

PLAN OF SUBDIVISION

EDITION 1

PLAN NUMBER
PS814486G

LOCATION OF LAND

PARISH: BELLARINE

TOWNSHIP: -

SECTION: -

CROWN ALLOTMENT: 5A (PART)

CROWN PORTION: -

TITLE REFERENCE: VOL. FOL.

LAST PLAN REFERENCE: LOT A ON PS814485J

POSTAL ADDRESS: YOU YANGS AVENUE
(at time of subdivision) CURLEWIS, 3222

MGA CO-ORDINATES: E: 285 060 ZONE: 55
(of approx centre of land in plan) N: 5 773 230 GDA 94

MUNICIPALITY: CITY OF GREATER GEELONG

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R-1	CITY OF GREATER GEELONG
ROADS R-2	CITY OF GREATER GEELONG
RESERVE No.1	CITY OF GREATER GEELONG

THE DEFINED ENDS OF EASEMENTS ARE PERPENDICULAR TO THE ADJOINING BOUNDARY UNLESS OTHERWISE SHOWN.

LOTS 1-266 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

LOTS 267-295 (BOTH INCLUSIVE) ARE THE RESULT OF THIS SURVEY.

CREATION OF RESTRICTION
SEE SHEET 4 FOR RESTRICTION DETAILS.

NOTATIONS

DEPTH LIMITATION: 15.24 METRES BELOW THE SURFACE

SURVEY:
This plan is ~~is not~~ based on survey.

STAGING:
This ~~is~~ is not a staged subdivision.
Planning Permit No.1082/2010

This survey has been connected to permanent marks No(s).

In Proclaimed Survey Area No.

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-6	DRAINAGE	SEE PLAN	PS743588R	CITY OF GREATER GEELONG
E-2	DRAINAGE	2	PS814485J	CITY OF GREATER GEELONG
E-3	PIPELINES OR ANCILLARY PURPOSES	2	PS814485J & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION
E-4	DRAINAGE	2	THIS PLAN	CITY OF GREATER GEELONG
E-5, E-6	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	THIS PLAN & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION

TGM Group
1/27-31 Myers Street (PO Box 1137)
Geelong Vic 3220
T 03 5202 4600
F 03 5202 4691
ABN 11 125 568 461
www.tgmgroup.com



