scale 1:1000

Rev	Amendment	Date	Approved
A	PRELIMINARY ISSUE	01 OCT 2024	B.I.

GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD LAYOUT PLANS - EARTHWORKS - SHEET 2
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L
PRELIMINARY 322226-000CR203 A

Designed
M.R.U.E
Approved
B.I.B.B.S
Checked
B.I.B.B.S
Date
OCT 2024



16 BRIDGE STREET, DENBIGH
VICTORIA 3550 AUSTRALIA T 61 3 5446 2500
spire@spire.au

© Spire Australia Pty Ltd All Rights Reserved
This document is the property of Spire Australia Pty Ltd and is not to be reproduced or used in any form without the written permission of Spire Australia Pty Ltd. The user of this document acknowledges that they are using it for their own purposes and that they are not liable for any errors or omissions in the document.

Revised: 01 OCT 2024
Approved: B.I.BBS
Date: OCT 2024

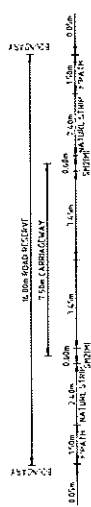
GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD AND DRAINAGE
ROAD CROSS SECTIONS - SHEET 2
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L

Designed: M.R.U.E
Checked: B.I.BBS
Approved: B.I.BBS
Date: OCT 2024

PRELIMINARY 322225-000CR401 A



SELECT FILL MATERIAL
(WHERE -200mm FILLING)



DATUM R.L. 196.0			
DESIGN SURFACE LEVEL	196.000	196.000	196.000
EXISTING SURFACE LEVEL	195.500	195.500	195.500
OFFSET	0.500	0.500	0.500

CH 255.38 (MATCH EXISTING ROADWAY)

BUSHLAND WAY

DATUM R.L. 196.0			
DESIGN SURFACE LEVEL	196.000	196.000	196.000
EXISTING SURFACE LEVEL	195.500	195.500	195.500
OFFSET	0.500	0.500	0.500

CH 249.31

BUSHLAND WAY

DATUM R.L. 195.0			
DESIGN SURFACE LEVEL	195.000	195.000	195.000
EXISTING SURFACE LEVEL	194.500	194.500	194.500
OFFSET	0.500	0.500	0.500

CH 238.17

BUSHLAND WAY

DATUM R.L. 197.0			
DESIGN SURFACE LEVEL	197.000	197.000	197.000
EXISTING SURFACE LEVEL	196.500	196.500	196.500
OFFSET	0.500	0.500	0.500

FUTURE ROADWAY

CH 14.25

DATUM R.L. 197.0			
DESIGN SURFACE LEVEL	197.000	197.000	197.000
EXISTING SURFACE LEVEL	196.500	196.500	196.500
OFFSET	0.500	0.500	0.500

FUTURE ROADWAY

CH 12.05



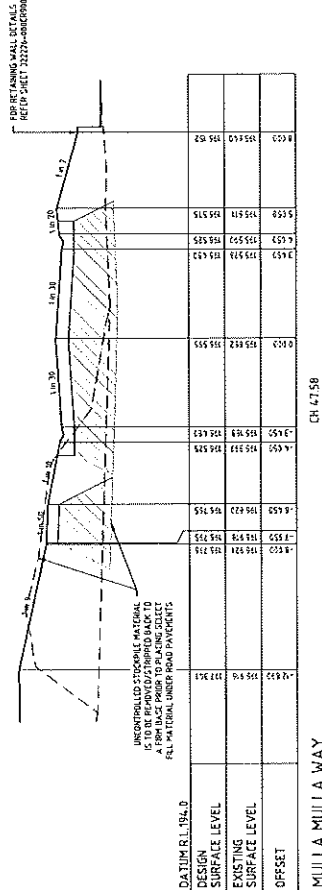
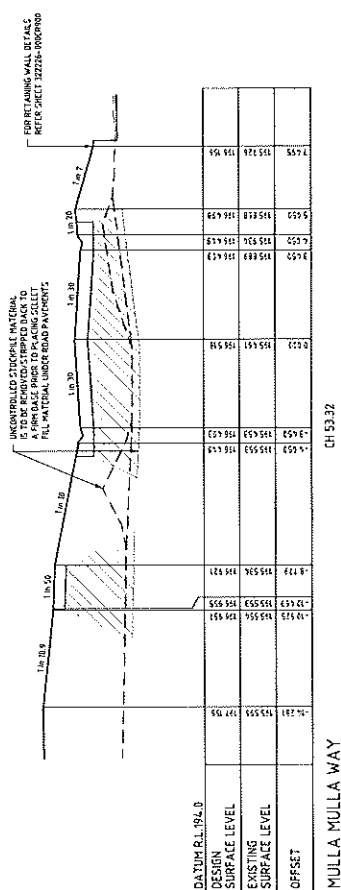
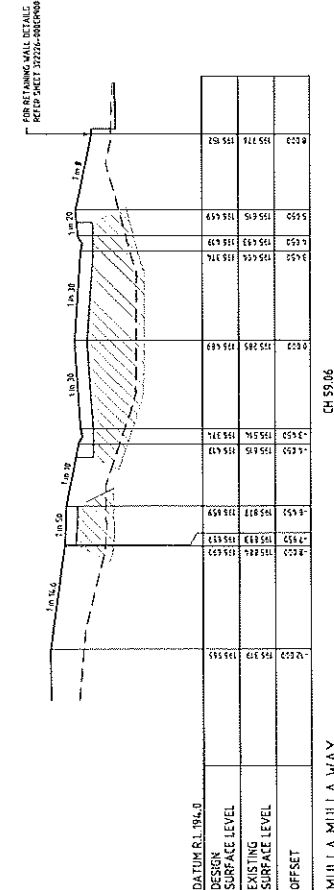
© Spire Australia Pty Ltd All Rights Reserved
No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Spire Australia Pty Ltd.

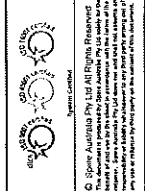
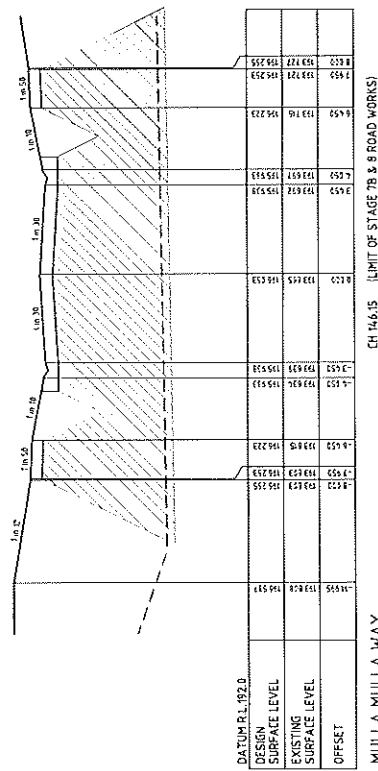
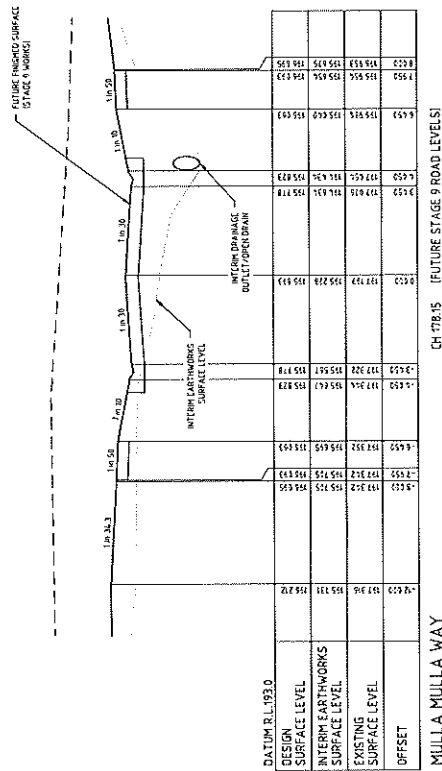
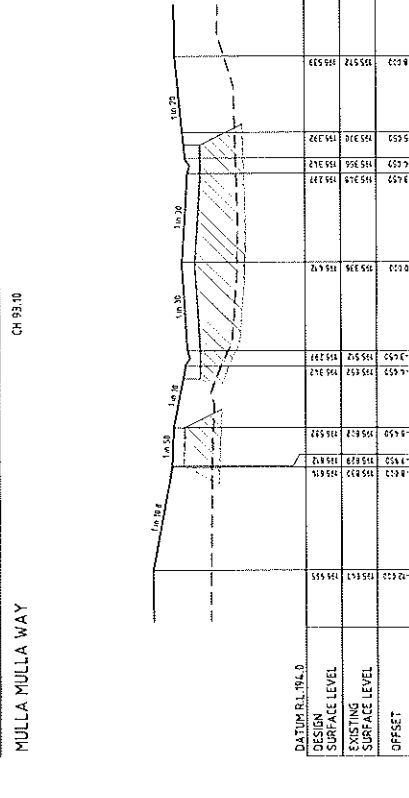
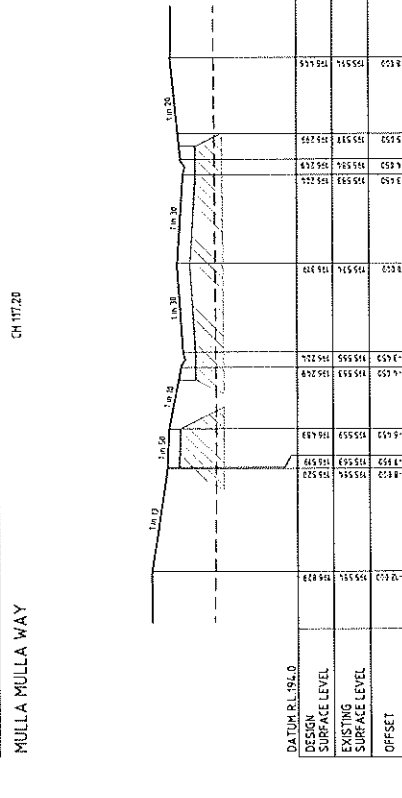
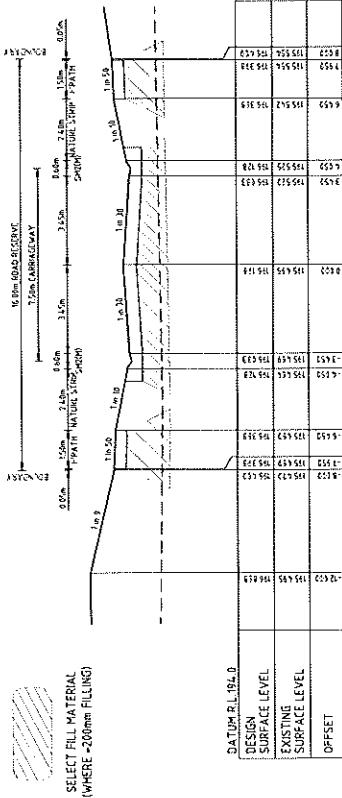
GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD CROSS SECTIONS - SHEET 3
CITY OF GREATER BENDIGO
WARRINGAL VIEWS PIL

Designed
M. RULE
Checked
B. IBBS
Date
OCT 2024

16 BRIDGE STREET BENDIGO
VICTORIA 3200 AUSTRALIA T 03 5440 2200
spire.austliamail.com.au AIN 25 056 000 000

PRELIMINARY 322226-000CR402 A



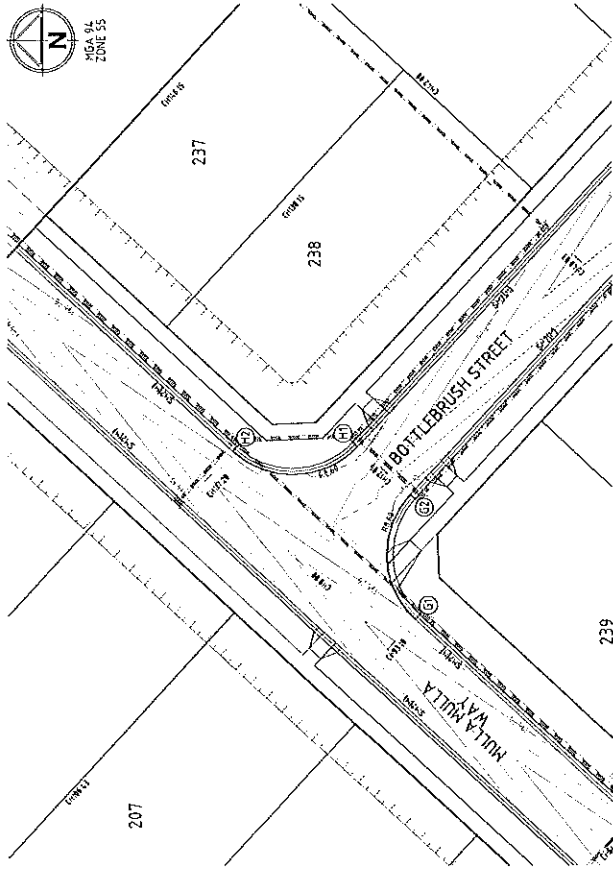


spire
10 URDICK STREET, BENDIGO
VICTORIA 3550 AUSTRALIA T 03 5446 2500
spire.com.au AIN 50 000 000 000

Designed: M. RUIZ
Checked: B. IBBS
Date: OCT 2024

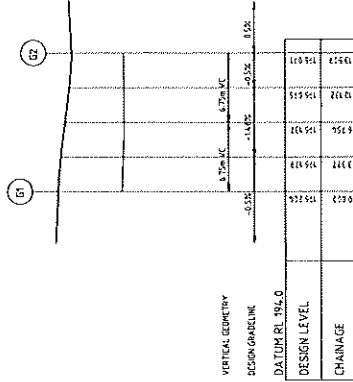
GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROAD AND DRAINAGE
ROAD CROSS SECTIONS - SHEET 5
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L

PRELIMINARY 322226-000CR404 A



SETOUT DETAIL PLAN

INTERSECTION OF MULLA MULLA WAY & BOTTLEBRUSH STREET

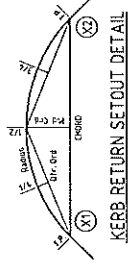


ALIGNMENT G

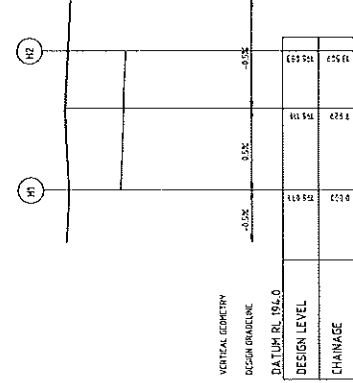
ALIGNMENT G

POINT NO	EASTING	NORTHING	RL	CHAINAGE
G1	257394.428	593428.339	196.071	0.000
G2	257397.176	593425.053	196.105	6.754
G3	257399.427	593422.026	196.089	13.509

VERTICAL GEOMETRY	DESIGN GRADELINE	DATUM RL 194.0	DESIGN LEVEL	CHAINAGE



KERB RETURN SETOUT DETAIL



ALIGNMENT H

ALIGNMENT H

POINT NO	EASTING	NORTHING	RL	CHAINAGE
H1	257394.428	593428.339	196.071	0.000
H2	257397.176	593425.053	196.105	6.754
H3	257399.427	593422.026	196.089	13.509

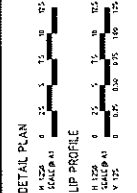
VERTICAL GEOMETRY	DESIGN GRADELINE	DATUM RL 194.0	DESIGN LEVEL	CHAINAGE



16 BRIDGE STREET DONDONO
VIC 3055 AUSTRALIA T 61 3 9448 2200
spire.com.au
ABN 55 000 029 025



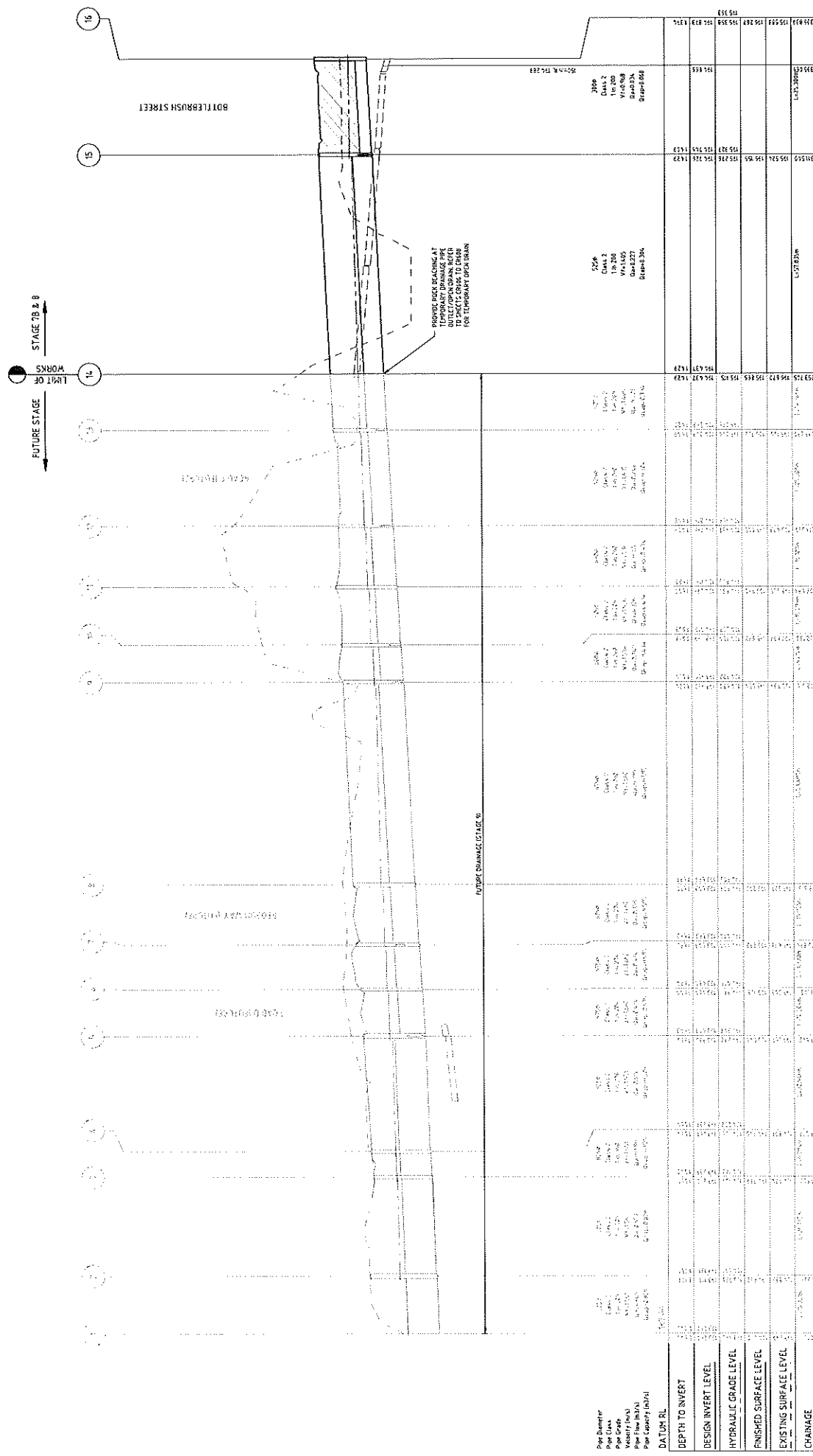
© Spire Consulting Pty Ltd All Rights Reserved
This drawing is the property of Spire Consulting Pty Ltd and is not to be used for any other purpose without the written consent of Spire Consulting Pty Ltd.



DATE	BY	CHECKED	APPROVED

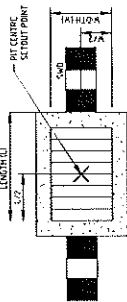
REVISION	DATE	BY	REASON
A	PRELIMINARY ISSUE	01	OCT 2024

GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY JACKASS FLAT
ROAD AND DRAINAGE
INTERSECTION DETAILS - SHEET 2
INTERSECTION OF BUSHLAND WAY
AND JACKASS FLAT
WARRINGAL VIEWS P/L
PRELIMINARY 322226-000CR501
A

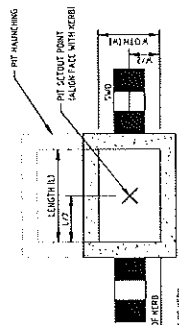
[illegible]

Drainage Notes

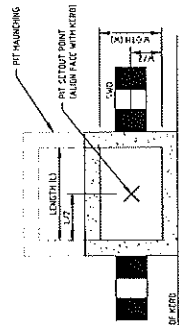
1. ALL DRAINAGE PIPES & PITS ARE TO BE AT 1% SLOPE TO PROPERTY BOUNDARIES UNLESS SHOWN OTHERWISE.
2. THE CONTRACTOR MUST CONSULT SERVING AUTHORITIES TO ARRANGE SERVICE LOCATIONS PRIOR TO IMPLEMENTATION OF ANY DRAINAGE WORK.
3. ALL PITS ARE TO BE CONSTRUCTED WITH THE CORNER OF THE MANHOLE AT THE PROPERTY CORNER OR ON THE STREET. GRATES ARE TO BE OF THE STANDARD TYPE. THE TOP OF ALL GRATES MUST BE AT THE FINISHED LEVEL. ALL PITS ARE TO BE CONSTRUCTED TO A MINIMUM OF CLASS C.
4. ALL SIDE ENTRY PITS IN RELEVANT KERS & CHANNELS ARE TO BE CONSTRUCTED USING AN APPROVED BELLOTTI TYPE LITTLE OR A UNIFORMED BELLOTTI TYPE PIT TO STANDARD SQUARE PROFILE PITS. UNITS ARE NOT ALLOWED.
5. TRENCHES WITHIN PAVEMENT OR PARALLEL TO PAVEMENT ARE TO BE CONSTRUCTED WITH 3% GENTLE SLOPED CLASS 1/2. THE TRENCH IS TO BE GRAVELLED IN NORMAL LANE AND CONCRETE.
6. ALL PIPE STUDIES ARE TO COMPLY WITH THE PIT LENGTH UNLESS SHOWN OTHERWISE.
7. FINISHED LEVELS FOR SIDE ENTRY PITS MUST BE DETERMINED FROM HIGH LEVELS AND SHOULD BE SLOPED TO SUIT A TYPICAL STREET CUT. THE CLASSIFICATION IN THE PIT SCHEDULES ARE NOT ABSOLUTE.
8. STEP BIRDS ARE NOT REQUIRED IN DRAINAGE PITS.
9. CONCRETE PIPES ARE TO BE CLASS 2 PER 5 PIPES AND PVC PIPES ARE TO BE CLASS 3 UNLESS OTHERWISE NOTED.
10. ALL DEWATERING PIPES DRAINAGE WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE VICTORIAN WATER ACT 1988.
11. REINFORCEMENT BARS SHALL COMPLY WITH AS/NZS 4673:1991. GRADE 601 LAPS IN REINFORCEMENT BARS SHALL BE 300 MM AND CLEAR COVER 50 MM.
12. CONCRETE SHALL BE NORMAL CLASS 30 STANDARD STRENGTH GRADE OR HIGHER, COMPLYING WITH THE REQUIREMENTS OF AS 3601.
13. CEMENTALS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE RELEVANT PROVIDING OF AS 3601.
14. DIRECT CONNECTION OF PVC HOUSE DRAIN TO RECEPTOR ARE TO BE CONSTRUCTED WITH "CONDUIT" OR APPROVED EQUIVALENT FITTING. "CONDUIT" PIPES ARE NOT TO BE DIRECTLY CONNECTED TO CONCRETE PIPES LESS THAN 150mm. ALL CONNECTIONS ARE TO BE MADE BY THE CONTRACTOR. THE CONNECTION IS NOT PRACTICAL, A REMOTE HOUSE CONNECTION PIPE MAY BE USED.
15. WHERE PVC HOUSE CONNECTIONS ARE MADE DIRECTLY TO PIPES, THE HOUSE CONNECTION IS TO BE BACKED TO SURFACE LEVEL WITHIN THE PROPERTY AND CAPPED AS PER 2242.
16. TRENCHES FOR PIPES, ANY DRAINAGE WORK, OR A CONDUIT, MUST BE COVERED BY A ROAD OR GRASS. IT IS REQUIRED TO BE FOR ALL TRENCHES, CONCRETE OR ASPHALT CAN BE USED PROVIDED APPROPRIATE TESTS ARE CARRIED OUT TO ENSURE SOAK COMPLETION IS ACHIEVED. TESTS TO BE CARRIED OUT AT A MINIMUM OF 100 mm OF TRENCH.
17. ALL PITS IN ROAD RESERVES ARE TO HAVE FIBREGLASS COVERS, PER CO 601 REQUIREMENTS.



