

PLAN OF SUBDIVISION

EDITION

PS 814798L

LOCATION OF LAND

PARISH: YUROKE
 TOWNSHIP: -
 SECTION: 17
 CROWN ALLOTMENT: B (PART)
 SECTION: 18
 CROWN ALLOTMENT: A & D (PARTS)
 TITLE REFERENCE: VOL 11976 FOL 746
 VOL 11985 FOL 405
 VOL 12030 FOL 219
 VOL 12041 FOL 272

LAST PLAN REFERENCE: LOT A ON PS742770J
 LOT B ON PS801126M
 LOT C ON PS807644F
 LOT D ON PS810905K

POSTAL ADDRESS: RIVERGLEN DRIVE
 (at time of subdivision) CRAIGIEBURN 3064

MGA 94 E 314 100 ZONE: 55
 CO-ORDINATES: N 5 836 160
 (approx. centre of land in plan)

Council Name: Hume City Council

Council Reference Number: S008785
 Planning Permit Reference: P19872
 SPEAR Reference Number: S132344V

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988
 Date of original certification under section 6: 14/05/2019

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification

Digitally signed by: Antonino Magazzu for Hume City Council on 24/02/2020

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

STAGING This ~~is~~/is not a staged subdivision
 Planning Permit No. **P19872**

DEPTH LIMITATION DOES NOT APPLY

LOTS 1 TO 3100, 3132 TO 3136, 3154 TO 3157 AND A TO D (ALL INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

AREA OF LAND SUBDIVIDED (EXCLUDING LOT E) - 2.828ha

EASEMENT INFORMATION

LEGEND: E - Encumbering Easement, Condition in Crown Grant in the Nature of an Easement or Other Encumbrance A - Appurtenant Easement

SUBJECT LAND	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF

ASTON - 31
77 LOTS AND BALANCE LOT E

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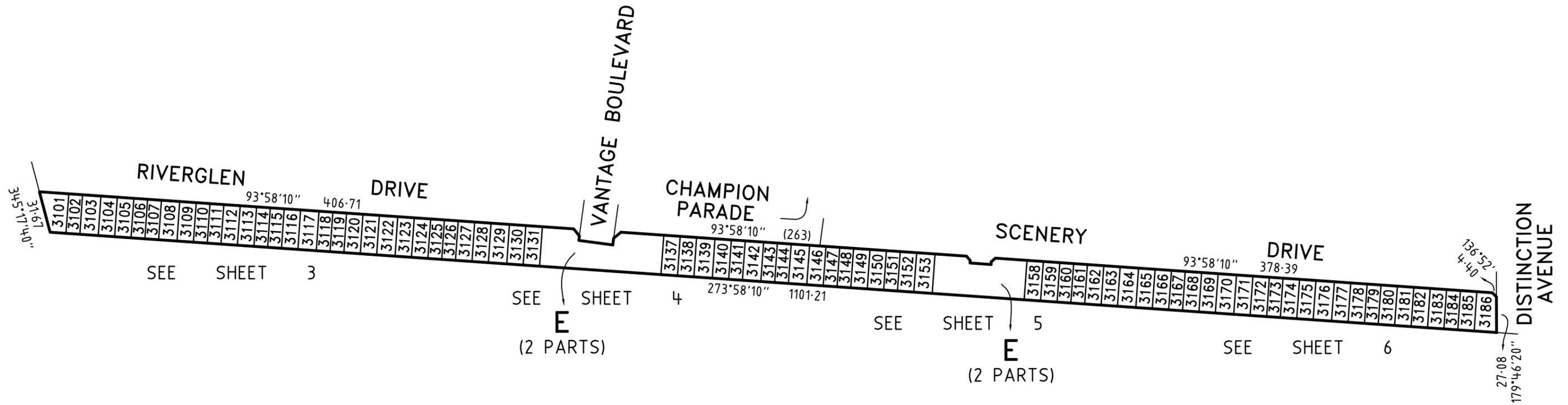
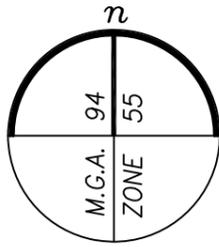
LICENSED SURVEYOR GREGORY STUART WILLIAMS

DATE 11/02/20 REFERENCE 29093313 ORIGINAL SHEET SIZE A3
 VERSION K DRAWING 2909331AK SHEET 1 OF 8 SHEETS

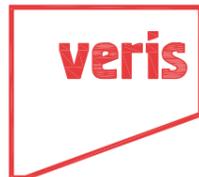
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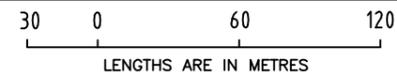


