

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

VOLUME 11124 FOLIO 662

Security no : 124070183564V  
Produced 02/02/2018 12:53 pm

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 544009W.

PARENT TITLES :

Volume 08524 Folio 527      Volume 08763 Folio 951  
Volume 11082 Folio 357 to Volume 11082 Folio 358  
Created by instrument PS544009W 19/03/2009

**REGISTERED PROPRIETOR**

Estate Fee Simple

Sole Proprietor

OLIVIA JANE TIPLER of 1300 CAPE OTWAY ROAD MODEWARRE VIC 3240  
AL542170H 06/12/2014

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AL542171F 06/12/2014  
WESTPAC BANKING CORPORATION

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  
as to Lot 1 on Plan of Subdivision 082811  
AG134419P 10/10/2008

**DIAGRAM LOCATION**

SEE PS544009W 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: 1300 CAPE OTWAY ROAD MODEWARRE VIC 3240

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION (14)  
Effective from 23/10/2016

DOCUMENT END



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Document Type	<b>Instrument</b>
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**AL542170H**

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# Transfer of Land

## Section 45 Transfer of Land Act 1958

Lodged by:

Name: **CYNGLER KAYE LEVY**  
Phone: **(03) 9800 1722**  
Address: **Suite 2, 1st Fl, 230 Balacaya Road, Caulfield North Vic 3161**  
Reference: **686014:JC:SW**  
Customer Code: **3812Q**

**WESTPAC**  
**15232S**

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: *(volume and folio)*

**Certificate of Title Volume 11124 Folio 662**

Estate and Interest: *(e.g. "all my estate in fee simple")*

**all my estate and interest in fee simple**

Consideration:

**Nature love and affection**

Transferor: *(full name)*

**DARYL KEITH PELCHEN**

Transferee: *(full name and address including postcode)*

**OLIVIA JANE TIPLER of 1300 CAPE OTWAY ROAD, MODEWARRE VIC 3240**

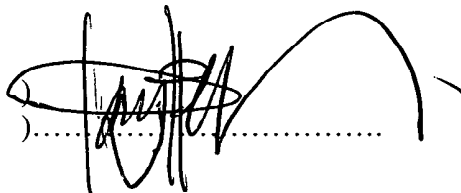
Directing Party: *(full name)*

Dated: **3/10/14**

Execution and attestation :

Signed by the Transferor in the presence of

Witness..... **is small** .....

) 

Signed by the Transferee in the presence of

Witness..... **is small** .....

) 

11691302A

Order to Register

Duty Use Only

# T1

Please register and issue Certificate of Title to

\*Law Perfect Pty Ltd  
Page 1 of 1

Signed

Customer Code:

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010



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**AL542171F**

# Mortgage

Section 74 Transfer of Land Act 1958

## Privacy Collection Statement

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### 1. Land/s

*Land Title*

Volume 11124 Folio 662

### 2. Estate and Interest

FEE SIMPLE

### 3. Memorandum of common provisions

MCP Number AA1795

### 4. Mortgagor/s

*Mortgagor*

Given Name/s OLIVIA JANE

Family Name TIPLER

### 5. Mortgagee/s

*Mortgagee*

Name WESTPAC BANKING CORPORATION

ABN 3 3 0 0 7 4 5 7 1 4 1

Australian Credit Licence 233714

### 6. Signing

The mortgagor mortgages to the mortgagee the estate and interest specified in the land described subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this mortgage. The mortgagor covenants with the mortgagee that the provisions of the Memorandum of Common Provisions (MCP) referred to in this mortgage and retained by the Registrar of Titles form part of this mortgage.

*Mortgagor*

OLIVIA JANE TIPLER



*Signature of Mortgagor*

*Mortgagor Witness*



*Signature of witness*

### 7. Date

16/10/14

Date: (DD/MM/YYYY)

### 8. Lodging Party

Customer Code ~~15232S~~ WESTPAC

Reference ~~37700992~~ 15232S

### 9. Additional Terms/Covenants

Enter additional information below

You may lodge this form in two ways:

#### 1. In person

Land Registration Services  
Land Victoria  
Level 9, 570 Bourke Street  
Melbourne Vic 3000

#### 2. By mail (extra fee applies)

Land Registration Services  
Land Victoria  
PO Box 500  
East Melbourne Vic 8002  
Or DX 250639 Melbourne

# Mortgage

Section 74 Transfer of Land Act 1958

**Privacy Collection Statement**  
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Enter additional Terms/Covenants below (all relevant parties to sign this page/s):

**COVENANTS**

YOU (THE MORTGAGOR) AGREE WITH US (THE MORTGAGEE) AS FOLLOWS:

1 EACH REFERENCE TO "LAND" ON THE FIRST PAGE OF THIS COVER SHEET INCLUDES A REFERENCE TO ANY FIXTURE, STRUCTURE OR IMPROVEMENT ON IT OR AFFIXED TO IT.

