
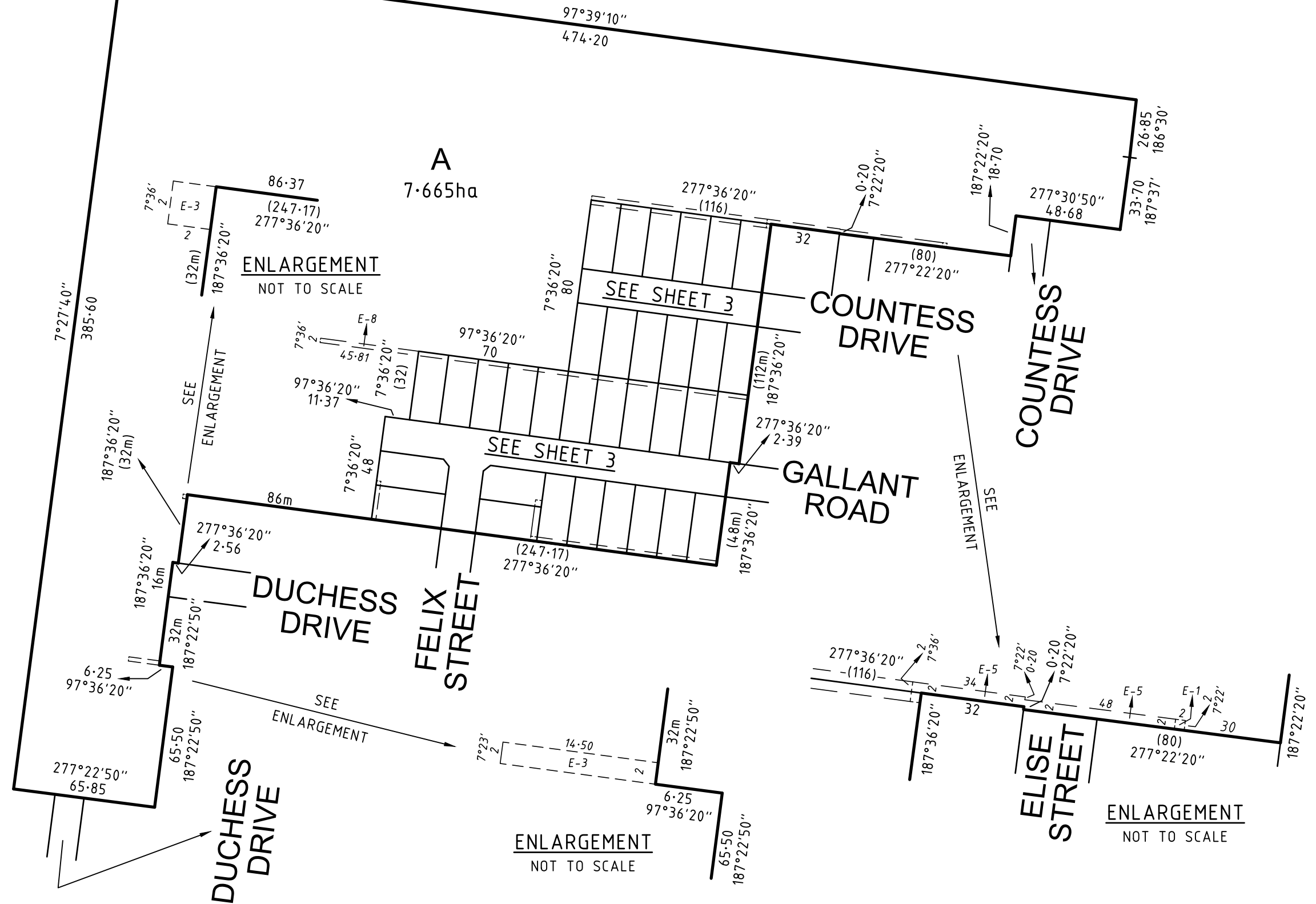


PLAN OF SUBDIVISION				EDITION 1		PLAN NUMBER PS822148H	
LOCATION OF LAND PARISH: PAYWIT TOWNSHIP: - SECTION: 27 CROWN ALLOTMENT: B (PT), C (PT) & D (PT) CROWN PORTION: - TITLE REFERENCE: VOL. FOL. LAST PLAN REFERENCE: LOTS A ON PS822144R POSTAL ADDRESS: GALLANT ROAD (at time of subdivision) ST. LEONARDS 3223 MGA94 CO-ORDINATES: E: 298 985 ZONE: 55 (of approx centre of land in plan) N: 5 772 985 GDA 94				MUNICIPALITY: CITY OF GREATER GEELONG			
VESTING OF ROADS AND/OR RESERVES				NOTATIONS			
IDENTIFIER		COUNCIL/BODY/PERSON		THE DEFINED ENDS OF EASEMENTS ARE PERPENDICULAR TO THE ADJOINING BOUNDARY UNLESS OTHERWISE SHOWN. LOTS 1 TO 269 (BOTH INCLUSIVE), 272 TO 282 (BOTH INCLUSIVE), 285 TO 307 (BOTH INCLUSIVE), 314 TO 326 (BOTH INCLUSIVE), 338 TO 341 (BOTH INCLUSIVE) & 348 TO 407 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN. LOTS 270, 271, 283, 284, 308 TO 313 (BOTH INCLUSIVE), 327 TO 337 (BOTH INCLUSIVE), 342 TO 347 (BOTH INCLUSIVE) & 408 TO 413 (BOTH INCLUSIVE) ARE THE RESULT OF THIS SURVEY. <u>CREATION OF RESTRICTION</u> SEE SHEET 4 TO 9 FOR RESTRICTION DETAILS. <div>PRELIMINARY</div>			
ROADS R1 ROAD R2 RESERVE No.1		CITY OF GREATER GEELONG CITY OF GREATER GEELONG POWERCOR AUSTRALIA LIMITED					
NOTATIONS							
DEPTH LIMITATION: DOES NOT APPLY							
SURVEY: This plan is/is not based on survey. STAGING: This is/is not a staged subdivision. Planning Permit No.PP-970-2014 This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.							
