


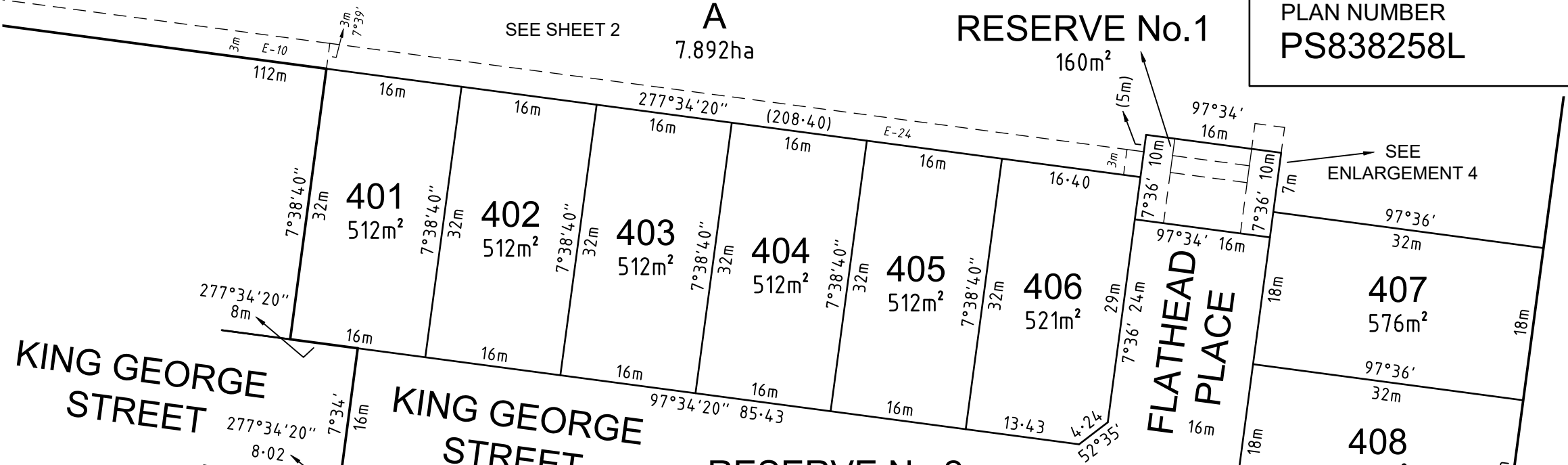
| | | | | |
|--|---|----------------------------------|--|------------------------------------|
| PLAN OF SUBDIVISION | | | EDITION 1 | PLAN NUMBER PS838258L |
| LOCATION OF LAND PARISH: PAYWIT TOWNSHIP: - SECTION: 34 CROWN ALLOTMENT: B1 (PART) CROWN PORTION: - TITLE REFERENCE: VOL.12480 FOL.151 LAST PLAN REFERENCE: LOT A ON PS847805G POSTAL ADDRESS: 10A BARTAIL WAY (at time of subdivision) ST LEONARDS, 3223 MGA2020 CO-ORDINATES: E: 298 950 ZONE: 55 (of approx centre of land N: 5 771 080 in plan) | | | MUNICIPALITY: CITY OF GREATER GEELONG | |
| VESTING OF ROADS AND/OR RESERVES | | | NOTATIONS | |
| IDENTIFIER | COUNCIL/BODY/PERSON | | LOTS 1-400 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN. <u>OTHER PURPOSE OF PLAN</u> TO REMOVE EASEMENTS E-8 & E-12 ON PS847805G <u>GROUND FOR REMOVAL</u> BY AGREEMENT OF ALL RELEVANT PARTIES PURSUANT TO SECTION 6(1)(K) OF THE SUBDIVISION ACT 1988 <u>CREATION OF RESTRICTION</u> SEE SHEET 4 FOR RESTRICTION DETAILS | |
| R-1 | CITY OF GREATER GEELONG | | | |
| RESERVE No.1 RESERVE No.2 | CITY OF GREATER GEELONG POWERCOR AUSTRALIA LIMITED | | | |
| NOTATIONS | | | DEPTH LIMITATION: 15.24m BELOW THE SURFACE SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. PP-951-2018/A This survey has been connected to permanent marks No(s). 81, 89, 249 | |
| DEPTH LIMITATION: 15.24m BELOW THE SURFACE | | | | |
| SURVEY: This plan is based on survey. | | | | |