2 A REFERENCE TO "THIS MORTGAGE" IN THIS COVER SHEET, IN ANY ANNEXURE TO THIS COVER SHEET OR IN THE MEMORANDUM OF COMMON PROVISIONS SPECIFIED ON THE FIRST PAGE OF THIS COVER SHEET IS A REFERENCE TO THE MORTGAGE CONSTITUTED BY THIS COVER SHEET, EACH ANNEXURE TO THIS COVER SHEET AND THAT MEMORANDUM. YOU ACKNOWLEDGE THAT YOU RECEIVED, READ AND UNDERSTOOD A COPY OF THE MEMORANDUM BEFORE SIGNING THIS MORTGAGE:

3 ADDRESS FOR NOTICES AND OTHER COMMUNICATIONS, IF DIFFERENT TO THAT SHOWN ON THE FIRST PAGE OF THIS COVER SHEET:

YOU (MORTGAGOR)

NAME, ADDRESS & FAX NO (IF ANY)

\*  
\*  
\*

US (MORTGAGEE)

ADDRESS: 360 COLLINS ST, MELBOURNE VIC 3000

FAX NO:

4 THIS MORTGAGE SECURES THE SAME MONEY AS OTHER ENCUMBRANCES INCLUDING THE FOLLOWING COLLATERAL SECURITIES:

• NONE

THERE MAY ALSO BE OTHER ENCUMBRANCES THAT SECURE THE SAME MONEY.

5 IF THERE IS AN INCONSISTENCY BETWEEN THIS COVER SHEET AND THE MEMORANDUM, THIS COVER SHEET PREVAILS.

6 THE MEMORANDUM IS VARIED AS FOLLOWS: NOT APPLICABLE

EXECUTION AND ATTESTATION (MORTGAGOR ONLY - THIS MORTGAGE IS NOT REQUIRED TO BE EXECUTED BY THE MORTGAGEE):





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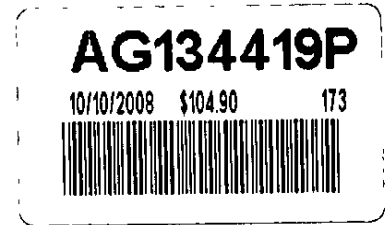
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APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A RECORDING OF AN AGREEMENT

Section 181 (1)

Planning and Environment Act 1987

Lodged at the Land Titles office by:

**Name:** Herbert S. Davies  
**Phone:** 95238646  
**Address:** 53 Murray Street (P.O.Box 137)  
Elsternwick 3185  
**Ref:** 2880 **Customer Code:** 2448Q

The Authority having made an Agreement requires a recording to be made in the Register for the land.

**Land:** The land in Certificates of Title Volume 8763 Folio 951, Volume 11082 Folio 358 and part of the land in Certificate of Title Volume 11082 Folio 357. *marked A on the plan attached.*

**Authority:** Surf Coast Shire Council  
P.O. Box 350 Torquay, VIC. 3228

**Section and Act under which agreement made:** Section 173, Planning and Environment Act, 1987

A copy of the Agreement is attached to this Application.

Signature for the Authority:

