# PLAN OF SUBDIVISION

LV USE ONLY EDITION

PLAN NUMBER

PS 828312P

### **LOCATION OF LAND**

PARISH: KALKALLO

TOWNSHIP:

SECTION: -

CROWN ALLOTMENT: -

CROWN PORTION: 5 (PART)

TITLE REFERENCES: Vol. 9352 Fol. 804

LAST PLAN REFERENCE/S: LP127704 (LOT 2)

POSTAL ADDRESS: 90 Boundary Road WOLLERT, 3750

MGA2020 Co-ordinates E 326042 (of approx centre of N 5837326 land in plan) ZONE 55

Council Name: Whittlesea City Council SPEAR Reference Number: S164558P

VESTING OF ROADS AND/OR RESERVES			
IDENTIFIER	COUNCIL/BODY/PERSON		
ROAD R1	CITY OF WHITTLESEA		
ROAD R2	CITY OF WHITTLESEA		
RESERVE No.1	CITY OF WHITTLESEA		
RESERVE No.2	CITY OF WHITTLESEA		
RESERVE No.3	AUSNET ELECTRICITY SERVICES PTY LTD		

**NOTATIONS** 

DEPTH LIMITATION DOES NOT APPLY

STAGING This is/is not a staged subdivision.

Planning permit No. 717880

SURVEY. THIS PLAN IS<del>/IS NOT</del> BASED ON SURVEY.

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s):

KALKALLO PM 43

FOR RESTRICTION A AFFECTING LOTS 1-35 (ALL INCLUSIVE)

SEE SHEET 6
FOR RESTRICTION B AFFECTING LOTS 1-8, 10-23, 25-27, 30-33 AND 35
(ALL INCLUSIVE)

**NOTATIONS** 

SEE SHEET 6

FOR RESTRICTION C AFFECTING LOTS 9, 24, 28, 29 and 34 SEE SHEET 6

FOR RESTRICTION D AFFECTING LOTS 1-8, 10-23, 25-27, 30-33 AND 35

(ALL INCLUSIVE)

SEE SHEET 6

### **OTHER PURPOSE OF THIS PLAN:**

REMOVAL OF DRAINAGE AND SEWERAGE EASEMENT SHOWN AS E-2 ON LP127704

REMOVAL OF DRAINAGE EASEMENT SHOWN AS E-1, E-3 & E-4 ON LP127704

### **GROUNDS FOR REMOVAL:**

BY AGREEMENT OF ALL INTERESTED PARTIES PURSUANT TO SECTION 6 (1) (k) (iii) OF THE SUBDIVISION ACT 1988.

FINDONVIEW - 1

4.215ha 35 LOTS

### **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-1	DRAINAGE SEWERAGE	SEE PLAN SEE PLAN	THIS PLAN THIS PLAN	CITY OF WHITTLESEA YARRA VALLEY WATER CORPORATION
E-2 E-2	SEWERAGE CREATION & MAINTENANCE OF WETLANDS, FLOODWAYS & DRAINAGE AS SPECIFIED & SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No. AA2741	SEE PLAN SEE PLAN	THIS PLAN THIS PLAN	YARRA VALLEY WATER CORPORATION MELBOURNE WATER CORPORATION
E-3	CREATION & MAINTENANCE OF WETLANDS, FLOODWAYS & DRAINAGE AS SPECIFIED & SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No. AA2741	SEE PLAN	THIS PLAN	MELBOURNE WATER CORPORATION



SURVEYOR REF: 80006PS-007C.DWG	ORIGINAL SHEET SIZE: A3	SHEET 1 OF 6
Digitally signed by: Matthew Barry Dunn, Licensed Surveyor, Surveyor's Plan Version (3), 08/12/2020, SPEAR Ref: S164558P		

# PLAN OF SUBDIVISION

PLAN NUMBER PS 828312P

### **SUBDIVISION ACT 1988**

### Creation of Restriction A

Upon registration of this plan the following restriction is created.

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.

#### Land to benefit & to be burdened

Lots 1 to 35 (all inclusive)

#### Description of Restriction

The registered proprietor or proprietors for the time being for any burdened lot shall not:

(i) build or allow to be built a dwelling that does not include dual plumbing for the use of recycled water in toilet flushing and garden watering

#### Expiry

This restriction ceases to have effect following after either:

- The issue of an occupancy permit under the Building Act 1993 (or similar) in respect of a building on every residential lot on this plan.
- (ii) 30th June 2030.

### Creation of Restriction B

Upon registration of this plan the following restriction is created.

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.

Land to benefit Land to be burdened

Lots 1 to 35 (all inclusive) Lots 1 to 8, 10-23, 25-27, 30-33 & 35 (All inclusive)

#### Description of Restriction

The registered proprietor or proprietors for the time being for any burdened lot shall not:

- on a corner lot, build or allow to be built a dwelling where the first level facing the side street is constructed less than 900mm from the ground level wall
- build or allow to be built a dwelling where the garage is less than 5 metres from the front boundary of the lot

### Expiry

This restriction ceases to have effect following after either:

- The issue of an occupancy permit under the Building Act 1993 (or similar) in respect of a building on every residential lot on this plan.
- 30th June 2030.

### Creation of Restriction C

Upon registration of this plan the following restriction is created.

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.

### Land to benefit & to be burdened

The land is burdened and benefited in accordance with the following tables of burdened and benefited land

### Table 1 of Land Burdened & Land Benefited

BURDENED LOT No.	BENEFITING LOTS
24	25
28	27, 29
29	28, 30

Table 2 of	Land Burdened	& Land Benefited
,		

BURDENED LOT No.	BENEFITING LOTS		
9	7, 8, 10		
34	33, 35		

### Description of Restriction

Upon registration of this plan the following restriction is created.

The registered proprietor or proprietors for the time being for any burdened lot on this plan in the table as a lot subject to the "Small Lot Housing Code" must not build or permit to be built or remain on the lot any building or structure that has been constructed in accordance with the "Small Lot Housing Code" unless in accordance with a Planning Permit granted to construct a dwelling on the lot.

For the purposes of assessment against the Small Lot Housing Code;

All Burdened lots in table 1 are to be assessed as Type A Lots & All Burdened lots in table 2 are to be assessed as Type B Lots

This restriction ceases to have effect following after either:

- The issue of an occupancy permit under the Building Act 1993 (or similar) in respect of a building on every residential lot on this plan.
- (ii) 30th June 2030.

## Creation of Restriction D

Upon registration of this plan the following restriction is created.

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.

### Land to be burdened

Lots 1 to 35 (both inclusive)

Land to benefit

Lots 1 to 35 (both inclusive)

### Description of Restriction

Except with the written consent of the Responsible Authority, the burdened lot shall not:

(1) Build or erect or permit to be built or erected or remain on the burdened lot or on any part of it, any building or structure other than in accordance with the provisions of Memorandum of Common Provisions registered in dealing number AA6733

### Expiry

This restriction ceases to have effect following the latter of:

- The issue of an occupancy permit under the Building Act 1993 (or similar) in respect of a building on every residential lot on this plan.
- 30th June 2030.

MC MULLEN NOLAN GROUP	SCALE	0 LILLIAND LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 6
31/574 Plummer Street Port Melbourne VIC 3207 Tel: (03) 7002 2200 Fax: (08) 7002 2299 Email: info@mngsurvey.con MNG Ref: 80006PS-007C.D	Digitally signed Surveyor, Surveyor's Plai	by: Matthew Barry Dunn, Licensed  No Version (3), PEAR Ref: S164558P		