| 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-2 | DRAINAGE | SEE PLAN | PS834030Q | CITY OF GREATER GEELONG |
| E-2 | PIPELINES OR ANCILLARY PURPOSES | SEE PLAN | PS834036C & SECTION 136 WATER ACT 1989 | BARWON REGION WATER CORPORATION |
| E-6, E-10 | DRAINAGE | SEE PLAN | PS834036C | CITY OF GREATER GEELONG |
| E-7 | CARRIAGEWAY | SEE PLAN | PS834036C | CITY OF GREATER GEELONG |
| E-11, E-14 | DRAINAGE | SEE PLAN | PS838257N | CITY OF GREATER GEELONG |
| E-16, E-21 | DRAINAGE | SEE PLAN | PS847805G | CITY OF GREATER GEELONG |
| E-17, E-18 | CARRIAGEWAY | SEE PLAN | PS847805G | CITY OF GREATER GEELONG |
| E-20, E-21 | PIPELINES OR ANCILLARY PURPOSES | SEE PLAN | PS847805G & SECTION 136 WATER ACT 1989 | BARWON REGION WATER CORPORATION |
| E-14, E-22, E-23 E-25, E-26 | PIPELINES OR ANCILLARY PURPOSES | SEE PLAN | THIS PLAN & SECTION 136 WATER ACT 1989 | BARWON REGION WATER CORPORATION |
| E-23 | POWERLINE | SEE PLAN | THIS PLAN & SECTION 88 ELECTRICITY INDUSTRY ACT 2000 | POWERCOR AUSTRALIA LIMITED |
| E-24, E-26 | DRAINAGE | SEE PLAN | THIS PLAN | CITY OF GREATER GEELONG |
| E-25 | SUPPLY OF GAS | SEE PLAN | THIS PLAN | AUSNET PTY LTD |
|  SWANSON SURVEYING PTY. LTD. ABN 53 626 291 647 GEELONG - MELBOURNE - BALLARAT 1300 990 075 info@swansonsurveying.com.au www.swansonsurveying.com.au | | SURVEYORS FILE REF: 14446 | | ORIGINAL SHEET SIZE: A3 |
| | | MATTHEW JOHN ACKROYD / VERSION 3 | | SHEET 1 OF 4 SHEETS |

