

PLAN OF SUBDIVISION**EDITION 1****PS912185A****LOCATION OF LAND**

PARISH: MORANGHURK
TOWNSHIP: LARA
CROWN DESCRIPTION: CA. 12B (PT), CROWN SECTION 22
TITLE REFERENCES: VOL. 10163 FOL. 973
VOL. 10163 FOL. 974
LAST PLAN REFERENCE: LOT 1 ON TP81783
LOT 1 ON TP81779
POSTAL ADDRESS: 10-20,24 FLINDERS AVENUE LARA 3212 VIC
(at time of subdivision)
MGA CO-ORDINATES: E 271 850 **ZONE:** 55
(approx. centre of land in plan) N 5 788 655

Council Name: City of Greater Geelong
SPEAR Reference Number: S232922A

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1	CITY OF GREATER GEELONG
RESERVE 1	CITY OF GREATER GEELONG
RESERVE 2	POWERCOR AUSTRALIA LTD

NOTATIONS

DEPTH LIMITATION: Does Not Apply

This is an ePlan

This is not a staged subdivision

PLANNING PERMIT No. PP-1581-2021

SURVEY:
This plan is based on survey.

GENERAL PLAN NOTATIONS:

LOTS 1-100 HAVE BEEN OMITTED FROM THIS PLAN.
SEE SHEET 7 FOR RESTRICTIONS.

EASEMENT QUALIFICATION(S):

#1 - SECTION 136 WATER ACT 1989
#2 - SECTION 88 ELECTRICITY INDUSTRY ACT 2000

EASEMENT INFORMATION

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

IDENTIFIER	PURPOSE	WIDTH (m)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E1, E4 E2, E3, E4	DRAINAGE PIPELINE OR ANCILLARY PURPOSES #1	SEE DIAGRAM SEE DIAGRAM	THIS PLAN THIS PLAN	CITY OF GREATER GEELONG BARWON REGION WATER CORPORATION
E4	POWERLINE #2	SEE DIAGRAM	THIS PLAN	POWERCOR AUSTRALIA LTD