SURVEYORS FILE REF: 5964-113

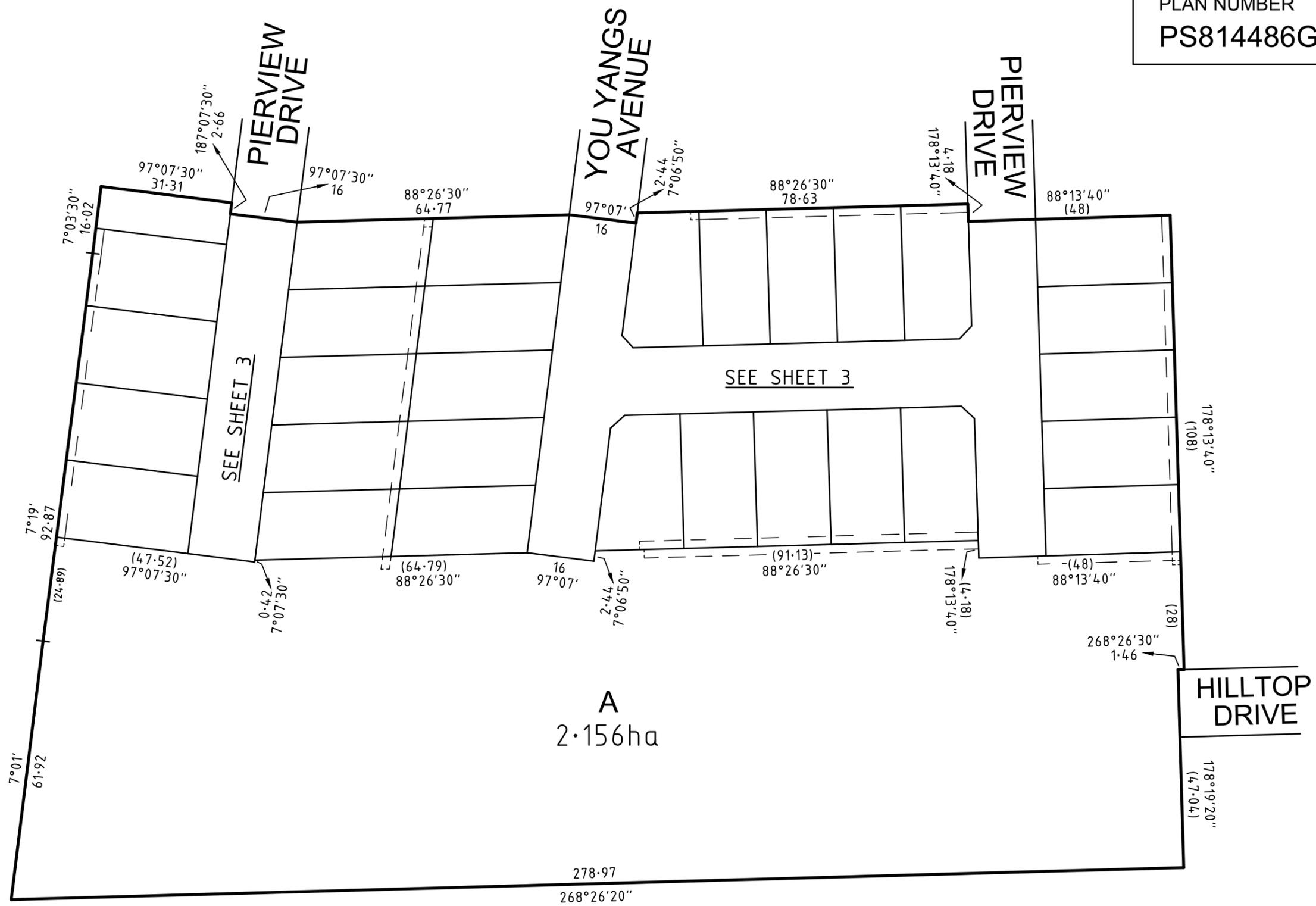
ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 4 SHEETS

RAYMOND JAMES DUNN / VERSION 2

JAS-ANZ Accredited: Quality ISO 9001 - OH&S AS/NZS 4801 - Environment ISO 14001

PLAN NUMBER
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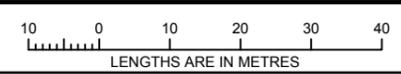