PLAN NUMBER
PS838258L

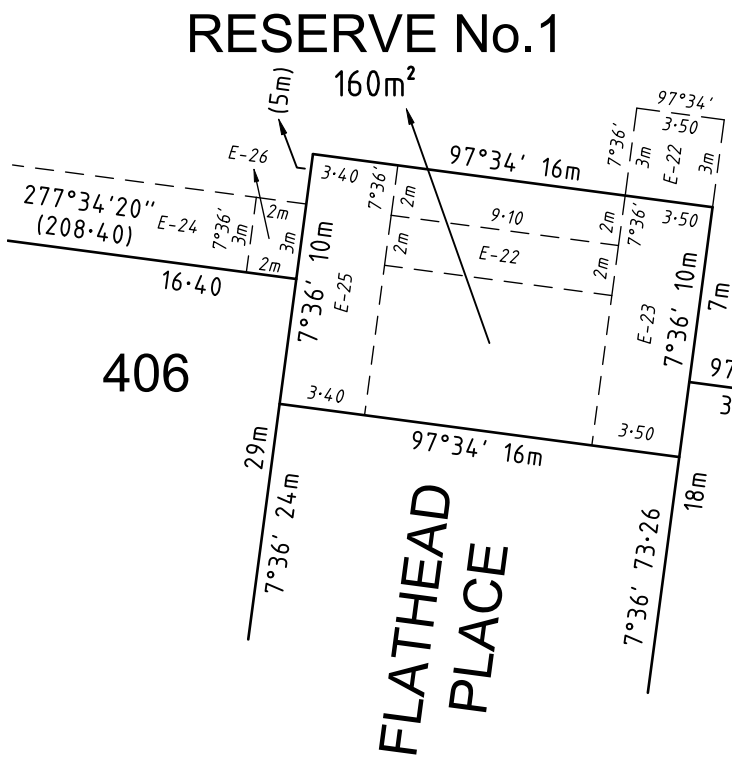
SEE SHEET 2
A
7.892ha

RESERVE No.1
160m²

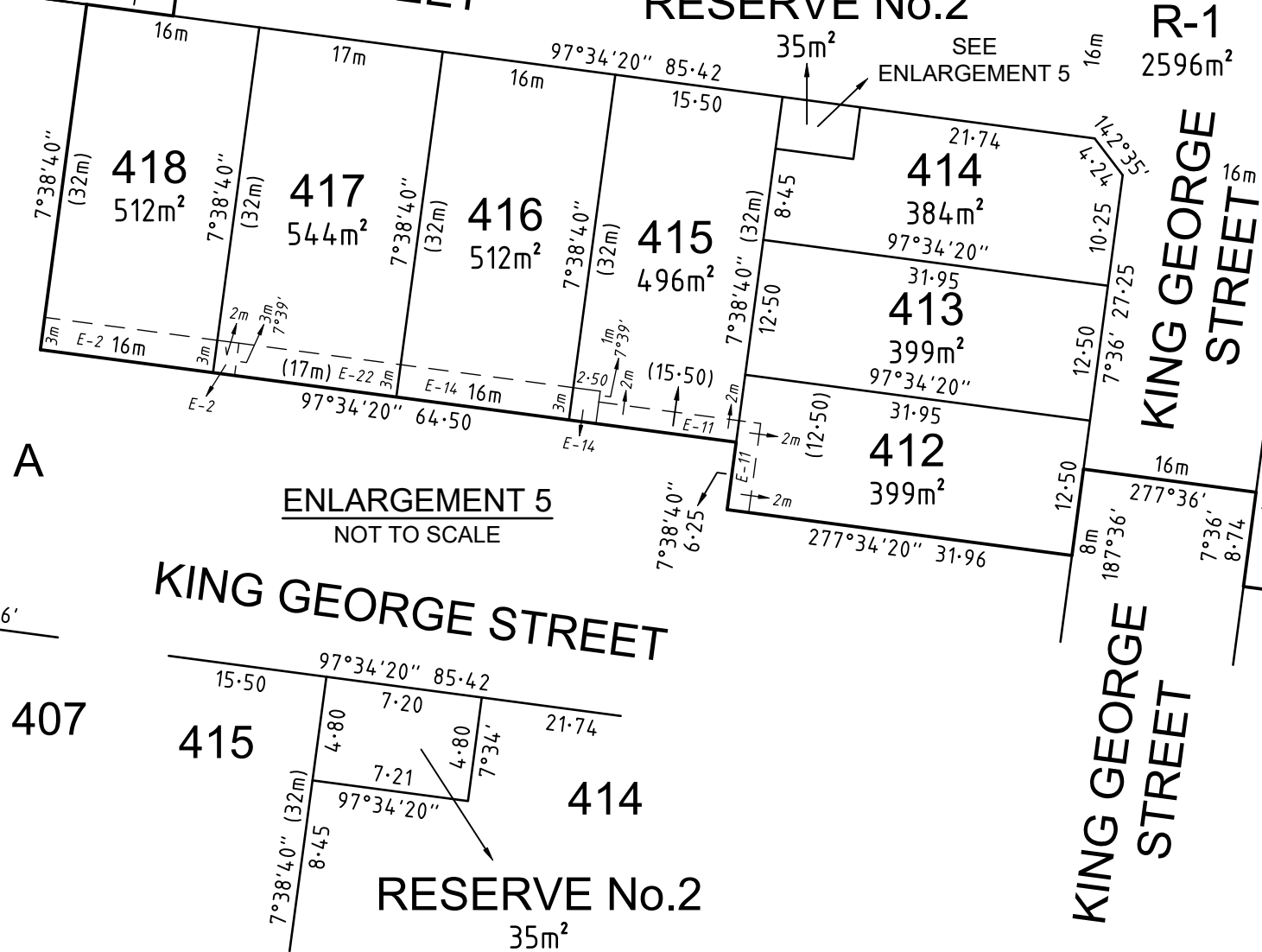
MGA2020
ZONE 55



ENLARGEMENT 4
NOT TO SCALE



ENLARGEMENT 5
NOT TO SCALE



Swanson Surveying
SWANSON SURVEYING PTY. LTD.
ABN 53 626 291 647
GEELONG - MELBOURNE - BALLARAT
1300 990 075 info@swansonsurveying.com.au
www.swansonsurveying.com.au

