

# PLAN OF SUBDIVISION

LV USE ONLY  
EDITION

PLAN NUMBER  
PS 838326V

## LOCATION OF LAND

PARISH: KALKALLO  
TOWNSHIP: -  
SECTION: -  
CROWN ALLOTMENT: 4 (PART) & 5 (PART)  
CROWN PORTION: -  
TITLE REFERENCES: Vol. 10645 Fol. 479 & Vol. Fol.  
LAST PLAN REFERENCE/S: LOT 1 ON TP804279F  
LOT A ON PS 838325X  
POSTAL ADDRESS: 75 BODYCOATS ROAD  
(At time of subdivision) WOLLERT, VIC. 3750  
MGA2020 Co-ordinates E 325 080  
(of approx centre of N 5 838 390  
land in plan) ZONE 55

COUNCIL NAME: WHITTLESEA CITY COUNCIL

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON	NOTATIONS
ROAD R1 RESERVE No.1 RESERVE No.2	WHITTLESEA CITY COUNCIL WHITTLESEA CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY LTD	<p>LOTS 1 TO 200 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.</p> <p>FOR RESTRICTION A AFFECTING LOTS 201 TO 256 (BOTH INCLUSIVE) SEE SHEET 7</p> <p>FOR RESTRICTION B AFFECTING LOTS 203 TO 205, 216 TO 224, 229 TO 233, 235 TO 239, 242 AND 245 TO 250 (ALL INCLUSIVE) SEE SHEET 7</p> <p>FOR RESTRICTION C AFFECTING LOTS 201 TO 256 (BOTH INCLUSIVE) SEE SHEET 7</p> <p>FOR RESTRICTION D AFFECTING LOTS 201, 202, 206 TO 215, 225 TO 228, 234, 240, 241, 243, 244 AND 251 TO 256 (ALL INCLUSIVE) SEE SHEET 7</p> <p><b>OTHER PURPOSES OF PLAN</b></p> <p>(i) TO REMOVE THE DRAINAGE AND SEWERAGE EASEMENT SHOWN AS E-1 AND E-3 AFFECTING LOT 1 ON TP804279F BY AGREEMENT FROM ALL INTERESTED PARTIES VIDE SECTION 6(1)(k)(iv) SUBDIVISION ACT 1988</p> <p>(ii) TO REMOVE THE ELECTRICITY EASEMENT SHOWN AS E-2 AND E-3 AFFECTING LOT 1 ON TP804279F BY AGREEMENT FROM ALL INTERESTED PARTIES VIDE SECTION 6(1)(k)(iv) SUBDIVISION ACT 1988.</p> <p>(iii) ANY EASEMENTS SHOWN ON PREVIOUS PLANS AS IT AFFECTS ROADS R1 ON THIS PLAN ARE REMOVED VIDE SCHEDULE 5, CLAUSE 14 OF THE ROAD MANAGEMENT ACT 2004.</p>
<p>DEPTH LIMITATION DOES NOT APPLY</p> <p>STAGING This is/is not a staged subdivision. Planning permit No. 717154</p> <p>SURVEY. THIS PLAN IS/<del>IS NOT</del> BASED ON SURVEY. THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s): 10, 11, 99, 107, 108 &amp; WOLLERT PM 43</p> <p>IN PROCLAIMED SURVEY AREA No. 74</p> <p><b>THE PATCH - 2</b> <b>3.090ha</b></p> <p style="text-align: right;"><b>56 LOTS</b></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	3	PS 838325X	WHITTLESEA CITY COUNCIL
E-1	SEWERAGE	3	PS 838325X	YARRA VALLEY WATER CORPORATION
E-2	DRAINAGE	2	PS 838325X	WHITTLESEA CITY COUNCIL
E-3	SEWERAGE	SEE DIAG.	PS 838325X	YARRA VALLEY WATER CORPORATION
E-4	DRAINAGE	SEE DIAG.	PS 838325X	WHITTLESEA CITY COUNCIL
E-4	SEWERAGE	SEE DIAG.	PS 838325X	YARRA VALLEY WATER CORPORATION
E-5	DRAINAGE	3	THIS PLAN	WHITTLESEA CITY COUNCIL
E-5	SEWERAGE	3	THIS PLAN	YARRA VALLEY WATER CORPORATION
E-6	SEWERAGE	SEE DIAG.	THIS PLAN	YARRA VALLEY WATER CORPORATION