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	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	PS814476K & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION			
E-2, E-6	DRAINAGE	SEE PLAN	PS817855K	CITY OF GREATER GEELONG			
E-3	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	PS822142V & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION			
E-4	DRAINAGE	SEE PLAN	PS822144R	CITY OF GREATER GEELONG			
E-5	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	PS822144R & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION			
E-7, E-9	DRAINAGE	SEE PLAN	THIS PLAN	CITY OF GREATER GEELONG			
E-6, E-8, E-9	PIPELINES OR ANCILLARY PURPOSES	SEE PLAN	THIS PLAN & SECTION 136 WATER ACT 1989	BARWON REGION WATER CORPORATION			
TGM Group 1/27-31 Myers Street (PO Box 1137) Geelong Vic 3220 T 03 5202 4600 F 03 5202 4691 ABN 11 125 568 461 www.tgmgroup.com JAS-ANZ Accredited: Quality ISO 9001 - OH&S AS/NZS 4801 - Environment ISO 14001		 Geelong Melbourne Ballarat		SURVEYORS FILE REF: 15807-113		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 9 SHEETS
RAYMOND JAMES DUNN / DRAFT 3							

PRELIMINARY

PLAN NUMBER
PS822148H

M.G.A.94
ZONE 55



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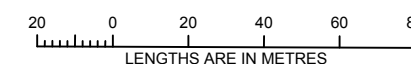


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SURVEYORS FILE REF: 15807-113