SURVEYORS FILE REF: 14446

SCALE
1:600

LENGTHS ARE IN METRES

MATTHEW JOHN ACKROYD / VERSION 3

ORIGINAL SHEET
SIZE: A3


SHEET 3

CREATION OF RESTRICTION A:

Upon registration of this Plan of Subdivision (PS838258L) the following restriction is created:

| Lot burdened | Lot/s benefited |
|--------------|--------------------|
| 406 | 405 |
| 412 | 413, 415 |
| 413 | 412, 414, 415 |
| 414 | 413, 415 |
| 415 | 412, 413, 414, 416 |

DESCRIPTION OF RESTRICTION A:

Buildings shall not be located in the area shown thus  except for allowable encroachments listed in the Building Regulations 2018.

DEFINITIONS

"Building" means any structure

CREATION OF RESTRICTION B:

Upon registration of this Plan of Subdivision (PS838258L) the following restriction is created:

Land to be benefited: Lots 401 - 418 (both inclusive) on this plan (PS838258L)
Land to be burdened: Lots 401 - 418 (both inclusive) on this plan (PS838258L)

DESCRIPTION OF RESTRICTION B:

Except with the prior consent of the Developer, the burdened land must not be used or developed other than in accordance with the provisions recorded in the Memorandum of Common Provision (MCP) with Dealing Number AA6965.

The Provisions of the said 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.

CREATION OF RESTRICTION C:

Upon registration of this Plan of Subdivision (PS838258L) the following restriction is created:

Land to be benefited: Lots 401 - 418 (both inclusive) on this Plan (PS838258L)
Land to be burdened: Lots 401 - 418 (both inclusive) on this Plan (PS838258L)

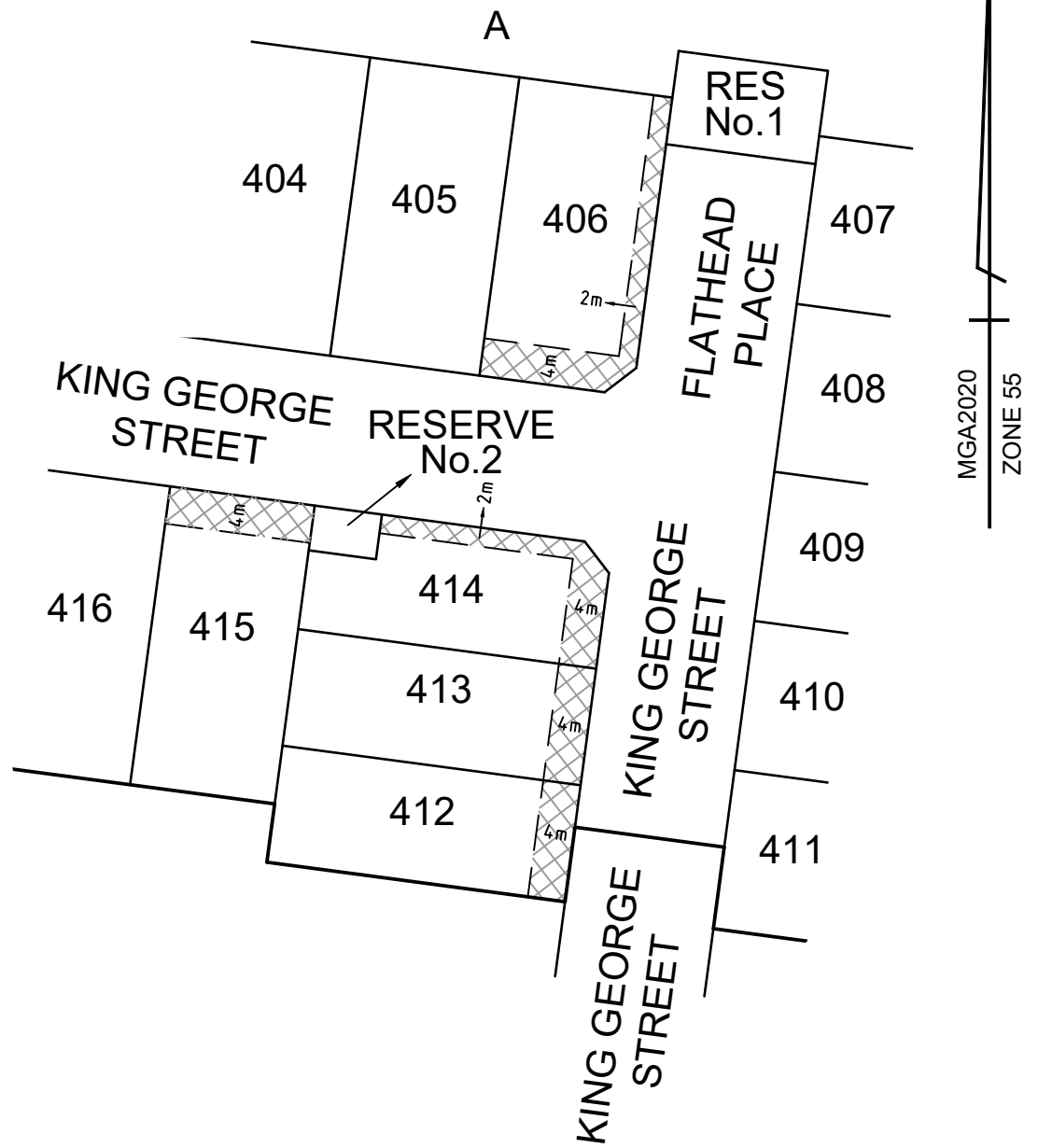
DESCRIPTION OF RESTRICTION C:

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 D:

Upon registration of this plan (PS838258L) the following restriction is created:

| Lot burdened | Lot/s benefited |
|--------------|-----------------|
| 416 | 415 |
| 417 | 416 |
| 418 | 417 |

DESCRIPTION OF RESTRICTION D:

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

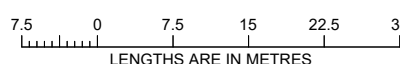
- 1. Build or permit to build any building(s) that does not provide 1.0 metre clear horizontal access down the entire length of at least one side boundary of the lot.

EXPIRY DATE

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

SURVEYORS FILE REF: 14446

SCALE
1:750



ORIGINAL SHEET
SIZE: A3

SHEET 4



SWANSON SURVEYING PTY. LTD.
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MATTHEW JOHN ACKROYD / VERSION 3

AA6965

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

Privacy Collection Statement

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| | |
|----------------|--|
| Lodged by | |
| Name: | Redman Lynch Washington |
| Phone: | (03) 4245 2020 |
| Address: | Level 1, 77 Yarra Street, Geelong, Victoria 3220 |
| Reference: | 2019;1620 (SEASIDE) |
| 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:

1. Construct or allow to be constructed a Dwelling, Building or any other improvements on the Lot:
 - (a) that is not in accordance with the Seaside Estate Design Guidelines unless otherwise approved by the Design Review Panel; and
 - (b) without obtaining written approval of the design for that Dwelling, Building or other improvement from the Design Review Panel, which approval must be obtained even if the design of the Dwelling, Building or other improvement for that Lot complies with the Seaside Estate Design Guidelines.
2. Subdivide or allow the Lot to be subdivided.
3. Consolidate or allow the Lot to be consolidated.
4. Develop the Lot for any purpose other than one Dwelling only with the usual outbuildings.
5. Allow any caravan, campervan, boat, trailer, mobile home or other vehicle to be parked, stored or remain on the Lot unless it is housed in a garage or screened from public view.
6. Carry out any dismantling, assembling, repairs or restorations of vehicles unless carried out in a location on the Lot which is screened from public view.
7. 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" has the same meaning as in the *Building Act 1993 (Vic)* and any re-enactment or replacement of that Act.

"Design Review Panel" means the design review panel appointed by the Developer in accordance with the Seaside Estate Design Guidelines.

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V3

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 2

THE BACK OF THIS FORM MUST NOT BE USED

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

AA6965

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

"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" has the same meaning in the Greater Geelong Planning Scheme or replacement of that Scheme.

"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.

"Seaside Estate Design Guidelines" means the design guidelines prepared by the Developer and includes such amendments, additions, and variations from time to time. A copy of the Seaside Estate Design Guidelines is available by request to the Developer via email: sales@bisinella.com.au or by post: 195 Forest Road South, Lara, Victoria, 3212.