80171PS-005F.DWG

SURVEYOR REF: 80171ps-005f

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 7



MC MULLEN NOLAN GROUP  
31/574 Plummer Street  
Port Melbourne VIC 3207  
Tel: (03) 7002 2200  
Fax: (08) 7002 2299  
Email: info@mngsurvey.com.au

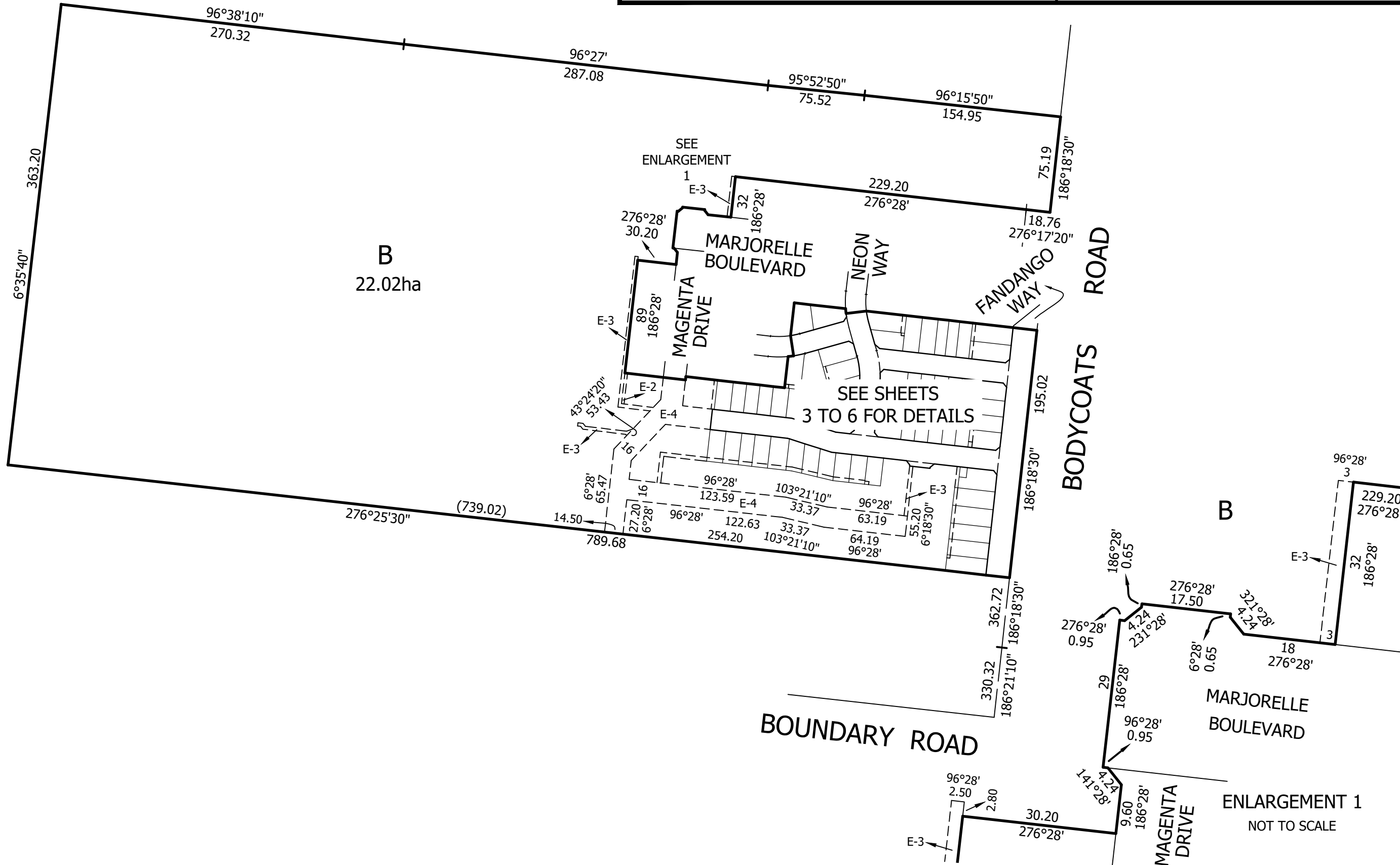
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M.G.A. 2020 | ZONE 55