TYPICAL DRAINAGE PIT SETOUT POINT 'A'
(DIM SD42, COB 57, DIM SD40, DIM SD41)
(NOT TO SCALE)

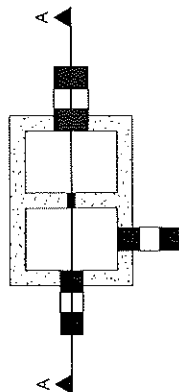


TYPICAL DRAINAGE PIT SETOUT POINT 'B'
(DIM SD43, DIM SD44)
(NOT TO SCALE)

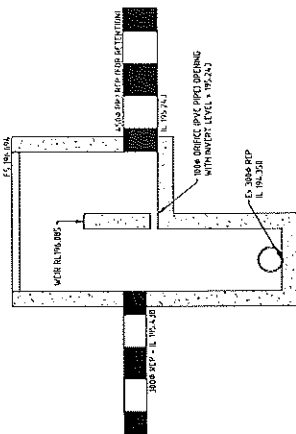


TYPICAL DRAINAGE PIT SETOUT POINT 'C'
(DIM SD48)
(NOT TO SCALE)

ORIFICE/WEIR PIT PLAN VIEW



PIT 57
(NOT TO SCALE)



ORIFICE/WEIR PIT SECTION A-A
PIT 57
(NOT TO SCALE)

Drainage Pit Schedule

No.	PIT TYPE	INTERNAL DIMENSIONS	INLET DIA	INLET LEVEL	OUTLET DIA	OUTLET LEVEL	DEPTH	REMARKS
14	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	CONCRETE DRAINAGE BOX, SLOPE 1% TO OUTLET
15	SIDE ENTRY PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
16	SIDE ENTRY PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
17	SIDE ENTRY PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
18	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
19	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
20	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
21	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
22	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
23	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
24	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
25	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
26	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
27	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
28	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
29	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
30	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
31	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
32	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
33	GRADED JUNCTION PIT	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
34	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	PROVIDE 2100 FOR FUTURE CONNECTION
35	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	PROVIDE 2100 FOR FUTURE CONNECTION
36	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
37	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
38	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
39	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
40	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
41	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
42	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
43	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
44	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
45	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
46	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
47	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
48	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
49	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
50	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
51	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
52	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
53	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
54	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
55	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
56	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
57	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
58	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
59	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
60	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
61	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
62	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
63	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
64	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
65	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
66	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
67	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
68	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
69	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
70	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204
71	ENVELOPE	600 x 600	525	100.437	525	100.437	1.25	REFER TO DIM STANDARD DRAINAGE 204

spire

16 BRIDGE STREET BENDIGO
VICTORIA 3550 AUSTRALIA T 03 5448 2500
spire@spire.com.au ADV 050 000 000 000

© Spire Australia Pty Ltd All Rights Reserved
This document is the property of Spire Australia Pty Ltd and is to be used in accordance with the terms of the license of use. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Spire Australia Pty Ltd.

NOT TO SCALE

Rev	Amendments	Approved	Date
A	PRELIMINARY ISSUE	0.1	OCT 2024

Checked
B.1BBS
Date
OCT 2024

Designed
M. PULE
Authorised
B.1BBS

GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
RURAL DRAINAGE
DRAINAGE PIT SCHEDULE & TYPICAL DETAILS - SHEET 1
CITY OF GREATER BENDIGO
WARRING VIEWS P/L
PRELIMINARY 322226-000CR605
Rev A

NOTE: EXISTING SURFACE LEVELS
SHOWN IN THIS DRAWING ARE
ASSUMED TO BE THE SAME AS
NATURAL SURFACE AS PART OF THE
SUBS EARTHWORKS PRIOR TO
CONSTRUCTION OF THIS OPEN DRAIN

OPEN DRAIN TO DISCHARGE INTO
EXISTING OPEN DRAIN AND
CONCRETE DRAINAGE

VERTICAL GEOMETRY

DESIGN GRADELINE

DATUM RL 192.5

DESIGN CENTRELINE

LEFT DESIGN TOE OF OPEN DRAIN

RIGHT DESIGN TOE OF OPEN DRAIN

EX SURFACE LEFT TOP BATTER

EX SURFACE RIGHT TOP BATTER

EX SURFACE CENTRELINE

CHANGING

OPEN DRAIN

VERTICAL GEOMETRY

DESIGN GRADELINE

DATUM RL 192.5

DESIGN CENTRELINE

LEFT DESIGN TOE OF OPEN DRAIN

RIGHT DESIGN TOE OF OPEN DRAIN

EX SURFACE LEFT TOP BATTER

EX SURFACE RIGHT TOP BATTER

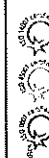
EX SURFACE CENTRELINE

CHANGING

OPEN DRAIN

NOTE: EXISTING SURFACE LEVELS
SHOWN IN THIS DRAWING ARE
ASSUMED TO BE THE SAME AS
NATURAL SURFACE AS PART OF THE
SUBS EARTHWORKS PRIOR TO
CONSTRUCTION OF THIS OPEN DRAIN

OPEN DRAIN FROM INVERT
OF PHOTO DRAINAGE



Spire Australia Pty Ltd All Rights Reserved
This drawing is the property of Spire Australia Pty Ltd and is not to be used for any other purpose without the written consent of Spire Australia Pty Ltd. The user of this drawing is to be held responsible for any errors or omissions and for any consequences arising from the use of this drawing.



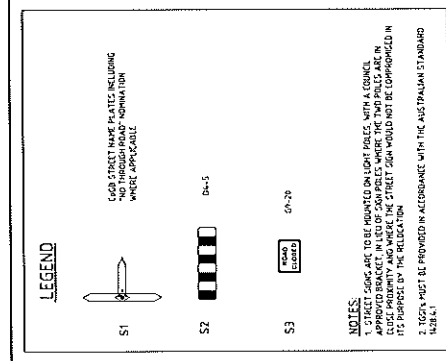
16 BRIDGE STREET BENDIGO
VICTORIA 3220 AUSTRALIA Tel 3 548 2500
spire.com.au AIN 22 002 026 026

Checked
M. RULE
Authorised
B. IBBS

Checked
B. IBBS
Date
OCT 2024

GOLDEN GROVE STAGE 7B AND 8
BUSHLAND WAY, JACKASS FLAT
ROUND DRAINAGE
OPEN DRAIN LONG SECTIONS - SHEET 1
CITY OF GREATER BENDIGO
WARRINGAL VIEWS P/L

PRELIMINARY 322226-000CR06 A

[illegible]

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

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:	J + K LAW
Phone:	(03) 5446 2353
Address:	20 PANTON STREET, EAGLEHAWK VIC 3556
Reference:	KP:GE:215058
Customer code:	

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Definitions:

benefited land means all lots on the plan other than the burdened land.

burdened land means the land hereby transferred.

lot means a lot on the plan.

plan means the relevant plan of subdivision for a particular lot which incorporates this memorandum of common provisions.

transferor means the transferor on the transfer of land which incorporates this memorandum of common provisions.

Provisions:

The provisions of this memorandum of common provisions are incorporated into the covenants created by the transfer of land.

The owner of the burdened land covenants for himself or herself, his or her executors, administrators and assigns and as a separate covenant with the owner or owners for the time being of the benefited land that:

1. That no single storey dwelling constructed on the lot shall be other than of new materials with not less than 70% of the external walls (excluding windows) being clay brick, clay brick veneer, brick cement render, concrete masonry with a rendered finish or lightweight cladding material,.
2. That no multi-storey dwelling constructed on the lot shall be other than of new materials with not less than 50% of the external walls (excluding windows) being clay brick, clay brick veneer, brick cement render, concrete masonry with a rendered finish or lightweight cladding material, except with the consent of the transferor.

35271702A

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.

91ATLA

Page 1 of 6

THE BACK OF THIS FORM MUST NOT BE USED

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

Memorandum of common provisions

Section 91A Transfer of Land Act 1958

3. That no dwelling shall be constructed on any lot, excepting lots 243-244 and 265-266, unless the floor area of the dwelling (including the outer walls but excluding the area of garages, carports, terraces, pergolas and/or verandas) is not less than 120 square metres,.
4. That no dwelling shall be constructed on lots 243-244 and 265-266, unless the floor area of the dwelling (including the outer walls but excluding the area of garages, carports, terraces, pergolas and/or verandas) is not less than 100 square metres.
5. That no dwelling shall be constructed on a lot unless such dwelling has an enclosed garage (of a minimum size to accommodate not less than two (2) motor vehicles) under the roof structure of the dwelling, of new materials and a roller door or panel lift door.
6. That no dwelling shall be constructed on a lot with roofing of a reflective material of any type and must consist of Colorbond type material or roofing tiles,.
7. That no dwelling shall be constructed on a lot unless the airconditioning units and exposed componentry are located below the roof line and mounted on the rear aspect of the dwelling.
8. That no dwelling shall be constructed on a lot unless it complies with the Bushfire Management Plan contained at **Annexure A**, which form part of this memorandum of common provisions.
9. That no dwelling shall be constructed on a lot unless it is constructed within the building envelope shown on the Bushfire Management Plan for the lot.
10. That no shed or other outbuilding constructed on the lot shall be other than of new materials and not partly or wholly of reflective material of any type, including galvanised iron cladding, aluminium cladding or zincalume cladding and shall not be larger than 40 square metres except for lots 140, 203, 204, 208 and 209, which may have a shed of up to 54 square metres.
11. That no fence shall be erected on a lot unless it complies with the Golden Grove Stages 7B-8 Fencing Guidelines as amended from time to time, except for any temporary builder's fencing required at law during the construction of a dwelling on the lot.
12. That no fence erected on a lot shall be other than of new materials consisting of double sided Colorbond steel panels in the colour of "Woodland Grey" in matt finish except for any temporary builder's fencing required at law during the construction of a dwelling on the lot.
13. That no fence shall be erected on the front boundary of any lot except for any temporary builder's fencing required at law during the construction of a dwelling on the lot, except for lots 239, 240, 241 and 242 which may have a fence on the Bushland Way and Mulla Mulla Way frontage and except for Lot 140 which may have a fence on the Bushland Way

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

frontage for part of its frontage length in accordance with the Golden Grove Stages 7B-8 Fencing Guidelines as amended from time to time.

14. That no fence erected on a lot shall exceed the height of two (2) metres.
15. That no water tank installed on a lot shall be other than of new materials and consisting of Colorbond steel or painted concrete water tank and in accordance with the Bushfire Management Plan.
16. That no shipping containers or relocatable buildings shall be allowed to be kept or stored at the lot.
17. That no tent, caravan, camper trailer or other form of portable accommodation be kept or stored at the lot, unless the said tent, caravan, camper trailer or other form of portable accommodation is not visible from the street boundary of the lot.
18. That no shed or other outbuilding constructed on the lot or any tent, caravan, camper trailer or other form of portable accommodation kept or stored at the lot be used for residential or business purposes, except for any permitted home office approved by the relevant authority.
19. That no lot shall be further subdivided or have more than one (1) dwelling constructed on the lot save and except for a "granny flat" or small dwelling in accordance with the City of Bendigo planning scheme.
20. That no dwelling shall be constructed on any lot unless the dwelling is connected to Coliban Water's recycled water system for the purposes of toilet flushing and all fixed and mobile gardening watering devices and otherwise comply with Conditions of connections for dual pipe areas within Coliban Water.

It is agreed that the foregoing covenants shall:

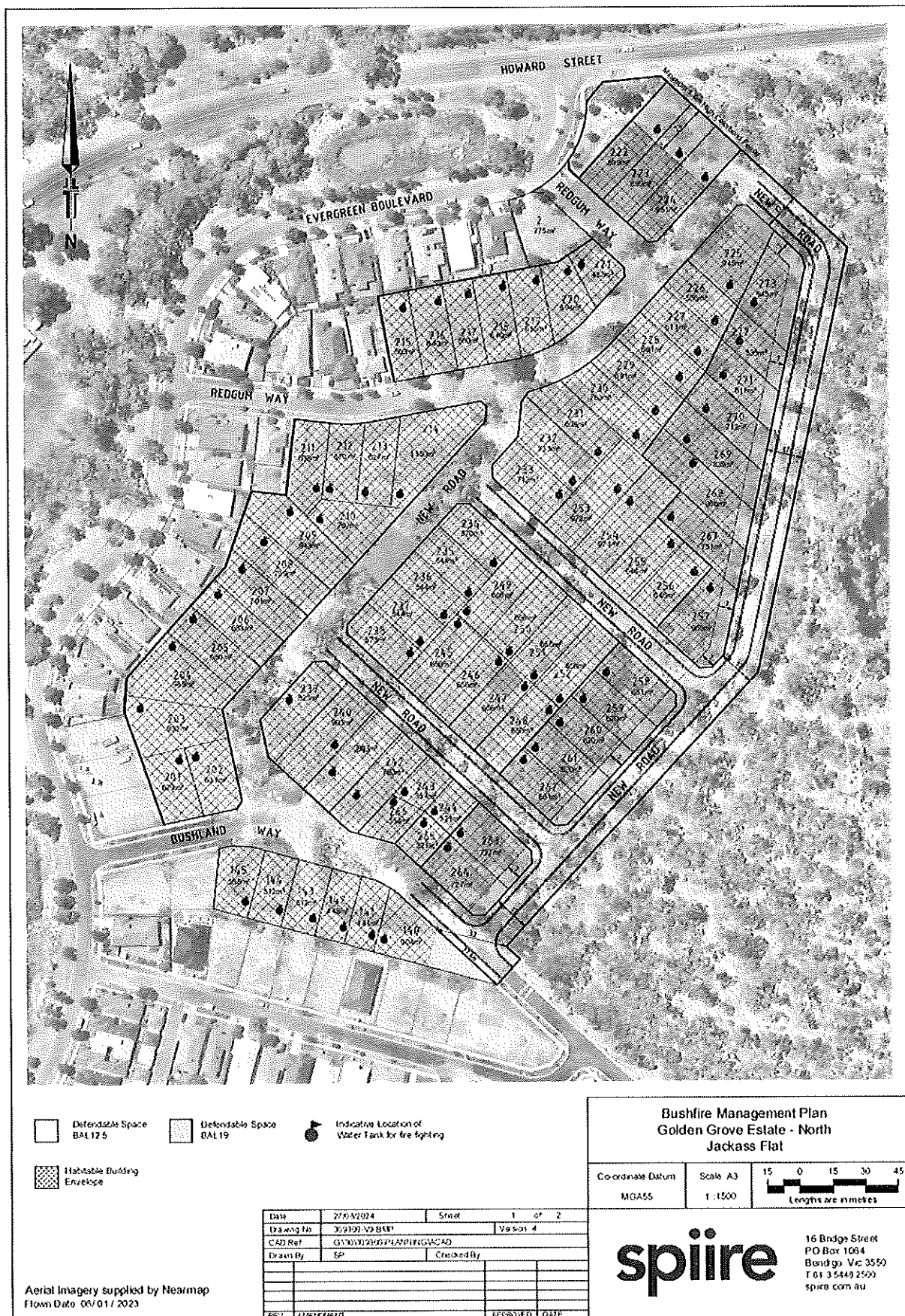
- (a) be noted on and appear on every further Certificate of Title for the lots as an encumbrance affecting the lots; and
- (b) expire on **31 December 2034**.

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

ANNEXURE A – BUSHFIRE MANAGEMENT PLAN

Memorandum of common provisions

Section 91A Transfer of Land Act 1958



91ATLA

Page 5 of 6

THE BACK OF THIS FORM MUST NOT BE USED

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

V3

Memorandum of common provisions

Section 91A Transfer of Land Act 1958

GENERAL

- 1 All dimensions shown are in metres
- 2 The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

DEFENDABLE SPACE

- 3 Defensible space is to be provided to a distance of 30 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 140-145, 201-221, 226-236 and 266-269.
- And
- 4 Defensible space is to be provided to a distance of 20 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 222-225, 257-264 and 267-273.
- 5 Vegetation (including farm trees and shrubs) for all lots is to be managed in accordance with the following requirements:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or other glass feature of the building.
 - Shrubs must not be located under the canopy of trees.
 - Individual and clumps of shrubs must not exceed 5sq metres in area and must be separated by at least 5 metres.
 - Trees must not overhang or touch any elements of the building.
 - The canopy of trees must be separated by at least 5 metres.
 - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

CONSTRUCTION STANDARDS

- 6 Dwelling within Lots 140-145, 201-221, 226-236 and 266-269 must be constructed to an Australian Bushfire Attack Level of 12.5 (BAL12.5).
- 7 Dwelling within Lots 222-225, 257-264 and 267-273 must be constructed to a minimum Bushfire Attack Level of 15 (BAL15).

WATER SUPPLY

- 8 2 500 litres of effective water supply for firefighting purposes must be provided within Lots 141-142, 243, 244, 265 & 266 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All feed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies).
- 9 5 000 litres of effective water supply for firefighting purposes must be provided within Lots 146, 147, 148, 215-247, 248-264, 247-273 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All feed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies).
- 10 10 000 litres of effective water supply for firefighting purposes must be provided within Lot 214 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All feed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies).
 - Be located within 60 metres of the outer edge of the approved building.
 - The outlets of the water tank must be within 4 metres of the accessway and unobstructed.
 - Be readily accessible for the building or appropriate distribution system to the satisfaction of CFA in writing.
 - Incorporate a separate ball or gate valve (British Standard Pipe - BSP 65mm) and coupling (64mm CFA 3 thread per inch male fitting).
 - Any pipework and fittings must be a minimum of 65mm (excluding the CFA coupling).

ACCESS

- 11 Access for firefighting purposes must be provided within Lot 214 which meets the following requirements:
 - Access must have a least of not less than 15 tonnes.
 - Curb must have a minimum clearance of 10m.
 - The surface of the driveway must be at least 1 in 7 (14.4 percent) (5 degrees) with a maximum of no more than 1 in 20 percent (11.3 degrees) for no more than 5m.
 - Have a minimum cable width of 3.5m of an overhead obstruction.
 - Be clear of obstructions for at least 0.5m on each side and 4m above the accessway.
 - Do not have more than a 1 in 8 (12.5 percent) (7.1 degrees) entry and exit angle.

Bushfire Management Plan Golden Grove Estate - North Jackass Flat

Coordinate Datum
MGA55

Scale: A3
1:1500

15 0 15 30 45
Lengths are in metres

Date	27/09/2024	Sheet	2	of	2
Drawing No	307/2023/20 BMD	Version	4		
CAD Ref	GMW04/08M-PLAN/NGWACAD				
Drawn By	SP	Checked By			
REV	2/28/2024	APPROVED	DATE		

spiire

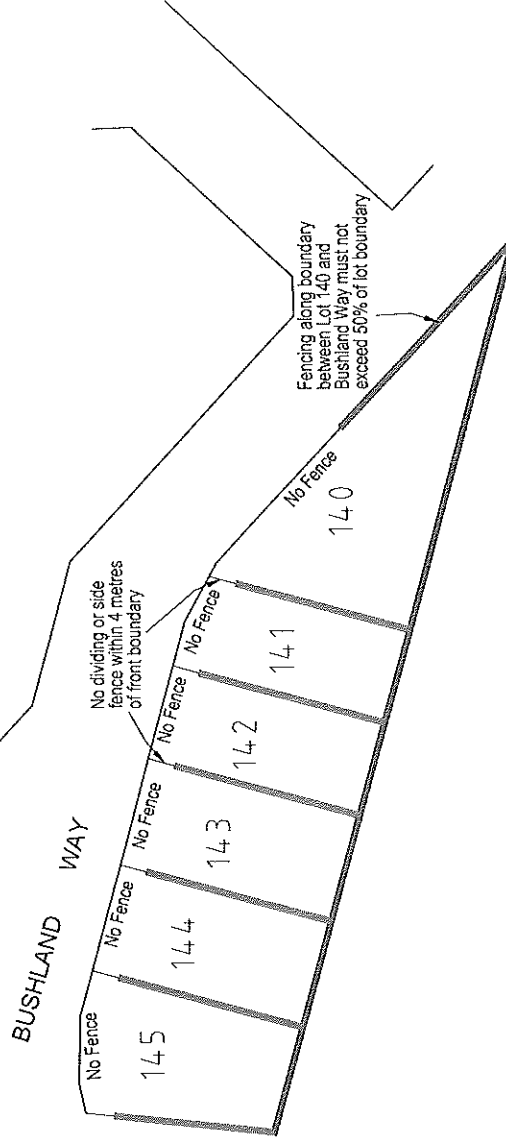
16 Bridge Street
PO Box 1054
Bondi Go VIC 3550
T 61 3 5443 2500
spiire.com.au



Colorbond Steel Panel Fencing

NOTES

1. Fences must be built with new materials consisting of double sided Colorbond steel panels in the colour of "Woodland Grey" in matt finish except for any temporary builder's fencing required at law during the construction of a dwelling on the lot.
2. No fence shall be erected on the front boundary of any lot except for any temporary builder's fencing required at law during the construction of a dwelling on the lot, except for lots 239, 240, 241 and 242 which may have a fence on the Bushland Way and Mulla Mulla Way frontage and except for Lot 140 which may have a fence on the Bushland Way frontage for part of its frontage length in accordance with the Golden Grove Stages 7B-8 Fencing Guidelines as amended from time to time.
3. No side or dividing boundary fencing is permitted within 4 metres of the front boundary along any road frontage, with the exception of the following:
 - The south boundary of Lot 203;
 - The southeast boundary of Lot 244;
 - The northwest boundary of Lot 245;
 - The southeast boundary of Lot 248;
 - The southeast boundary of Lot 265; and
 - The northwest boundary of Lot 266.
4. Fences shall not exceed the height of two (2) metres.