SCALE
1:2000



ORIGINAL SHEET
SIZE: A3

SHEET 2

RAYMOND JAMES DUNN / DRAFT 3

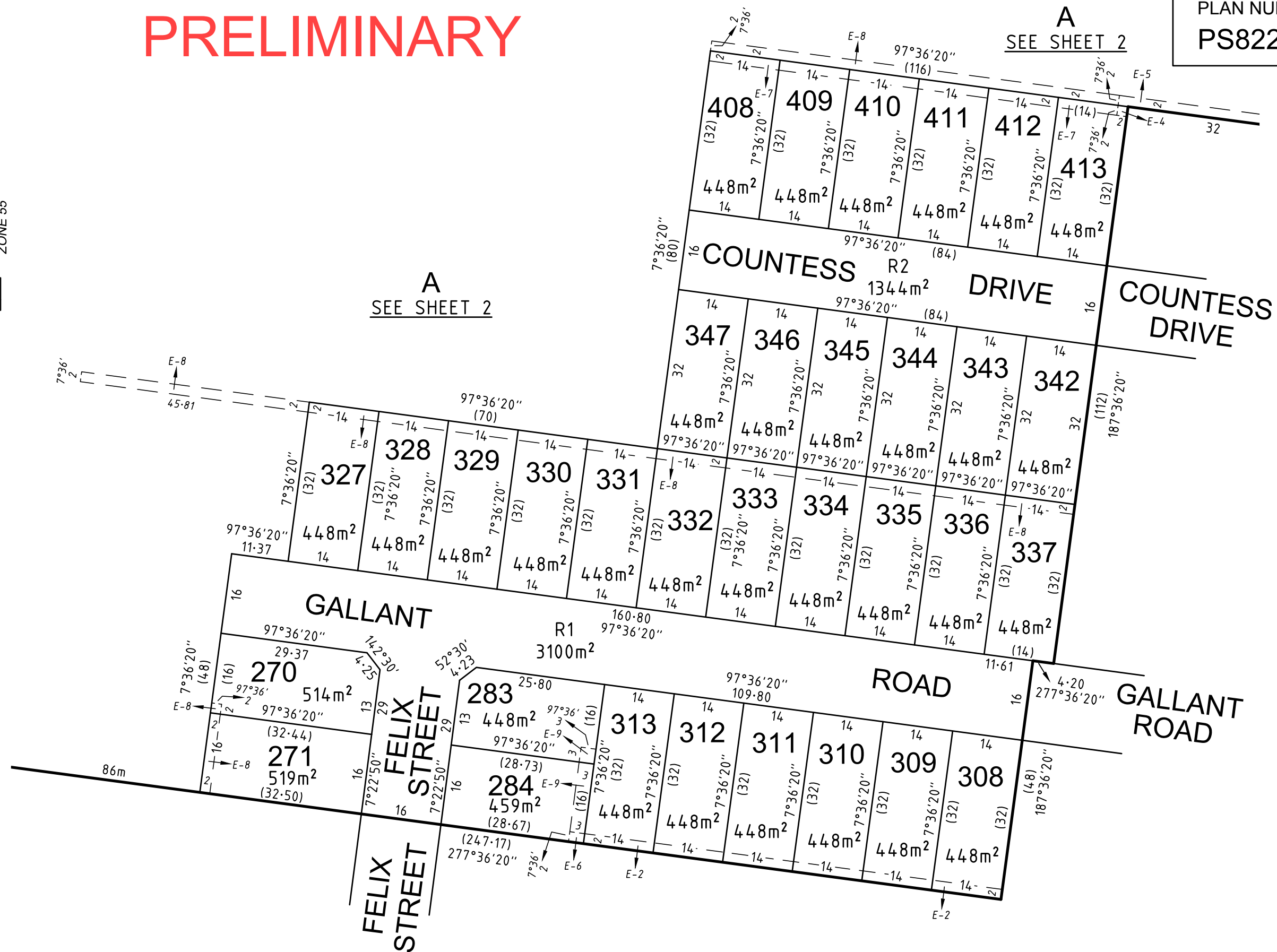
PRELIMINARY

PLAN NUMBER
PS822148H



A
SEE SHEET 2

A
SEE SHEET 2

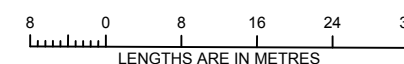


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SURVEYORS FILE REF: 15807-113

SCALE
1:800



ORIGINAL SHEET
SIZE: A3

SHEET 3


RAYMOND JAMES DUNN / DRAFT 3

CREATION OF RESTRICTION A.

