

PLAN OF SUBDIVISION	EDITION 1	PS823200D
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<p>LOCATION OF LAND</p> <p>PARISH: MARIBYRNONG</p> <p>TOWNSHIP: —</p> <p>SECTION: B</p> <p>CROWN ALLOTMENT: 4 (PART)</p> <p>CROWN PORTION: —</p> <p>TITLE REFERENCE: VOL. FOL.</p> <p>LAST PLAN REFERENCE: PS823199J (LOT C)</p> <p>POSTAL ADDRESS: ELM DRIVE (at time of subdivision) FRASER RISE 3336</p> <p>MGA CO-ORDINATES: E: 297 350 ZONE: 55 (of approx centre of land in plan) N: 5823 170 GDA 94</p>	<p>Council Name: Melton City Council</p> <p>Council Reference Number: Sub5415 Planning Permit Reference: PA2018/6004 SPEAR Reference Number: S143123H</p> <p>Certification</p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made</p> <p>Digitally signed by: Geraldine Addicott for Melton City Council on 03/02/2020</p>
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VESTING OF ROADS AND/OR RESERVES	NOTATIONS
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IDENTIFIER	COUNCIL/BODY/PERSON	<p>LOTS 1 TO 201 AND LOT 204 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.</p> <p>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 5.</p>
ROAD R1	MELTON CITY COUNCIL	

NOTATIONS
<p>DEPTH LIMITATION: 15.24m APPLIES</p> <p>This is a SPEAR plan.</p> <p>STAGING: This is not a staged subdivision. Planning Permit No. PA2018/6004</p> <p>SURVEY: This plan is based on survey. This survey has been connected to permanent marks No(s). 31 (K), 53 (K) & 134 (M) In Proclaimed Survey Area No. —</p>
<p>Estate: Botania Phase No.: 2A No. of Lots: 47 + Lots D + E + Z PHASE AREA: 2.069ha</p>

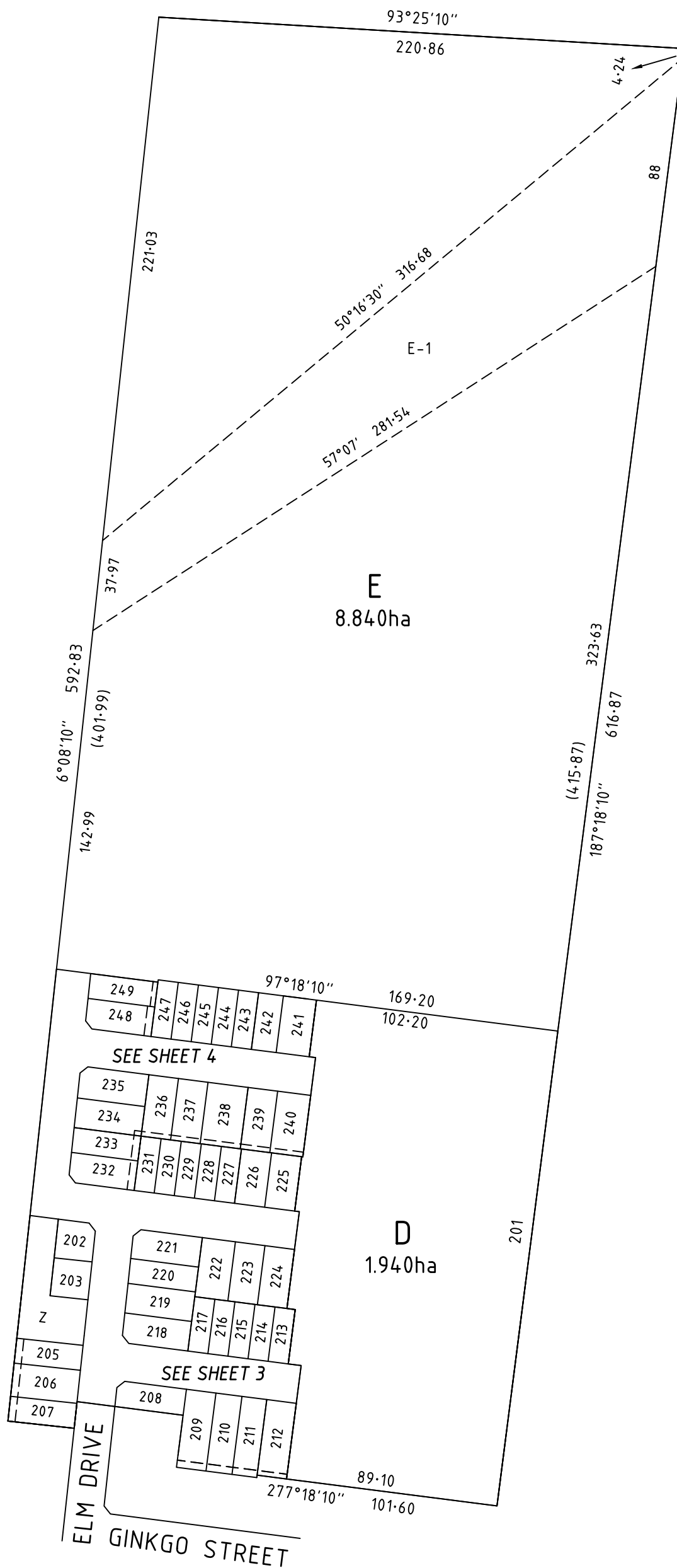
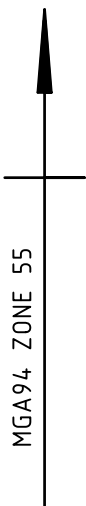
EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE	SEE DIAG.	LP219656R	LAND IN LP219656R
E-2, E-3	DRAINAGE	SEE DIAG.	THIS PLAN	MELTON CITY COUNCIL
E-3, E-4	SEWERAGE	SEE DIAG.	THIS PLAN	WESTERN REGION WATER CORPORATION