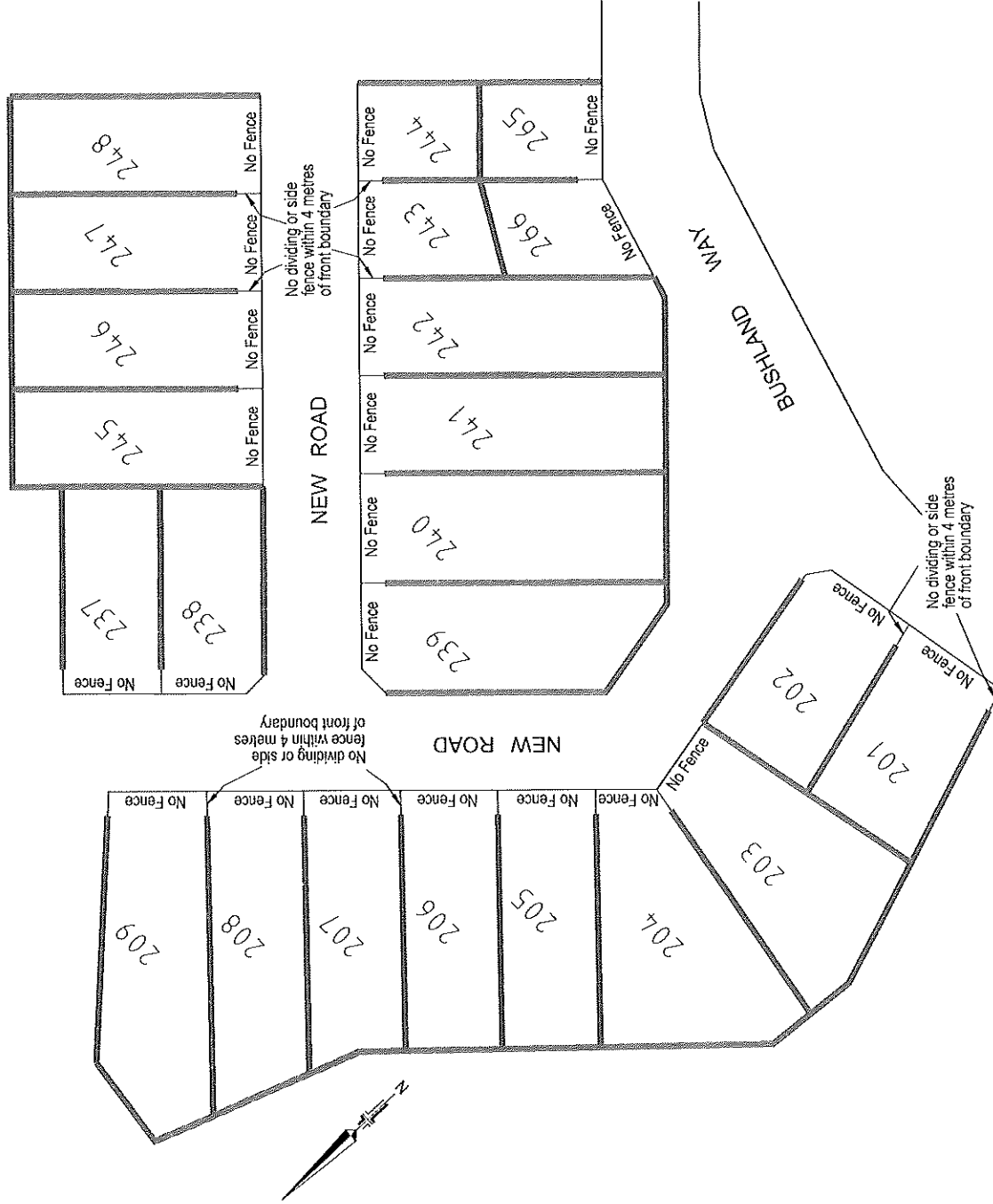
Fence Guidelines Golden Grove Estate Stage 7B & Stage 8

Co-ordinate Datum	Scale A3	7.5	0	7.5	15	22.5
MGA55	1 : 750					

Date	19/08/2024	Sheet	1 of 2
Drawing No.	309300-VB-FENCE-ST7B	Version	3
CAD Ref.	G:\30309300\PLANNING\ACAD	Checked By	RJ
Drawn By	SP	APPROVED	DATE
REV	AMENDMENT		

16 Bridge Street
PO Box 1064
Bendigo Vic 3550
T 61 3 3448 2500
spire.com.au

spire



Colorbond Steel Panel Fencing

NOTES

- Fences must be built with new materials consisting of double sided Colorbond steel panels in the colour of "Woodland Grey" in matt finish except for any temporary builder's fencing required at law during the construction of a dwelling on the lot.
- No fence shall be erected on the front boundary of any lot except for any temporary builder's fencing required at law during the construction of a dwelling on the lot, except for lots 239, 240, 241 and 242 which may have a fence on the Bushland Way and Mulla Mulla Way frontage and except for Lot 140 which may have a fence on the Bushland Way frontage for part of its frontage length in accordance with the Golden Grove Stages 7B-8 Fencing Guidelines as amended from time to time.
- No side or dividing boundary fencing is permitted within 4 metres of the front boundary along any road frontage, with the exception of the following:
 - The south boundary of Lot 203;
 - The southeast boundary of Lot 244;
 - The northwest boundary of Lot 245;
 - The southeast boundary of Lot 248;
 - The southeast boundary of Lot 265; and
 - The northwest boundary of Lot 266.
- Fences shall not exceed the height of two (2) metres.

Fence Guidelines Golden Grove Estate - Stage 8

Co-ordinate Datum	Scale	A3	7.5	0	7.5	15	22.5
MCA55	1:750						

Lengths are in metres

Date	19/09/2024	Sheet	2	of	2
Drawing No.	309300-V9-FENCE-ST8	Version	3		
CAD Ref.	G:309300300PLANNINGACAD	Checked By	SP		
Drawn By					
REV	AMENDMENT	APPROVED	DATE		

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

spire



Defendable Space
BAL12.5

Defendable Space
BAL19



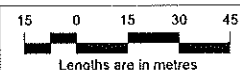
Indicative Location of
Water Tank for fire fighting

Habitable Building
Envelope

Bushfire Management Plan Golden Grove Estate - North Jackass Flat

Co-ordinate Datum
MGA55

Scale A3
1:1500



Aerial Imagery supplied by Nearmap
Flown Date: 06/01/2023

Date	27/09/2024	Sheet	1 of 2
Drawing No.	309300-V9-BMP	Version	4
CAD Ref.	G:\309300\PLANNING\CAD		
Drawn By	SP	Checked By	
REV	AMENDMENT	APPROVED	DATE

spiire

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

GENERAL

1. All dimensions shown are in metres.
2. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

DEFENDABLE SPACE

3. Defendable space is to be provided for a distance of 33 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 140-145, 201-221, 226-256 and 265-266.
And
4. Defendable space is to be provided for a distance of 24 metres within and around the building envelopes (or to the property boundary, whichever is the lesser distance) for Lots 222-225, 257-264 and 267-273.
5. Vegetation (and other flammable materials) for all Lots will be modified and managed in accordance with the following requirements:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or other glass feature of the building.
 - Shrubs must not be located under the canopy of trees.
 - Individual and clumps of shrubs must not exceed 5sq metres in area and must be separated by at least 5 metres.
 - Trees must not overhang or touch any elements of the building.
 - The canopy of trees must be separated by at least 5 metres.
 - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

CONSTRUCTION STANDARDS

6. Dwellings within Lots 140-145, 201-221, 226-256 and 265-266 must be constructed to a minimum Bushfire Attack Level of 12.5 (BAL12.5).
7. Dwellings within Lots 222-225, 257-264, and 267-273 must be constructed to a minimum Bushfire Attack Level of 19 (BAL19).

WATER SUPPLY

8. 2,500 litres of effective water supply for fire fighting purposes must be provided within Lots 141-142, 243, 244, 265 & 266 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies).
9. 5,000 litres of effective water supply for fire fighting purposes must be provided within Lots 140, 143-145, 215-242, 245-264, 267-273 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies).
10. 10,000 litres of effective water supply for fire fighting purposes must be provided within Lot 214 which meets the following requirements:
 - Stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
 - Include a separate outlet for occupant use (the water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies).
 - Be located within 60 metres of the outer edge of the approved building.
 - The outlet(s) of the water tank must be within 4 metres of the accessway and unobstructed.
 - Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
 - Incorporate a separate ball or gate valve (British Standard Pipe - BSP65mm) and coupling (64mm CFA 3 thread per inch male fitting).
 - Any pipework and fittings must be a minimum of 65mm (excluding the CFA coupling).

ACCESS

11. Access for fire fighting purposes must be provided within Lot 214 which meets the following requirements:
 - Access must have a load limit of at least 15 tonnes.
 - Curves must have a minimum inner radius of 10m.
 - The average grade must be no more than 1 in 7 (14.4 percent) (8.1 degrees) with a maximum of no more than 1 in 20 percent (11.3 degrees) for no more than 50m.
 - Have a minimum trafficable width of 3.5m of all-weather construction.
 - Be clear of encroachments for at least 0.5m on each side and 4m above the accessway.
 - Dips must have no more than a 1 in 8 (12.5 percent) (7.1 degrees) entry and exit angle.

Bushfire Management Plan Golden Grove Estate - North Jackass Flat

Co-ordinate Datum
MGA55

Scale A3
1:1500

15 0 15 30 45
Lengths are in metres

Date	27/08/2024	Sheet	2 of 2
Drawing No.	309300-V9-BMP	Version	4
CAD Ref.	G:\30\309300\PLANNING\CAD		
Drawn By	SP	Checked By	
REV	AMENDMENT	APPROVED	DATE

spiire

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



NOTES
THIS IS A PRELIMINARY PLAN OF SUBDIVISION PREPARED FOR
INFORMATION AND PLANNING APPLICATION PURPOSES ONLY
ALL DIMENSIONS ARE SUBJECT TO SURVEY AND FINAL DESIGN
AND SERVICING STRATEGY



BUILDING ENVELOPE

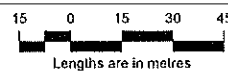


DESIGN & DEVELOPMENT
OVERLAY (DDO) BOUNDARY

Building Envelope Plan
Design & Development Overlay (DDO6)
Golden Grove Estate - North

Co-ordinate Datum
MGA55

Scale A3
1:1500



Date	27/08/2024	Sheet	1 of 1
Drawing No.	309300-V9-DDO	Version	4
CAD Ref.	G1301309300/PLANNING/CAD		
Drawn By	SP	Checked By	
REV	AMENDMENT	APPROVED	DATE

spiire

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



SALINITY MANAGEMENT GUIDELINES

EVERGREEN WATERS ESTATE
INCORPORATING
GOLDEN GROVE – STAGES 4,5,6,7 & 8
JACKASS FLAT

PREPARED BY SIMONDS DEVELOPMENTS – AUGUST 2011

TABLE OF CONTENTS

1	Introduction
2	Groundwater Investigation Report
3	Salinity Management Guidelines

1. INTRODUCTION

Planning Permits AM/226/2010 and AM/904/2011, issued by the City of Greater Bendigo, give conditional approval for the development of Golden Grove Estate. Both Planning Permits contain conditions relating to the testing for saline groundwater and the provision of guidelines to stipulate geotechnical standards for the construction of dwellings on land where testing shows that saline groundwater is present at a depth of between 1.6m – 2.5m.

In accordance with these conditions the Salinity Management Guidelines for the Evergreen Waters Estate (which incorporates the Golden Grove Estate) was approved by the City of Greater Bendigo. A copy of these overall guidelines is found at section 3 of these guidelines.

The Planning Permits require an agreement under Section 173 of the *Planning and Environment Act 1987* is to be registered on the Titles for each relevant lot which stipulates that:

1. *Dwellings on lots affected by saline groundwater, where the depth to the water table is 1.6m-2.5m, will be constructed in accordance with the guidelines approved under this permit.*
2. *No dwellings will be constructed on lots where the depth to the water table is 0m-1.5m.*

1.1 Summary of Guidelines

In accordance with the above requirements a Groundwater Investigation Report has been prepared by Geotechnical Testing Services (GTS), a copy of which is found at section 2 of these guidelines.

Boreholes have been excavated within the area identified as **Stages 4, 5, 6, 7 & 8** of the Golden Grove Estate as follows:

- ▶ Stage 4 – Borehole 6 (BH6)
- ▶ Stage 5 – Borehole 7 (BH7)
- ▶ Stage 6 – Borehole 8 (BH8)
- ▶ Stage 7 – Boreholes 10, 11 & 15 (BH10, BH11 & BH15)
- ▶ Stage 8 – Boreholes 12, 13, 14 (BH12, BH13 & BH14)

The findings of the GTS report indicates that no shallow groundwater (less than 3 metres) is present within the confines of the areas identified.

Based on these findings the specific construction standards as detailed within the Salinity Management Guidelines, at section 3 of this report, are not necessary on any lots within stages 4-8 of the Golden Grove Estate.

2. GROUNDWATER INVESTIGATION REPORT

Golden Grove Estate Jackass Flat

Groundwater Investigation for Warringal Views P/L

Report 20C 0155
March, 2020



GTS
GEOTECHNICAL TESTING SERVICES

Golden Grove Estate

Groundwater Investigation for Warringal Views P/L

Revision

Revision	Date	Authorised
20C 0155	16/03/20	BAB

Distribution (this revision only)

Recipient	Format	Date
GTSS	On file	16/03/2020
Warringal Views P/L c/- Spiire Attn: Brendan Ibbs	Email PDF	16/03/2020

Sandhurst Geotech Pty Ltd, Trading as Geotechnical Testing Services – Southern. ABN: 18 169 924 109 ACN: 169 924 109

Email: info@gts.com.au; Ph: 03 5441 4881; Fax: 03 5441 5089; Mail Address: PO Box 13, STRATHDALE, Vic, 3550

Offices: • La Trobe University Applied Science 2 Building 7 Sharon Street, Flora Hill, VIC 3550; • Shed 3, 140 Ogilvie Avenue, Echuca, VIC 3654,

• Geotechnical Investigations • Contract Drilling • Land Capability Assessments • Contamination Assessments • Compaction Control Testing • On-site Wastewater Management • Site Classifications • Residential and Industrial • Soil, Concrete and Aggregate Testing Laboratories • Site Laboratory
• Construction Material Testing Services • www.geotestsouthern.com.au

TABLE OF CONTENTS

1	INTRODUCTION	4
2	SITE AND GEOLOGY	4
2.1	SITE LOCATION.....	4
2.2	GEOLOGY	4
3	FIELDWORK	4
4	IMPORTANT NOTES ABOUT THIS REPORT.....	5
5	DISCLAIMER.....	5

APPENDIX

Borehole Locations
Engineering Logs
Descriptive Terms

1 INTRODUCTION

Warringal Views P/L has commissioned Geotechnical Testing Services (GTS) to undertake a groundwater investigation at the Golden Grove Estate development.

The purpose of the investigation was to determine if there was shallow presence of groundwater along the southern and eastern sectors of the site.

2 SITE AND GEOLOGY

2.1 SITE LOCATION AND GENERAL CONDITIONS

The site is located at Golden Grove Estate, Jackass Flat.

The site is considered to have slight fall towards the Jackass Gully creek alignment bordering the sites Western sector. At the time of the investigation, the surface of the site was dry and had no grass cover. Visual evidence of surface rock was noted in the forms of exposed reefs and gravel throughout the site. There are many large trees predominately within the sites North East boundary which neighbours a flora reserve.

2.2 GEOLOGY

The Victorian Government's online "Geovic" map shows the area to be underlain by Ordovician aged sedimentary rock of the Castlemaine Group with this generally confirmed by the field data.

3 FIELDWORK

The geotechnical investigation was conducted on the 2nd March 2020 and involved the drilling of 15 borehole by Gemco drilling rig to depths of 3.0 metres or refusal.

The field investigation was conducted by a technician under the direction of a Geotechnical Engineer, who logged the subsurface profile. No groundwater was detected in the 15 boreholes, with relatively dry soil conditions experienced throughout the investigation. Borehole 8 was drilled to depth of 2.0m before refusal on medium strength extremely weathered siltstone. The engineering logs are included in the Appendix with their locations shown on the enclosed site plan.

4 IMPORTANT NOTES ABOUT THIS REPORT

The results from this investigation relate to the specified sites labelled throughout this document, and hence the information obtained may need to be extrapolated to the rest of the designated area. While care has been taken throughout this investigation, soil conditions can vary between each individual test site and at depths greater than that drilled during this investigation. Hence, if variations from this report are found during excavations/construction then Geotechnical Testing Services should be notified so it can be assessed, and appropriate advice provided.

The soil colours provided in the borehole logs attached may vary with soil moisture content and individual interpretation, therefore colour alone should not be used to identify these soils.

Strength characteristics of soils often exhibit a large variation between wet and dry conditions. Soil characteristics of a soil profile are given on the soil conditions at the time of the investigation.

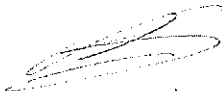
5 DISCLAIMER

This investigation has been carried out in goodwill and under the instructions of Warringal Views P/L. The investigation has been undertaken with the care and skill of competent personnel as defined within Geotechnical Testing Services quality system. It is not a comprehensive investigation but a guide to the conditions throughout the designated area.

This document has been prepared for Warringal Views P/L, and hence no responsibility or liability is being accepted to any third party, where any part of the report is used in either isolation or without consideration of the whole document. This document is not appropriate where there has been a significant change in the project or either for the specific needs of the reader.

Please, don't hesitate to contact the undersigned, if you require any further information or assistance.

Prepared by

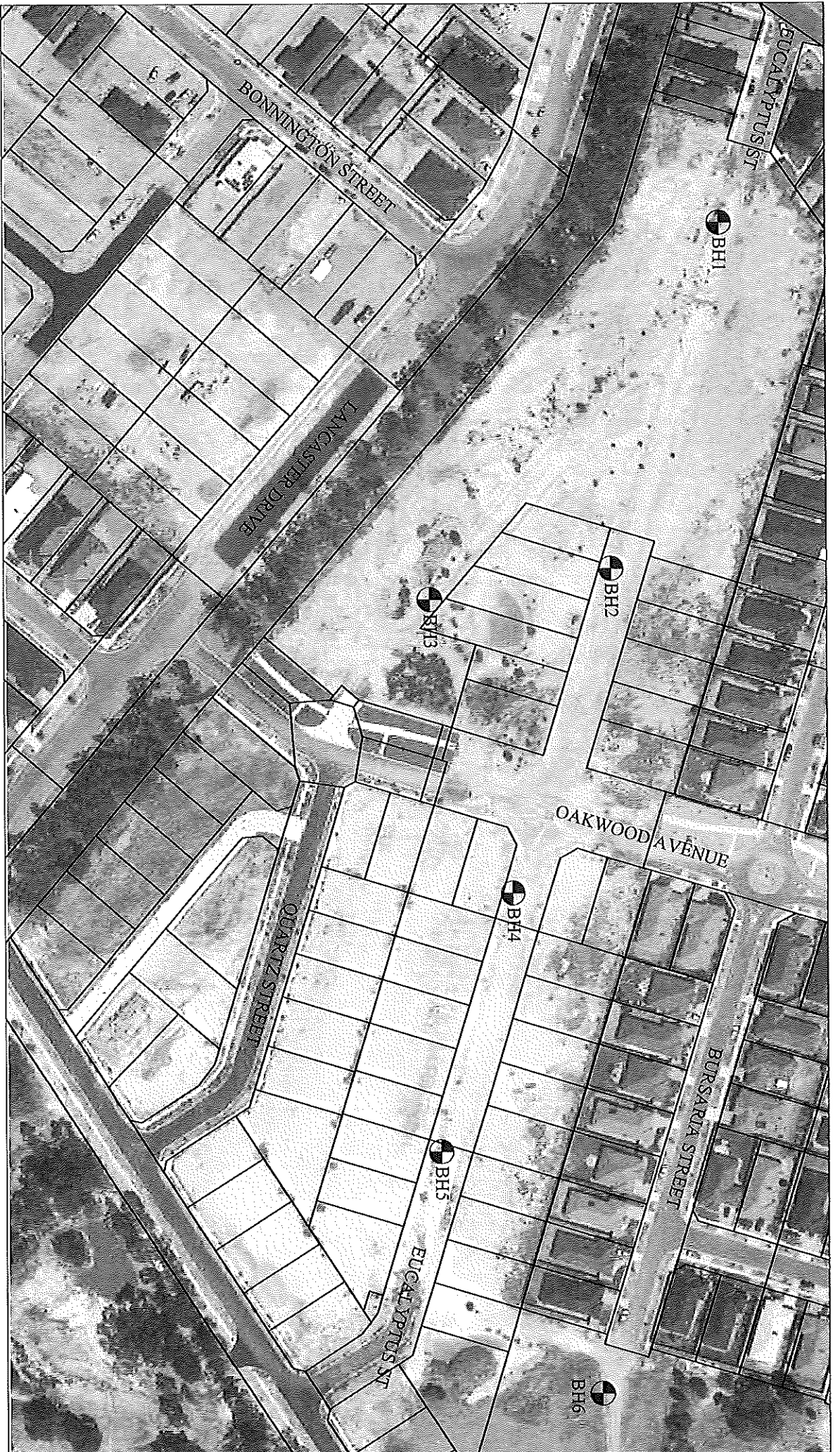


Jackson Blakemore BE (Hons), GradIEAust
Graduate Geotechnical Engineer

Reviewed by



Benj Beatty BA/BSc (Hons), MPA, MAusIMM
Senior Geologist



**GEOTECHNICAL
INVESTIGATION**
APPROXIMATE LOCATIONS:
NOT TO SCALE

CLIENT: WARRINGAL VIEWS P/L
**PROJECT: GOLDEN GROVE ESTATE,
JACKASS FLATS**

GTS REF: 20C 0155

DATE: 2 MARCH 2020





GTS
GEOTECHNICAL TESTING SERVICES

**GEOTECHNICAL
INVESTIGATION**

APPROXIMATE LOCATIONS
NOT TO SCALE

CLIENT: WARRINGAL VIEWS P/L
PROJECT: GOLDEN GROVE ESTATE,
JACKASS FLATS

GTS REF: 20C 0155

DATE: 2 MARCH 2020



GTS
GEOTECHNICAL TESTING SERVICES

GEOTECHNICAL INVESTIGATION

APPROXIMATE LOCATIONS
NOT TO SCALE

CLIENT: WARRINGAL VIEWS P/L
PROJECT: GOLDEN GROVE ESTATE,
JACKASS FLATS

GTS REF: 20C 0155

DATE: 2 MARCH 2020

Client :	Warringal Views P/L					Date: 2/03/2020				
Project :	Geotechnical Investigation					Logged by: TP				
Location :	Golden Grove Estate, Jackass Flats									
Drill model :	Gemco HS7			Slope	90 deg		RL surface: <i>Not measured</i>			
Hole diameter :	100mm			Bearing	- deg		Datum : -			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support	
FILL: Gravelly Silty CLAY (CL), low plasticity, brown, grey, fine to medium gravel 900mm	0.50			D	St	FILL				
Silty CLAY (CI), medium plasticity, red brown, pale brown, some fine to medium gravel 1600mm	1.00			M	VSt					
Clayey Sandy GRAVEL (GP), fine to medium gravel, fine to coarse sand, brown, low plasticity 2000mm	2.00			D	MD					
Silty CLAY (CI), medium plasticity, pale brown mottled grey, traces of fine to medium gravel 2600mm	2.50			M	St					
SILTSTONE, extremely weathered, off white 3000mm	3.00			D	VL					
BH1 terminated at 3.0 metres	3.50					Dry Hole				
	4.00									

Client :	Warringal Views P/L				Date:	2/03/2020			
Project :	Geotechnical Investigation				Logged by:	TP			
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7		Slope	90 deg		RL surface:	Not measured		
Hole diameter :	100mm		Bearing	- deg		Datum :	-		
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Clayey Sandy GRAVEL (GW), fine to coarse, pale brown, low plasticity	100mm			D	MD	FILL			
Silty CLAY (CI), medium plasticity, red brown	400mm			M	VSt				
Gravelly Silty CLAY (CL), low plasticity, pale brown, fine to medium gravel	700mm	0.50		D	St	Residual soil			
SANDSTONE/SILTSTONE, extremely weathered, pale brown	3000mm	1.00		D	L				
	1.50								
	2.00								
	2.50								
	3.00								
BH2 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								

Client :	Warringal Views P/L					Date: 2/03/2020			
Project :	Geotechnical Investigation					Logged by: TP			
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7		Slope	90 deg		RL surface: <i>Not measured</i>			
Hole diameter :	100mm		Bearing	- deg		Datum : -			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Clayey Sandy GRAVEL (GW), fine to coarse sand and gravel, pale brown 100mm				D	MD	FILL			
Gravelly Sandy Silty CLAY (CL), low plasticity, pale brown 1300mm	0.50			D	VSt				
	1.00								
SANDSTONE/SILTSTONE, extremely weathered, yellow brown sandstone layering off white siltstone 3000mm	1.50			D	L-VL				
	2.00								
	2.50								
	3.00								
BH3 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								

Client :	Warringal Views P/L				Date:	2/03/2020		
Project :	Geotechnical Investigation				Logged by:	TP		
Location :	Golden Grove Estate, Jackass Flats							
Drill model :	Gemco HS7		Slope	90 deg		RL surface: <i>Not measured</i>		
Hole diameter :	100mm		Bearing	- deg		Datum : -		
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method Support
FILL: Sandy GRAVEL (GW), fine to coarse sand and gravel, pale brown 100mm	0.50			D	MD	FILL		
Silty CLAY (Cl), medium plasticity, brown, traces of fine gravel 800mm								
SILTSTONE, extremely weathered, pale brown, off white 3000mm	1.00			D	VL			
	1.50							
	2.00							
	2.50							
	3.00							
BH4 terminated at 3.0 metres	3.50					Dry Hole		
	4.00							

