

(b) 4 notices in the form of the Thirtieth Schedule to the LGA - each dated 4 March 1980.

5. The land was at all material times -.

(a) the whole of Crown Allotment 129 and part of Crown Allotment 132 Parish of Lauriston;

(b) under the operation of the Transfer of Land Act 1958; and

(c) situated within the district of the firstnamed Defendant.

6. The land was not at any material time situated within:

(a) the urban district;

(b) the rural district-

of the secondnamed Defendant or of the KSWT.

7. On or about 20 February 1980 the firstnamed Defendant served the subdivider with a written notice of requirement pursuant to ss.569E(1) and 569E(1A) of the LGA ("the requirement") requiring him:

(a) to construct specified works, including roadworks, on the land; and

- (b) to give or cause to be given to the firstnamed Defendant a written statement from the KSWT that an agreement had been made for the provision of water supply to the land.

8. On 21 May 1980 the firstnamed Defendant sealed the following plans of subdivision provided by the subdivider:

- (a) Plan of Subdivision 79305/E;
- (b) Plan of Subdivision 79305/F;
- (c) Plan of Subdivision 79305/G;
- (d) Plan of Subdivision 79305/H;
- (e) Plan of Subdivision 79305/I;
- (f) Plan of Subdivision 79305/J;
- (g) Plan of Subdivision 79305/K.

Amended 12.6.91

9. In or about October 19⁸⁰~~80~~ and at the request of the subdivider the Plaintiffs provided a signed requisition to the Manager of the Commercial Bank of Australia Ltd (as it then was) at Thomastown ("the Bank") for the issue to the firstnamed Defendant of a Bank Guarantee ("the first Bank Guarantee") to be available until cancelled for such sum or sums not exceeding in the aggregate the sum of \$25,000.00 which were or might become payable by the Plaintiffs to the firstnamed Defendant in connection with the subdivision of the land.