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

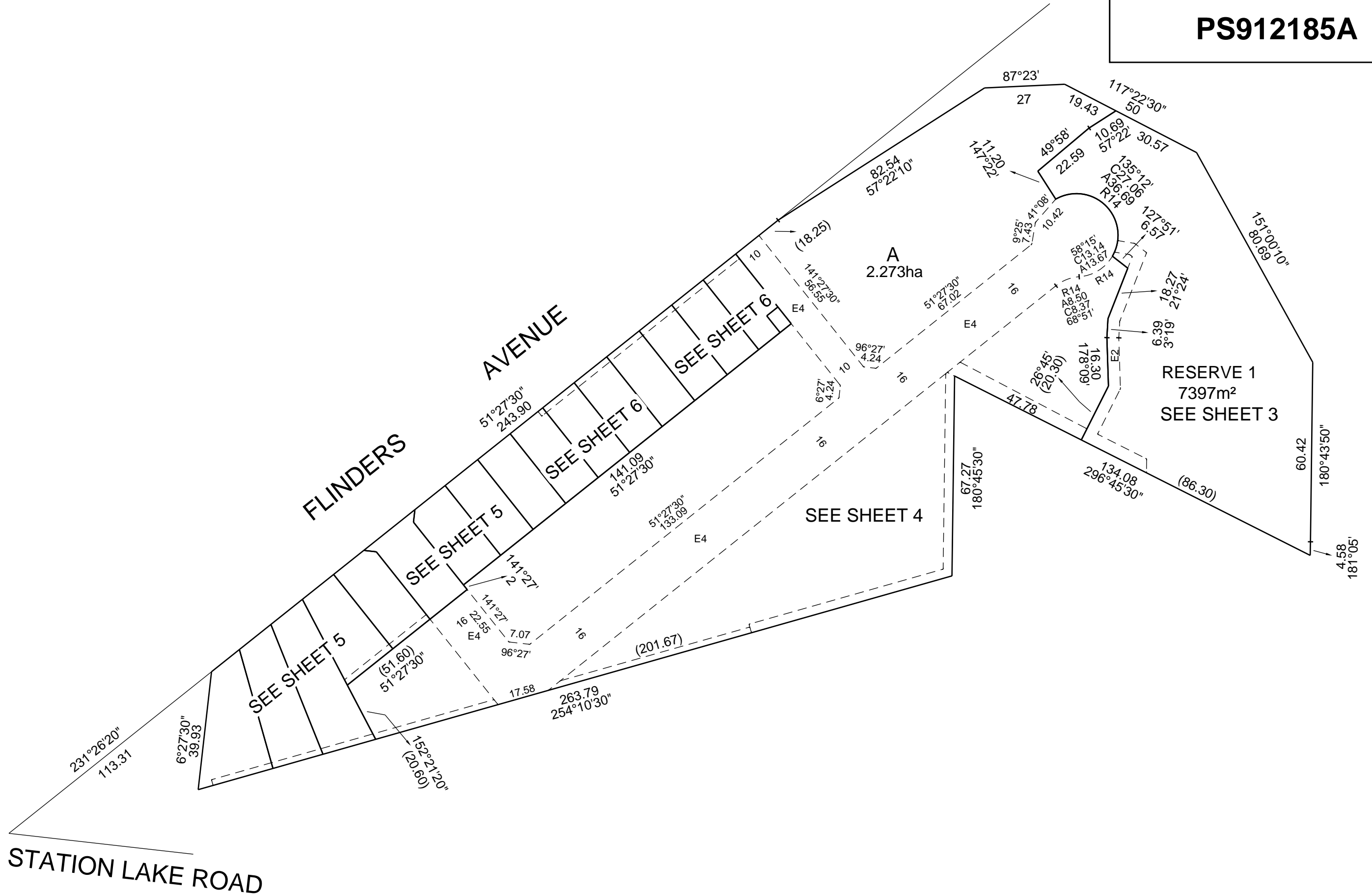
SURVEYORS FILE REF: 304401284-201

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**ORIGINAL SHEET
SIZE: A3**

SHEET 1 OF 7

Plan generated date/time: 02/08/2024 12:34 PM



STATION LAKE ROAD

FLINDERS AVENUE

SEE SHEET 5

SEE SHEET 5

SEE SHEET 6

SEE SHEET 6