Upon registration of this plan (PS822144R) the following restriction is created:

Lot burdened	Lot/s benefited
270	271
271	270
283	284, 313
284	283,313
308	309
309	308, 310
310	309, 311
311	310, 312
312	311, 313
313	283, 284, 312
327	328
328	327, 329
329	328, 330
330	329, 331
331	330, 332
332	331, 333, 347
333	332, 334, 346
334	333, 335, 345
335	334, 336, 344
336	335, 337, 343
337	336, 342
342	337, 343
343	336, 342, 344
344	335, 343, 345
345	334, 344, 346
346	333, 345, 347
347	332, 346
408	409
409	408, 410
410	409, 411
411	410, 412
412	411, 413
413	412

DESCRIPTION OF RESTRICTION A.

Buildings shall not be located in the area shown thus  except for allowable encroachments listed in the Building Regulations 2006.

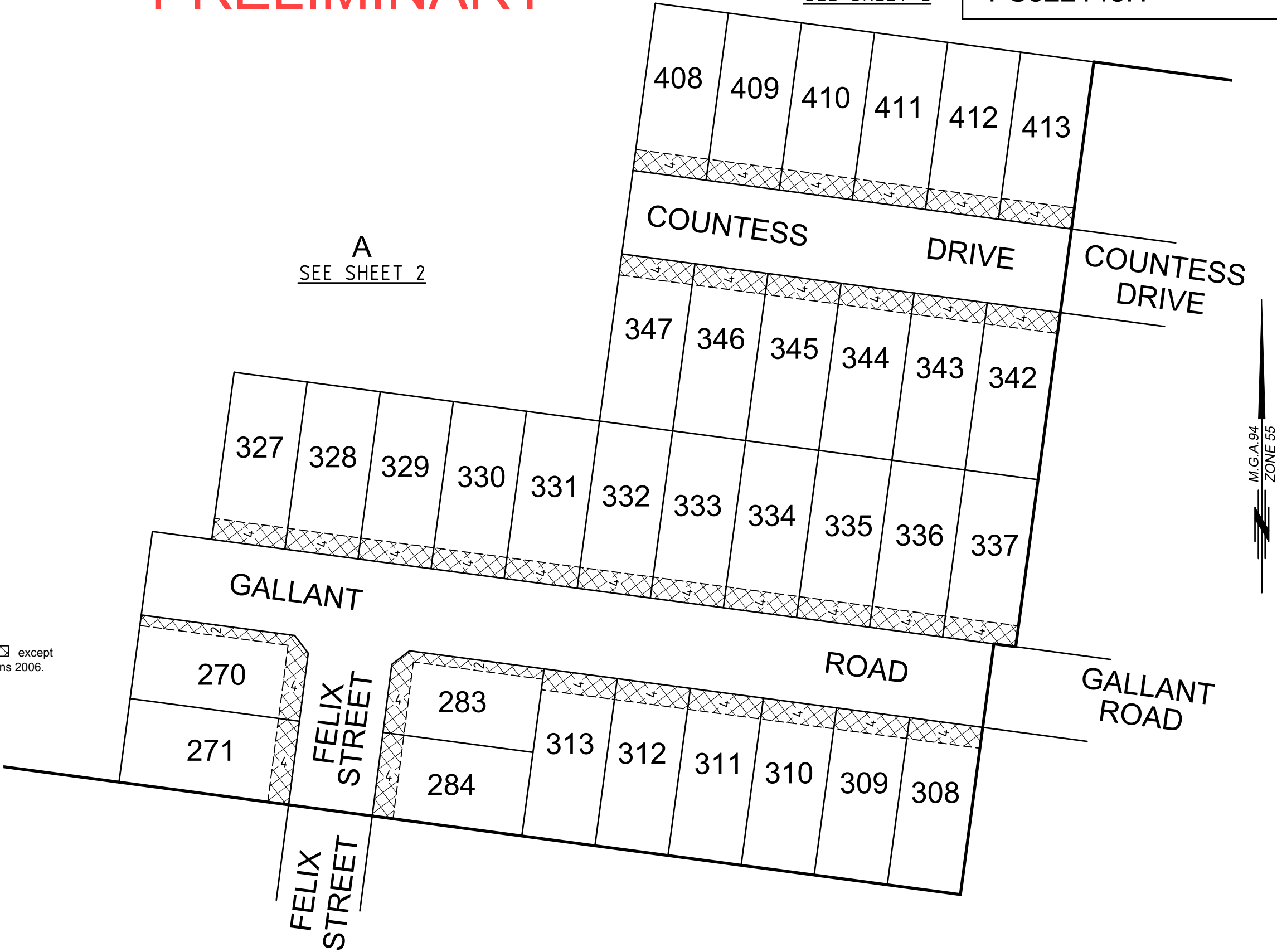
DEFINITIONS

BUILDING - Any structure

PRELIMINARY

A
SEE SHEET 2

PLAN NUMBER
PS822148H



Creation of Restriction B

The following restriction is to be created upon registration of Plan of Subdivision PS 822148H (Plan of Subdivision) by way of a restrictive covenant and as a restriction defined in the Subdivision Act 1988.

Land to be benefitted: Lots 270, 271, 283, 284, 308-313 (both inclusive), 327-337 (both inclusive), 342-347 (both inclusive) & 408-413 (both inclusive) on the Plan of Subdivision.

Land to be burdened: Lots 270, 271, 283, 284, 308-313 (both inclusive), 327-337 (both inclusive), 342-347 (both inclusive) & 408-413 (both inclusive) on the Plan of Subdivision.

Description of Restriction B

Except with the prior written consent of CP9 and in all other instances with the written consent of each and every registered proprietor or proprietors of a benefitting lot on the Plan of Subdivision the registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision shall not:

- (a) subdivide or allow the lot to be subdivided;
- (b) consolidate or allow the lot to be consolidated.

Creation of Restriction C