Client :	Warringal Views P/L				Date:	2/03/2020			
Project :	Geotechnical Investigation				Logged by:	TP			
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7	Slope	90	deg	RL surface:	Not measured			
Hole diameter :	100mm	Bearing	-	deg	Datum :	-			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Gravelly Silty CLAY (CI), low to medium plasticity, brown, pale brown 1600mm	0.50			M	St-VSt	FILL			
	1.00								
	1.50								
SILTSTONE, extremely weathered, off white 3000mm	2.00			D	VL				
	2.50								
	3.00								
BH5 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								

Client :		Warringal Views P/L				Date: 2/03/2020	
Project :		Geotechnical Investigation				Logged by: TP	
Location :		Golden Grove Estate, Jackass Flats					
Drill model :		Gemco HS7		Slope		90 deg	
Hole diameter :		100mm		Bearing		- deg	
						Datum : -	
Material Description		Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations
FILL: Gravelly Sandy SILT (ML), dark brown, fine gravel 150 mm					D	L	FILL
SILTSTONE, extremely weathered, pale brown, off white 3000mm					D	VL	
		0.50					
		1.00					
		1.50					
		2.00					
		2.50					
		3.00					
BH7 terminated at 3.0 metres							Dry Hole
		3.50					
		4.00					

Client :	Warringal Views P/L				Date: 2/03/2020				
Project :	Geotechnical Investigation				Logged by: TP				
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7		Slope	90 deg		RL surface: <i>Not measured</i>			
Hole diameter :	100mm		Bearing	- deg		Datum : -			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method Support	
FILL: Clayey Sandy GRAVEL (GW), fine to coarse sand and gravel, pale brown, low plasticity fines 500mm	0.50			D	D	FILL			
Silty CLAY (CI), medium plasticity, pale brown mottled pale grey 1500mm	1.00			D	VSt	Tree roots @ 1.0m			
	1.50								
Silty CLAY (CI), low to medium plasticity, brown, some fine to medium sand 2800mm	2.00			D-M	St				
	2.50								
SILTSTONE, extremely weathered, off white 3000mm	3.00			D	VL				
BH10 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								

Client :	Warringal Views P/L				Date: 2/03/2020				
Project :	Geotechnical Investigation				Logged by: TP				
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7		Slope	90 deg		RL surface: <i>Not measured</i>			
Hole diameter :	100mm		Bearing	- deg		Datum : -			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Silty CLAY (CI), medium plasticity, pale brown, brown, some fine to coarse sand and fine to medium gravel 600mm	0.50			D	VSt	FILL			
Sandy SILT (ML), dark grey 800mm				D	MD				
Silty CLAY (CL), low plasticity, pale brown 1200mm	1.00			D	VSt				
Silty CLAY (CI), medium plasticity, brown, some fine sand, traces of fine gravel 1900mm	1.50			D	VSt				
Sandy Silty CLAY (CL), low plasticity, brown 2300mm	2.00			D	VSt				
Clayey Sandy GRAVEL (GP), brown, fine to medium gravel, fine to coarse sand, low plasticity 3000mm	2.50			D	D				
BH12 terminated at 3.0 metres	3.00					Dry Hole			
	3.50								
	4.00								

Client :	Warringal Views P/L					Date:	2/03/2020		
Project :	Geotechnical Investigation					Logged by:	TP		
Location :	Golden Grove Estate, Jackass Flats								
Drill model :	Gemco HS7		Slope	90 deg		RL surface: <i>Not measured</i>			
Hole diameter :	100mm		Bearing	- deg		Datum : -			
Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method Support	
FILL: Gravelly Sandy Silty CLAY (Cl), medium plasticity, brown, pale brown	1200mm			D	F	FILL			
	0.50				St				
	1.00								
FILL: SAND (SW), fine to coarse, brown	1400mm			D	L	FILL			
Silty CLAY (Cl), medium plasticity, brown, some fine sand	2000mm			D-M	VSt				
	2.00								
Clayey SAND (SP), fine to medium, brown, low plasticity	3000mm			D	D				
	2.50								
	3.00								
BH13 terminated at 3.0 metres						Dry Hole			
	3.50								
	4.00								



ENGINEERING BOREHOLE LOG

Borehole no. 14
Sheet no. 14 of 15
Job no. 20C 0155

PO Box 13, Strathdale 3550
Ph (03) 54414881 Fax (03) 5441 5089

Client : Warringal Views P/L		Date: 2/03/2020	
Project : Geotechnical Investigation		Logged by: TP	
Location : Golden Grove Estate, Jackass Flats			
Drill model : Gemco HS7	Slope 90 deg	RL surface: <i>Not measured</i>	
Hole diameter : 100mm	Bearing - deg	Datum : -	

Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Gravelly Silty CLAY (CL), low plasticity pale brown, fine to coarse gravel 200mm	0.50			D	VSt	FILL			
Silty CLAY (CI), medium plasticity, brown, pale brown, some fine sand 1300mm				D-M	VSt				
	1.00					Tree roots @ 0.5m			
	1.50			D	VSt				
Sandy Gravelly Silty CLAY (CL), low plasticity, brown, fine to coarse sand, fine to medium gravel 2500mm	2.00								
	2.50								
SILTSTONE, extremely weathered, pale brown, off white 3000mm	3.00			D	L				
BH14 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								



ENGINEERING BOREHOLE LOG

Borehole no. 15
Sheet no. 15 of 15
Job no. 20C 0155

PO Box 13, Strathdale 3550
Ph (03) 54414881 Fax (03) 5441 5089

Client : Warringal Views P/L		Date: 2/03/2020	
Project : Geotechnical Investigation		Logged by: TP	
Location : Golden Grove Estate, Jackass Flats			
Drill model : Gemco HS7	Slope 90 deg	RL surface: <i>Not measured</i>	
Hole diameter : 100mm	Bearing - deg	Datum : -	

Material Description	Depth (m)	Graphic log	Water	Moisture condition	Consistency density, index	Structure, additional observations	Notes Samples Tests	Method	Support
FILL: Gravelly Silty CLAY (CL), low plasticity pale brown, fine to coarse gravel 200mm	0.50			D	VSt	FILL			
Silty CLAY (CI), medium plasticity, brown, pale brown, some fine sand 1300mm				D-M	VSt				
	1.00					Tree roots @ 0.5m			
	1.50			D	VSt				
Sandy Gravelly Silty CLAY (CL), low plasticity, brown, fine to coarse sand, fine to medium gravel 2500mm	2.00								
	2.50								
SILTSTONE, extremely weathered, pale brown, off white 3000mm	3.00			D	L				
BH14 terminated at 3.0 metres	3.50					Dry Hole			
	4.00								



DESCRIPTIVE TERMS BOREHOLE/EXCAVATION LOG

Classification Symbol & Soil Name

Classification of material and its description is based on the Unified Classification System as referenced in AS1726 – 1993 Geotechnical Site Investigations, Appendix A. A summary of the more common terms is included within.

Particle Size Descriptive Terms

Name	Subdivision	Size
Boulders		>200mm
Cobbles		63 – 200mm
Gravel	Coarse	20 – 63mm
	Medium	6 – 20mm
	Fine	2.36 – 6mm
Sand	Coarse	0.6 – 2.36mm
	Medium	200 – 600 micron
	Fine	75 – 200 micron
Silt		2 – 75 micron
Clay		< 2 micron

Consistency of Cohesive Soils

Term	Undrained shear strength, s_u (kPa)	Field Guide
Very Soft (VS)	<12	A finger can be pushed well into the soil with little effort
Soft (S)	12 – 25	A finger can be pushed into the soil to about 25mm depth
Firm (F)	25 – 50	The soil can be indented about 5mm with the thumb
Stiff (St)	50 – 100	The surface of the soil can be indented with the thumb
Very Stiff (VSt)	100 – 200	The surface of the soil can be indented by thumb nail
Hard (H)	>200	The surface of the soil can be marked only with the thumbnail
Friable (F)	-	Crumbles or powders when scraped by thumbnail

Density of Granular Soils

Term	Density Index (%)
Very Loose (VL)	< 15
Loose (L)	15 – 35
Medium Dense (MD)	35 – 65
Dense (D)	65 – 85
Very Dense (VD)	> 85

Minor Components

Term	Field Guide	Proportion of Minor Component In:
Trace of	Presence just detectable by feel or eye	Coarse grained soils: <5% Fine grained soils: <15%
Some	Presence easily detectable by feel or eye	Coarse grained soils: 5-12% Fine grained soils: 15-30%

Moisture Condition

Dry (D)	Looks & feels dry. Cohesive soils are usually hard, powdery or friable. Granular soils run freely through the hand.
Moist (M)	Soil feels cool and darkened in colour. Cohesive soils can be moulded. Granular soils tend to cohere. Free water does not form.
Wet (W)	As for moist, but with free water forming on hands when remoulded.

Method

S Auger Screwing	W Washboring
D Auger Drilling	N Natural Exposure
R Roller/tricone	E Existing Excavation

Support

B Blade/bucket	* Nil
C Coring	C Casing
H Hammer Drill	M Mud/polymer

Water

*	Not observed
	Observed water level (date shown)
	Observed water inflow
	Observed water outflow
R	Refer to report for details

Structures, Additional Observations

PP	Pocket Penetrometer test (kPa)
DCP	Dynamic Cone Penetrometer test (blows/100mm)

Notes, Samples, Tests

U63	Undisturbed sample, 63mm diameter
D	Disturbed sample
N*	Standard Penetration Test, (*) Sample Figure = results

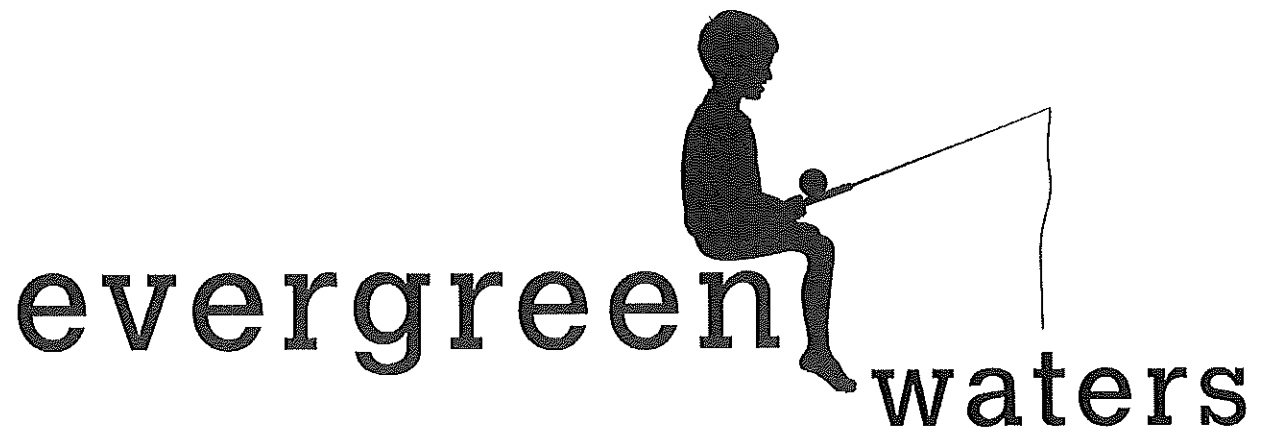
Surface

_____	Known boundary
-----	Probably boundary
-?-?-?-?-?-?	Possible boundary

3. SALINITY MANAGEMENT GUIDELINES

The following Salinity Management Guidelines, prepared by Simonds Developments is endorsed by the City of Greater Bendigo in accordance with Planning Permits AM/226/2010 and AM/904/2011 for the Evergreen Waters Estate.

The Evergreen Waters Estate is the overall development of the precinct and includes the Golden Grove Estate.



SALINITY MANAGEMENT GUIDELINES

August 2011



1. INTRODUCTION

The Evergreen Waters Estate is a new residential subdivision at Jackass Flat on the northeastern outskirts of Bendigo. The development is approximately 65Ha in size and will be staged with 30 stages anticipated to be developed for the entire site. A planning permit for the development has been issued by the City of Greater Bendigo with conditions that require a Salinity Management Plan to be prepared for development areas where the water table is between 1.6m and 2.5m below ground level.

Detailed descriptions of the site characteristics, potential salinity hazard and engineering works to drain the site and control the water table are included in the report by John Leonard Consulting Service entitled "Hydrogeological Assessment - Evergreen Waters Housing Estate, Jackass Flat" (2011).

The main focus of these Salinity Management Guidelines is to protect the integrity of buildings; however, the guidelines also contain provisions to maintain the aesthetic appeal of the subdivision.

2. BACKGROUND

Shallow water tables in the Bendigo area have been identified in a number of studies. As a result of the findings of these studies the City of Greater Bendigo & the North Central Catchment Management Authority (NCCMA) commissioned Phil Dyson to develop Planning Guidelines for Urban Salinity (Dyson, 2007). This document included draft planning responses for developments based on depth to the water table and recommended that subdivisions not be allowed in areas with saline water tables within 1.5 m of the ground surface.

The Development Plan Overlay (DPO21) which applies to land zoned Residential 1 in the Jackass Flat New Development Area (NDA) has taken these considerations into account and now includes details to ensure that residential land is tested for salinity prior to any development occurring.

DPO Requirements

Where there is known salinity discharge or indicators of salinity, such as the presence of Spiny Rush and Sea Barley Grass, a Salinity/Water Management Plan is to be prepared by a suitably qualified hydro-geologist to the satisfaction of the Responsible Authority in consultation with the Department of Sustainability and Environment that addresses, but is not limited to, the following matters:

- A desktop assessment and field survey of the geology and geomorphology of the site to ascertain the nature of groundwater flows.
- An assessment of the likely hydro-geological performance having regard to the impact of salinity.
- An indicative assessment of the extent of the salinity issues and the post development risk it imposes.
- The depth to the watertable and salinity of the groundwater in the region of the proposed development.

- Recommendations regarding the management and future use of areas identified as being susceptible to salinity.
- An Implementation Plan outlining any works necessary to implement such recommendations.

3. SALINITY TESTING RESULTS

An extensive groundwater monitoring and testing program was carried out over the period October 2010 to April 2011 which is detailed in the report by John Leonard Consulting Service entitled "Hydrogeological Assessment - Evergreen Waters Housing Estate, Jackass Flat" (April 2011) confirms that if construction guidelines are followed, the designed site conditions will be able to:

1. Achieve a minimum clearance of 1.5 m to groundwater level from the minimum design surface level everywhere across the development, and
2. Provide an effective barrier (preferred flow zone and capillary break) to any potential rise of groundwater.

The assessment indicated that the groundwater beneath the Evergreen Waters site is mostly non-aggressive or mildly aggressive to concrete and nonaggressive to steel. The soil chemistry test results and assessed aggressiveness to concrete indicate that the soils at Evergreen Waters would not be aggressive to concrete it is recommended that plants of more salt tolerant, drought resistant species should be encouraged across the Evergreen Waters site.

4. CAUSES OF URBAN SALINITY

Salinity is generally the result of changes in land use that cause increased groundwater recharged. Where the increased recharge is not matched by a commensurate increase in groundwater discharge, the water tables can rise to near the land surface, where discharge occurs by evapotranspiration. Evaporation from the shallow watertable concentrates the naturally occurring salts in the groundwater and soils, leading to salinisation. As the near surface groundwater evaporates, salts are concentrated in the groundwater and can crystallise in the soil and on or within building materials, and can cause physical stress on metal and concrete structures and vegetation.

5. EFFECTS OF SALINITY IN AN URBAN ENVIRONMENT

Excess salinity in an urban environment can result in significant problems. It can manifest itself in a number of ways. The effects of salinity can be observed in damage to building materials, infrastructure and roads and in death or poor health of vegetation. The effect of urban salinity is the result of both physical and chemical actions of the salt on concrete, bricks and metals. Salt moves into the pores of concrete and bricks and becomes concentrated when the water evaporates and can result in breakdown of materials and corrosion. Evidence of this may include crumbling, eroding or powdering of mortar or bricks, flaking of brick facing and cracking or corrosion of bricks.

High levels of salinity can result in damage to and even death of plants. Signs that vegetation is under stress from salinity include the discolouration and wilting of leaves and the death of less salt tolerant plant species. It may also be hard to establish lawns in areas that are subject to high salinity.

6. MEASURES FOR SPECIFIC ASSETS

The Building Code of Australia (BCA) contains the required technical standards for building construction in Australia. The goal of the BCA is to achieve the minimum necessary standards that are nationally consistent to ensure health, safety (including structural safety and safety from fire), amenity and sustainability objectives are met. Where building and construction regulations are the authority of the State and Territory governments in Australia, the BCA is given power to cover technical aspects of building construction through individual State and Territory enacting legislation.

As a performance based code, the BCA requires that the construction industry is able to provide practical, safe and enduring buildings that are fit for their desired purposes. Within this framework, the BCA has performance requirements ensuring that buildings are not unduly susceptible to environmental elements, such as soil moisture and salinity. It is through these performance requirements that the BCA ensures there are adequate means to maintain structural protection against soil moisture and salinity damage.

Provisions to protect buildings from the effects of saline intrusion and saline soils in the BCA are incorporated in the provisions for 'Damp and Weatherproofing' in Volume One and 'Concrete and Reinforcing' and 'Weatherproofing of Masonry' in Volume Two. These provisions ensure that buildings are protected from rising moisture in soils, as well as ensuring that concrete footings and brickwork are sufficiently resistant to degradation from environmental moisture and salinity.

The key elements from these documents and a number of other technical documents (listed in Section 7) have been summarised below based on the non-aggressive/mildly aggressive exposure rating that is deemed to apply to the site.

Construction of Dwellings

The following measures are to be used for all buildings at Evergreen Waters:

- A layer of sand followed by a membrane of thick plastic should be placed under the concrete slab to act as a moisture barrier and drainage layer to restrict capillary rise under the slab. Membranes should be extended to the outside face of the external edge beam up to the finished ground level.
- Concrete grade of at least N25 and minimum 50 mm reinforcement cover is suitable for the site as salinity test indicate the site is moderately saline at worst.
- It is essential that in all masonry buildings that a brick damp course be properly installed so that it cannot be bridged either internally or externally. This will prevent moisture moving into brick work and up the wall. It is important that the damp proof course is not breached by later additions to the building.
- As there are various exposure classifications and durability ratings for the wide range of masonry available, reference should be made to the supplier in choosing suitable bricks with the appropriate exposure quality. Water proofing agents can also be added to mortar to further restrict potential water movement.
- Cure concrete for at least seven days to ensure a hard dense surface that reduces saline water infiltration.
- Other alternatives such as suspended slab or pier & beam construction could be considered to minimise exposure.

Measures For Residents To Help Reduce Salinity

Other measures that residents can implement to decrease any potential salinity hazard include:

- Revegetate and provide surface drainage to their lot as quickly as practical.
- Reduce the amount of water applied to gardens to minimise adding to groundwater levels.
- Use a timer and drip irrigation system to limit leakage into the groundwater system.
- Retain and/or establish salt tolerant water efficient native plants.
- Maintain good drainage around the house. Use permeable paving where practical.
- Keeping lawn areas to a minimum.
- Mulch gardens to reduce the need to water.
- Provide adequate falls to the street to allow runoff of water, and to prevent water ponding, and waterlogging.
- Ensure stormwater pipes, water mains and sewers are sealed properly to prevent leaking and fix any leaking pipes immediately.
- Install a plastic membrane behind retaining walls to prevent seepage from behind.
- Line water bodies to minimise discharge of water into the groundwater system.

7. REFERENCES AND FURTHER READING

Australian Building Code Board

- ABCB. (2004). Buildings Code of Australia. Australian Building Control Board.
- ABCB. (2004). Buildings Subject to Attack from Salt and Acid Sulphate Soils – Discussion Paper. Australian Building Control Board. August 2004.
- ABCB (2007). Salinity Consultation Paper. Australian Building Control Board May 2007.
- CIE (2010). Proposal to amend the Building Code of Australia to include mitigation against the effects of Saline soils. Consultation Regulation Impact Statement (RIS 2010-02) Prepared for the Australian Building Control Board by the Centre for International Economics, Canberra. June 2010.

Australian Standards

- AS 1547-2000 On Site Domestic Waste Water Management, Standards Australia.
- AS 2159-2009 Piling - Design and installation. Standards Australia.
- AS 2870-1996 Residential Slabs and Footings, Standards Australia.
- AS 3600- 2001 Concrete Structures, Standards Australia.
- AS 3700- 2001 Masonry Structures, Standards Australia.
- AS 3798-1996 Guidelines for Earthworks for Commercial and Residential Developments, Standards Australia.
- AS 4419-1998 Soils for Landscaping and Garden Use. Standards Australia.
- AS 4456.6-1997 Masonry Units and Segmental Pavers - Methods of Test Determining Potential to Effloresce. Standards Australia.
- AS 4456.10-1997 Masonry Units and Segmental Pavers - Method of Determining Resistance to Salt Attack. Standards Australia.

Buildings

- Guide to Residential Slabs and Footings in Saline Environments. Cement Concrete & Aggregates Australia. 2005.
- Building in a Saline Environment. Local Government Salinity Initiative Booklet No. 5. Department of Infrastructure Planning and Natural Resources, Sydney, 2003. ISBN: 0 7347 5375 6.
- Building in a Saline Environment Urban Salinity Prevention. Wagga Wagga City Council, October 1999.
- Development Control Plan No. 16. Building in a Saline Environment. Junee Shire. July 2004.
- EnPlan Partners. (2007). Standards for building in a saline environment. – Construction of Dwelling and Outbuildings. Prepared for the Corangamite Catchment Authority with the City of Ballarat, City of Greater Geelong, Borough of Queenscliffe and the Moorabool Shire by EnPlan Partners. November, 2007.

- O’Caoimh, E. (2007). Building in a Saline Environment – An Awareness Course. NSW State Government. ISBN 978 7347 5970 2.
- Blacktown City Council Growth Centre Precincts Development Control Plan 2010. - Appendix C Salinity Management Guidelines. NSW Government Department of Planning May 2010.

Gardens

- Waterwise Parks and Gardens. Local Government Salinity Initiative - Booklet No. 7. Department of Infrastructure, Planning and Natural Resources, Sydney, 2004. ISBN: 0 7347 5415 9.
- NSW Department of Planning (2010). Blacktown City Council Growth Centre Precincts Development Control Plan 2010. NSW Government Planning

General

- Good Housekeeping to Manage Urban Salinity. (undated) WSROC, DIPNR and the Natural Heritage Trust with the assistance of Wagga City Council and the Department of Natural Resources of South Australia.

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

1074904

APPLICANT'S NAME & ADDRESS

J & K LAW C/- INFOTRACK (LEAP) C/- LANDATA
DOCKLANDS

VENDOR

AITKEN UNIT TRUST

PURCHASER

NOT KNOWN, NOT KNOWN

REFERENCE

363691

This certificate is issued for:

LOT A PLAN PS748508 ALSO KNOWN AS 3 EVERGREEN BOULEVARD JACKASS FLAT
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 DEVELOPMENT PLAN OVERLAY - SCHEDULE 21
- and a BUSHFIRE MANAGEMENT OVERLAY
- and a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6

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/>

03 October 2024

Sonya Kilkenny
Minister for Planning

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.