 <p>Beveridge Williams development & environment consultants Melbourne ph : 03 9524 8888 www.beveridgewilliams.com.au</p>	<p>SURVEYORS FILE REF: 1700987-02A 1700987-02A-PS-V12.DWG</p>	<p>ORIGINAL SHEET SIZE: A3</p>	<p>SHEET 1 OF 5</p>
	<p>Digitally signed by: Sean Adrian O'Connor, Licensed Surveyor, Surveyor's Plan Version (12), 26/09/2019, SPEAR Ref: S143123H</p>		

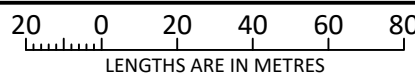
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SURVEYORS REF
1700987/02A

SCALE
1 : 2000



ORIGINAL SHEET
SIZE: A3

SHEET 2

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MGA94 ZONE 55

SEE SHEET 4



D

SEE SHEET 2



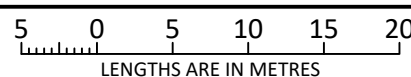
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SURVEYORS REF
1700987/02A

SCALE
1 : 500



ORIGINAL SHEET
SIZE: A3

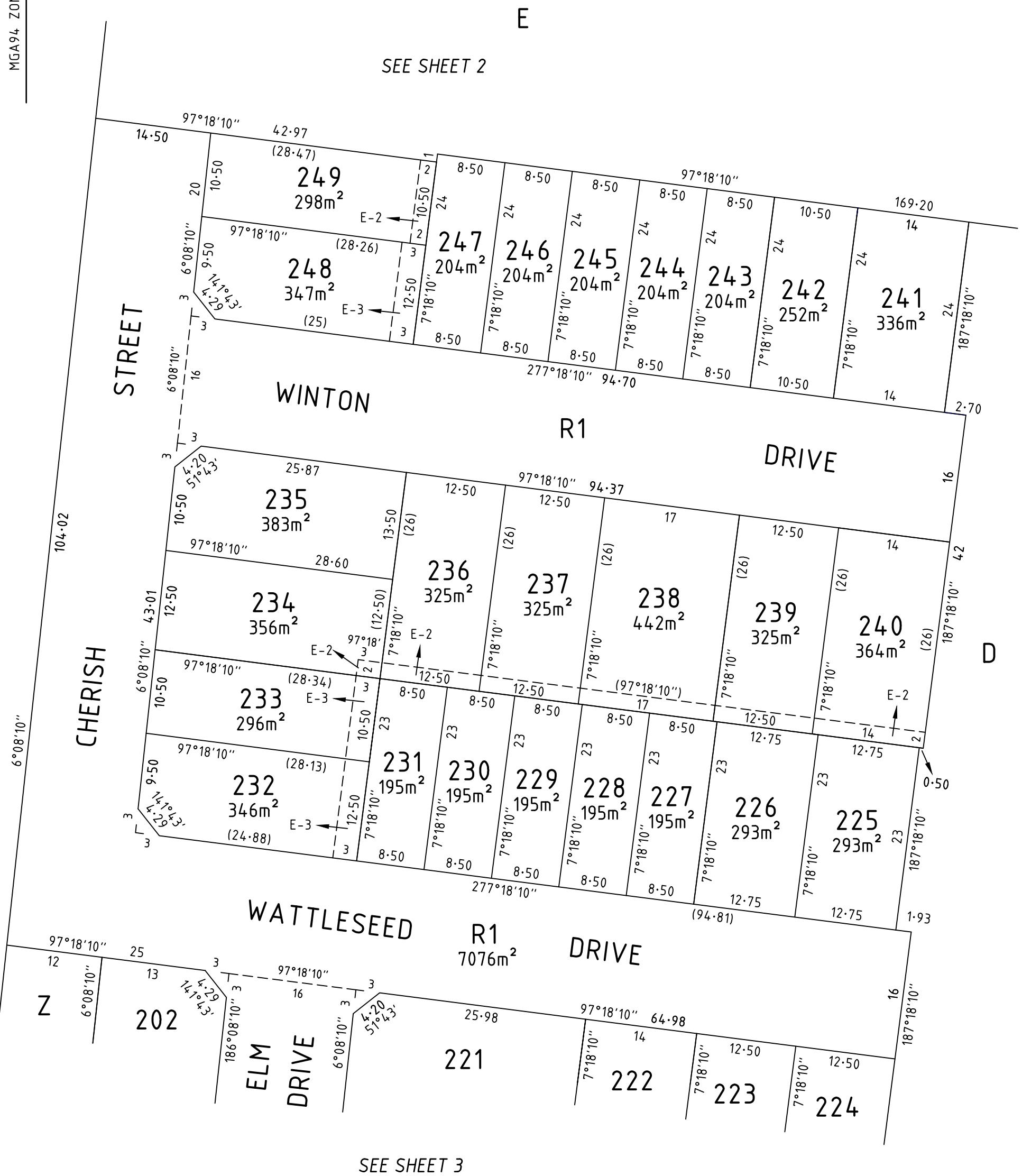
SHEET 3

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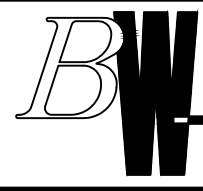
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MGA94 ZONE 55



SEE SHEET 2

SEE SHEET 3



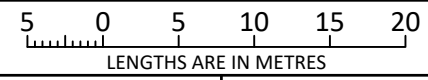
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SHEET 4

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SUBDIVISION ACT 1988 CREATION OF RESTRICTION 'A'

PS823200D

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:

BURDENED LAND: LOTS 202, 203, 205 TO 249 (BOTH INCLUSIVE)
BENEFITING LAND: LOTS 202, 203 TO 249 (BOTH INCLUSIVE)

DESCRIPTION OF RESTRICTION:

EXCEPT WITH THE WRITTEN CONSENT OF THE BOTANIA DESIGN ASSESSMENT PANEL, 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 DESIGN GUIDELINES ENDORSED BY MELTON CITY COUNCIL UNDER TOWN PLANNING PERMIT No: PA2018/6004 AS AMENDED FROM TIME TO TIME.

A COPY OF THE DESIGN GUIDELINES IS AVAILABLE at www.ngdd.com.au

