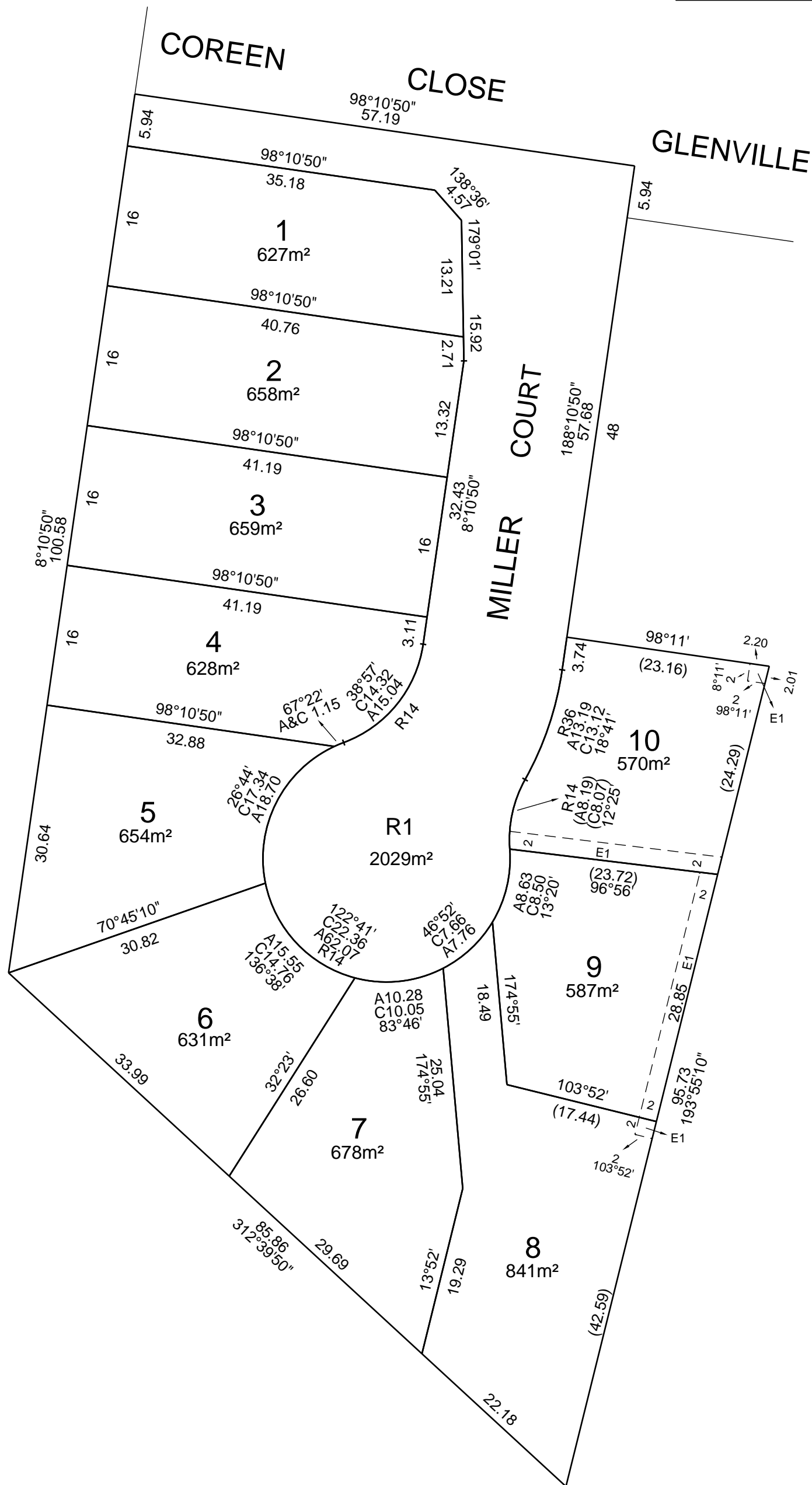
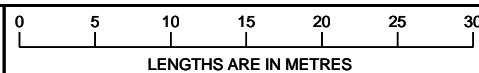


