

# PLAN OF SUBDIVISION

EDITION 1

PLAN NUMBER  
PS817854M

## LOCATION OF LAND

PARISH: -  
TOWNSHIP: -  
SECTION: 5 BLOCK 1  
CROWN ALLOTMENT: 3A (PART)  
CROWN PORTION: -  
TITLE REFERENCE: VOL.10530 FOL.335  
LAST PLAN REFERENCE: LOT 2 ON PS427059K  
POSTAL ADDRESS: 12-14 MOSS ROAD  
(at time of subdivision) LEOPOLD, 3224  
MGA CO-ORDINATES: E: 277 820 ZONE: 55  
(of approx centre of land N: 5 771 510 GDA 94  
in plan)

**MUNICIPALITY:** CITY OF GREATER GEELONG

# PRELIMINARY

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1 ROAD R2	CITY OF GREATER GEELONG CITY OF GREATER GEELONG

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

LOTS 1-17 (BOTH INCLUSIVE) ARE THE RESULT OF THIS SURVEY.

CREATION OF RESTRICTION  
SEE SHEETS 3 TO 6 FOR RESTRICTION DETAILS.

OTHER PURPOSE OF PLAN  
REMOVAL OF EASEMENTS E-1, E-2, E-6, E-7 & E-8 AND PART OF EASEMENTS E-3 & E-4 ON PS427059K AS DIRECTED BY CITY OF GREATER GEELONG PLANNING PERMIT No. PP-876-2017.

## NOTATIONS

DEPTH LIMITATION: DOES NOT APPLY

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

**STAGING:**  
This ~~is~~ is not a staged subdivision.  
Planning Permit No. PP-876-2017

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-2	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	THIS PLAN & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION
E-2	DRAINAGE	SEE PLAN	THIS PLAN	CITY OF GREATER GEELONG

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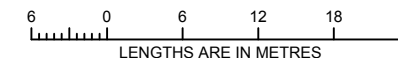
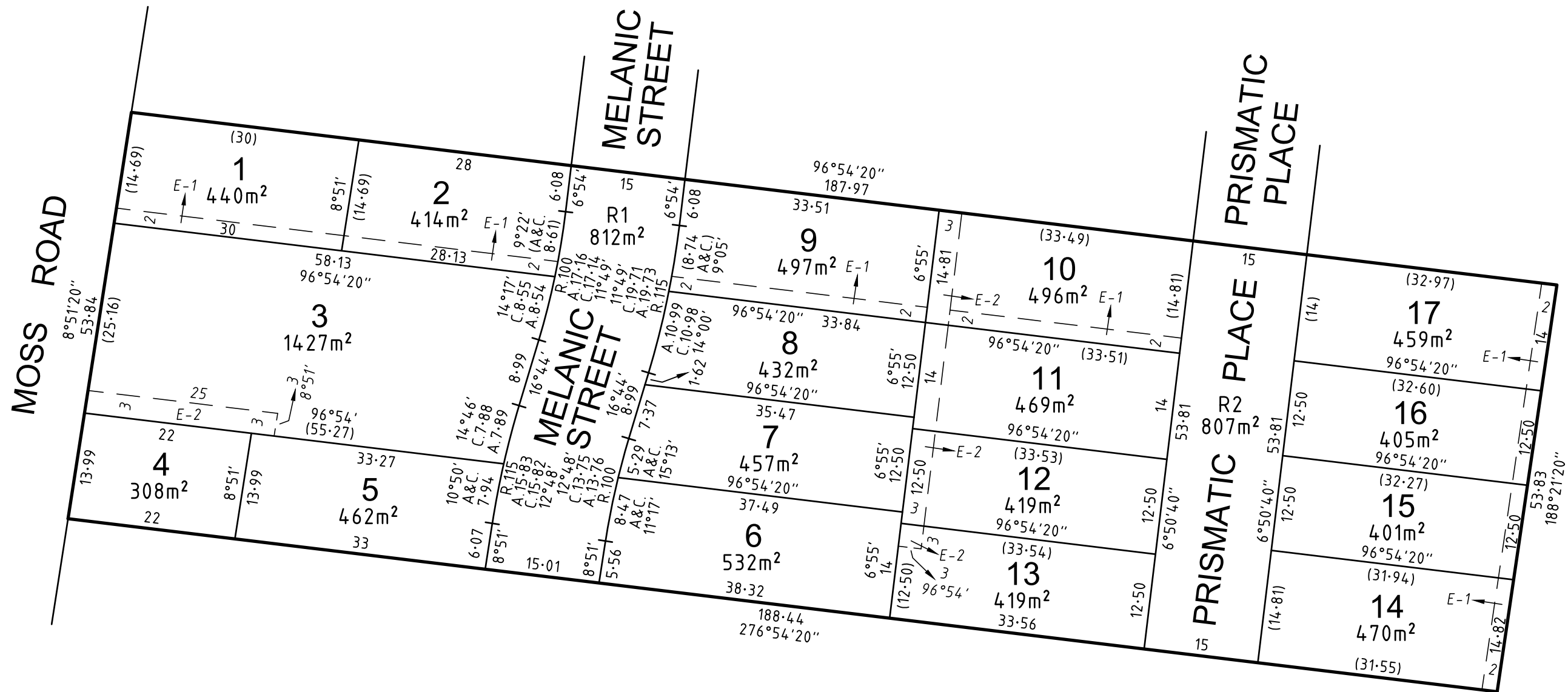
JAS-ANZ Accredited: Quality ISO 9001 - OH&S AS/NZS 4801 - Environment ISO 14001

