PLAN OF SUBDIVISION

EDITION 1

PS848730G

LOCATION OF LAND

PARISH: YUROKE

TOWNSHIP:

9 **SECTION:**

CROWN PORTION: 0 (PT)

TITLE REFERENCE: VOL. 8666 FOL. 492

VOL. 11565 FOL. 400

70NF: 55

GDA 94

CITY OF HUME

LAST PLAN REFERENCE: LP53814 (LOT 15)

TP957337M (LOT 1)

POSTAL ADDRESS: 50 BRENDAN ROAD (at time of subdivision) **GREENVALE, 3059**

MGA CO-ORDINATES: (of approx centre of land

RESERVE No.1

in plan)

E: 313 930 N: 5 832 860 Council Name: Hume City Council

Council Reference Number: S009513 Planning Permit Reference: P23070 SPEAR Reference Number: S173236M

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988

Date of original certification under section 6 of the Subdivision Act 1988: 01/09/2021

Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988

has not been made

Digitally signed by: Antonino Magazzu for Hume City Council on 31/10/2023

Statement of Compliance issued: 21/12/2023

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER COUNCIL/BODY/PERSON CITY OF HUME ROAD R1

LOTS 1 TO 100 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. FOR DETAILS OF RESTRICTIONS INCLUDING BURDENED LOTS & BENEFITING LOTS, SEE CREATION OF RESTRICTIONS ON SHEET 4.

NOTATIONS

NOTATIONS

DEPTH LIMITATION: DOES NOT APPLY

This is a SPEAR plan.

STAGING:

This is not a staged subdivision. Planning Permit No. P23070

SURVEY:

This plan is based on survey.

This survey has been connected to permanent marks No(s). 870 & 597

In Proclaimed Survey Area No. -

No. of Lots: 43 PHASE AREA: 2.1395ha NDA: 2.0187ha

WARNING: The restrictive covenant(s)/restriction(s) in this plan may have been varied or removed. For current information, please refer to the relevant folio(s) of the Register, noting section 88(3) of the Transfer of Land Act 1958

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

EASEMENTS AND RIGHTS IMPLIED BY SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO LOTS 123 TO 130 (BOTH INCLUSIVE)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE AND SEWERAGE	2.43	LP53814	LOTS ON LP53814
E-2	SEWERAGE	3	THIS PLAN	YARRA VALLEY WATER CORPORATION
E-2, E-3	DRAINAGE	3	THIS PLAN	CITY OF HUME



Digitally signed by: Sean Adrian O'Connor, Licensed Surveyor,

1901085/1

1901085-01-PS-V9.DWG

Surveyor's Plan Version (9). 20/09/2023, SPEAR Ref: S173236M

SURVEYORS FILE REF:

PLAN REGISTERED

TIME: 10:59 AM DATE: 24/01/2024

SHEET 1 OF 4

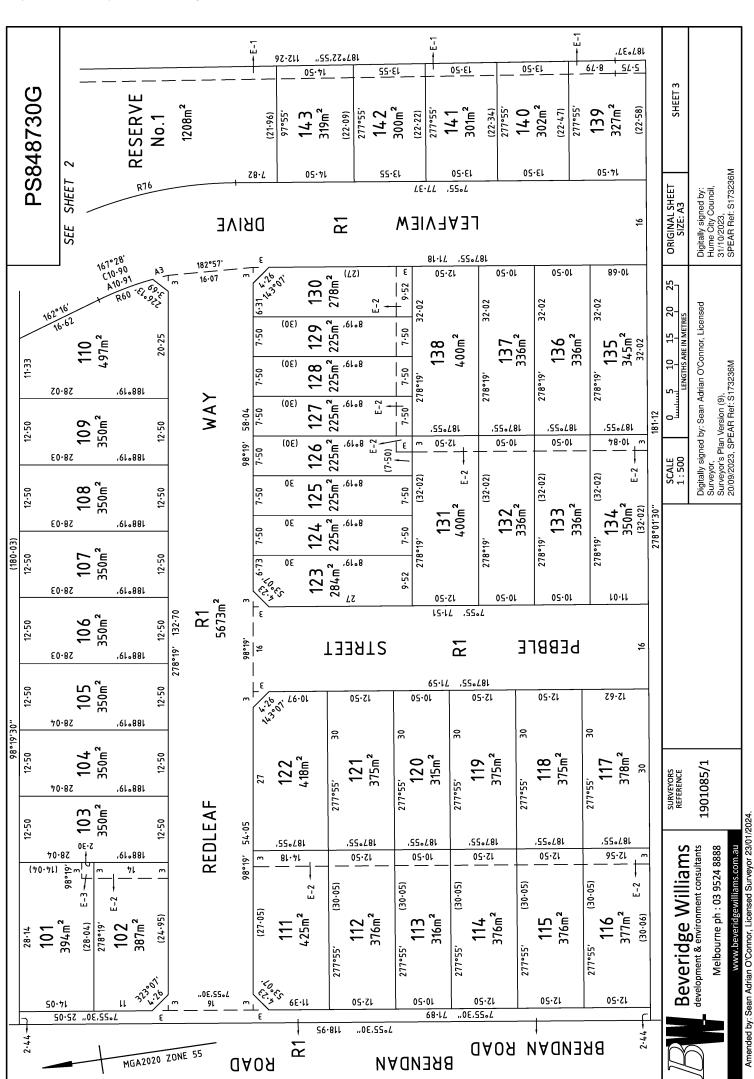
R. Rusan Assistant Registrar of Titles

ORIGINAL SHEET

SIZE: A3

www.beveridgewilliams.com.au

Amended by: Sean Adrian O'Connor, Licensed Surveyor 23/01/2024.