BODYCOATS ROAD

BOUNDARY ROAD

MARJORELLE BOULEVARD

MAGENTA DRIVE

ENLARGEMENT 1  
NOT TO SCALE

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**MNG**  
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SCALE  
1:3000  
30 0 30 60 90 120  
LENGTHS ARE IN METRES

ORIGINAL SHEET  
SIZE A3  
SHEET 2

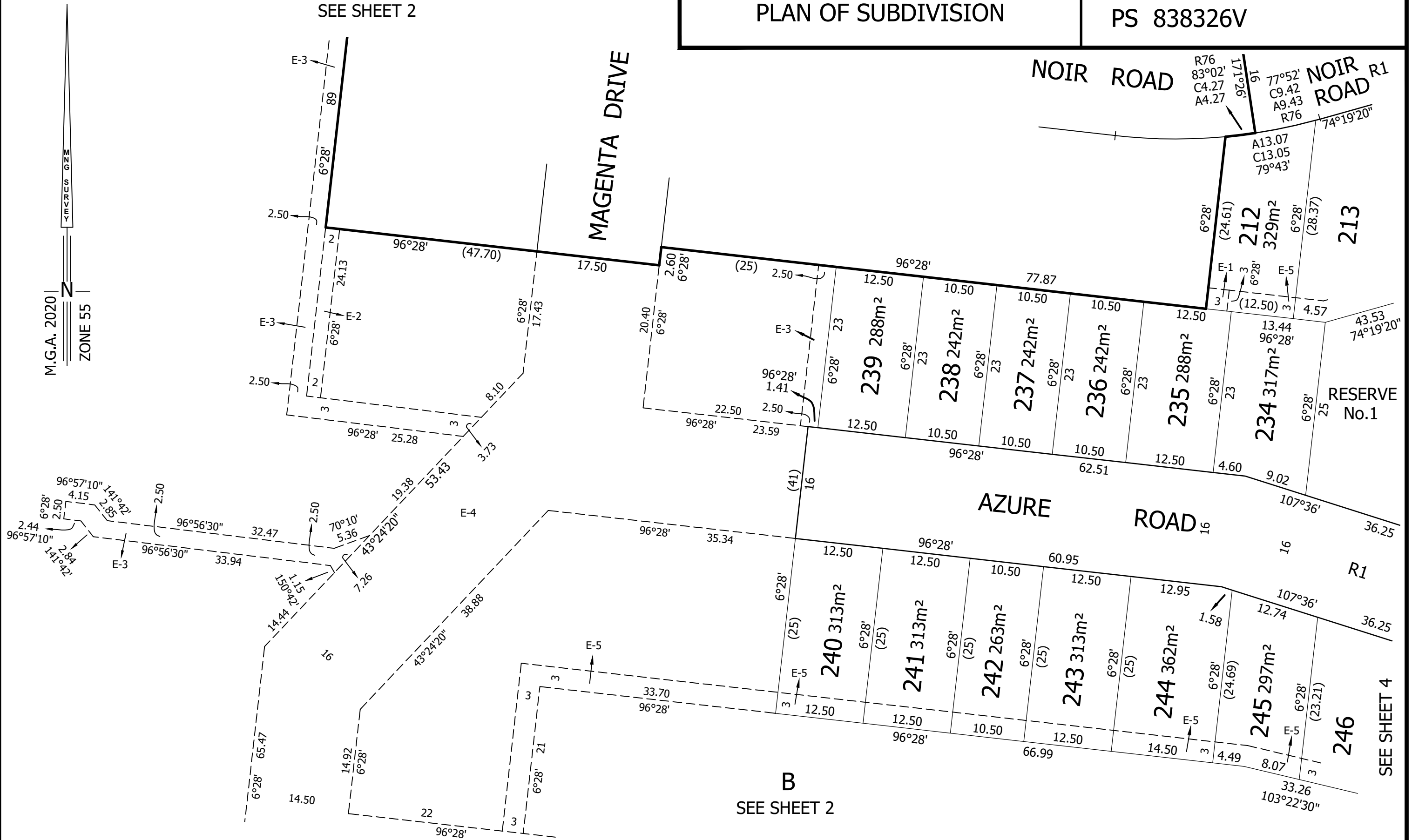
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SEE SHEET 2