SURVEYORS FILE REF: 16862-101

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 6 SHEETS

RAYMOND JAMES DUNN / DRAFT 3



# PRELIMINARY

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## CREATION OF RESTRICTION A:

The following restriction is to be created upon registration of the plan:

Land to be benefited: Lots 1-17 (both inclusive) on the Plan.

Land to be burdened: Lots 1-17 (both inclusive) on the Plan.

## DESCRIPTION OF RESTRICTION A:

Except with the written consent of the Original Owner of the land to be benefited on the Plan and in all other instances with the written consent of each and every registered proprietor of a Lot to be benefited on the Plan, the registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot on the Plan must not:

- (a) Subdivide or allow such Burdened Lot to be subdivided.
- (b) Consolidate or allow such Burdened Lot to be consolidated with any other Lot or part thereof.

For the purposes of this Restriction the following definitions apply:

“Lot” means a lot on this Plan.

“Burdened Lot” means any of Lots 1-17 inclusive on the Plan.

“Original Owner” means Linmar Properties Pty Ltd (ACN 097 930 535) of 195 Forest Road, Lara 3212.

“Plan” means Plan of Subdivision PS817854M.

## CREATION OF RESTRICTION B:

The following restriction is to be created upon registration of the Plan:

Land to be benefited: Lots 1-17 (both inclusive) on the Plan.

Land to be burdened: Lots 1-17 (both inclusive) on the Plan.

## DESCRIPTION OF RESTRICTION B:

Except with the written consent of the Original Owner of the land to be benefited on the Plan and in all other instances with the written consent of each and every registered proprietor of a Lot to be benefited on the Plan, the registered proprietor or proprietors for the time being and every person or entity entitled to be the registered proprietor of any Burdened Lot must not use, develop or cause to be used or developed or remain to be used or developed any Burdened Lot on the Plan other than in accordance with the following:

### TYPES OF DWELLING

#### 1. House Construction

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot must not:

- (a) Build, construct, erect, place or cause or permit to be built, constructed, erected, placed or permit to remain erected upon any Lot or any part thereof more than one dwelling and no such dwelling shall be constructed with external walls (except windows and doors) which are not constructed from items in the following tables A, B and C provided that the sum of items in each Table shall not



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Table A: 100%

Table B: 40%

Table C: 20%

Table A:

- Brick
- Brick Veneer
- Stone
- Rendered concrete
- Rendered brick

Table B:

- Timber
- Painted fibre cement weatherboard
- Rendered foam board
- Rendered fibre cement sheet