SEE SHEET 4

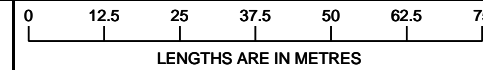
RESERVE 1
7397m²
SEE SHEET 3

A
2.273ha



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SCALE
1 : 1250



ORIGINAL SHEET
SIZE: A3

SHEET 2

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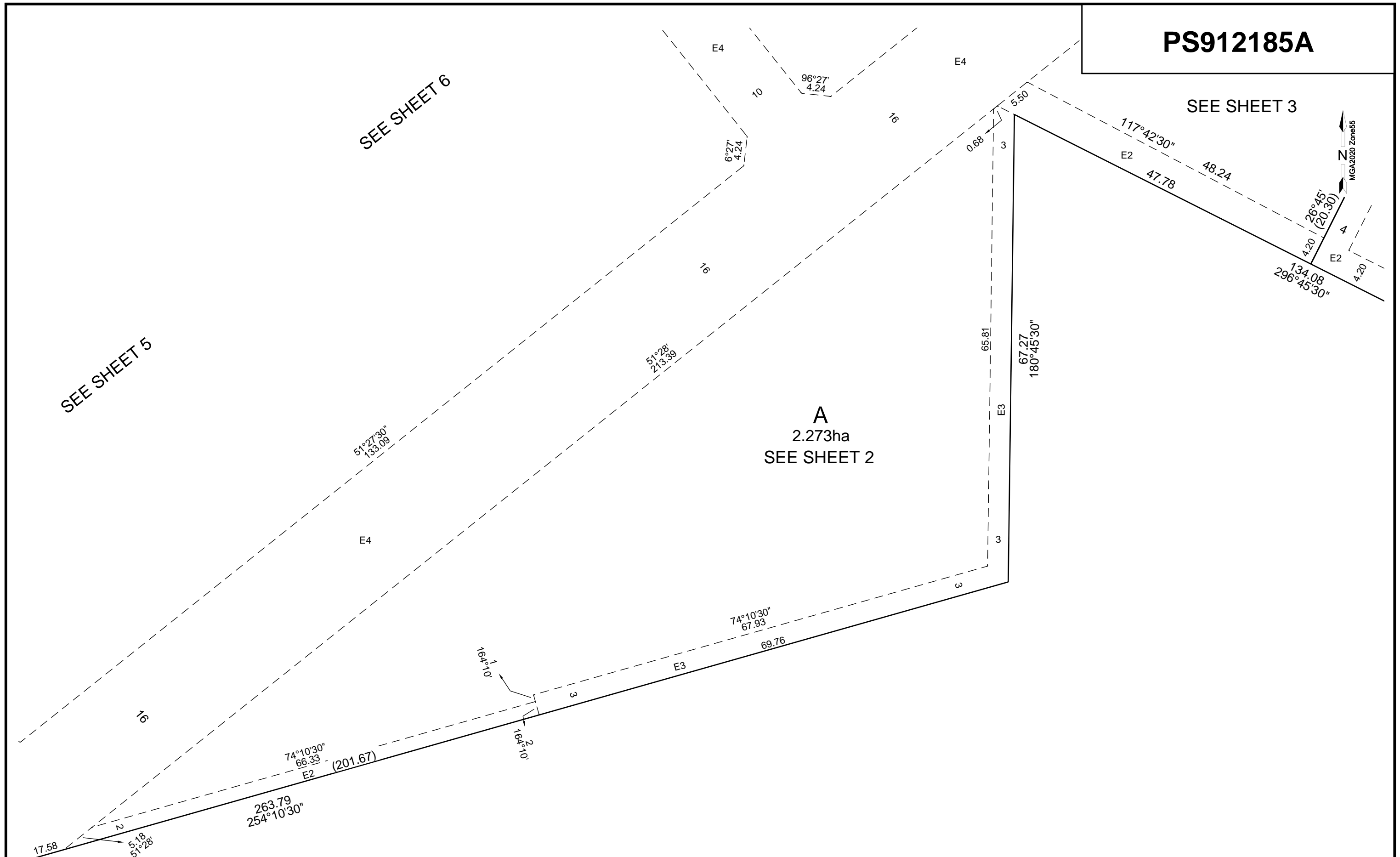
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SEE SHEET 6