M.G.A. 2020  
ZONE 55

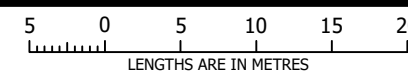


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SCALE  
1:500



ORIGINAL SHEET  
SIZE A3

SHEET 3

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B  
SEE SHEET 2

SEE SHEET 4

PLAN OF SUBDIVISION

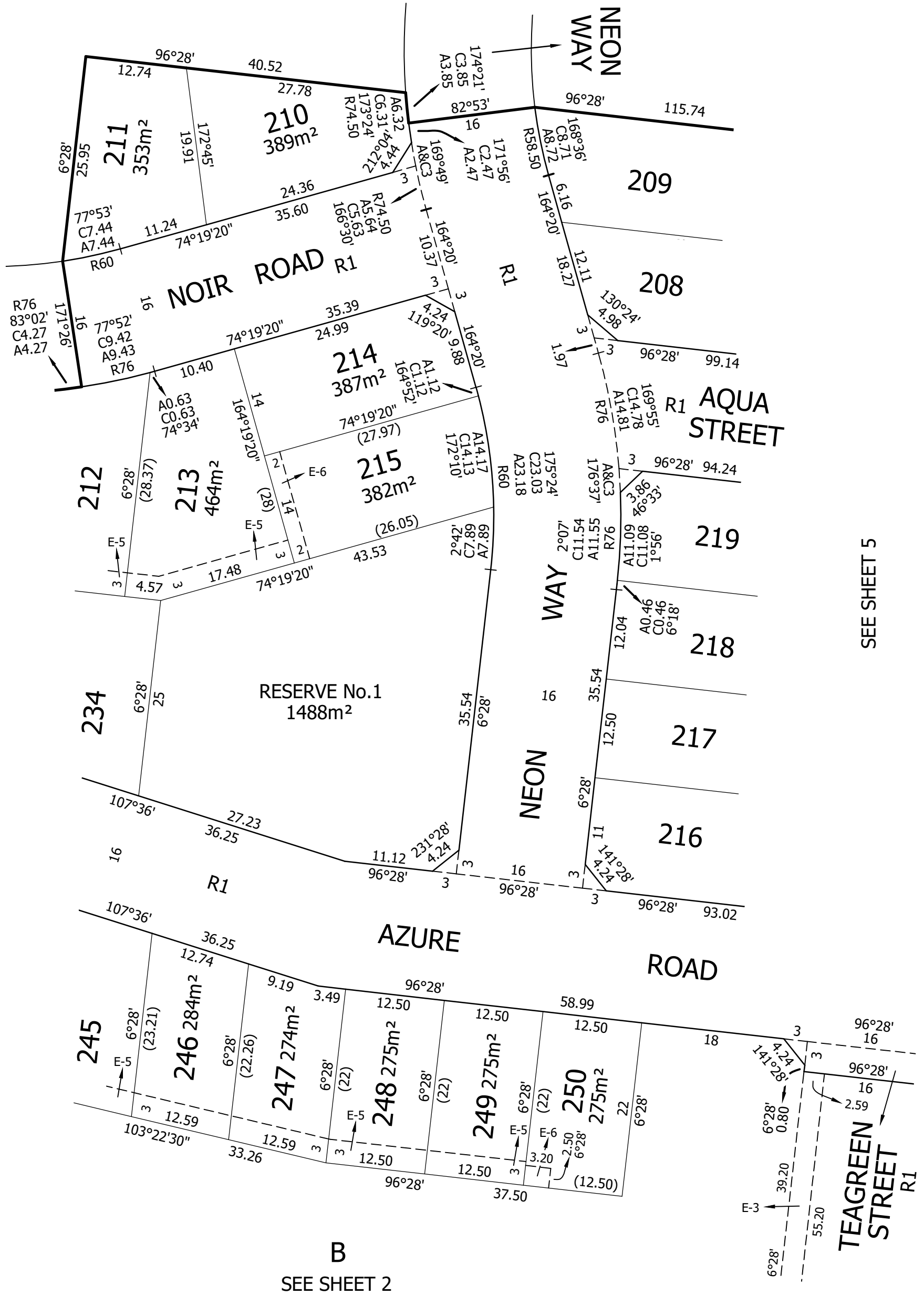
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ZONE 55