**Name of Officer:** Mark Davies  
**Position held:** Chief Executive Officer  
**Date:** 17/9/2008



Amended in red at lodging party's request C-N 14/11/08



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10/10/2008 \$104.90 173



**SURFCOAST SHIRE COUNCIL**  
**(“THE RESPONSIBLE AUTHORITY”)**

**and**

**DARYL KEITH PELCHEN**  
**(“PELCHEN”)**

**THIS AGREEMENT is made pursuant to Section 173 of the *Planning and Environment Act 1987***

**H.S. DAVIES**  
**53 MURRAY STREET**  
**ELSTERNWICK VIC**

**Ref: 2880**  
**Tel: 9523 8646**  
**Fax: 9532 8304**

THIS AGREEMENT is made the

17<sup>th</sup>

day of September 2008

**BETWEEN:** Surfcoast Shire Council of 25 Grossmans Road, Torquay, Victoria  
("the Responsible Authority ")

**AND** DARYL KEITH PELCHEN, of 69 Station Street, Malvern, Victoria  
("Pelchen").

**WHEREAS:**

1. Pursuant to a contract of sale dated 2 May 2007, Pelchen is the anticipated owner of the land comprised in Certificates of Title Volume 8763 Folio 951 and Volume 11082 Folio 357 and part of the land in Volume 11082 Folio 358, being the land described as lot 1 on the plan marked "A" attached hereto which is situated at 1320 Cape Otway Road, Modewarre, Victoria. Pelchen will become the registered proprietor of the said land.
2. Pursuant to the *Planning and Environment Act 1987* ("the Act"), the Responsible Authority is responsible for the administration and the enforcement of the Surf Coast Planning Scheme, which Scheme effects the land.
3. On application by Pelchen, the Responsible Authority issued Planning Permit 05/0653 ("the permit") on the 20 December 2005, as amended on 26 May 2008, in respect of the above land together with the remainder of the land in certificate of title Volume 11082 Folio 358, whereby the whole of the land was permitted to be subdivided into two (2) lots. A copy of the permit is available for inspection at the Responsible Authority's offices during normal business hours upon giving the Responsible Authority reasonable notice.
4. Condition 9 of the permit requires Pelchen to enter into this Agreement to provide for the matters set out in that condition, namely:
  - (a) That the land in lot 1 will not be further subdivided;
  - (b) The implementation of the environmental management plan which has been endorsed by the Responsible Authority within the timeframes specified therein;
  - (c) Ongoing management and maintenance of the property so that the land does not revert back to its former state;
  - (d) Submission of annual reports to the Responsible Authority detailing the progress and status of each year's tasks.
5. The parties enter in to this Agreement:
  - (a) To give effect to the requirements of the Permit; and
  - (b) To achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the land described in paragraph 1 hereof.

**THE PARTIES AGREE THAT:**

6. This Agreement sets out the whole of the Agreement between the parties. Any amendment or addition shall be of no effect unless it is in writing and attached to this Agreement and acknowledges this Agreement.
7. This Agreement commences as from the date hereof.

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10/10/2008 \$104.90 173




- 8. This Agreement shall enure to the benefit of and be binding upon each of the parties and their respective successors and authorised assigns.
- 9. The legal costs of this Agreement and the lodging fees associated with registering it at the Land Titles Office pursuant to section 181 of the Act, shall be borne by Pelchen.

**EXECUTED AS A DEED:**

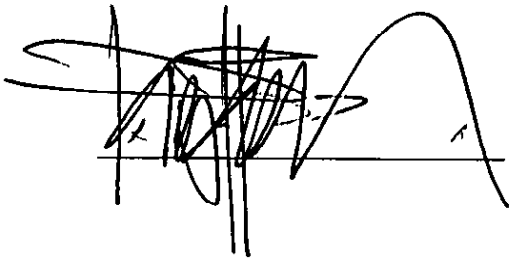
**THE COMMON SEAL of SURF COAST**  
**SHIRE COUNCIL** was hereunto affixed in )  
 accordance with instrument of delegation )  
 dated 4 July 2006 in the presence of: )



  
 \_\_\_\_\_  
 Mark Davies

Chief Executive Officer

**SIGNED SEALED AND DELIVERED** )  
 by the said **DARYL KEITH PELCHEN** )  
 in the State of Victoria in the presence of: )

