



7. On or about 20 February 1980 the firstnamed Defendant served the subdivider with a written notice of requirement pursuant to ss.569E(1) & 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 or about 21 May 1980 the firstnamed Defendant sealed the various plans of subdivision provided by the subdivider in relation to the land with endorsements that a requirement under s.569E(1A) had been made.
9. In or about October 1980 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 which were or might become payable by the Plaintiffs to the firstnamed Defendant in connection with the subdivision of the land.