The following restrictive covenant is to be created upon registration of Plan of Subdivision PS 822148H (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988:

Land to be benefitted: Lots 270, 271, 283, 284, 308-313 (both inclusive), 327-337 (both inclusive), 342-347 (both inclusive) & 408-413 (both inclusive) on the Plan of Subdivision.

Land to be burdened: Lots 270, 271, 283, 284, 308-313 (both inclusive), 327-337 (both inclusive), 342-347 (both inclusive) & 408-413 (both inclusive) on the Plan of Subdivision.

Description of Restriction C

Except with the prior written consent of CP9 and in all other instances with the written consent of each and every registered proprietor or proprietors of a benefitting lot on the Plan of Subdivision the registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision shall not:

Primary Dwelling Construction

- (c) build or allow to be built on the lot more than one private dwelling house together with the usual outbuildings;
- (d) build or allow to be built a dwelling house which is not constructed:
 - i. with all external walls (excluding windows) of at least 75% of brick, stone or brick veneer.
 - ii. with a roof of any material other than roof tile, slate or non reflective Colorbond steel sheeting or a combination of such tiles or sheeting and at a pitch not less than 18 degrees for a single storey dwelling house.
 - iii. where any secondary frontage of a corner lot does not contain a continuation of the design elements such as verandahs, decorative detailing, feature windows and/or other feature materials which are used on the primary frontage of the lot and further must not construct any fencing on the secondary frontage of any corner lot which exceeds 60% of the length of that secondary frontage.
- (e) build or allow to be built a dwelling house, verandah or part thereof with exposed stumps;
- (f) construct any verandah which is not substantially constructed of timber, concrete, brick or paving stones;