  
 \_\_\_\_\_

x  ^

Witness Name: LYNN DEBRA MATHESON

Address: 28 SURREY AVE, SURREY HILLS VIC 3127

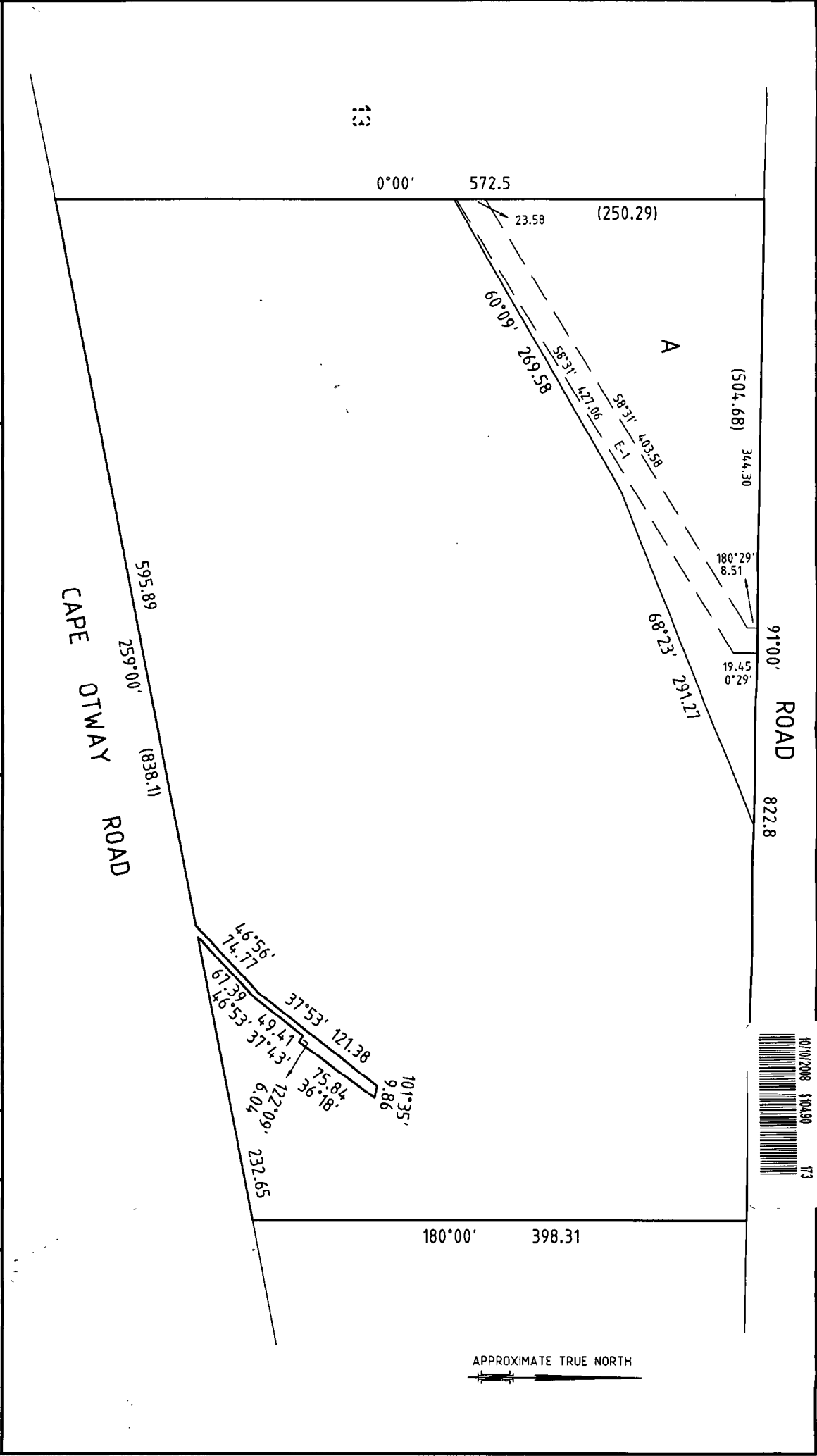
Occupation: ACCOUNTANT

**AG134419P**

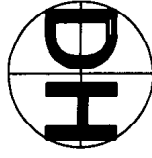
10/10/2008 \$104.90 173



**AG134419P**  
 10/0/2008 \$10430 173



APPROXIMATE TRUE NORTH



**DICKSON HEARN PTY LTD**  
 A.C.N. 006 978 294  
 3/92 BRIDGE MALL,  
 BALLARAT, 3350.  
 Phone (03) 5333 2225 Fax (03) 5333 3220  
 email: dicksonhearn@westnet.com.au

NOTES:

**PLAN OF SURVEY**

**1320 CAPE OTWAY ROAD  
 MODEWARRE**

LOT 1 TP936928F

C/T VOL: 11082 FOL: 357

DRAWN	M.D.	DWG. No.
CHECKED	D.J.H.	<b>3834-01</b>
DATE	31/10/08	SHEET 1 OF 1
SCALE	1:3000	SHEET SIZE
		REVISION A
		<b>A3</b>