PLAN UNDER SECTION 22 OF THE SUBDIVISION ACT 1988		<b>EDITION 1</b>	<b>PS912175D</b>	
<b>PLAN OF SUBDIVISION</b>		<b>LOCATION OF LAND</b>		
<b>PARISH:</b> BARRARBOOL <b>CROWN DESCRIPTION:</b> CA. 5 (PT), CROWN SECTION 16 <b>TITLE REFERENCES:</b> VOL. 9947 FOL. 847 <b>LAST PLAN REFERENCE:</b> LOT 1 ON LP218530 <b>POSTAL ADDRESS:</b> 15 GLENVILLE ROAD HIGHTON 3216 VIC <small>(at time of subdivision)</small> <b>MGA CO-ORDINATES:</b> E <b>ZONE:</b> <small>(approx. centre of land in plan)</small> N		COUNCIL NAME: GREATER GEELONG CITY COUNCIL		
<b>VESTING OF ROADS AND/OR RESERVES</b>				
IDENTIFIER		COUNCIL/BODY/PERSON		
ROAD R1		CITY OF GREATER GEELONG		
<b>NOTATIONS</b>				
<b>DEPTH LIMITATION:</b>		Does Not Apply		
<p>This is an ePlan</p> <p>This is not a staged subdivision</p> <p><b>PLANNING PERMIT No.</b> PP-835-2022</p> <p><b>ADDITIONAL PURPOSE OF PLAN:</b>          REMOVAL OF EASEMENT E-1, EASEMENT OF WAY, VIDE TRANSFER H970258 AND REMOVAL OF EASEMENTS E-1 AND E-2 FOR WAY, DRAINAGE, SEWERAGE AND SUPPLY OF ELECTRICITY AND GAS VIDE LP218530V.</p> <p><b>GROUNDS FOR REMOVAL:</b>          BY AGREEMENT OF ALL RELEVANT PARTIES PURSUANT TO SECTION 6(1)(K) OF THE SUBDIVISION ACT 1988.</p> <p><b>SURVEY:</b>          This plan is based on survey.</p> <p><b>GENERAL PLAN NOTATIONS:</b>          SEE SHEET 3 FOR RESTRICTIONS.</p>				
<b>EASEMENT INFORMATION</b>				
<b>LEGEND:</b> A-Appurtenant Easement    E-Encumbering Easement    R-Encumbering Easement (Road)				
IDENTIFIER	PURPOSE	WIDTH (m)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E1	DRAINAGE	SEE DIAGRAM	THIS PLAN	CITY OF GREATER GEELONG
 <small>Stantec Australia Pty Ltd   ABN: 17 007 920 322          Level 1, 27-31 Myers Street (PO Box 1137), Geelong, VIC Australia 3220          Tel: 03 5202 4600          Web: www.stantec.com/au</small>		<b>SURVEYORS FILE REF:</b> 16438-100  <b>LICENSED SURVEYOR:</b> GEOFFREY PATTERSON  <b>VERSION</b> 4		<b>ORIGINAL SHEET SIZE:</b> A3  SHEET 1 OF 3  <small>This plan is unregistered and may be subject to change.           Plan generated date/time: 16/10/2024 04:18 PM</small>



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SCALE  
1 : 500



ORIGINAL SHEET  
SIZE: A3

SHEET 2

LICENSED SURVEYOR: GEOFFREY PATTERSON

VERSION 4

This plan is unregistered and may be subject to change.

Plan generated date/time: 16/10/2024 04:18 PM

**CREATION OF RESTRICTION 1**

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.

BURDENED LAND: LOT 1-10

BENEFITED LAND: LOT 1-10

**RESTRICTION:**

BUILDINGS SHALL NOT BE LOCATED IN ACCORDANCE WITH THE FOLLOWING ROAD SETBACKS, EXCEPT FOR ENCROACHMENTS EXPRESSLY PERMITTED UNDER THE BUILDING REGULATIONS 2018 (VIC) OR ANY SUBSEQUENT REGULATIONS:

- (A) - LOT 1 SIDE BOUNDARY ABUTTING COREEN CLOSE - 2 METRES;
- (B) - LOTS 1 TO 4 (INCLUSIVE) FRONTING MILLER COURT - 4 METRES; AND
- (C) - LOTS 5 TO 10 (INCLUSIVE) FRONTING MILLER COURT 3 METRES.

**CREATION OF RESTRICTION 2**

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.

BURDENED LAND: LOT 1-10

BENEFITED LAND: LOT 1-10

**RESTRICTION:**

EXCEPT WITH THE PRIOR CONSENT OF THE DEVELOPER, 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 USE OR DEVELOP THE BURDENED LAND OTHER THAN IN ACCORDANCE WITH THE PROVISIONS RECORDED IN THE MEMORANDUM OF COMMON PROVISIONS (MCP) WITH DEALING NUMBER AA9338. 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.

EXPIRY DATE: 31/12/2043



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Tel: 03 5202 4600  
Web: www.stantec.com/au

**SURVEYORS FILE REF:** 16438-100

**LICENSED SURVEYOR:** GEOFFREY PATTERSON

**VERSION** 4

**ORIGINAL SHEET**  
**SIZE: A3**

**SHEET 3**

This plan is unregistered and may be subject to change.

Plan generated date/time: 16/10/2024 04:18 PM

**Memorandum of common provisions  
Restrictive covenants in a plan  
Section 91A Transfer of Land Act 1958**

AA9338

**Privacy Collection Statement**

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Lodged by	
Name:	RLW Lawyers
Phone:	(03) 4245 2020
Address:	Level 1, 77 Yarra Street, Geelong, Victoria 3220
Reference:	2023:6850 (Charlotte Rise)
Customer code:	21122Q

This memorandum contains provisions which are intended for inclusion in plans under the Subdivision Act 1988 to be subsequently lodged for registration.

Provisions to apply to the plan:

**Burdened land:** As set out in the Plan of Subdivision.

**Benefited land:** As set out in the Plan of Subdivision.

**Covenants:**

**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.

“**Charlotte Rise 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 Charlotte Rise 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.

“**Design Review Panel**” means the design review panel appointed by the Developer in accordance with the Charlotte Rise Estate Design Guidelines.

“**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.

35402012

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 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

AA9338

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

**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 Charlotte Rise 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 Charlotte Rise 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.