SEE SHEET 3

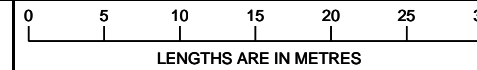
SEE SHEET 5

A
2.273ha
SEE SHEET 2



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SCALE
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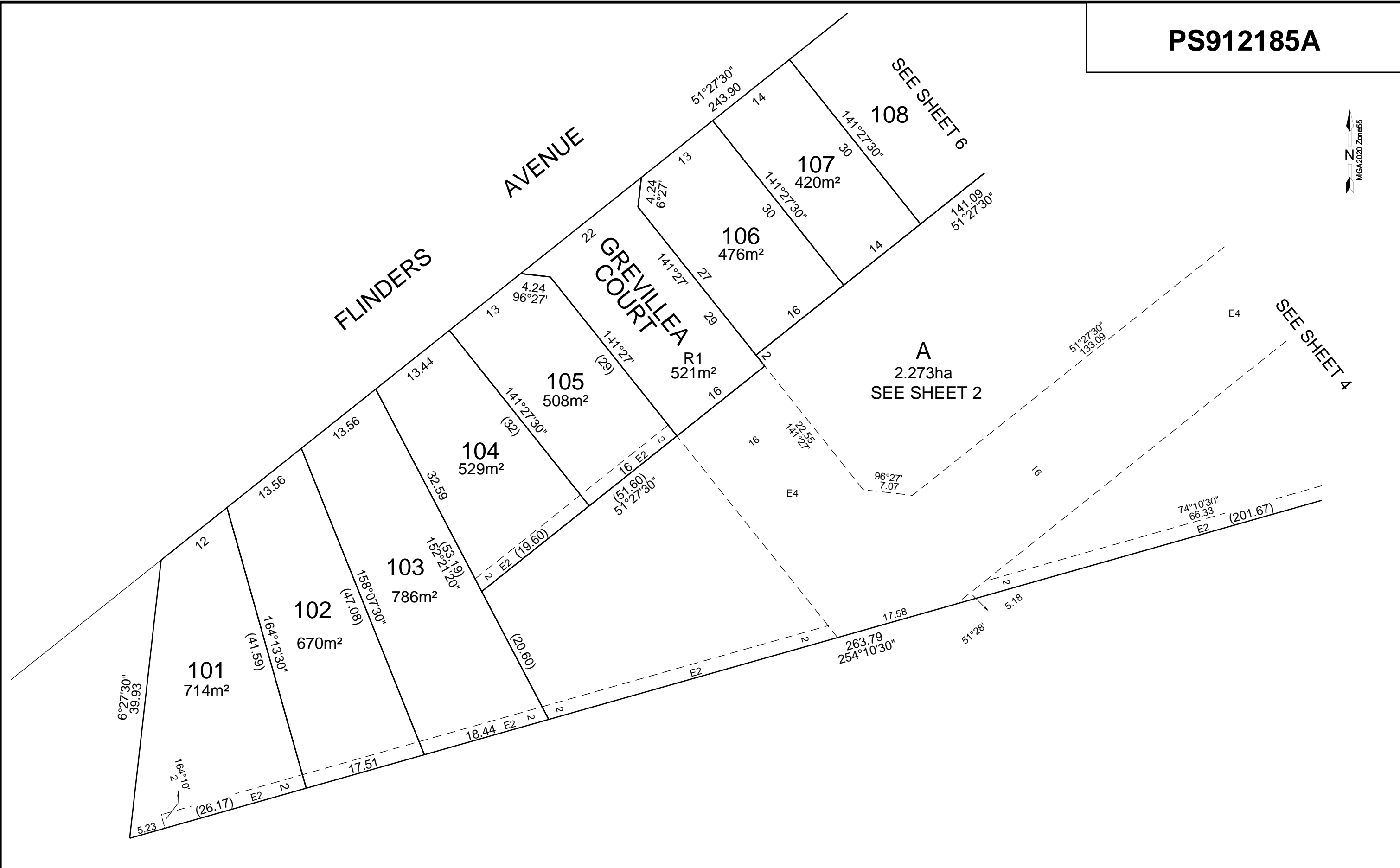