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SCALE
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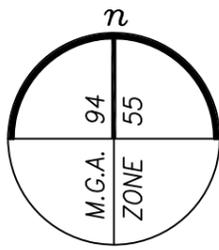
ORIGINAL SHEET SIZE A3
 SHEET 2

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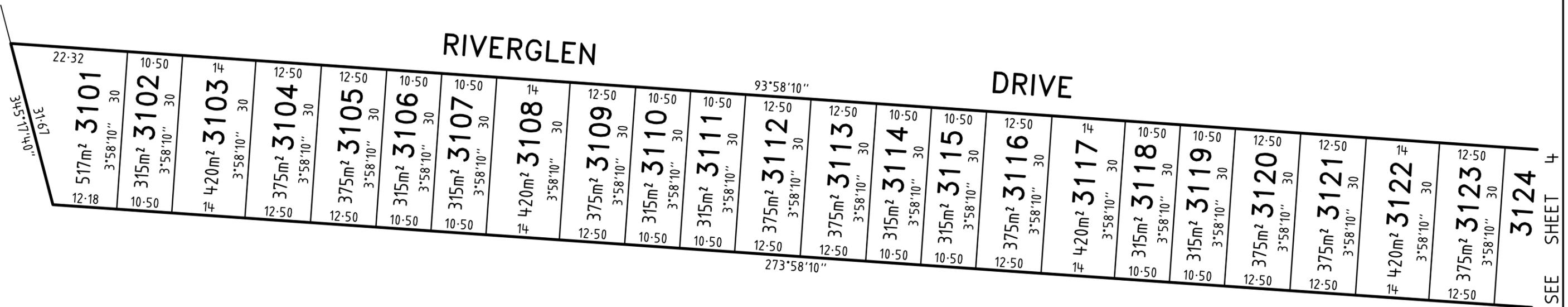
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RIVERGLEN

DRIVE



SEE SHEET 4

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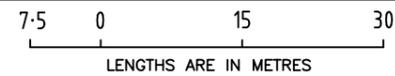


ASTON - 31

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 VERSION K

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SCALE
 1:750

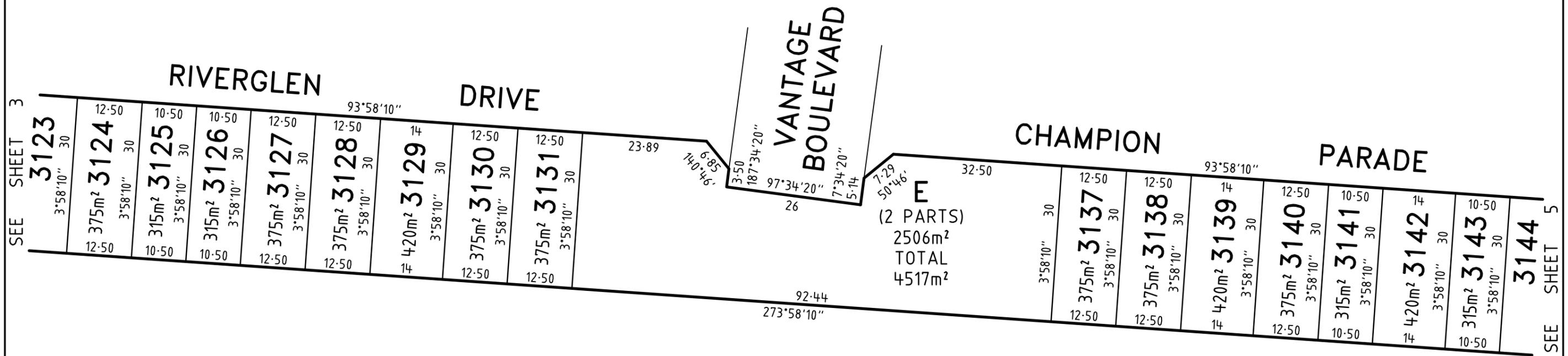
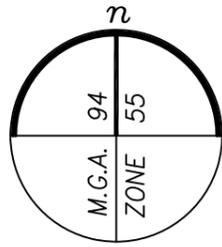
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 SHEET 3