SEE SHEET 3

SEE SHEET 5

SEE SHEET 6



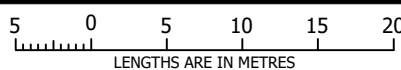
B  
SEE SHEET 2



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SCALE  
1:500



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VERSION 15

ORIGINAL SHEET  
SIZE: A3

SHEET 4

PLAN OF SUBDIVISION

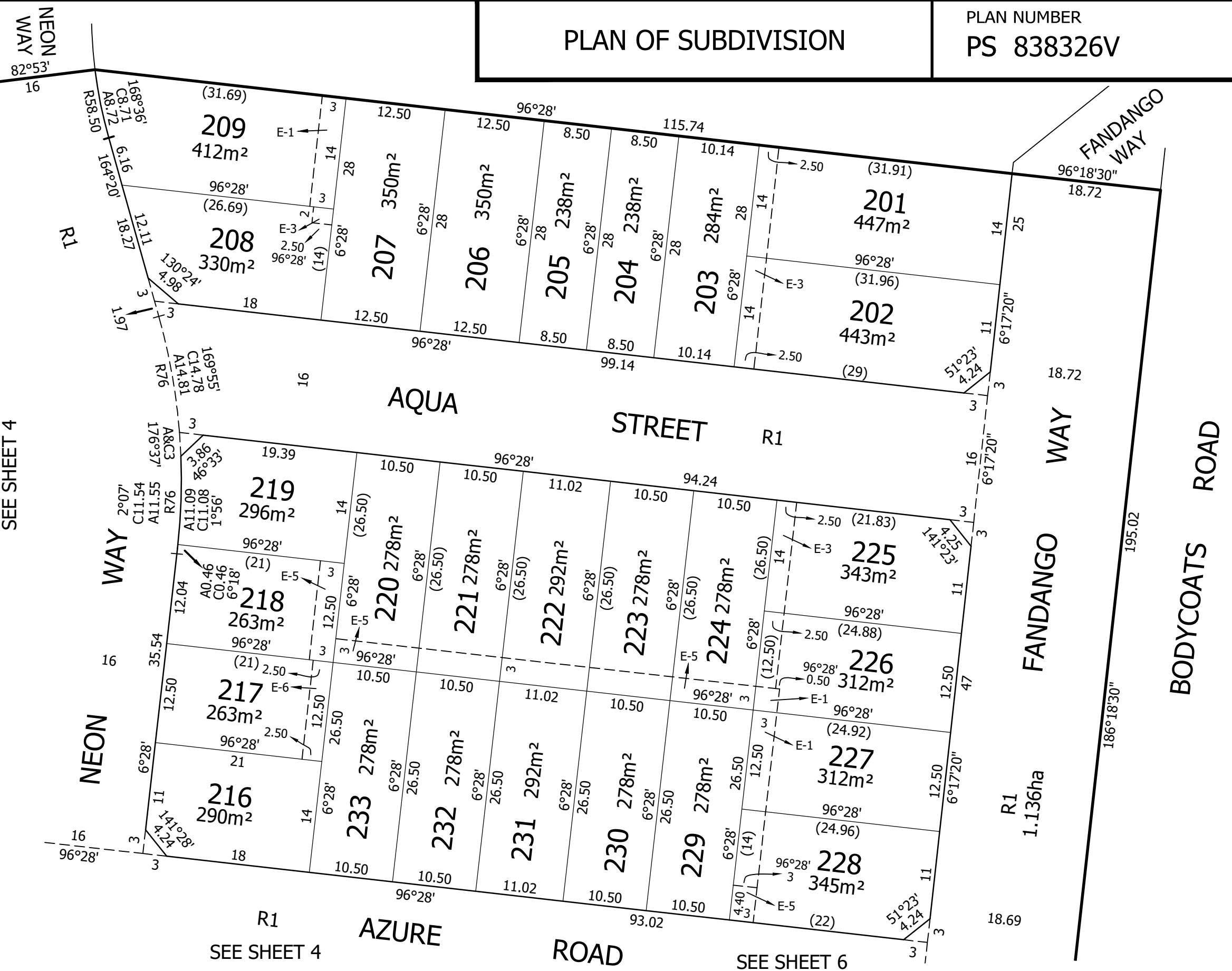
PLAN NUMBER  
PS 838326V

M.G.A. 2020  
ZONE 55

SEE SHEET 4

SEE SHEET 4

SEE SHEET 6