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SHEET 4

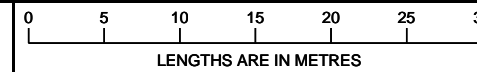
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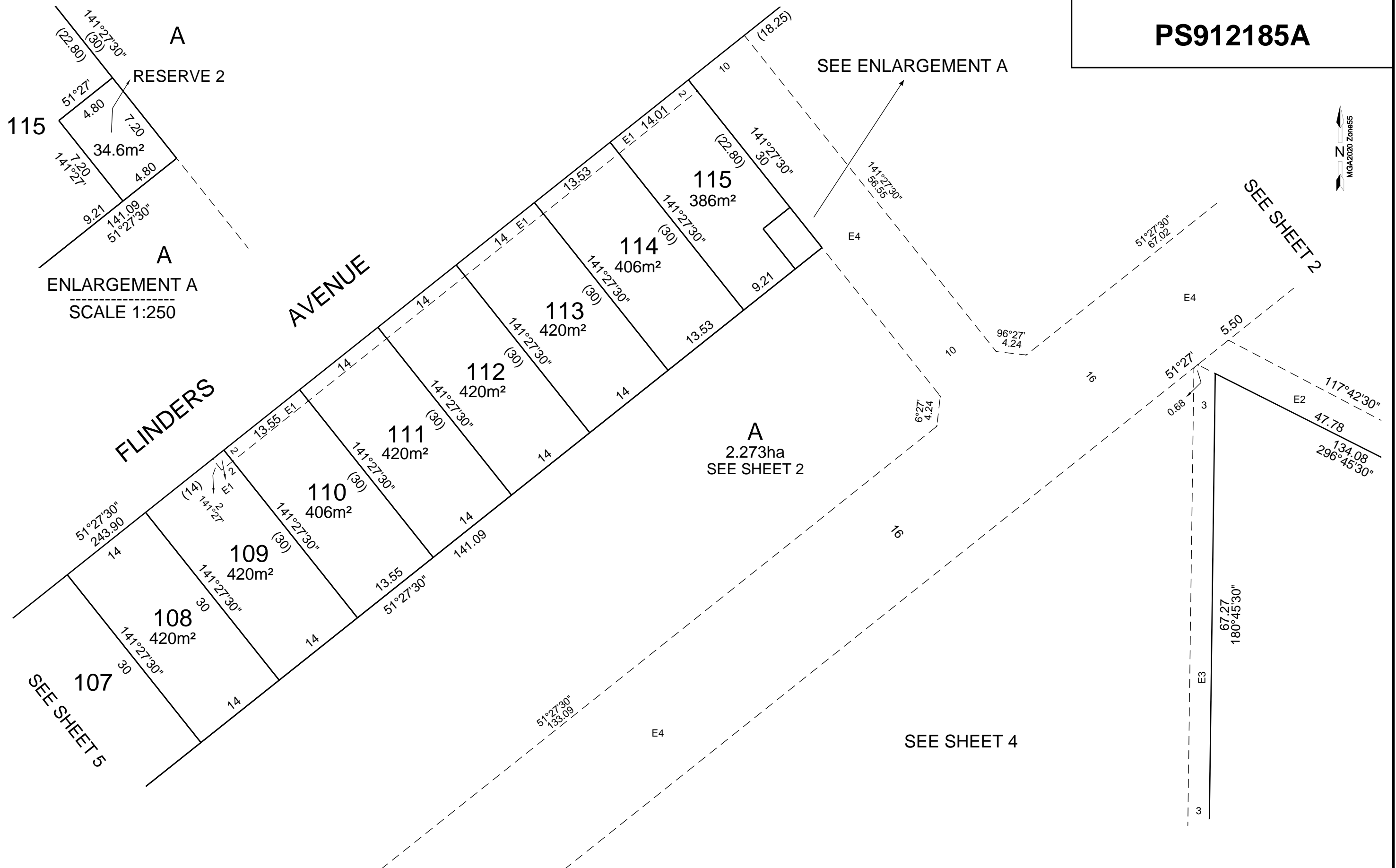


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SHEET 5

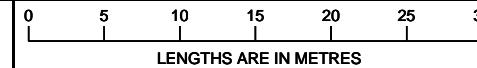
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ORIGINAL SHEET
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SHEET 6

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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 101-115

BENEFITED LAND: LOT 101-115

RESTRICTION:

THE BURDENED LAND CANNOT BE USED EXCEPT IN ACCORDANCE WITH PROVISIONS RECORDED IN MCP AA010239

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 101-104

BENEFITED LAND: LOT 101-104

RESTRICTION:

ANY BURDENED LOT MUST NOT BUILD OR PERMIT TO BUILD ANY BUILDING ON THE BURDENED LOT UNLESS ONE SIDE BOUNDARY HAS A MINIMUM SIDE SETBACK OF 1.0 METRE.