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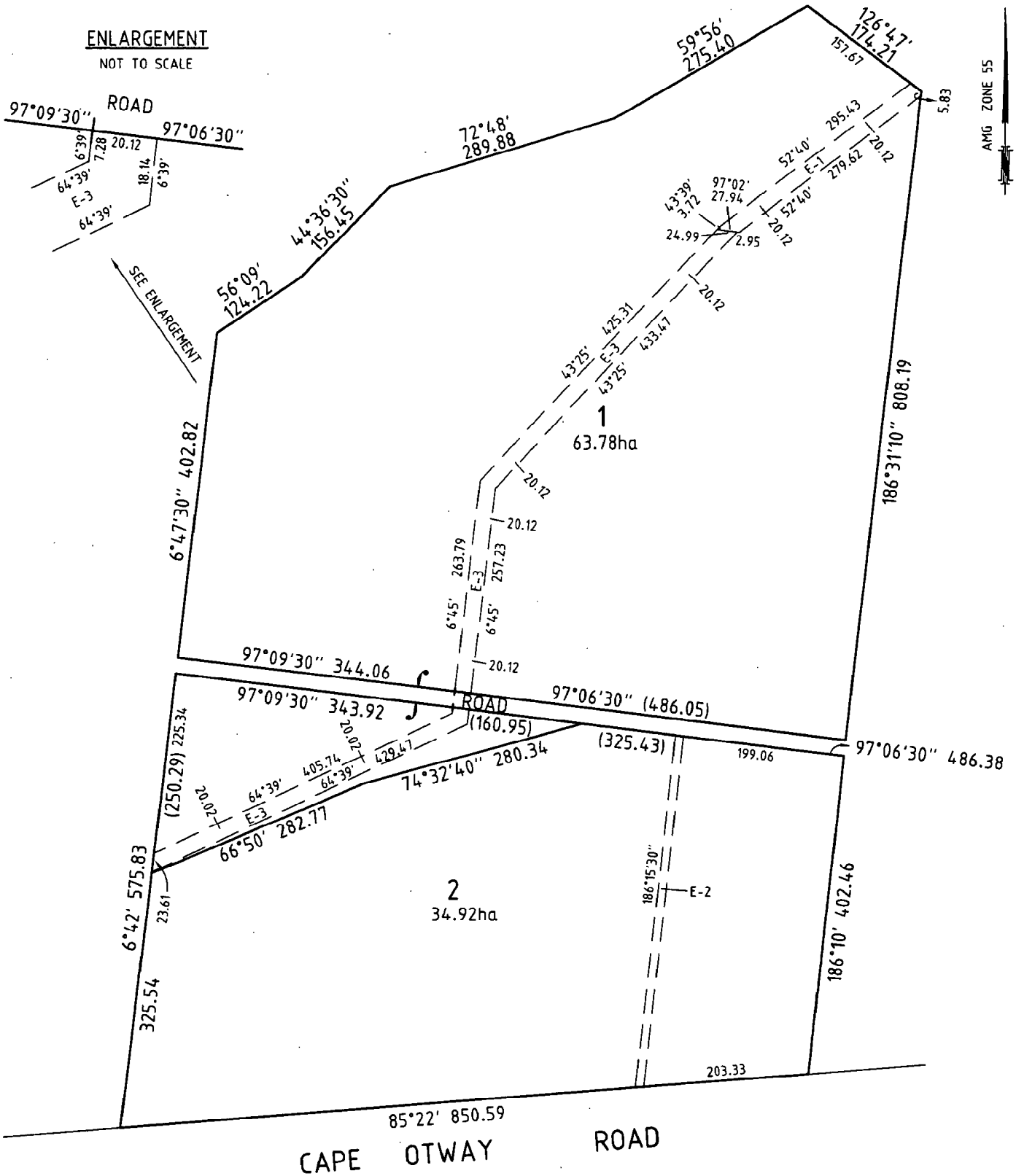
PLAN OF SUBDIVISION

Stage No. /

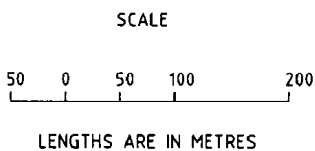
Plan Number

PS 544009 W

ENLARGEMENT  
NOT TO SCALE



**DICKSON HEARN PTY LTD**  
A.C.N. 006 978 294  
3/92 BRIDGE MALL,  
BALLARAT, 3350.  
Phone (03) 5333 2225 Fax (03) 5333 3220  
email: dicksonhearn@westnet.com.au



ORIGINAL  
SCALE  
1:5000  
SHEET  
SIZE  
A3

LICENSED SURVEYOR **RUSSELL JOHN DICKSON**  
SIGNATURE *[Signature]* DATE **29, 8, 08**  
REF. 3834 VERSION 06

Sheet 2 of 2 Sheets  
DATE **11/9/08**  
COUNCIL DELEGATE SIGNATURE  
Original Sheet Size A3