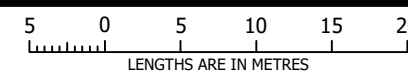


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SCALE  
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ORIGINAL SHEET  
SIZE A3

SHEET 5

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VERSION 15

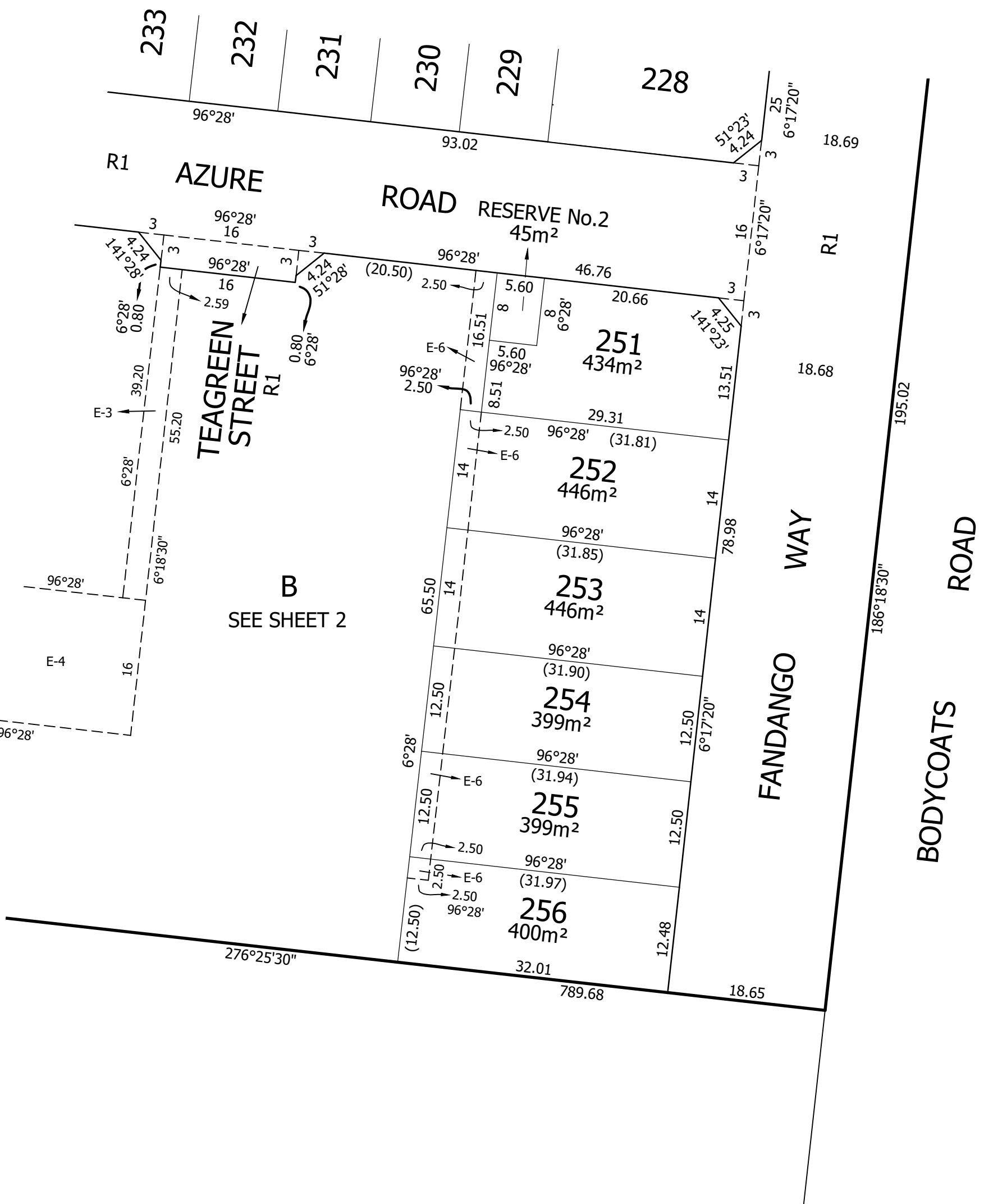
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PLAN NUMBER  
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M.G.A. 2020 | ZONE 55 |