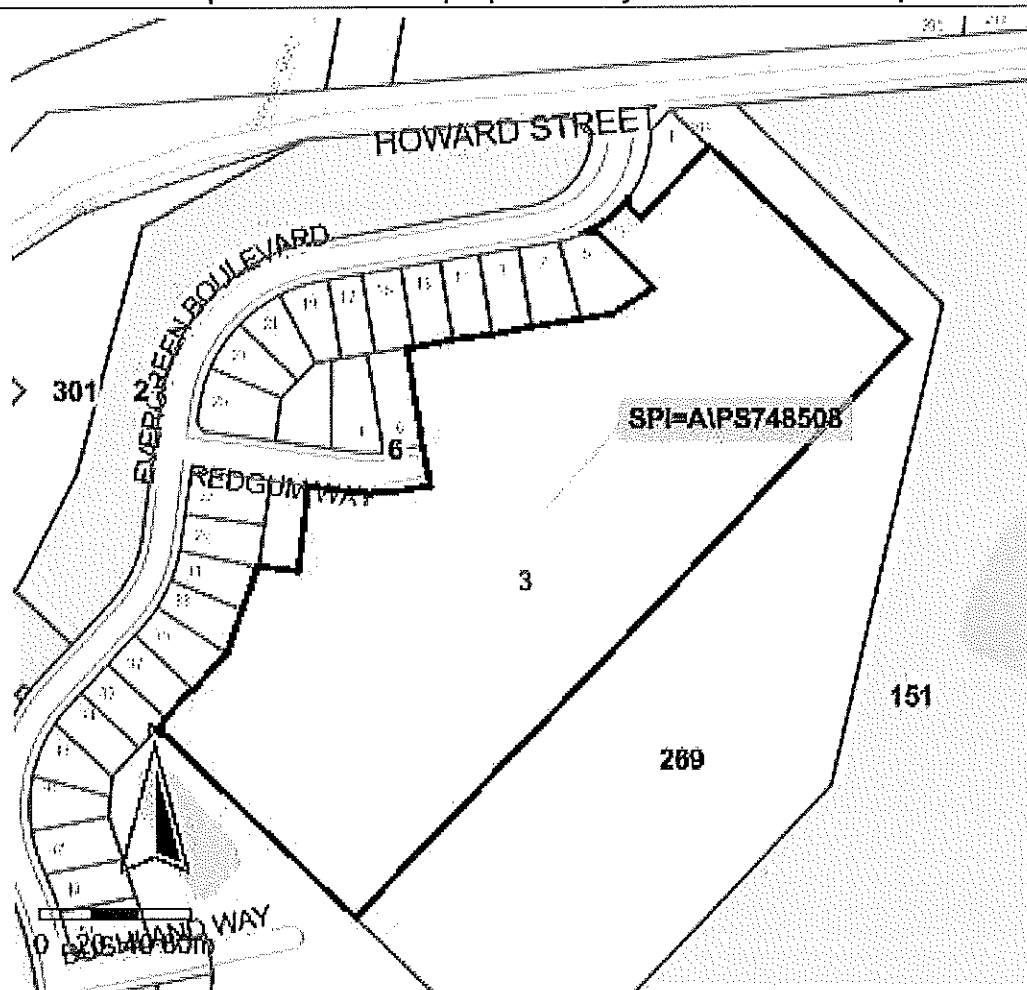
LANDATA®
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

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

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



Copyright © State Government of Victoria. Service provided by maps.land.vic.gov.au

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.

PROPERTY REPORT



Energy,
Environment
and Climate Action

From www.land.vic.gov.au at 03 October 2024 02:03 PM

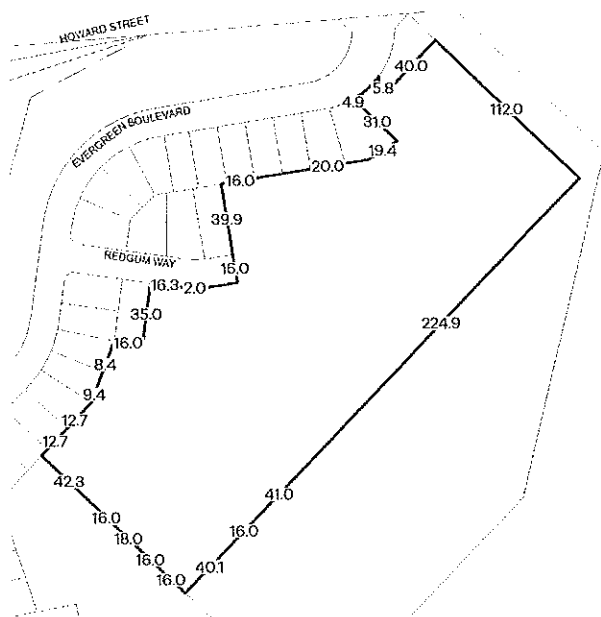
PROPERTY DETAILS

Lot and Plan Number: **Lot A PS748508**
Address: **3 EVERGREEN BOULEVARD JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **A\PS748508**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **252894**
Directory Reference: **Vicroads 603 T6**

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: 37245 sq. m (3.72 ha)

Perimeter: 991 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.

34 overlapping dimension labels are not being displayed

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 EAST**

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 parcel can found here - [Planning Property Report](#).

Planning Property Reports can be found via these two links

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

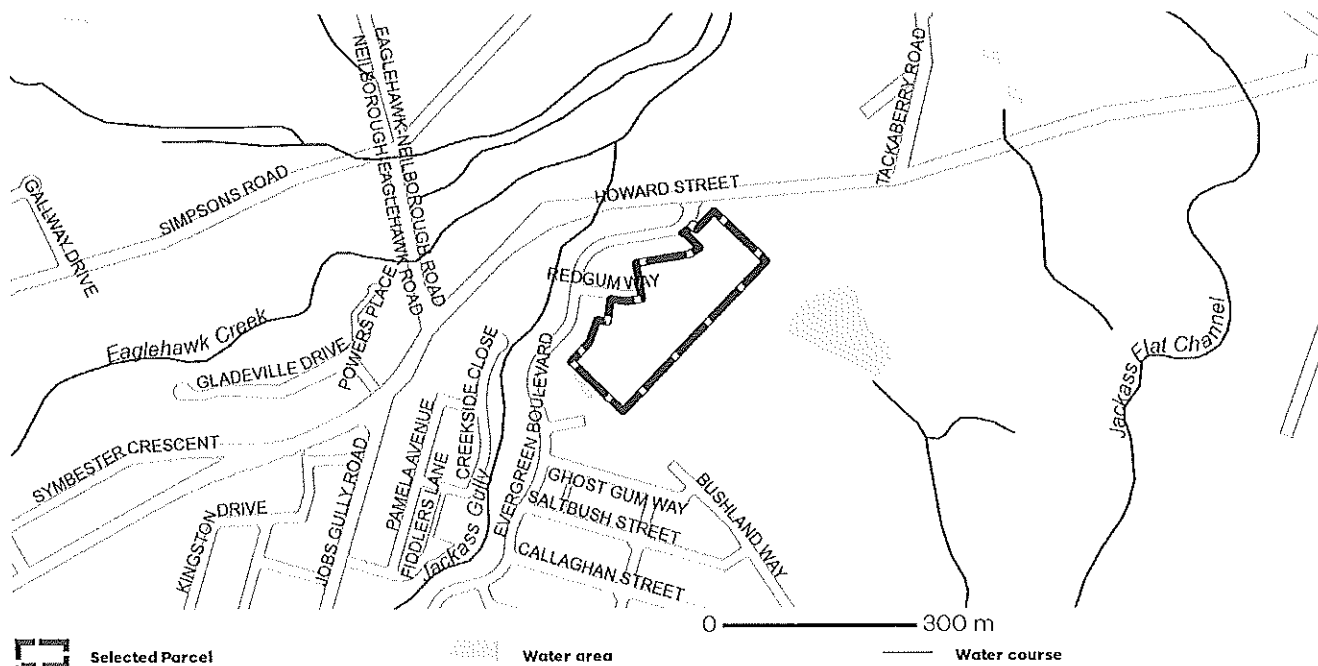
Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

PROPERTY REPORT



Energy,
Environment
and Climate Action

Area Map



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 03 October 2024 02:01 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot A PS748508**
Address: **3 EVERGREEN BOULEVARD JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **A\PS748508**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **252894**
Planning Scheme: **Greater Bendigo**
Directory Reference: **Vicroads 603 T6**

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 EAST**

OTHER

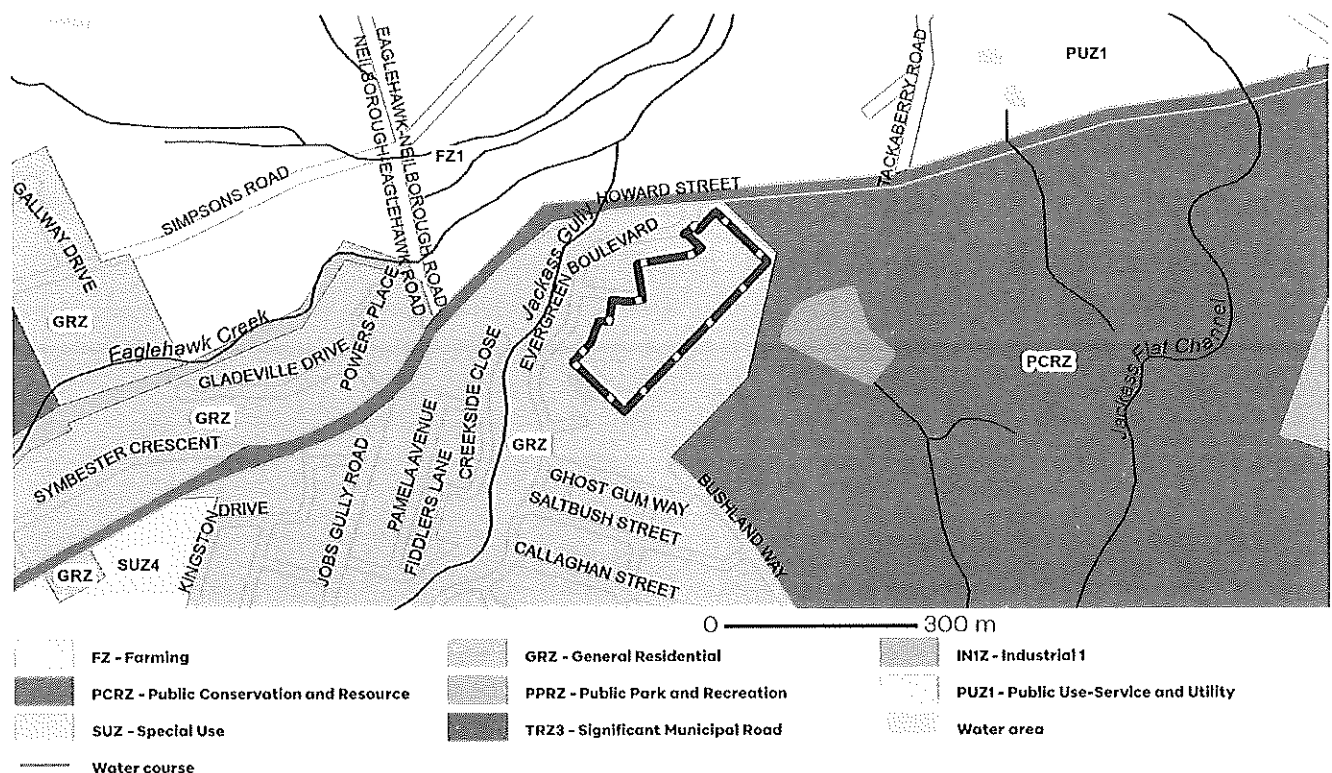
Registered Aboriginal Party: **Dja Dja Wurrung Clans Aboriginal Corporation**

[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.

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.
Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

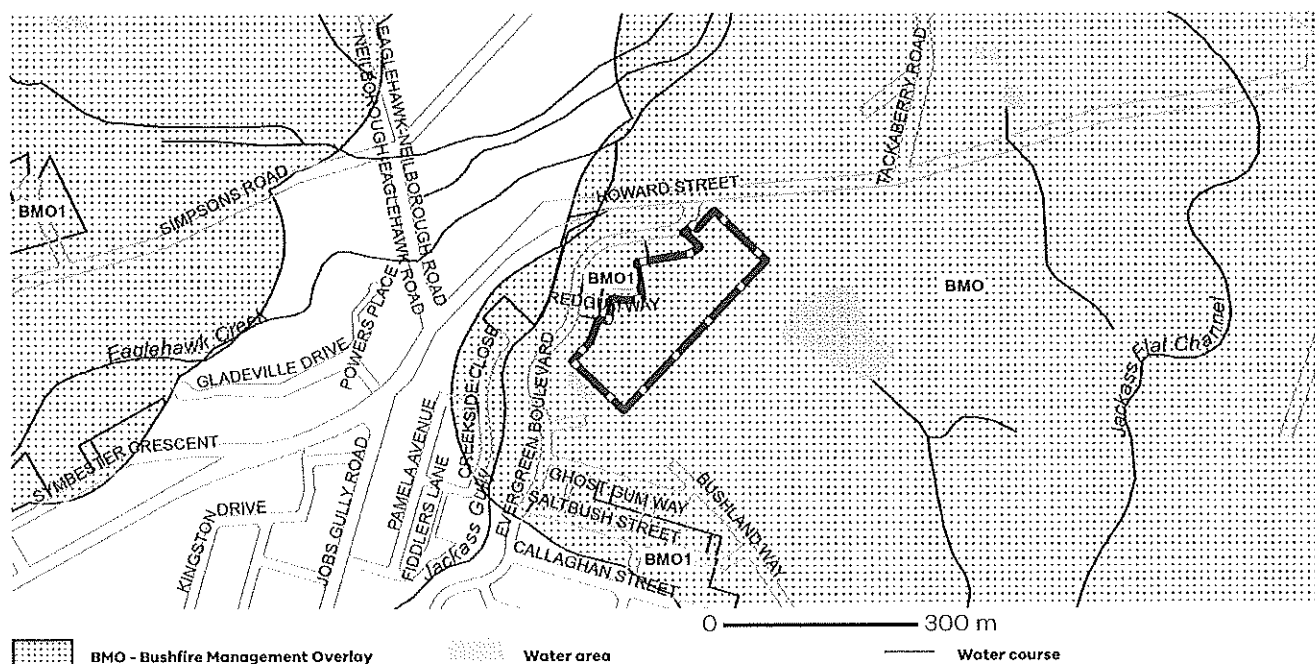
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: Lot A PS748508

Page 1 of 6

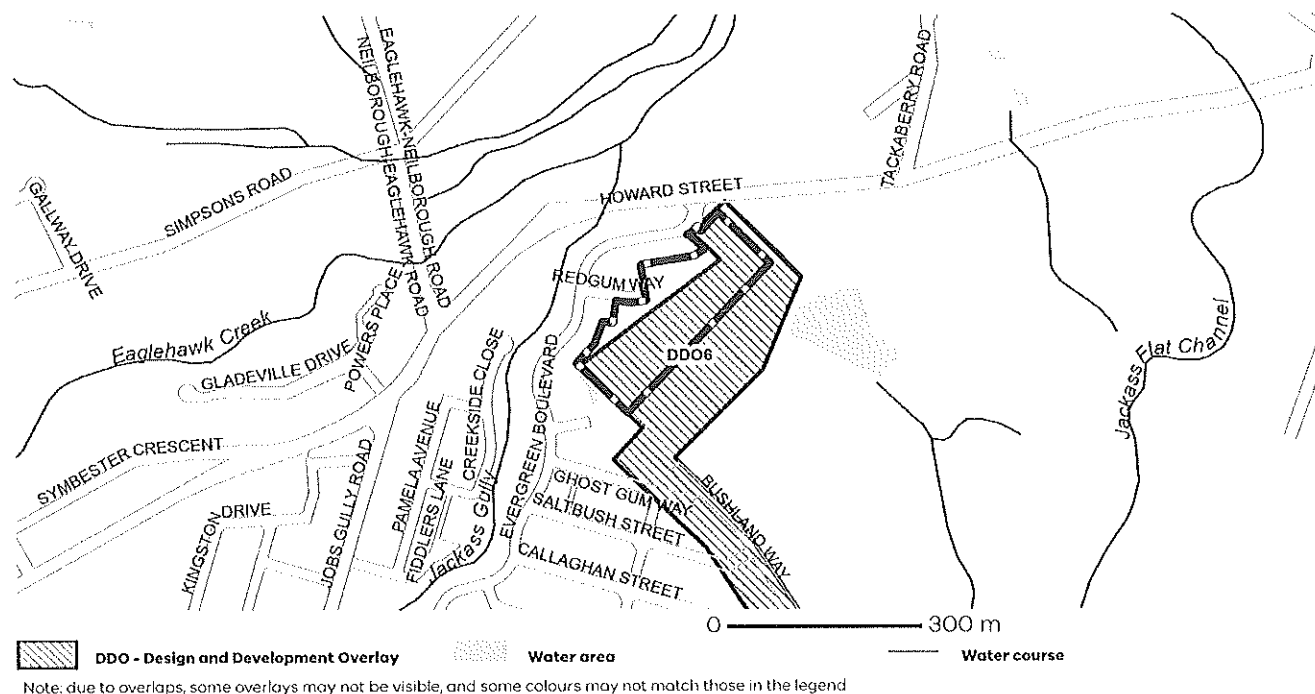
Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6 (DDO6)

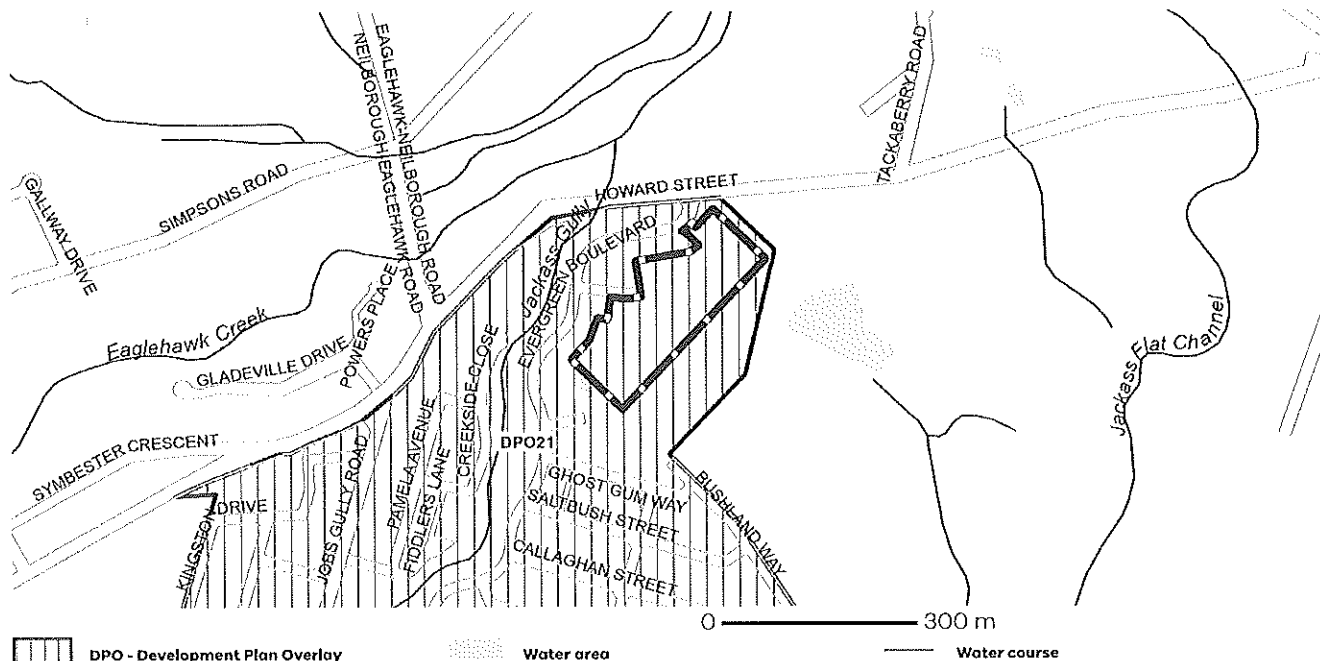


PLANNING PROPERTY REPORT

Planning Overlays

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY – SCHEDULE 21 (DPO21)



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

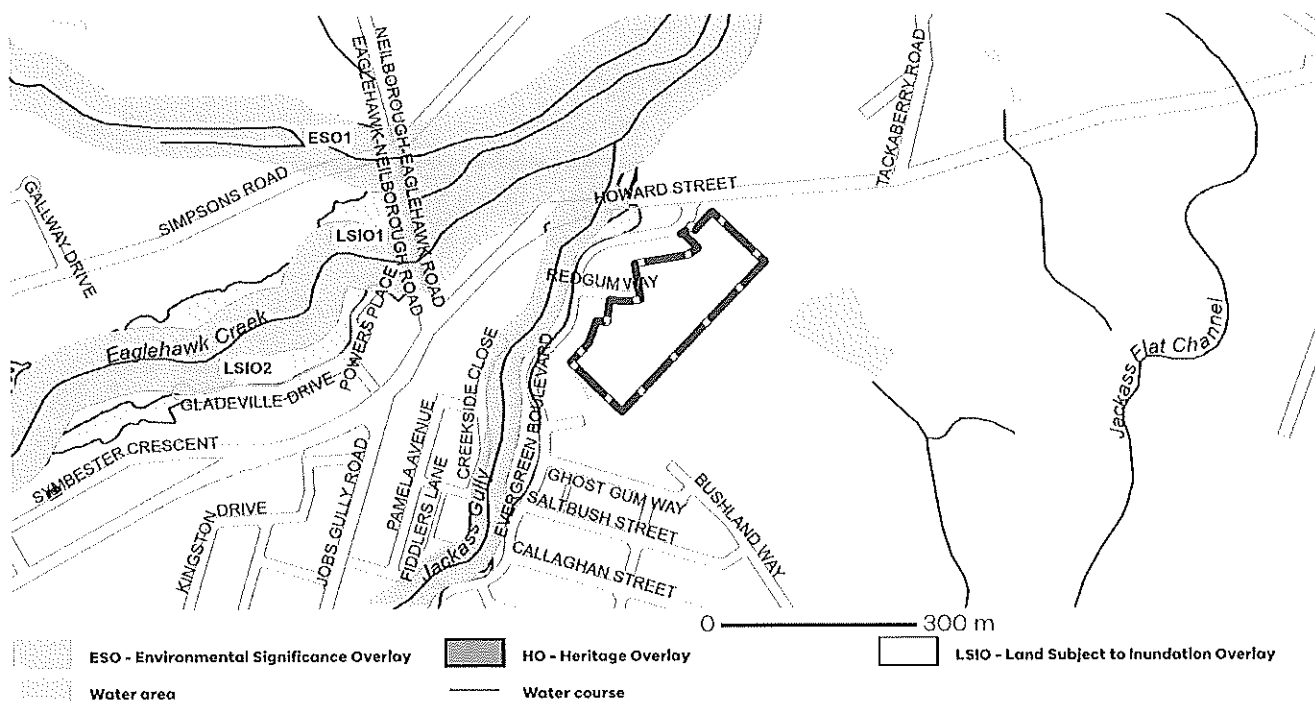
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

HERITAGE OVERLAY (HO)

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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

Read the full disclaimer at <https://www.delwp.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).

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel 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.

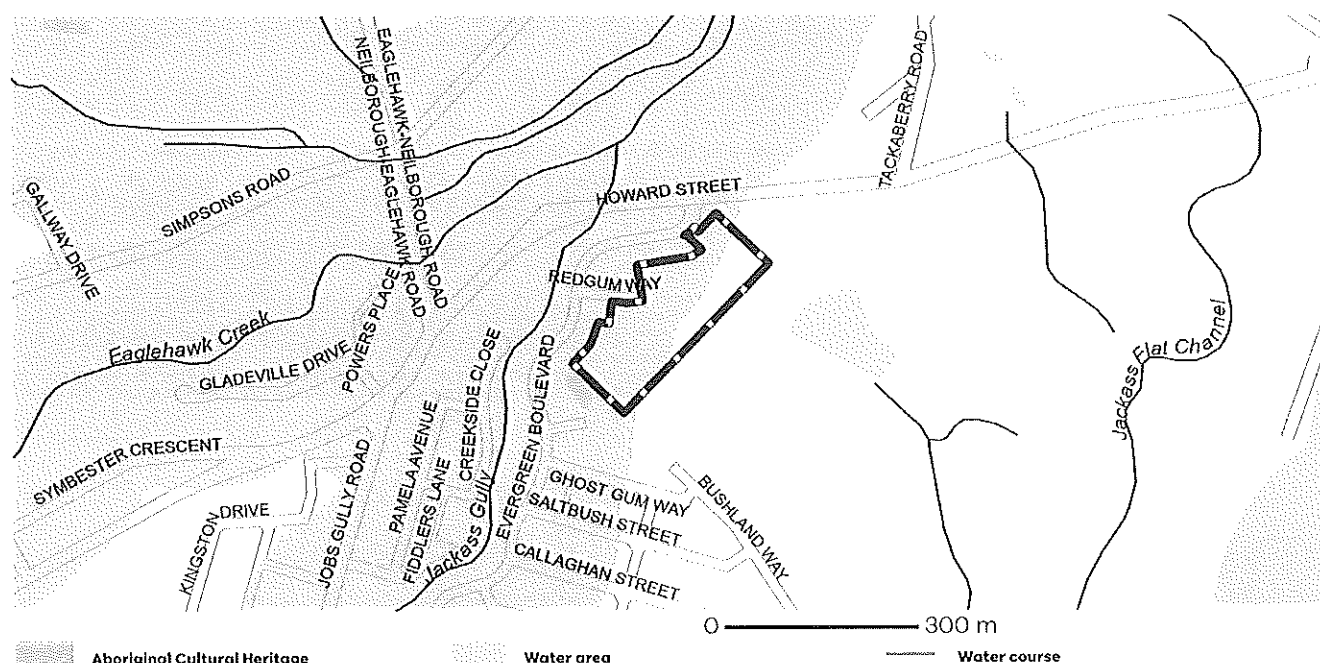
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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 <http://www.aav.nrms.net.au/aavQuestion1.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.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 2 October 2024.