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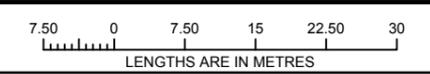
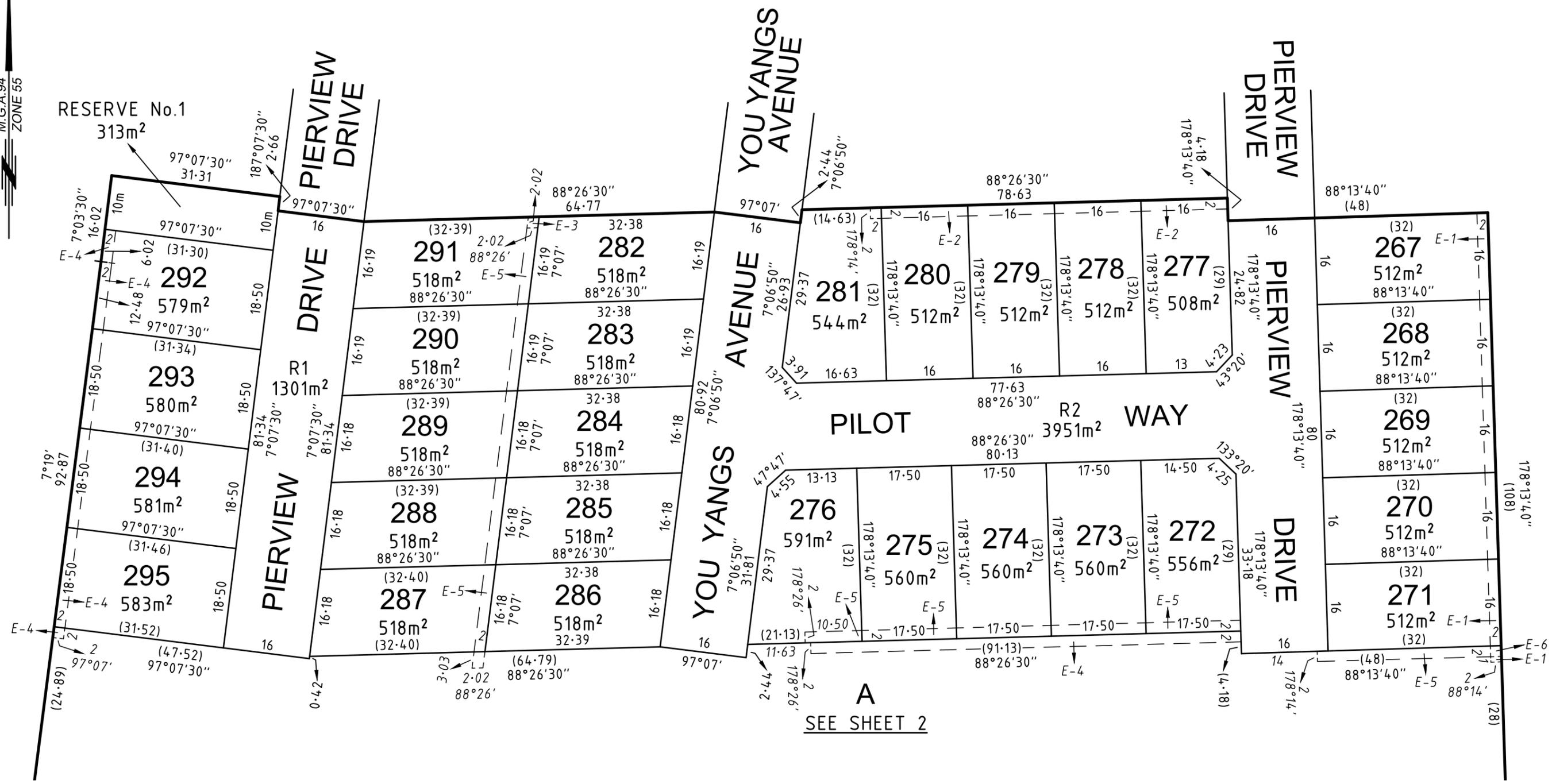
SCALE
1:1000



ORIGINAL SHEET
SIZE: A3

SHEET 3

RAYMOND JAMES DUNN / VERSION 2



CREATION OF RESTRICTION A.

Upon registration of this plan (PS814486G) the following restriction is created:

Lot burdened	Lot/s benefited
272	273
276	275
277	278
281	280

DESCRIPTION OF RESTRICTION A.

Dwellings shall not be located in the area shown thus 
 Buildings shall not be located in the area shown thus  except for allowable encroachments listed in the Building Regulations 2006.

DEFINITIONS

BUILDING - Any structure
 DWELLING - House- Habitable Room (excludes carport/garage)

CREATION OF RESTRICTION B:

Upon registration of this Plan of Subdivision (PS814486G) the following restriction is created:

Land to be benefited: Lots 267-295 (both inclusive) on this Plan (PS814486G)
 Land to be burdened: Lots 267-295 (both inclusive) on this Plan (PS814486G)

DESCRIPTION OF RESTRICTION B:

Except with the prior consent of the Developer, the registered proprietor from the time being of any lot on this plan of subdivision to which the following restrictions apply must not:

- (a) Subdivide or allow the lot to be subdivided.
- (b) Consolidate or allow the lot to be consolidated.