Table C:

- Concrete
  - Painted fibre cement siding
  - Cladding
- (b) Build, construct, erect, place or permit to be built, constructed, erected or placed upon such Burdened Lot any relocated, pre-constructed or second-hand dwelling.
- (c) Cause or suffer to be used any second-hand materials on the exterior of any buildings erected on such Burdened Lot.
- (d) Deposit or allow to be deposited on any Burdened Lot any rubbish, waste or debris other than in a suitable rubbish receptacle for containing or disposal of rubbish.
- (e) Develop, use or cause to be developed or used such Burdened Lot for any purpose other than one residence with a garage and any outbuildings or external fixtures or improvements other than those set out in this covenant.
- (f) Use one or more shipping containers or part or parts thereof in the construction of the external walls of such dwelling or any part of such walls.

## VEHICULAR ACCOMMODATION

### 1. Garages and Carports

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of the Burdened Lot must not:

- (a) Construct any carport on such Burdened Lot.
- (b) Build, construct, erect, place or cause to be built, constructed, erected or placed on such Burdened Lot any freestanding garage other than a garage ordinarily used for the parking of vehicles as the principal garage of the residence, and the construction of the external walls shall be of the same material so as to match as identical the external walls of the dwelling constructed on the Burdened Lot, save for Lot 3 of which the material may be precoated steel.

### 2. Parking of Commercial or Recreational Vehicles

The registered proprietor or proprietors from time to time and any person or entity entitled to be the registered proprietor of any Burdened Lot must not cause or permit or allow any recreational or commercial vehicles to be parked on such Burdened Lot unless it is housed or contained wholly within a garage on such Burdened Lot or parked in a carport on such Burdened Lot or parked on such Burdened Lot so as to be screened from public view from the street abutting such Burdened Lot or otherwise parked behind the wing fencing on such Burdened Lot, excepting on a temporary basis for the purpose of delivering goods to an occupier of such Burdened Lot or in connection with the construction of improvements on such Burdened Lot.

### 3. Parking of Caravans

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot must not cause, permit or allow any caravan to be placed on, parked or remain on such Burdened Lot in such position that the caravan is visible from the street.

### 4. No Vehicle Repairs

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot must not carry out or cause to be carried out on such Burdened Lot or on any road or any other land in the vicinity of such Burdened Lot any dismantling, assembling, repair or restoration of a vehicle or vehicles unless carried out at the rear of the dwelling on such Burdened Lot in the location which is screened from public view.

## VEHICULAR ACCESS

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot must not:

- (a) Construct or allow to be constructed any driveway on such Burdened Lot unless such driveway is constructed of paving blocks, patterned concrete, exposed stone concrete, brick or concrete.
- (b) Construct or allow to be constructed on such Burdened Lot any crossover to the Burdened Lot constructed from crushed rock.



- (c) Leave or cause to be left any driveway and/or crossover construction on or to such Burdened Lot (as the case may be) incomplete or partly constructed for more than 21 days after the date of issue of the Certificate of Occupancy for the dwelling constructed on such Burdened Lot.
- (d) Construct or allow to be constructed any crossover to such Burdened Lot unless such crossover is constructed to the standard and requirements imposed by the Responsible Authority.

## SHEDS AND EXTERNAL FIXTURES

The registered proprietor or proprietors for the time being and any person or entity entitled to be the registered proprietor of any Burdened Lot must not construct any storage or other shed on such Burdened Lot which:

- (a) Exceeds 3.3 metres in height from the natural ground level of such Burdened Lot in respect of a lot area less than 800m<sup>2</sup> and 3.6 metres in height from the natural ground level of such Burdened Lot in respect of lot areas greater than 800m<sup>2</sup>.
- (b) Is constructed from materials other than pre-coated steel or brick with a pre-coated steel or tilted roof.

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“Plan” means Plan of Subdivision PS817854M.

“Responsible Authority” means the Greater Geelong Council or other such delegated authority.

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

The above restrictions A to B shall cease to have effect 20 years after the date of registration of the Plan.