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 abut 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>

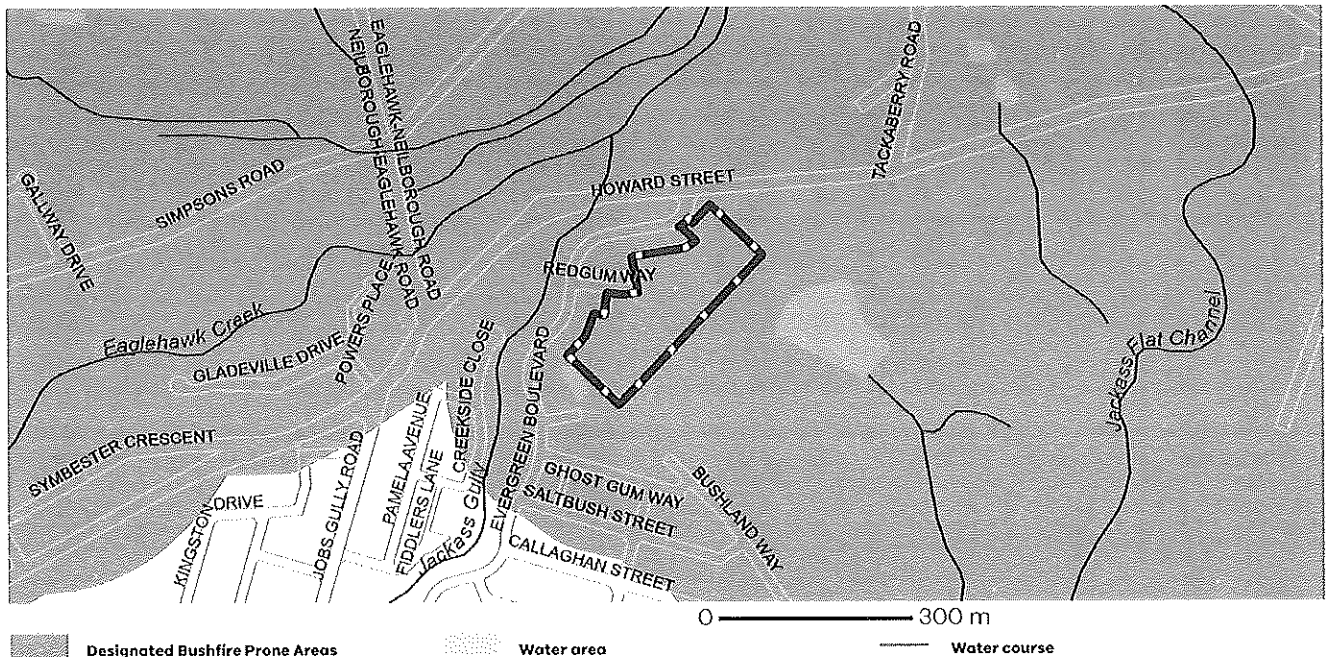
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). 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 \(environment.vic.gov.au\)](https://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 \(environment.vic.gov.au\)](https://environment.vic.gov.au)

PROPERTY REPORT



Energy,
Environment
and Climate Action

From www.land.vic.gov.au at 03 October 2024 02:04 PM

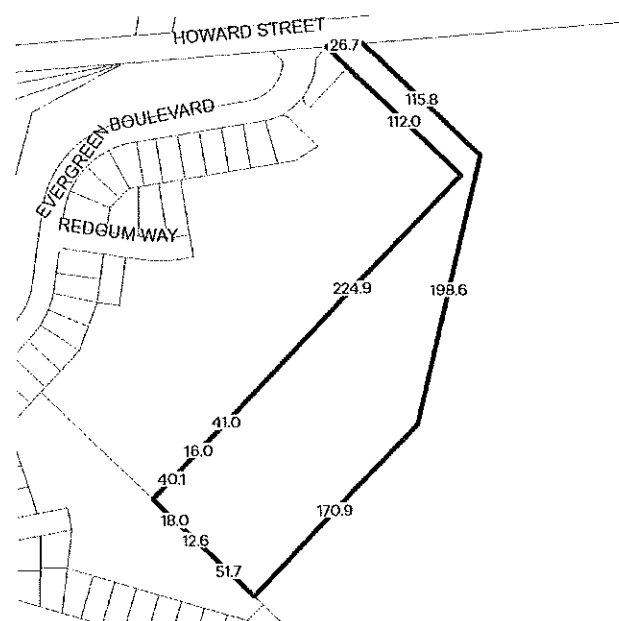
PROPERTY DETAILS

Lot and Plan Number: **Plan CP106350**
Address: **269 HOWARD STREET JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **CP106350**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **200993**
Directory Reference: **Vicroads 603 T6**

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: 28362 sq. m (2.84 ha)

Perimeter: 1068 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.

3 overlapping dimension labels are not being displayed

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 EAST**

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 parcel can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

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

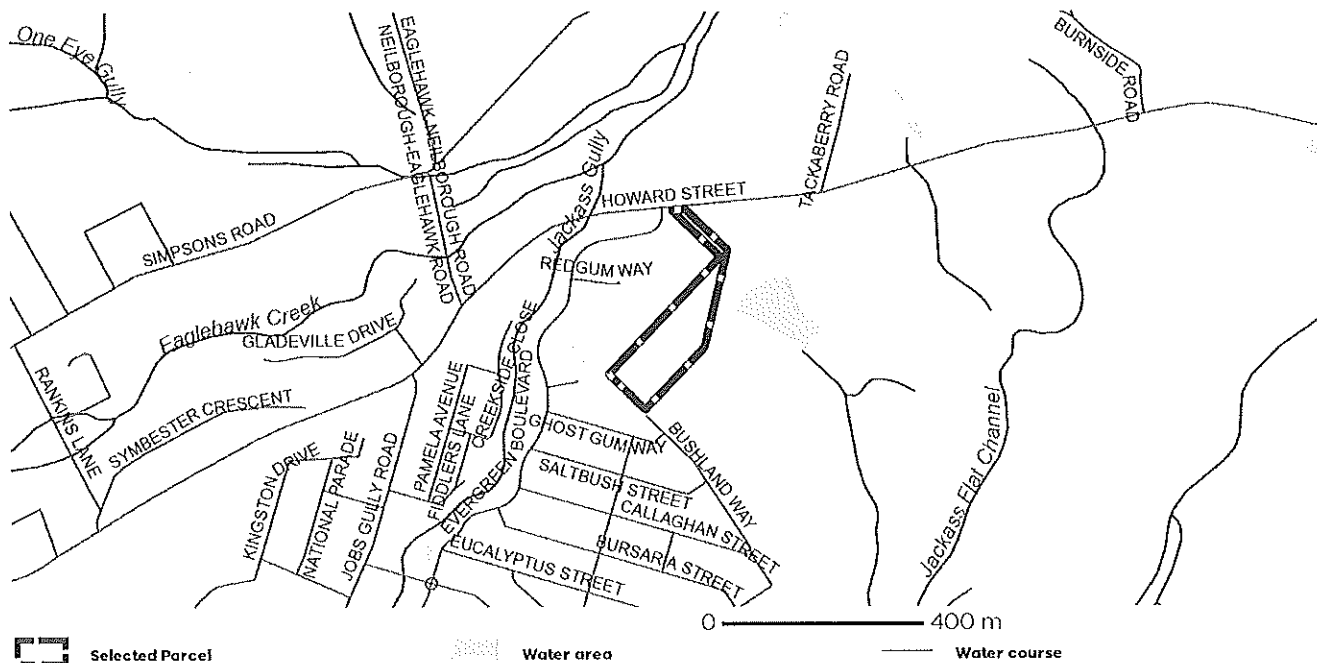
Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

PROPERTY REPORT



Energy,
Environment
and Climate Action

Area Map



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 03 October 2024 02:01 PM

PROPERTY DETAILS

Lot and Plan Number: **Plan CP106350**
Address: **269 HOWARD STREET JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **CP106350**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **200993**
Planning Scheme: **Greater Bendigo**
Directory Reference: **Vicroads 603 T6**

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 EAST**

OTHER

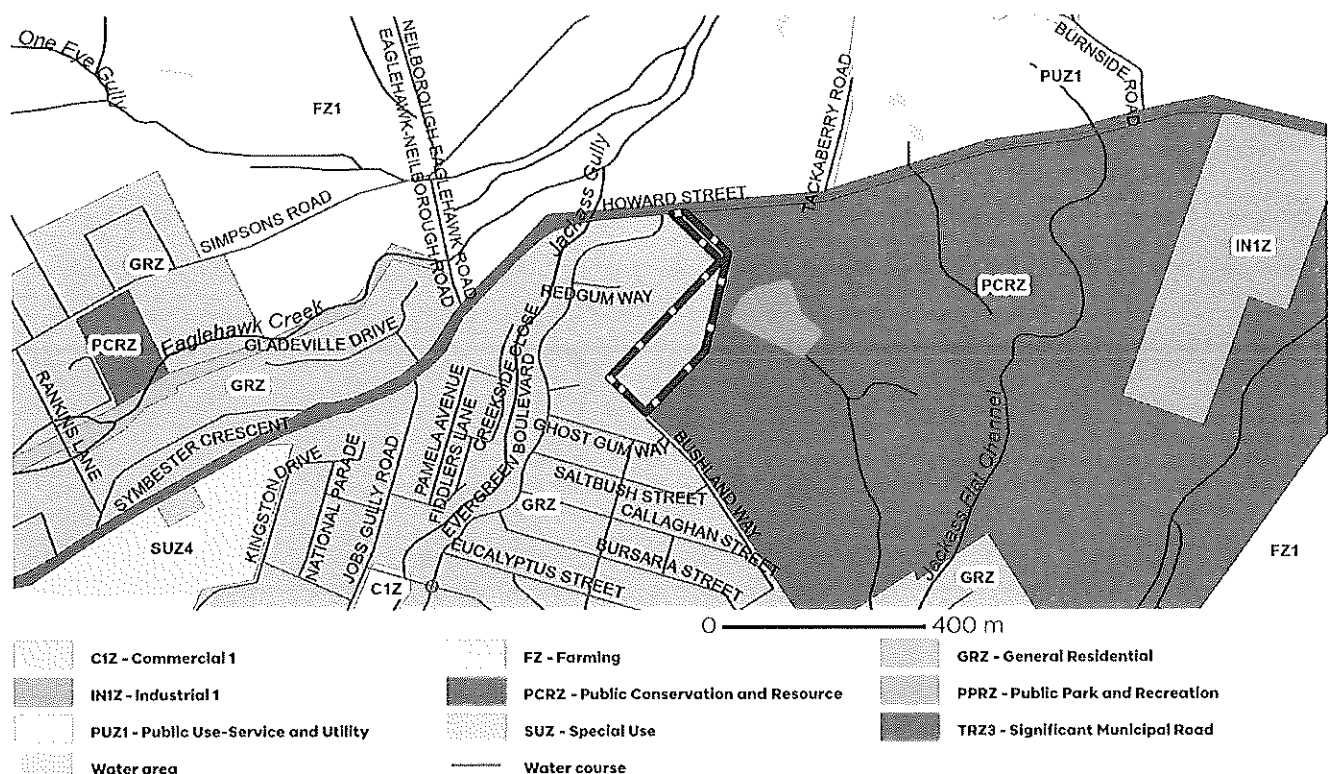
Registered Aboriginal Party: **Dja Dja Wurrung Clans Aboriginal Corporation**

[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.

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.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).

PLANNING PROPERTY REPORT: Plan CP106350

Page 1 of 6

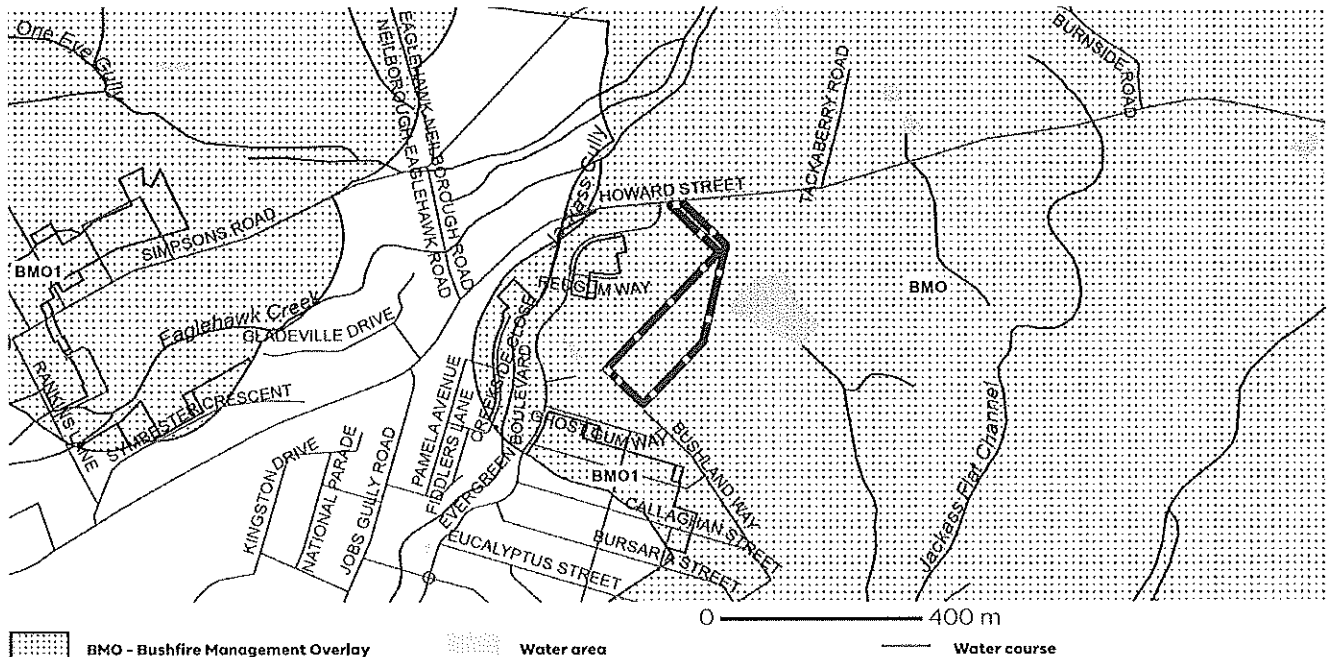
PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

Planning Overlays

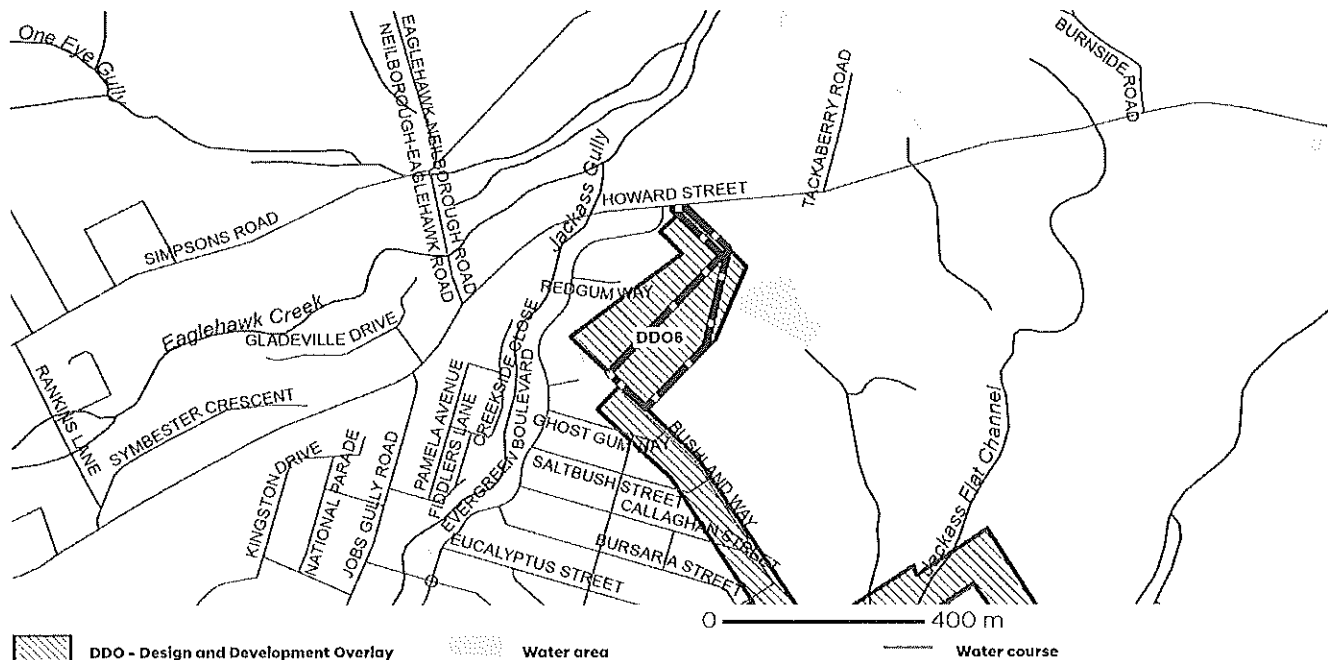
BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6 (DDO6)



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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.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).

PLANNING PROPERTY REPORT

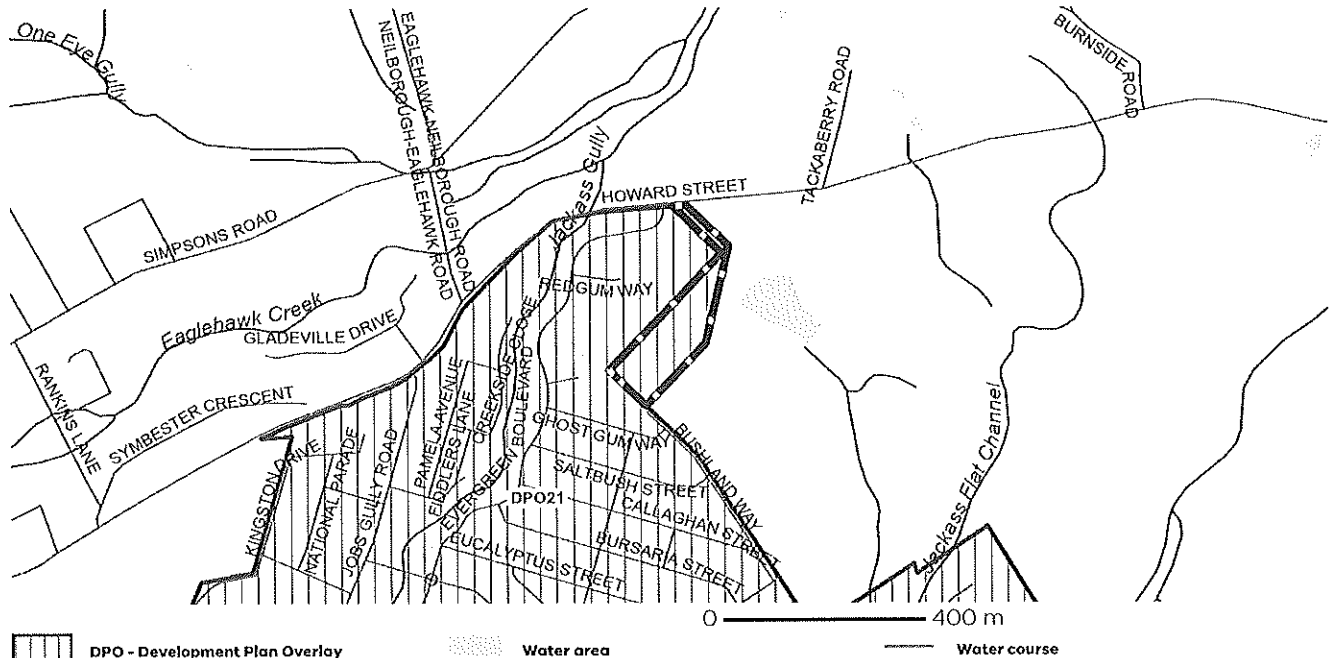


Environment,
Land, Water
and Planning

Planning Overlays

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY - SCHEDULE 21 (DPO21)



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

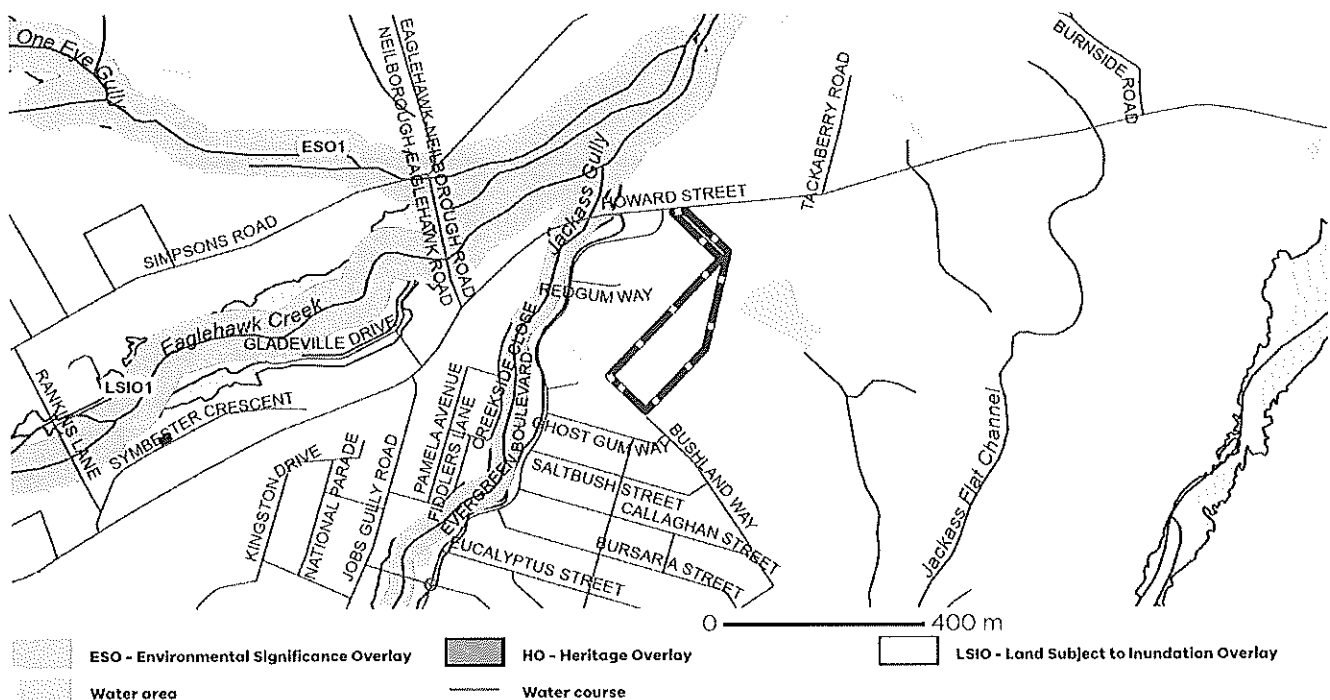
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

HERITAGE OVERLAY (HO)

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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

Read the full disclaimer at <https://www.delwp.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).