For the purposes of this Restriction:

“Developer” means L Bisinella Developments Pty Ltd (ACN 006 806 677) of 195 Forest Road, Lara, VIC 3212 or any of its related bodies corporate within the meaning of Section 50 of the Corporations Act 2001 (Cth) (as amended from time to time) and its successors, substitutes, permitted assigns, executors and administrators.

CREATION OF RESTRICTION C.

Upon registration of this plan (PS814486G) the following restriction is created:

Lot burdened	Lot/s benefited
273	272
274	273
275	274
287	288
288	287
289	288
290	289
291	290

DESCRIPTION OF RESTRICTION C:

The registered proprietor or proprietors for the time being of the burdened lot must not:

- 1. Build or permit to build any building(s) that does not provide 1.0 metre clear horizontal access down the entire length of at least one side boundary of the lot.

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CREATION OF RESTRICTION D:

Upon registration of this Plan of Subdivision (PS814486G) the following restriction is created:
 Land to be benefited: Lots 267-295 (both inclusive) on this Plan (PS814486G)
 Land to be burdened: Lots 267-295 (both inclusive) on this Plan (PS814486G)

DESCRIPTION OF RESTRICTION D:

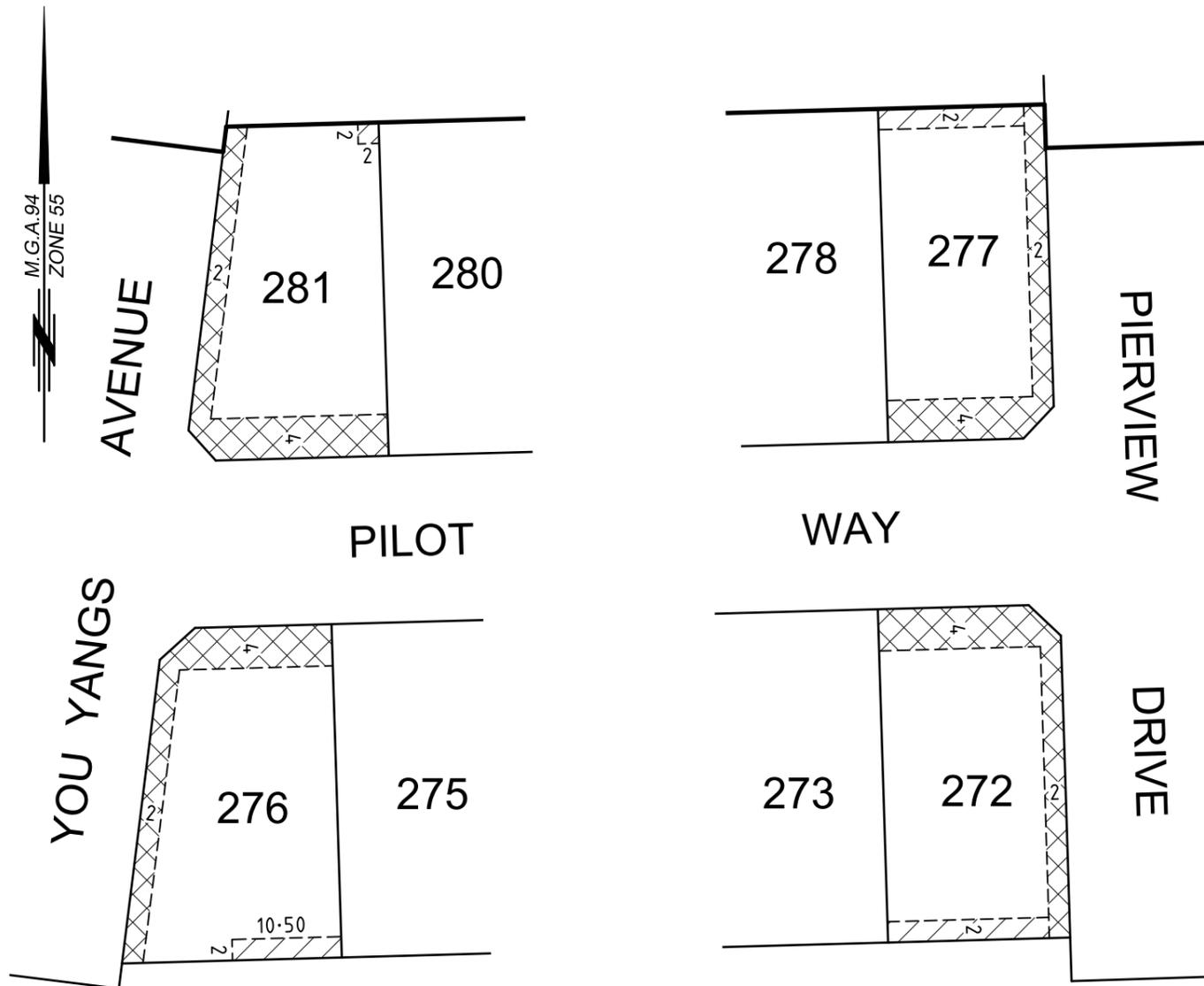
Except with the prior consent of the Developer, the registered proprietor from the time being of any lot on this plan of subdivision to which this restriction applies must not use or develop the lot other than in accordance with the provisions recorded in the Memorandum of Common Provisions (MCP) with dealing number AA4630. The provisions of the MCP are incorporated into this restriction.