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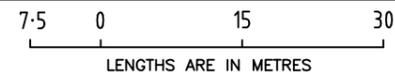
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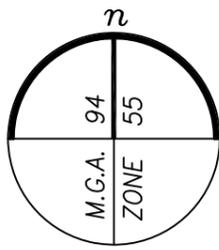
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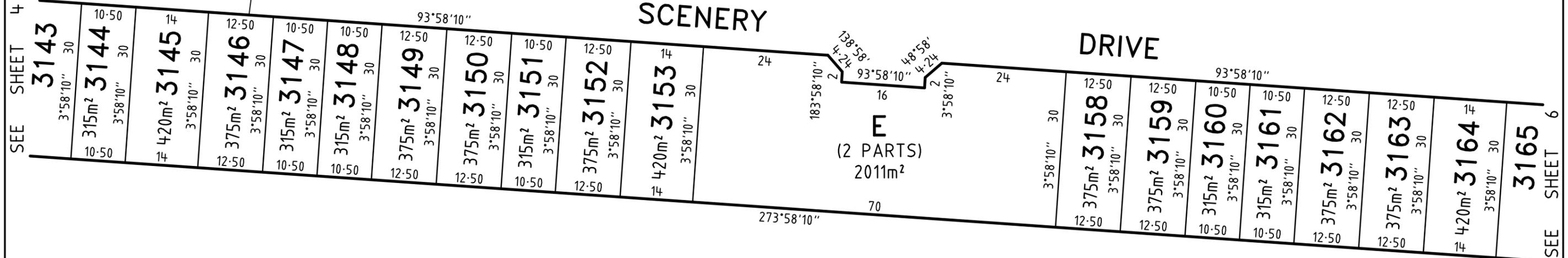
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CHAMPION PARADE

SCENERY

DRIVE



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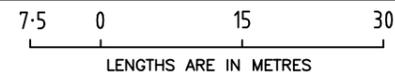


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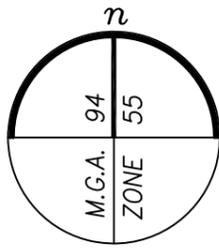
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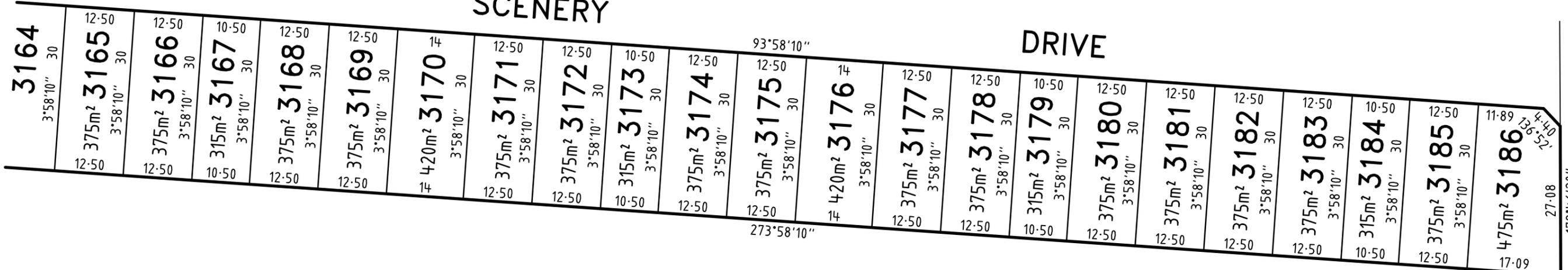


SEE SHEET 5

SCENERY

DRIVE

DISTINCTION AVENUE



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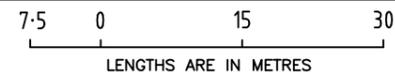


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ORIGINAL SHEET SIZE A3
 SHEET 6

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PLAN OF SUBDIVISION

PS 814798L

CREATION OF RESTRICTION 'A'

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: Lots 3101 to 3131 (both inclusive), Lots 3137 to 3153 (both inclusive) and Lots 3158 to 3186 (both inclusive).

BENEFITED LAND: Lots 3101 to 3131 (both inclusive), Lots 3137 to 3153 (both inclusive) and Lots 3158 to 3186 (both inclusive).

RESTRICTION:

Except with the written consent of Peet Craigieburn Pty Ltd the registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not:

Memorandum of Common Provisions

- (a) build or allow to be built on the Lot any building other than a building that has been constructed in accordance with the provisions recorded in MCP AA5923.

Design Guidelines

- (b) build or allow to be built on the Lot any building other than a building that has been approved by Peet or the Peet Craigieburn Pty Ltd Design Review Panel in accordance with the Peet Craigieburn Pty Ltd Design Guidelines.

Design Plans

- (c) enter into any unconditional domestic building contract with a Builder, commence, carry out, erect, construct, permit or alter any development on the Lot without the applicable plans and specifications (including floor plans and elevations and finishes schedules) being first prepared and submitted to and approved by Peet Craigieburn Pty Ltd and then only in compliance with any condition (consistent with any restrictions affecting the Lot) imposed by Peet Craigieburn Pty Ltd in respect of that approval.

CCTV of Sewer Infrastructure

- (d) (i) prevent access by Peet, Yarra Valley Water or any nominated representative of either party for the purpose of undertaking closed circuit television scanning of sewer infrastructure between the dwelling on the Property, the property branch and oblique branch.
(ii) fail to promptly rectify at the registered proprietor's cost, any sewer infrastructure not deemed fit for purpose by Peet, Yarra Valley Water or any nominated representative of either party.