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ORIGINAL SHEET
SIZE: A3

SHEET 5

- (g) allow any external plumbing (waste pipes and fittings but not including down pipes and guttering) to be visible from the street;
- (h) build or allow to be built any dwelling house with a floor area (excluding verandahs, carports and garages) of less than 120 square metres if the size of the Lot is 460 square metres or less, or, if the size of the lot is 461 square metres or more, must not build or allow to be built any dwelling house with a floor area (excluding verandahs, carports and garages) of less than 130 square metres;
- (i) erect or cause to be erected on the lot or any part of it any prefabricated house or dwelling or cause or allow or permit a constructed house or dwelling or partly constructed house or dwelling to be moved on to the lot;
- (j) allow any water tank to be installed or constructed on the lot such that it is installed or constructed in front of the front building line of the dwelling;
- (k) allow any water tank installed or constructed on the lot to remain unscreened such that it, or part thereof, is visible from the street;
- (l) allow any antennas, air conditioning units, satellite dishes or radio aerials or masts (or similar structures) to be installed or left to remain on the lot or any dwelling constructed on the lot unless such installations are located at the rear of any roof structure of the dwelling constructed on the lot and are no higher than the highest point of the roof of the dwelling house.

Garage

- (m) build or allow to be built a dwelling house which does not simultaneously have constructed at least one roofed garage (i.e. a garage which has the capacity to hold at least one vehicle) constructed with the same materials so as to match the roof form and materials of the dwelling house constructed on the lot.

Outbuildings

- (n) build or allow to be built on the lot any outbuildings (including any garage, workshop, garden shed, storage shed or other outbuilding) unless the external walls of such outbuilding are constructed of brick, stone, brick veneer or Colorbond steel sheeting or any combination of those materials and are consistent in materials and color to that of the dwelling house.
- (o) build or allow to be built on the lot any outbuildings (including any garage, workshop, garden shed, storage shed or other outbuilding) unless the roof of such outbuilding is:
 - i. constructed of tile, slate or non reflective Colorbond steel sheeting or any combination of those materials; and
 - ii. if a single storey outbuilding with a roof pitch of not less than 18 degrees and which is not consistent with the roof pitch of the dwelling house constructed on the lot.
- (p) allow any clothes line and drying areas or part thereof to be visible from the street;

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Fencing

- (q) build or allow to be built:
- i. any side or rear boundary fences between the lots which are:
 - A. less than 1.8 metres in height; and
 - B. constructed in any other material other than Timber.
 - ii. any fence between the side boundary fence of a lot and the private dwelling house constructed on the lot which is not consistent in height and color and material to the side boundary fence and which is forward of the front of the building line on the lot;
 - iii. any side boundary fences between the lots which are forward of the front building line on the lot and which are:
 - A. more than 1.2 metres in height; and
 - B. constructed in any other material other than Timber; and
 - C. any front boundary fence.

Landscaping

- (r) allow any
- ii. landscaping to the front view of the lot to be left incomplete or partially incomplete or leave any fencing to be incomplete or partially incomplete after the issue of a Certificate of Occupancy for the dwelling house constructed on the lot;
 - iii. nature strip to become or remain unkempt or untidy;
 - iv. letterbox to be constructed on the lot which is mounted on a single wooden or steel (or other material) post.