CREATION OF RESTRICTION 3

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 101-115

BENEFITED LAND: LOT 101-115

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) - 4 METRES FRONTING ANY ROAD; AND
- (B) - 2 METRES FOR ANY LOT WITH A SIDE BOUNDARY ABUTTING ANY ROAD.



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SHEET 7

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

AA010239

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Lodged by	
Name:	RLW Lawyers
Phone:	03 4245 2020
Address:	Level 1, 77 Yarra Street, Geelong, Victoria 3220
Reference:	2023.7491
Customer code:	21067V

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

Operative words including words to bind the burdened land and words of annexation must not be included.

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 (if any):

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.

“**Developer**” means Linmar Properties Pty Ltd ACN 097 930 535 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**” means a house.

“**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.

“**Responsible Authority**” means the City of Greater Geelong or its successor.

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

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 3

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

Covenants:

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. Subdivide or allow the Lot to be subdivided.
2. Consolidate for allow the Lot to be consolidated.
3. Construct any Dwelling unless the external walls (except windows and doors) are constructed from items in the following tables A, B and C provided that the sum of items in each table shall not exceed the corresponding percentages of the total external walls of the Dwelling (excluding windows and doors):

Table	Materials	Maximum % of the total external walls of a Dwelling (excluding windows and doors)
A	<ul style="list-style-type: none"> • Brick • Brick veneer • Stone • Rendered concrete • Rendered brick 	100
B	<ul style="list-style-type: none"> • Timber • Painted fibre cement weatherboard • Rendered foam board • Rendered fibre cement sheet 	40
C	<ul style="list-style-type: none"> • Concrete • Painted fibre cement siding • Cladding 	20

4. Construct, use or place on a Lot any relocated, pre-constructed or second-hand Dwelling.
5. Use any second-hand materials on the exterior of any Dwelling or Buildings constructed on a Lot.
6. Allow any rubbish, waste or debris to be deposited or remain on a Lot (including during construction of a Dwelling or Building) other than in a suitable receptacle for containing or disposal of rubbish.
7. Use or develop the Lot for any other purpose than one Dwelling with a garage and any outbuildings or external fixtures or improvements allowed under this MCP.
8. Use any shipping container or part thereof in the construction of the external walls of a Dwelling or Building.
9. Construct any carport on a Lot.
10. Construct any freestanding garage other than a garage ordinarily used for the parking of Vehicles as the principle garage of the Dwelling and constructed of the same external materials as the Dwelling on the Lot.

AA010239

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

11. Allow any recreational or commercial Vehicles to be parked on a Lot unless it is housed or contained wholly within a garage or screened from public view from the street or otherwise parked behind the wing fencing, except on a temporary basis for the purposes of delivering goods to an occupier of the Dwelling or in connection with the construction of improvements on the Lot.
12. Allow any caravan to be parked, stored or remain on the Lot unless it is not visible from the street.
13. Carry out any dismantling, assembling, repair or restoration of a Vehicle unless carried out at the rear of the Dwelling in a location which is screened from public view.
14. Construct any driveway unless it is constructed of paving blocks, patterned concrete, exposed stone concrete, brick or concrete.
15. Construct any crossover from crushed rock.
16. Leave any driveway and/or crossover construction on the Lot to be incomplete for more than 21 days after the date of issue of the certificate of occupancy for the Dwelling constructed on the Lot.
17. Construct any crossover unless it is constructed to the standard and requirements of the Responsible Authority.
18. Construct any storage or other shed on a Lot which:
 - (i) exceeds 3.6 meters in height to the ridgeline from the natural ground level of a Lot;
 - (ii) is constructed from materials other than pre-coated steel or brick with a pitched pre-coated steel or tiled roof; and
 - (iii) is located other than behind a wing fence which screens the storage or other shed from the public area of the streetscape.