For the purposes of this Restriction:

“Developer” means L Bisinella Developments Pty Ltd (ACN 006 806 677) of 195 Forest Road, Lara, VIC 3212 or any of its related bodies corporate within the meaning of Section 50 of the Corporations Act 2001 (Cth) (as amended from time to time) and its successors, substitutes, permitted assigns, executors and administrators.

EXPIRY DATE

The above Restrictions A-C (all inclusive) shall cease to have effect 20 years after the date of registration of this Plan of Subdivision (PS814485J).



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



Lodged by	
Name:	Redman Lynch Washington
Phone:	(03) 4245 2020
Address:	Level 1, 77 Yarra Street, Geelong, Victoria 3220
Reference:	2018:0635 (BAY)
Customer code:	21067V

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

Provisions:

Except with the prior written consent of the Developer, the registered proprietor or proprietors from the time being of any Lot on the Plan of Subdivision must not:

Subdivision

1. Subdivide or consolidate the Lot or allow the Lot to be subdivided or consolidated with any other lot or part thereof.

Dwelling construction

2. Construct any Dwelling unless the external walls (except windows and doors) are constructed from items in the following tables A, B, C, D, E and F provided that the sum of items in each table shall not exceed the corresponding percentages of the total external walls of the Dwelling (excluding windows and doors):

Table	Materials	Maximum % of the total external walls of a Dwelling (excluding windows and doors)
A	<ul style="list-style-type: none">• Natural timber• Stained timber• Painted timber• Fibre cement weatherboard	70
B	<ul style="list-style-type: none">• Rendered concrete• Rendered autoclaved aerated concrete• Rendered brick• Rendered block-work• Rendered foam board	60

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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 4

THE BACK OF THIS FORM MUST NOT BE USED

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

AA4630

14/11/2018 \$96.10 MCP



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

	<ul style="list-style-type: none"> Rendered cement sheet 	
C	<ul style="list-style-type: none"> Block-work Split face block Stone 	70
D	<ul style="list-style-type: none"> Bricks Split face brick 	70
E	<ul style="list-style-type: none"> Painted fibre cement siding/cladding Fibre cement wall board finished with a painted render or textured paint or painted membrane finish Non reflective pre-coated steel 	40
F	<ul style="list-style-type: none"> Any other materials provided that those materials are not affixed to any external surface of the Dwelling and visible from the street frontage or any municipal reserve 	5

3. Construct, use or place on a Lot any relocated, pre-constructed or second-hand Dwelling.
4. Use any second-hand materials on the exterior of any Dwelling or Buildings constructed on a Lot.
5. Allow any rubbish, waste or debris to be deposited or remain on a Lot (including during construction of a Dwelling or Building) other than in a suitable receptacle for containing or disposal of rubbish.
6. Use or develop the Lot for any other purpose than one Dwelling with a garage and any outbuildings or external fixtures or improvements allowed under this MCP.
7. Use any shipping container or part thereof in the construction of the external walls of a Dwelling or Building.