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is on '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.

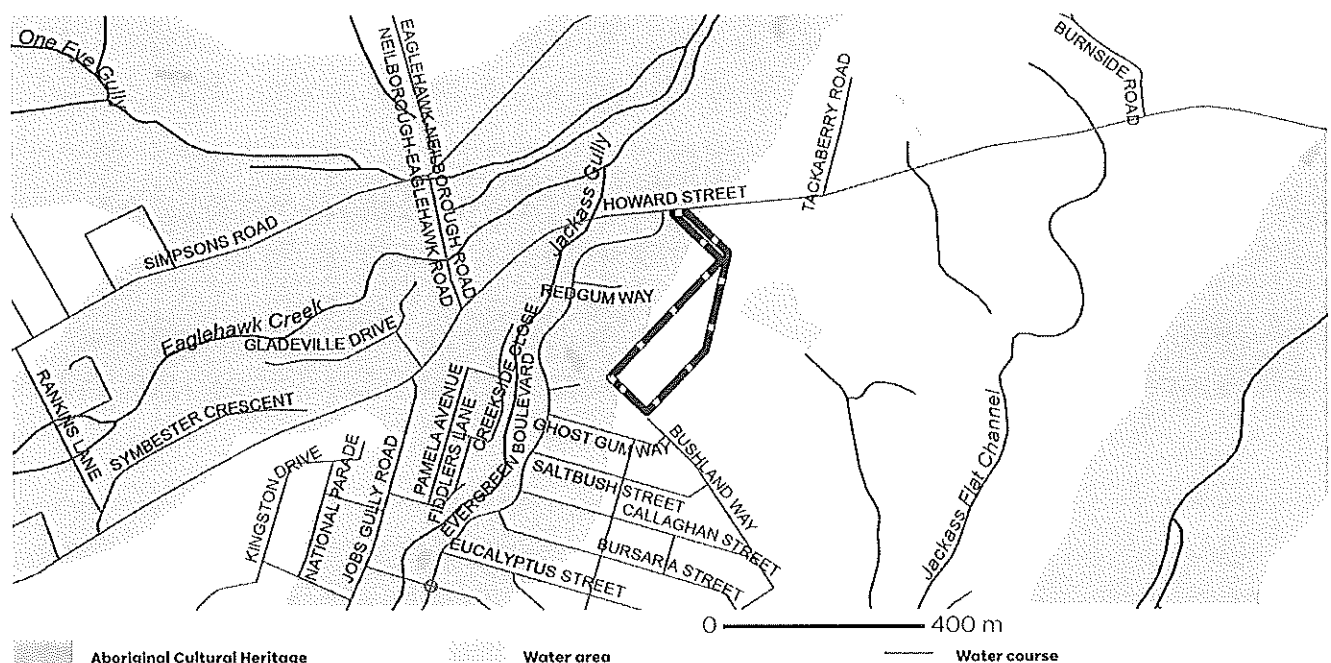
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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 <http://www.gov.nrms.net.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.aboriginal.victoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 2 October 2024.

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>

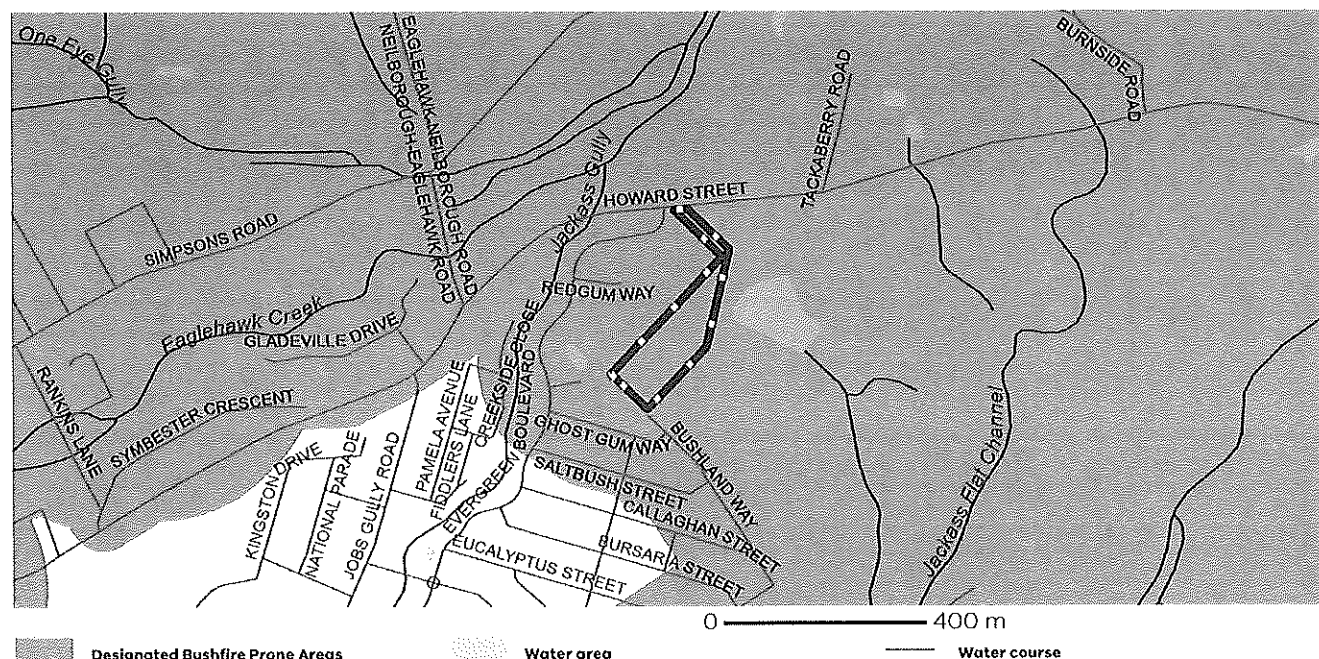
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). 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 \(environment.vic.gov.au\)](https://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 \(environment.vic.gov.au\)](https://environment.vic.gov.au)

PROPERTY REPORT



Energy,
Environment
and Climate Action

From www.land.vic.gov.au at 03 October 2024 02:02 PM

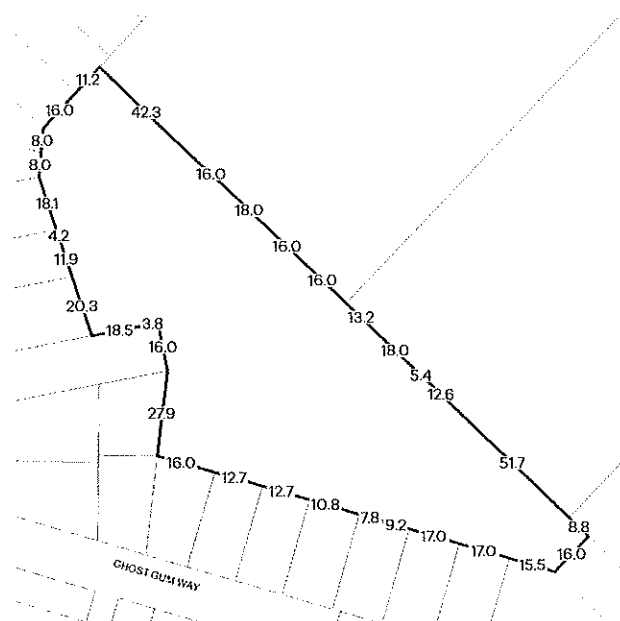
PROPERTY DETAILS

Lot and Plan Number: **Lot A PS903679**
Address: **BUSHLAND WAY JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **A\PS903679**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **None**
Directory Reference: **Vicroads 603 S6**

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: 11002 sq. m (1.10 ha)

Perimeter: 535 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.

5 overlapping dimension labels are not being displayed

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 EAST**

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 parcel can found here - [Planning Property Report](#).

Planning Property Reports can be found via these two links

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

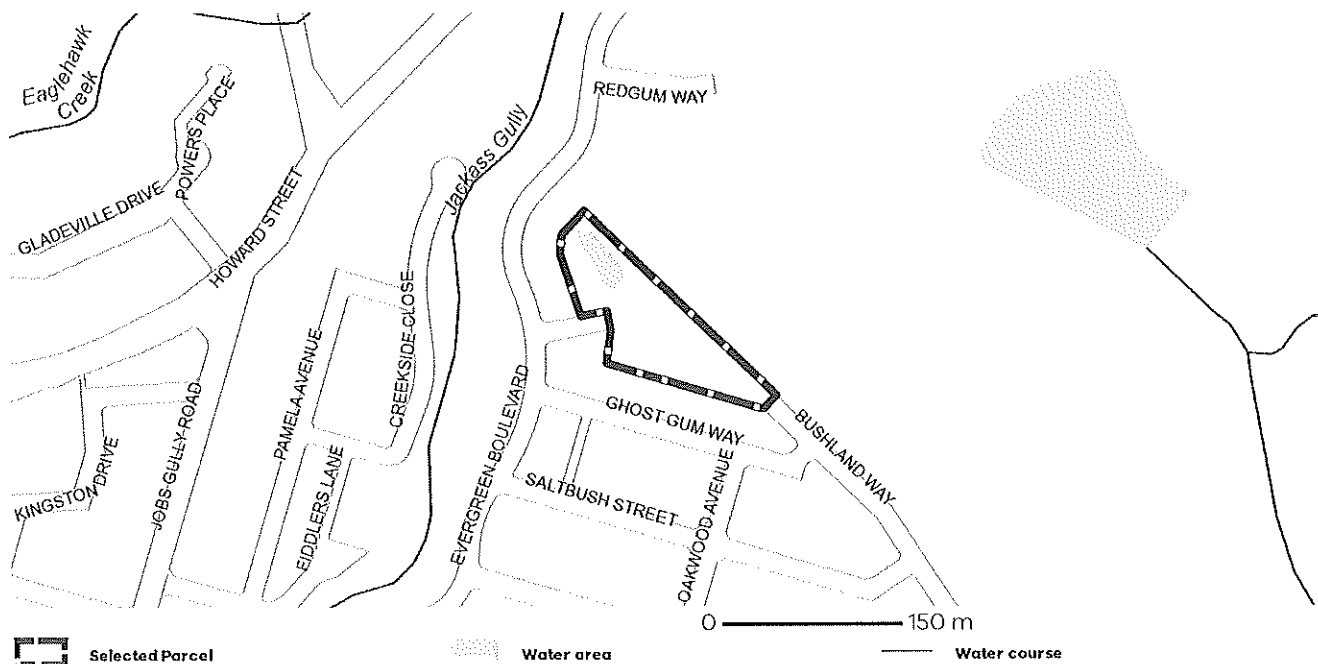
Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

PROPERTY REPORT



Energy,
Environment
and Climate Action

Area Map



PLANNING PROPERTY REPORT



VICTORIA
State
Government

Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 03 October 2024 02:01 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot A PS903679**
Address: **BUSHLAND WAY JACKASS FLAT 3556**
Standard Parcel Identifier (SPI): **A\PS903679**
Local Government Area (Council): **GREATER BENDIGO**
Council Property Number: **None**
Planning Scheme: **Greater Bendigo**
Directory Reference: **Vicroads 603 S6**

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 EAST**

OTHER

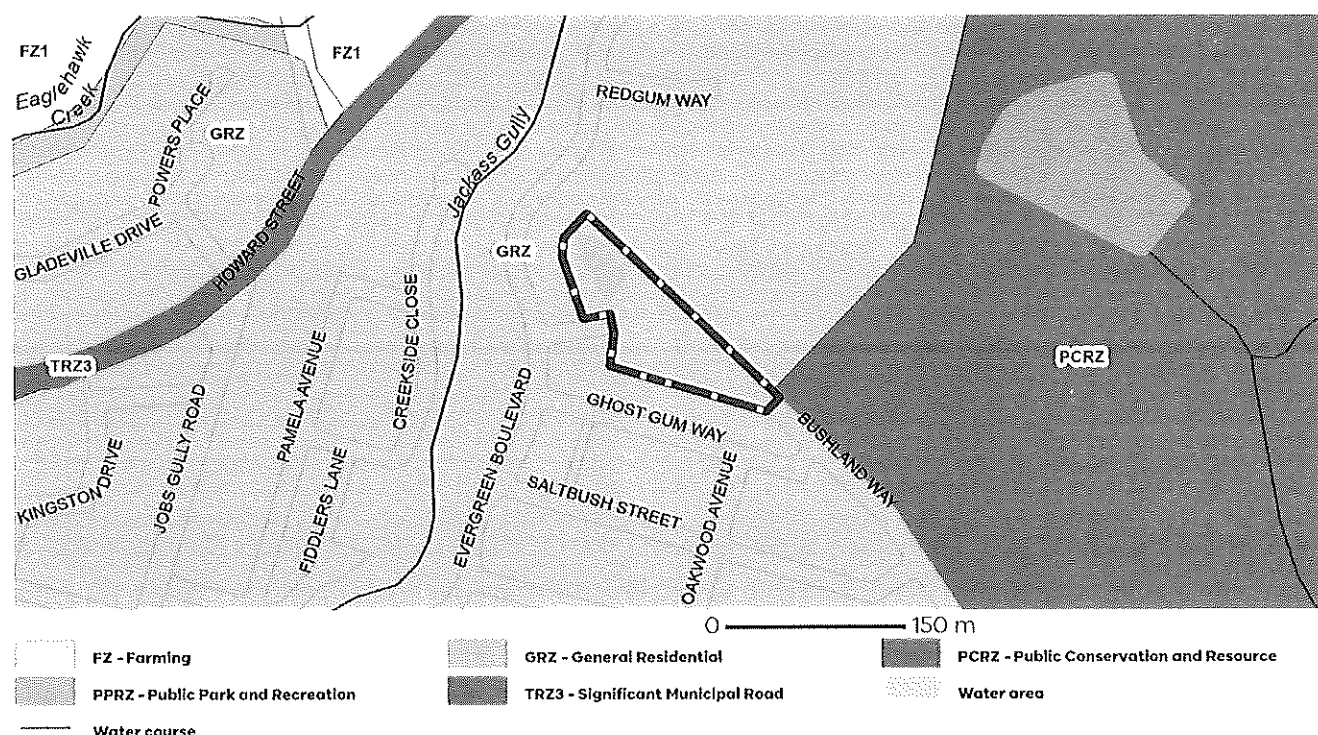
Registered Aboriginal Party: **Dja Dja Wurrung Clans Aboriginal Corporation**

[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.

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.
Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

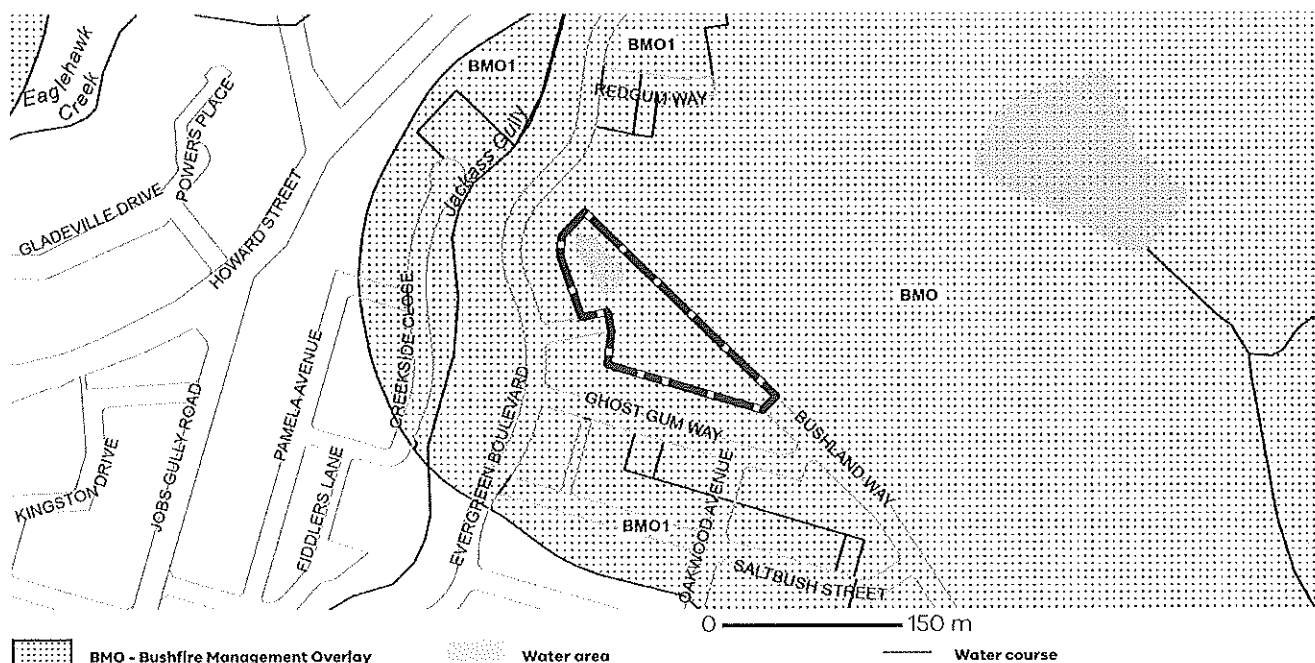
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: Lot A PS903679

Page 1 of 6

Planning Overlays

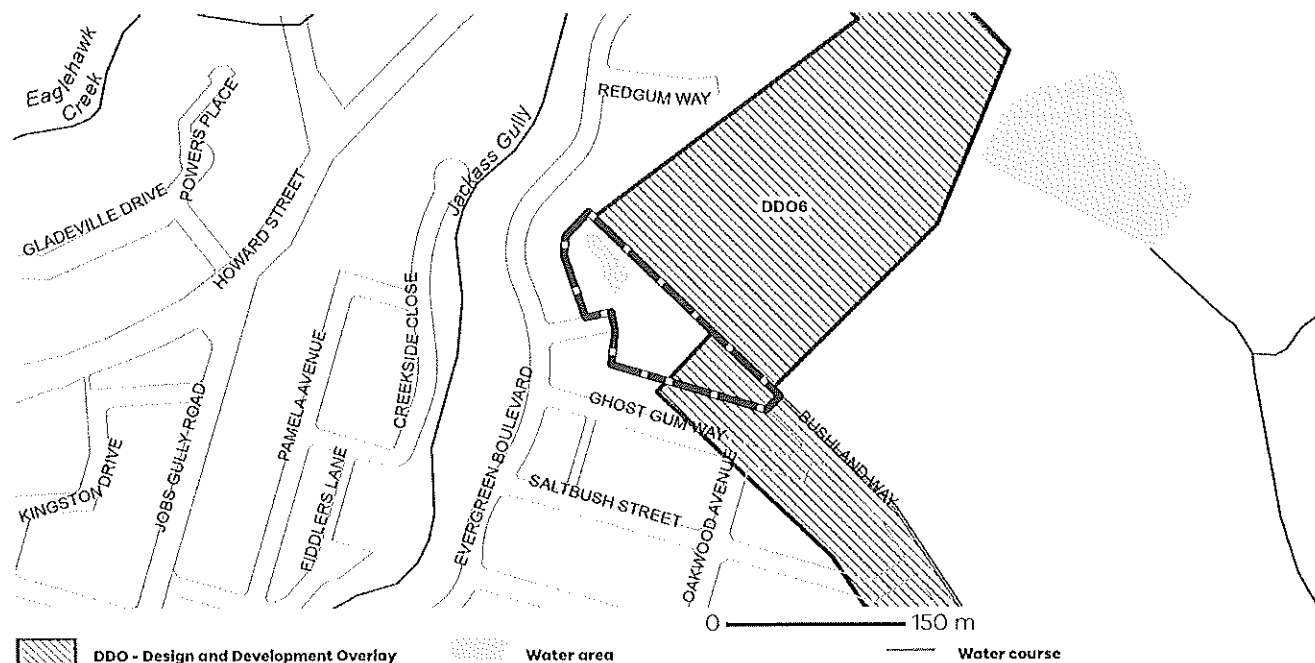
BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6 (DDO6)



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

PLANNING PROPERTY REPORT

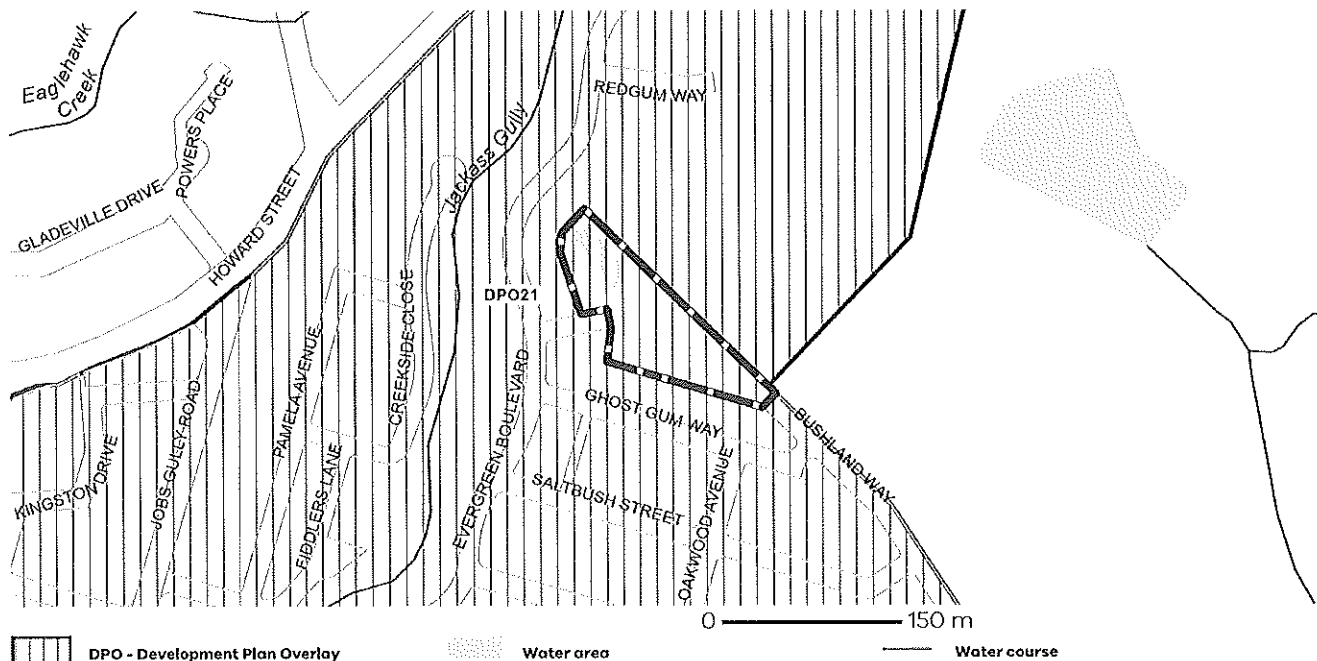


Environment,
Land, Water
and Planning

Planning Overlays

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY - SCHEDULE 21 (DPO21)

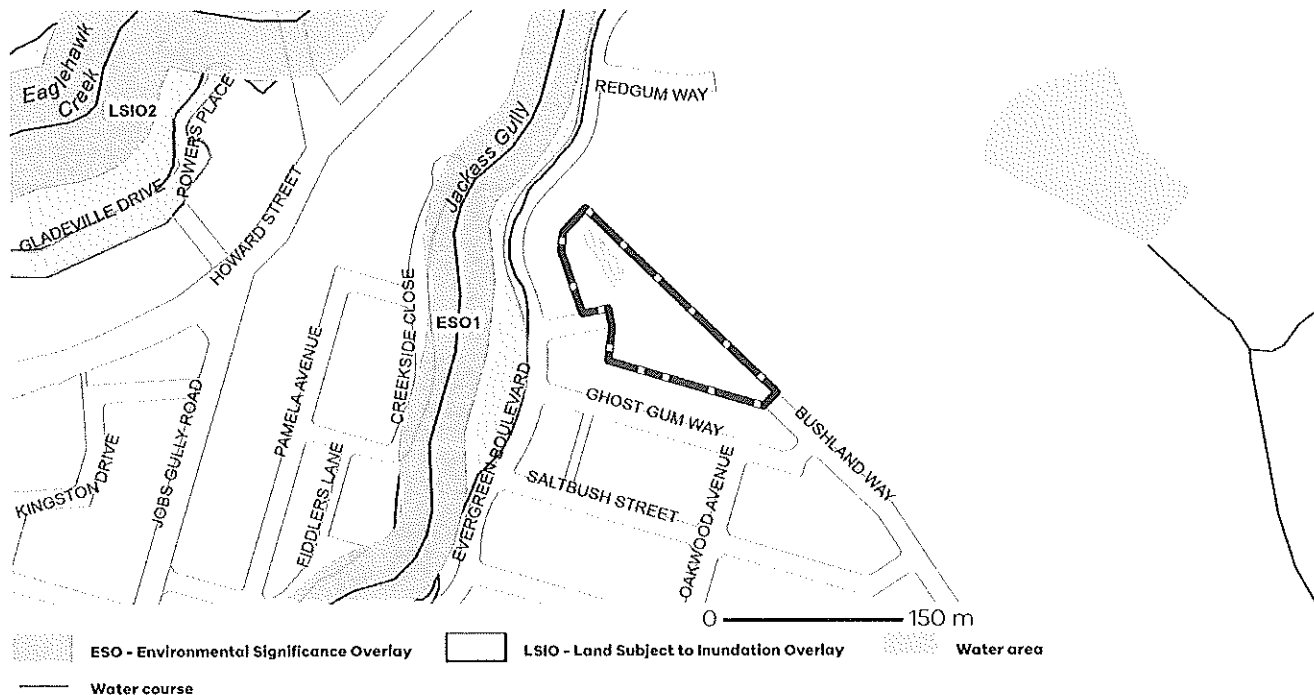


OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)



Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.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).