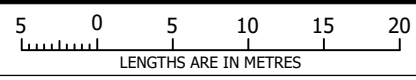
SEE SHEET 2

SEE SHEET 5



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SCALE  
1:500



ORIGINAL SHEET  
SIZE: A3

SHEET 6

MATTHEW DUNN

VERSION 15

**CREATION OF RESTRICTION A**

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 - Lots 201 to 256 (both inclusive)

Description of Restriction

Except with the written consent of the 'The Patch' assessment panel, the burdened lot 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 'The Patch' Design Guidelines as amended from time to time. A copy of the Design Guidelines is available on the *Project Website* and within the Contract of Sale.
- (2) Construct or allow to be constructed any building or structure on the lot prior to 'The Patch' design assessment panel or such other entity as may be nominated by 'The Patch' design assessment panel from time to time have given its written approval to the plans and documentation prior to the commencement of works.

Expiry

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 2031.

**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.

Table of Land to benefit & to be burdened

Burdened Land	Benefited Land
203	201, 202, 204
204	203, 205
205	204, 206
216	217, 233
217	216, 218, 233
218	217, 219, 220
219	218, 220
220	218, 219, 221, 233
221	220, 222, 232
222	221, 223, 231

Table of Land to benefit & to be burdened

Burdened Land	Benefited Land
223	222, 224, 230
224	223, 225, 226, 229
229	224, 227, 228, 230
230	223, 229, 231
231	222, 230, 232
232	221, 231, 233
233	216, 217, 220, 232
235	212, 234, 236
236	235, 237
237	236, 238

Table of Land to benefit & to be burdened

Burdened Land	Benefited Land
238	237, 239
239	238
242	241, 243
245	244, 246
246	245, 247
247	246, 248
248	247, 249
249	248, 250
250	249

Description of Restriction

Upon registration of this plan the following restriction is created.

The registered proprietor or proprietors for the time being for any burdened lot on this plan in the table as a lot subject to the "Small Lot Housing Code (Type A)" must not build or permit to be built or remain on the lot any building or structure that has been constructed in accordance with the "Small Lot Housing Code (Type A)" unless in accordance with a Planning Permit granted to construct a dwelling on the lot.

Expiry: 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 2031

**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 - Lots 201 to 256 (both inclusive)

Description of Restriction

The registered proprietor or proprietors of the burdened lot shall not:

Build or erect or permit to build on a burdened lot with sideage directly adjoining any form of open space:

- (a) (i) a dwelling that is not constructed as double storey;
- (ii) a dwelling that does not include passive surveillance features such as large windows and/or balconies at the first storey level overlooking the adjoining open space
- (iii) a dwelling that does not include fencing of the front yard adjoining the open space that is not feature style, with minimum 25% transparency and has a maximum height of 1.5 metres.

Build or erect or permit to build on a burdened lot:

- (b) a dwelling or commercial building that does not incorporate dual plumbing for the use of recycled water in toilet flushing and garden watering.

Expiry

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.
- (j) 30th June 2031.

**CREATION OF RESTRICTION D**

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 - Lots 201 to 256 (both inclusive)

Land to be burdened - Lots 201, 202, 206 to 215, 225 to 228, 234, 240, 241, 243, 244 and 251 to 256 (all inclusive)

Description of Restriction

The registered proprietor or proprietors of the burdened lot shall not:

Build or erect or permit to build on a burdened lot unless:

- (a) on a corner lot, the side wall of the first level of any dwelling is constructed:
  - (i) less than 900mm from the ground level wall that faces a side street
- (b) the garage is setback at least 5 metres from the road alignment at the front of the lot
- (c) lots with a width of 10 metres or less at the lot frontage:
  - (i) contain a garage other than a single car garage where access is proposed from the front of the lot.

Expiry: 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 2031.