Recreational Vehicles/Commercial Vehicles

- (s) allow any plant or machinery or any recreational vehicle or commercial motor vehicle (including, without limitation, a caravan, boat, box trailer, boat trailer and/or car trailer but excluding any motor cycle, motor car, motor station wagon or utility or four wheel drive car registered for use on a highway) to be left or parked on the street or on the lot between the building line and the front boundary of the lot (unless either of those occurs during the normal course of business by a visiting trade person) or on the natural strip or the footpath;

Removal of Existing Items

- (t) mutilate or remove in whole or in part from a lot or reserve (without the prior written approval of CP9) any tree or part of any tree, fence, sign, irrigation pipe, underground pipe or conduit;

Driveway Construction

- (u) construct or allow to be constructed any driveway on the lot of any material other than brick, asphalt or concrete or leave any driveway incomplete or partially constructed after the issue of a Certificate of Occupancy for the dwelling house constructed on the lot;

Display Homes

- (v) permit any dwelling house constructed on the lot to be used for the purposes of a display home or for the purposes of marketing display homes unless the prior written consent of CP9 has first been obtained;

Signage

- (w) erect or permit to be erected or remain erected on the lot any advertisement, hoarding, sign or similar structure and will not permit the lot or any building or buildings constructed thereon to be used for the display of any advertisement, sign or notice provided that this restriction shall not prevent the erection of a signboard that the lot is for sale or lease (provided that such signboard for sale or lease of the lot is not more than 0.6 square metres in size);

Delivery of Building Materials

- (x) allow any building materials to be delivered or stored on the nature strip or anywhere else outside the title boundary of the lot upon which the dwelling house is being constructed and allow any rubbish to remain unsecured on the lot.

General

- (y) inhabit or otherwise occupy any dwelling constructed on the lot prior to the issue of a Certificate of Occupancy for such dwelling as required by s39 of the Building Act 1993 (as amended from time to time);
- (z) permit or allow the lot to become or remain in an unsightly, untidy, unclean or unwholesome condition or appearance or be used in any manner which constitutes an annoyance, nuisance or disturbance to the owners and occupiers for the time being of any other lot on the Plan of Subdivision;
- (aa) use or permit to be used the lot or any part of it for the keeping of horses, cattle, sheep, goats, pigs, poultry, greyhounds, pigeons or pigeon lofts, dog boarding kennels, cat boarding kennels or other livestock save and except dogs, cats or other bona fide household pets.
- (ab) use or suffer to have used or permit the said Land to be used for panel beating or motor vehicle repair purposes.

“CP9” means Costa Property Nine Pty Ltd (ACN 111 278 481) of PO Box 315, Geelong 3220 or any of its related bodies corporate within the meaning of s50 of the Corporations Act 2001 (as amended from time to time).

Creation of Restriction D

The following restrictive covenant is to be created upon registration of Plan of Subdivision PS 822148H (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988:

Land to be benefitted: Lots 270, 271, 283, 284, 308-313 (both inclusive), 327-337 (both inclusive), 342-347 (both inclusive) & 408-413 (both inclusive) on the Plan of Subdivision.

Land to be burdened: Lots 270 and 283 on the Plan of Subdivision.

Description of Restriction D

Except with the prior written consent of CP9 and in all other instances with the written consent of each and every registered proprietor or proprietors of a benefitting lot on the Plan of Subdivision the registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision shall not build or allow to be built any dwelling on the lot unless:

- (ac) a copy of the building plans for the proposed dwelling, showing the proposed site plan (including set-backs), dwelling location, driveways, water tanks, details of fences and outbuildings (Plans) have been submitted to CP9 (or to a nominee at its direction); and
- (ad) the Plans comply with the covenants contained in Restriction A and Restriction B on this Plan of Subdivision; and
- (ae) CP9 (and/or its nominee) has given its prior written approval of the Plans prior to the commencement of any construction works on the lot.

For the purposes of this Restriction D, Plans can be submitted to CP9 via ordinary post to the address contained in Restriction C or via email to info@costaland.com.au

The restrictions specified in paragraphs (a) to (ae) (inclusive) shall cease to burden any lot on the Plan of Subdivision with effect from 31 December 2045.