- (2) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE ON THE LOT PRIOR TO THE BOTANIA DESIGN REVIEW COMMITTEE OR SUCH OTHER ENTITY AS MAY BE NOMINATED BY THE BOTANIA DESIGN REVIEW COMMITTEE FROM TIME TO TIME HAVE GIVEN ITS WRITTEN APPROVAL TO THE PLANS PRIOR TO THE COMMENCEMENT OF WORKS.

EXPIRY DATE:

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 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 & TO BE BURDENED:

BURDENED LAND: LOTS 202, 203, 205, 207, 213 TO 217 (BOTH INCLUSIVE), 225 TO 231 (BOTH INCLUSIVE), 233, 242 TO 247 (BOTH INCLUSIVE) AND 249.
BENEFITING LAND: LOTS 202, 203, 205, 207, 213 TO 217 (BOTH INCLUSIVE), 225 TO 231 (BOTH INCLUSIVE), 233, 242 TO 247 (BOTH INCLUSIVE) AND 249.

DESCRIPTION OF RESTRICTION:

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 MELTON CITY COUNCIL 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 BURDENED LOTS ARE TO BE ASSESSED AS TYPE A LOTS.

EXPIRY DATE:

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 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:

BURDENED LAND: LOTS 202, 208, 218, 221, 232, 235 & 248
BENEFITING LAND: LOTS 202, 208, 218, 221, 232, 235 & 248

DESCRIPTION OF RESTRICTION:

THE BURDENED LAND CANNOT:

1. CONSTRUCT A CORNER FENCE THAT IS NOT IN ACCORDANCE WITH THE DESIGN GUIDELINES;
 - (i) ALLOW ANY SUCH CORNER FENCE TO FALL INTO A STATE OF NEGLECT OR DISREPAIR AT ANY TIME (EXCLUDING FAIR WEAR AND TEAR).
2. CAUSE, ALLOW OR PERMIT ANY OTHER PERSON OR PARTY TO;
 - (i) ERECT ANY BUILDING, STRUCTURE OR ERECTION ON, UNDER, OVER OR THROUGH THE CORNER LOT FENCING.
 - (ii) REMOVE OR ALTER ANY PART OF THE CORNER LOT FENCING.
 - (iii) OBSTRUCT OR PLACE ANY COVERING OR OBSTRUCTION OVER THE CORNER LOT FENCING.

EXPIRY DATE:

30/06/2030.



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SHEET 5

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