For the purposes of this restriction "Peet" means Peet Craigieburn Pty Ltd ABN: 88 100 290 640 or any of its related bodies corporate or associated entities within the meaning of the Corporations Act 2001.

EXPIRY: 31 DECEMBER 2029

ASTON – 31

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SCALE



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ORIGINAL SHEET SIZE A3

SHEET 7

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CREATION OF RESTRICTION 'B'

The registered proprietors of the burdened land covenant with Peet Craigieburn Pty Ltd and 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: Lots 3101 to 3131 (both inclusive), Lots 3137 to 3153 (both inclusive) and Lots 3158 to 3186 (both inclusive).

BENEFITED LAND: Lots 3101 to 3131 (both inclusive), Lots 3137 to 3153 (both inclusive) and Lots 3158 to 3186 (both inclusive).

RESTRICTION:

1. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not, in respect of the burdened Lot:
 - (a) undertake any excavation, except as necessary for the purpose of constructing a residential slab or an associated above ground shed/outbuilding and ancillary works including foundations, footings, services and landscaping of the front garden;
 - (b) develop outside of the Building Envelope Zone 1 or Building Envelope Zone 2 as defined in the Section 173 Agreement;
 - (c) use or undertake any buildings or works for any non-residential purpose.
2. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not, in respect of any part of the Lot within the Building Envelope Zone 2 (as defined in the Section 173 Agreement):
 - (a) undertake any buildings or works unless those buildings and works comply with the Engineered Footing Zone Specifications (as defined in the Section 173 Agreement);
 - (b) store more than 400 litres of liquid; or
 - (c) plant or maintain any trees or shrubs that can grow taller than 5 metres at full maturity.
3. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not, in respect of any part of the Lot within the Exclusion Zone (as defined in the Section 173 Agreement):
 - (a) undertake any buildings and works that involve excavation except in accordance with clause 3(c) of this restriction;
 - (b) store more than 400 litres of liquid; or
 - (c) plant or maintain any trees or shrubs that can grow taller than 5 metres at full maturity.
4. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not, in respect of any part of the Lot within the Backslope (as defined in the Section 173 Agreement):
 - (a) undertake any buildings and works or excavation; or
 - (b) store any substances that could, if released into the environment, affect the water quality of the Greenvale Reservoir.
5. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not, in respect of any fencing erected by Peet to restrict access to the Backslope (as defined in the Section 173 Agreement):
 - (a) fail to maintain the Fencing in good order and repair; and
 - (b) remove or interfere with or do anything on the Lot which would damage or impede the fencing.
6. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not remove or interfere with or do anything on the Lot which would damage or impede any landscaping established on the Backslope (as defined in the Section 173 Agreement).
7. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not:
 - (a) fail to notify any occupier of the existence of the Section 173 Agreement by providing a copy of this Agreement;
 - (b) fail to require any occupier to comply with the obligations of the registered proprietor during its occupation; and
 - (c) fail to notify any person carrying out works on the Lot that would or may affect the Protection Mechanism (as defined in the Section 173 Agreement) of:
 - (i) the existence of the Agreement; and
 - (ii) the requirement for that person to comply with the obligations of the registered proprietor during works.
8. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not:
 - (a) fail to comply, at its cost, with any Rectification Notice (as defined in the Section 173 Agreement) within the period specified in the notice or otherwise agreed period in writing;
 - (b) if the registered proprietor fails to comply with a Rectification Notice (as defined in the Section 173 Agreement) within the specified or agreed period and the party who issued the Rectification Notice (as defined in the Section 173 Agreement) undertakes the specified works, fail to reimburse the relevant party for the cost of those works and any necessary interim or temporary works, including administration costs, within 10 Business Days of the relevant party providing a written demand for payment of those costs.
9. The registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not deny access to other parties to carry out their obligations under the Section 173 Agreement.

For the purposes of this restriction:

"Peet" means Peet Craigieburn Pty Ltd ABN: 88 100 290 640 or any of its related bodies corporate or associated entities within the meaning of the Corporations Act 2001; and

"Section 173 Agreement" means the agreement pursuant to Section 173 of the Planning and Environment Act (Vic) 1987 registered in Instrument AS816207A.

EXPIRY: This restriction shall cease to have effect when the Section 173 Agreement contained in Instrument AS816207A no longer applies to the lot.

ASTON – 31	LICENSED SURVEYOR GREGORY STUART WILLIAMS	SCALE	
	DATE 11/02/20 VERSION K	REFERENCE 29093313 DRAWING 2909331AK	ORIGINAL SHEET SIZE A3 SHEET 8
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