Garages and carports

8. Construct a free standing detached carport on the Lot.
9. Construct a single attached carport on the Lot:
 - (i) unless such Lot has an area equal to or less than 400m²;
 - (ii) which has a maximum width of more than 4 metres when measured from the external perimeter of the carport; and
 - (iii) unless such carport has a panel lift or tilt door fitted to the front of the carport to screen the internal space of the carport from the streetscape of the Lot.
10. Construct a double carport, whether attached or detached on the Lot.
11. Construct any freestanding garage other than a garage:
 - (i) ordinarily used for the parking of Vehicles as the principle garage of the Dwelling;
 - (ii) with a roof height less than 3.6 metres above the natural ground level;
 - (iii) constructed of non-reflective pre-coated steel or the materials listed in in Table A, B, C and D at paragraph 2 above with a pitched non-reflective pre-coated steel roof; and
 - (iv) if the garage faces or more than 60% of any side of the garage faces the street, the roof of such garage shall be constructed of the same materials so as to match as identical the roof of the Dwelling constructed on the Lot.

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

AA4630



Sheds and External Fixtures

12. Construct any storage or other shed on a Lot which:
- (i) exceeds 3.6 meters in height from the natural ground level of a Lot;
 - (ii) is constructed from materials other than non-reflective pre-coated steel or materials listed in Table A, B, C and D at paragraph 2 above with a pitched non-reflective pre-coated steel roof; and
 - (iii) has any side or which more than 60% is visible from the street frontage.

Vehicle Accommodation

13. Allow any recreational or commercial Vehicles to be parked on a Lot unless it is housed or contained wholly within a garage or screened from public view from the street or otherwise parked behind the wing fencing, except on a temporary basis for the purposes of delivering goods to an occupier of the Dwelling or in connection with the construction of improvements on the Lot.
14. Allow any caravan to be parked, stored or remain on the Lot unless it is not visible from the street.
15. Carry out any dismantling, assembling, repair or restoration of a Vehicle unless carried out at the rear of the Dwelling in a location which is screened from public view.

Vehicle Access

16. Construct any driveway unless it is constructed of aggregate, patterned concrete or exposed stone concrete.
17. Construct any crossover from crushed rock.
18. Leave any driveway and/or crossover construction on the Lot to be incomplete for more than 21 days after the date of issue of the certificate of occupancy for the Dwelling constructed on the Lot.
19. Construct any crossover unless it is constructed to the standard and requirements of the Responsible Authority.

House Size

20. Construct a Dwelling on the Lot with a floor area less than 180 square metres (including a garage but excluding verandas, decks or pergolas).

Plant Size

21. Plant, place or allow to remain planted or placed on the Lot any plant, tree, shrub, hedging, bush or vegetation of whatsoever nature of which the height exceeds four (4) metres.

Definitions

For the purposes of this MCP:

“**Building**” means any structure except a fence.

“**Developer**” means L Bisinella Developments Pty Ltd (ACN 006 806 677) of 195 Forest Road South, Lara, Victoria 3212 or any of its related bodies corporate within the meaning of section 50 of the *Corporations Act 2001* (Cth) (as amended from time to time) and its successors, substitutes, permitted assigns, executors and administrators.

“**Dwelling**” means a house.

“**Lot**” means a lot in the Plan of Subdivision.

“**MCP**” means this memorandum of common provisions.

“**Plan of Subdivision**” means the relevant plan of subdivision for a particular allotment which incorporates this MCP.

“**Responsible Authority**” means the City of Greater Geelong or other such related authority.

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

AA4630

14/11/2018 \$96.10 MCP



“**Vehicle**” means any car, utility, truck, van, motorbike, speedboat or other watercraft or other motorised form of transport.