SUBDIVISION ACT 1988

CREATION OF RESTRICTION 'A'

PS848730G

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:

BURDENED LAND: LOTS 101 TO 143 (BOTH INCLUSIVE)
BENEFITING LAND: LOTS 101 TO 143 (BOTH INCLUSIVE)

DESCRIPTION OF RESTRICTION:

EXCEPT WITH THE WRITTEN CONSENT OF THE DESIGN ASSESSMENT PANEL, THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THE PLAN OF SUBDIVISION SHALL NOT:

- (1) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE OTHER THAN A BUILDING OR STRUCTURE THAT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LAKESIDE DESIGN GUIDELINES AS AMENDED FROM TIME TO TIME.
- (2) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE OUTSIDE A BUILDING ENVELOPE APPLIED TO A LOT ON THE BUILDING ENVELOPE PLAN ENDORSED UNDER PLANNING PERMIT No. P23070 AS AMENDED FROM TIME TO TIME;
- (3) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE ON THE LOT PRIOR TO:
 - (A) COPIES OF BUILDING PLANS, ELEVATION, ROOF PLANS, SITE PLANS (INCORPORATING SETBACKS FROM ALL BOUNDARIES, EXISTING CONTOURS, PROPOSED FINISHED FLOOR LEVELS AND SITE LEVELS, ALL PROPOSED DRIVEWAYS AND PATHS, DETAILS OF FENCES AND OUTBUILDINGS AND LANDSCAPING) AND SCHEDULES OF EXTERNAL COLOURS AND MATERIALS HAVE BEEN SUBMITTED VIA THE DESIGN PORTAL AT THE ABOVE ADDRESS OR SUCH OTHER ENTITY AS MAY BE NOMINATED BY THE DESIGN ASSESSMENT PANEL FROM TIME TO TIME:
 - (B) THE DESIGN ASSESSMENT PANEL OR SUCH OTHER ENTITY AS MAY BE NOMINATED BY THE DESIGN ASSESSMENT PANEL FROM TIME TO TIME HAVE GIVEN ITS WRITTEN APPROVAL TO THE PLANS PRIOR TO THE COMMENCEMENT OF WORKS.

A COPY OF THE DESIGN GUIDELINES AND BUILDING ENVELOPE PLAN IS AVAILABLE AT: https://portal.beveridgewilliams.com.au

VARIATION:

ANY VARIATION TO THE ENDORSED BUILDING ENVELOPE PLAN OR CONSENT TO BUILD OUTSIDE THE ENDORSED BUILDING ENVELOPE PLAN FOR CONDITION 2 OF RESTRICTION 'A' WILL REQUIRE APPROVAL FROM THE CITY OF HUME AND DESIGN ASSESSMENT PANEL.

EXPIRY:

THIS RESTRICTION CEASES TO HAVE EFFECT FOLLOWING AFTER EITHER;

- (i) 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 2031.

CREATION OF RESTRICTION 'B'

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:

BURDENED LAND: LOTS 101 TO 143 (BOTH INCLUSIVE)
BENEFITING LAND: LOTS 101 TO 143 (BOTH INCLUSIVE)

DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THIS PLAN OF SUBDIVISION SHALL NOT AT ANY TIME ON THE SAID LOT OR ANY PARTS THEREOF CONSTRUCT OR EXTEND ANY DWELLING OR ALLOW THE CONSTRUCTION OR EXTENSION OF ANY DWELLING THAT DOES NOT COMPLY WITH THE SMALL LOT HOUSING CODE AS INCORPORATED INTO THE HUME PLANNING SCHEME, UNLESS THE CONSTRUCTION OR EXTENSION OF ANY DWELLING HAS BEEN APPROVED BY THE RESPONSIBLE AUTHORITY UNDER THE RELEVANT PLANNING REGULATIONS.

FOR THE PURPOSES OF ASSESSMENT AGAINST THE SMALL LOT HOUSING CODE ALL LOTS ARE TO BE ASSESSED AS TYPE A LOTS.

EXPIRY:

THIS RESTRICTION SHALL CEASE TO HAVE EFFECT FIVE (5) YEARS AFTER THE DATE OF REGISTRATION OF THIS PLAN.



SURVEYORS REF 1901085/1 ORIGINAL SHEET SIZE: A3

SHEET 4

Digitally signed by: Sean Adrian O'Connor, Licensed Surveyor, Surveyor's Plan Version (9), 20/09/2023, SPEAR Ref: S173236M Digitally signed by: Hume City Council, 31/10/2023, SPEAR Ref: S173236M

www.beveridgewilliams.com.au