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel 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.

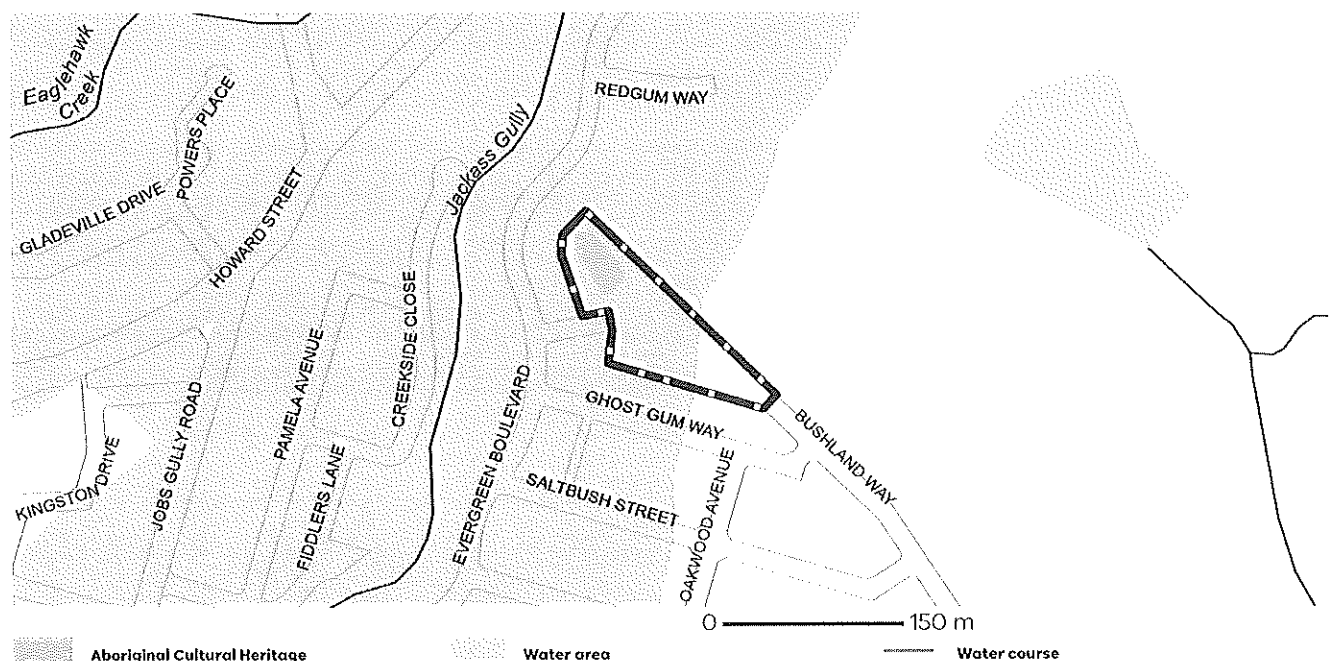
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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 <http://www.gov.nrms.net.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.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 2 October 2024.

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>

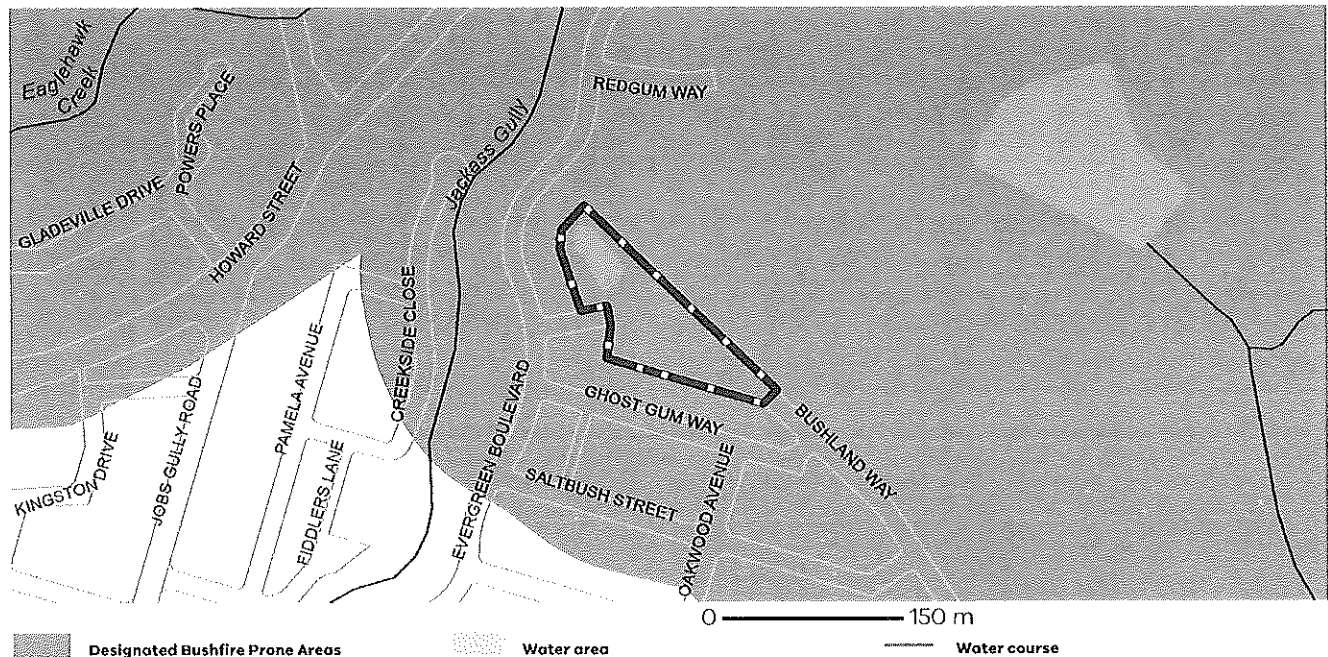
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). 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 \(environment.vic.gov.au\)](#)



CITY OF GREATER
BENDIGO

Issue Date: 3 October 2024
Your Reference: 74444511-029-9:79760
Certificate Number: 131089

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 2025 became payable on 1 July 2024. Overdue rates attract interest at the rate of 10.0% per annum.

PROPERTY ADDRESS: 3 Evergreen Boulevard, JACKASS FLAT 3556
PARCEL DETAILS: Lot A PS 748508Q
AVPCC: 102 - Vacant In globo Res Subdivisional Land

ASSESSMENT NUMBER 206240 4

Site Value	\$1,850,000	Level of Valuation	01-Jan-2024
Capital Improved Value	\$1,850,000	Valuation Operative	01-Jul-2024
Net Annual Value	\$92,500	Basis of Rate	C.I.V.

RATES & CHARGES	CURRENT AMOUNT LEVIED
General Rates	\$6,640.20
Fire Services Property Levy	\$292.95
	\$
TOTAL LEVIED	\$6,933.15
Arrears Outstanding	\$0.00
Current Legal Costs Outstanding	0.00
Arrears Legal Costs Outstanding	0.00
Interest to Date	\$0.00
TOTAL OUTSTANDING	\$6,933.15

Other Property Debt -	\$0.00
-----------------------	--------

Total Outstanding for Property **\$6,933.15**

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: 2062404

To obtain an updated balance prior to settlement or for any other information regarding this certificate please contact the Rates team on 5434 6262. Notices of Acquisition can be forwarded to acquisitions@bendigo.vic.gov.au

Hearing or speech impaired?
Call us via the National Relay
Service on 133 677 or
www.relayservice.com.au
and ask for 1300 002 642

Greater Bendigo City Council
Address: 15 Hopetoun Street, Bendigo
Postal Address: PO Box 733, Bendigo VIC 3552
T: 1300 002 642
E: ratesenquiries@bendigo.vic.gov.au
W: www.bendigo.vic.gov.au
ABN 74 149 638 164

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, P O 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 2025. All Rates and Charges due by four (4) instalments due 30 September 2024, 02 December 2024, 28 February 2025 and 31 May 2025.

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 / J & K LAW

Your Reference: 2412524
Certificate No: 80209717
Issue Date: 07 OCT 2024
Enquiries: DXS17

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

Land Id	Lot	Plan	Volume	Folio	Tax Payable
REFER TO ATTACHMENT					

Vendor: AITKEN UNIT TRUST
Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
REFER TO ATTACHMENT					

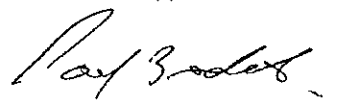
Comments: Refer to attachment

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
REFER TO ATTACHMENT					

Comments: Refer to attachment

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:	\$2,860,000
SITE VALUE:	\$2,860,000
CURRENT LAND TAX CHARGE:	\$0.00



Notes to Certificate - Land Tax

Certificate No: 80209717

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" 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 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 = \$29,340.00

Taxable Value = \$2,860,000

Calculated as \$11,850 plus (\$2,860,000 - \$1,800,000) multiplied by 1.650 cents.

Land Tax - Payment Options

BPAY



Billir Code:5249
Ref: 80209717

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

CARD



Ref: 80209717

Visa or Mastercard

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

sro.vic.gov.au/paylandtax

Property Clearance Certificate

Land Tax

Certificate No: 80209717

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556						
Land Id	Lot	Plan	Volume	Folio	Tax Payable	
31148972	A	748508	11898	301	\$0.00	
			9343	842		
Land Tax Details		Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
AITKEN UNIT TRUST		2024	\$600,000	\$6,727.48	\$0.00	\$0.00
Comments: This certificate includes Volume/Folio: 12429/279; Land Tax of \$6,727.48 has been assessed for 2024, an amount of \$6,727.48 has been paid.						
Vacant Residential Land Tax Details		Year	Taxable Value	Tax Liability	Penalty/Interest	Total
Comments:						
Current Land Tax Charge:					31148972	\$0.00

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556						
Land Id	Lot	Plan	Volume	Folio	Tax Payable	
44173685	A	748508	11898	301	\$0.00	
			9343	842		
Land Tax Details		Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
AITKEN UNIT TRUST		2024	\$1,680,000	\$18,836.93	\$0.00	\$0.00
Comments: Land Tax of \$18,836.93 has been assessed for 2024, an amount of \$18,836.93 has been paid.						
Vacant Residential Land Tax Details		Year	Taxable Value	Tax Liability	Penalty/Interest	Total
Comments:						
Current Land Tax Charge:					44173685	\$0.00

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556						
Land Id	Lot	Plan	Volume	Folio	Tax Payable	
49397080	A	748508	11898	301	\$0.00	
			9343	842		
Land Tax Details		Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
AITKEN UNIT TRUST		2024	\$580,000	\$6,503.23	\$0.00	\$0.00
Comments: Land Tax of \$6,503.23 has been assessed for 2024, an amount of \$6,503.23 has been paid.						
Vacant Residential Land Tax Details		Year	Taxable Value	Tax Liability	Penalty/Interest	Total
Comments:						
Current Land Tax Charge:					49397080	\$0.00

Total: \$0.00

Property Clearance Certificate

Commercial and Industrial Property Tax



INFOTRACK / J & K LAW

Your Reference: 2412524
Certificate No: 80209717
Issue Date: 07 OCT 2024
Enquires: DXS17

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

Land Id	Lot	Plan	Volume	Folio	Tax Payable
31148972	A	748508	11898	301	\$0.00
			9343	842	\$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
102.3	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

Land Id	Lot	Plan	Volume	Folio	Tax Payable
49397080	A	748508	11898	301	\$0.00
			9343	842	\$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
102	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:	\$2,860,000
SITE VALUE:	\$2,860,000
CURRENT CIPT CHARGE:	\$0.00

Property Clearance Certificate

Commercial and Industrial Property Tax

Certificate No: 80209717

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

Land Id	Lot	Plan	Volume	Folio	Tax Payable
44173685	A	748508	11898	301	\$0.00
			9343	842	\$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
102	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.

Notes to Certificate - Commercial and Industrial Property Tax

Certificate No: 80209717

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.
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 / J & K LAW

Your Reference: 2412524
Certificate No: 80209717
Issue Date: 07 OCT 2024

Land Address: 3 EVERGREEN BOULEVARD JACKASS FLAT VIC 3556

Lot	Plan	Volume	Folio
A	748508	11898	301
		9343	842

Vendor: AITKEN UNIT TRUST
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: 80209717

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

BPAY



Billers Code: 416073
Ref: 80209711

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

CARD



Ref: 80209711

Visa or Mastercard

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

sro.vic.gov.au/payment-options

Important payment information

Windfall gains tax payments must be made using only these specific payment references.

Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.



**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

ROADS PROPERTY CERTIFICATE

The search results are as follows:

J & K Law C/- InfoTrack (LEAP)
135 King St
SYDNEY 2000
AUSTRALIA

Client Reference: 363691

NO PROPOSALS. As at the 3th October 2024, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

3 EVERGREEN BOULEVARD, JACKASS FLAT 3556
CITY OF GREATER BENDIGO

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 3th October 2024

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 74444511 - 74444511140624 '363691'

Extract of EPA Priority Site Register

Page 1 of 2

**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

PROPERTY INQUIRY DETAILS:

STREET ADDRESS: 3 EVERGREEN BOULEVARD

SUBURB: JACKASS FLAT

MUNICIPALITY: GREATER BENDIGO

MAP REFERENCES: Vicroads Eighth Edition, State Directory, Map 44 Reference F5

DATE OF SEARCH: 3rd October 2024

PRIORITY SITES REGISTER REPORT:

A search of the Priority Sites Register for the above map references, corresponding to the address given above, has indicated that this site is not listed on, and is not in the vicinity of a site listed on the Priority Sites Register at the above date.

IMPORTANT INFORMATION ABOUT THE PRIORITY SITES REGISTER:

You should be aware that the Priority Sites Register lists only those sites for which:

Priority Sites are sites for which EPA has issued a:

- Clean Up Notice pursuant to section 62A) of the Environment Protection Act 1970
- Pollution Abatement Notice pursuant to section 31A or 31B (relevant to land and/or groundwater) of the Environment Protection Act 1970
- Environment Action Notice pursuant to Section 274 of the Environment Protection Act 2017
- Site Management Order (related to land and groundwater) pursuant to Section 275 of the Environment Protection Act 2017
- Improvement Notice (related to land and groundwater) pursuant to Section 271 of the Environment Protection Act 2017
- Prohibition Notices (related to land and groundwater) pursuant to Section 272 of the Environment Protection Act 2017 on the occupier or controller of the site to require active management of these sites, or where EPA believes it is in the community interest to be notified of a potential contaminated site and this cannot be communicated by any other legislative means. Sites are removed from the Priority Sites Register once all conditions of a Notice have been complied with.

The Priority Sites Register does not list all sites known to be contaminated in Victoria. A site should not be presumed to be free of contamination just because it does not appear on the Priority Sites Register. Persons intending to enter into property transactions should be aware that many properties may have been contaminated by past land uses and EPA may not be aware of the presence of contamination. EPA has published information advising of potential contaminating land uses. Council and other planning authorities hold information about previous land uses, and it is advisable that such sources of information should also be consulted.

The Environment Protection Authority does not warrant the accuracy or completeness

[Extract of Priority Sites Register] # 74444511 - 74444511140624
'363691'



Extract of EPA Priority Site Register

**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

of information in this Extract and any person using or relying upon such information does so on the basis that the Environment Protection Authority shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Users of this site accept all risks and responsibilities for losses, damages, costs and other consequences resulting directly or indirectly from use of this site and information from it. To the maximum permitted by law, the EPA excludes all liability to any person directly or indirectly from using this site and information from it.

For sites listed on the Priority Sites Register, a copy of the relevant Notice, detailing the reasons for issue of the Notice, and management requirements, is available on request from EPA through the contact centre (details below). For more information relating to the Priority Sites Register, refer to the EPA website at: <https://www.epa.vic.gov.au/for-community/environmental-information/land-groundwater-pollution/priority-sites-register>

Environment Protection Authority Victoria
200 Victoria Street
Carlton VIC 3053
1300 EPA VIC (1300 372 842)



CERTIFICATE

Pursuant to Section 58 of the *Heritage Act 2017*

**J & K Law C/- InfoTrack (LEAP)
135 King St
SYDNEY 2000**

**CERTIFICATE NO:
74444511**

**PROPERTY ADDRESS:
3 EVERGREEN BOULEVARD
JACKASS FLAT**

**PARCEL DESCRIPTION:
Lot A PS748508Q**

1. The place or object is not included in the Heritage Register.
2. The place is not in a World Heritage Environs Area.
3. The place or object is not subject to an interim protection order.
4. A nomination has not been made for inclusion of the place or object in the Heritage Register.
5. An application for exclusion from the Victorian Heritage Register has not been made.
6. The site is not included in the Heritage Inventory.
7. A repair order is not in force in respect of the place or object.
8. There is not an order of the Supreme Court under Division 3 of Part 10 in force in respect of the place or object.
9. There is not a Governor in Council declaration made under section 227 in force against the owner of the place or object.
10. There is not a court order made under section 229 in force against a person in respect of the place or object.
11. There are no current proceedings for a contravention of this Act in respect of the place or object.
12. There has not been a rectification order issued in respect of the place or object.



Environment,
Land, Water
and Planning

HERITAGE
VICTORIA
HERITAGE
VICTORIA
HERITAGE
VICTORIA

CERTIFICATE

Pursuant to Section 58 of the *Heritage Act 2017*



Executive Director

DATED: 03/10/2024

Note: This Certificate is valid at the date of issue.



HISTORIC MINING ACTIVITY

Form No. 692

03 October, 2024

Property Information:

Address: BUSHLAND WAY JACKASS FLAT 3556

It is advised that:

Our records do not indicate the existence of any mining activity on or under this site, but the site is within an area of past prospecting or mining activity. Note that there may be unrecorded mine workings present. (3)

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.

For queries, contact:

Department of Energy, Environment and Climate Action
E-mail: gsv_info@deeca.vic.gov.au



HISTORIC MINING ACTIVITY

Form No. 692

03 October, 2024

Property Information:

Address: 269 HOWARD STREET JACKASS FLAT 3556

It is advised that:

Our records do not indicate the existence of any mining activity on or under this site, but the site is within an area of past prospecting or mining activity. Note that there may be unrecorded mine workings present. (3)

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.

For queries, contact:

Department of Energy, Environment and Climate Action
E-mail: gsv_info@deeca.vic.gov.au



HISTORIC MINING ACTIVITY

Form No. 692

03 October, 2024

Property Information:

Address: 3 EVERGREEN BOULEVARD JACKASS FLAT 3556

It is advised that:

Our records do not indicate the existence of any mining activity on or under this site, but the site is within an area of past prospecting or mining activity. Note that there may be unrecorded mine workings present. (3)

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.

For queries, contact:

Department of Energy, Environment and Climate Action
E-mail: gsv_info@deeca.vic.gov.au



ABN 96 549 082 360

J & K Law C/- InfoTrack (LEAP) C/- LANDATA
Two Melbourne Quarter, Level 13, 697 Collins Street
Docklands

Information Statement

(Special Meter Read)

Service Address: 269 Howard Street, Epsom, VIC, 3551

Owner(s):	Title(s):
Merrimu Views Pty Ltd	Lot A, Plan of Subdivision, Plan Number 903679, Volume 12429, Folio 279, Parish of Sandhurst
	Plan of Consolidation, Plan Number 106350, Volume 09343, Folio 842, Parish of Sandhurst
	Lot A, Plan of Subdivision, Plan Number 748508Q, Volume 11898, Folio 301, Parish of Sandhurst

Account Calculation:

Fees and Charges	\$0.00
Scheme Arrears	\$0.00
Total amount in arrears:	\$0.00
Calculated charges from last billing date to 14-10-2024 as detailed on the following page/s.	\$0.00
Amount Due:	\$0.00



1300 363 200
www.coliban.com.au
PO Box 2770 BENDIGO DC
Victoria 3554

Information Statement Issue Date:

3 October 2024

Your Reference:

74444511-040-4

Settlement Date:

14 October 2024

Information Statement Number:

ISN-0000043853

Property Number:

LOC-000024020

Settlement Payment Reference:

2000000240204

Amount Due:

\$0.00

If you are making a settlement payment via PEXA, please use the biller code 39156 and the settlement payment reference number detailed above.

In accordance with Section 275 (1) of the Water Act (1989), the person /s who becomes the owner of the property must pay any amount that is a charge on that property under Section 274 (4A).

Unless prior consent has been obtained, the Water Act (1989) prohibits:

The erection and/or placement of any building, wall, bridge, embankment, fill or removal of earth, machinery or other structure on land over which an easement exists, or within one (1) metre laterally, of any works of Coliban Water.

Property Number: LOC-000024020
Service Address: 269 Howard Street, Epsom, VIC, 3551

Details for Services provided and their tariffs:

Encumbrances and other information:

- * There are no services available to this property.
- * Vacant Land.
- * All acquisitions and dispositions are to be forwarded to Coliban Water via email: revenue@coliban.com.au
- * Could the applicant please phone for an update on this certificate prior to settlement. Alternatively, you can email revenue@coliban.com.au for an update and provide the ISN number (Information Statement number) and settlement date in your email.
- * Information Statements are valid for a period of 90 days from application date for service charges only.
- * If you are making a settlement payment via PEXA, please use the biller code 39156 and the settlement payment reference number detailed on page 1. Once settlement is complete to ensure all the required information under the Water Act 1989, Section 159 continues to be provided to us during the property settlement process. Please advise all of the following details on the Notice of Acquisition/Disposition (with the relevant ownership details i.e. lot number/s, plan of subdivision number/s, volume number/s, folio number/s. The version of information being provided to the State Revenue Office (SRO) is adequate for our requirements.

Revenue Services

Coliban Region Water Corporation

37-45 Bridge Street Bendigo 3550
Phone 1300 363 200 Fax (03) 5434 1341

PROPERTY REPORT

Property Address: **269 Howard Street, Epsom,
VIC, 3551**

Date Created: 03-Oct-2024



Disclaimer with respect to the information provided:

Coliban Water makes no representation or warranty regarding the accuracy or completeness of the information in this document. Coliban Water further accepts no responsibility for any omissions or inaccuracies that may exist, and disclaims all liability for any loss or damage which may arise directly or indirectly from reliance on the information in this document, whether or not that loss is caused by any negligence on the part of Coliban Water or its employees.

Scale 1: 5,000



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](http://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)