

# PLAN OF SUBDIVISION

LV USE ONLY  
**EDITION**

PLAN NUMBER  
**PS813579E**

## LOCATION OF LAND

**PARISH:** KALKALLO  
**TOWNSHIP:** -  
**SECTION:** -  
**CROWN ALLOTMENT:** -  
**CROWN PORTION:** 22 (PART)  
**TITLE REFERENCES:** Vol. Fol.  
**LAST PLAN REFERENCE/S:** PS 813577J (LOT K)  
**POSTAL ADDRESS:** 1025 DONNYBROOK ROAD  
**(At time of subdivision)** DONNYBROOK, 3064  
**MGA94 Co-ordinates** **E** 323 250  
(of approx centre of **N** 5 843 330  
land in plan) **ZONE** 55

**COUNCIL NAME:** CITY OF WHITTLESEA

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

| IDENTIFIER   | COUNCIL/BODY/PERSON |
|--------------|---------------------|
| ROAD R1      | CITY OF WHITTLESEA  |
| RESERVE No.1 | CITY OF WHITTLESEA  |
| RESERVE No.2 | CITY OF WHITTLESEA  |
| RESERVE No.3 | CITY OF WHITTLESEA  |
| RESERVE No.4 | CITY OF WHITTLESEA  |

LOTS 1 TO 400 (ALL INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.  
FOR RESTRICTION A AFFECTING LOTS 402, 410, 413, 418, 429, 431, 441, 445, 448, 451, 455, 458, 467 AND 470 SEE SHEET 12.  
FOR RESTRICTION B AFFECTING LOTS 401 TO 479 (ALL INCLUSIVE) SEE SHEET 13.  
FOR RESTRICTION C AFFECTING LOTS 401 TO 479 (ALL INCLUSIVE) SEE SHEET 14.  
FOR RESTRICTION D AFFECTING LOTS 441 TO 444 (ALL INCLUSIVE) SEE SHEET 15.  
FOR RESTRICTION E AFFECTING LOTS 459 AND 479 SEE SHEET 16.  
FOR RESTRICTION F AFFECTING LOTS 401 TO 479 (ALL INCLUSIVE) SEE SHEET 17.  
FOR RESTRICTION G AFFECTING LOTS 429, 434, 448, 458, 459, 469, 472 & 479 SEE SHEET 18  
**OTHER PURPOSE OF THE PLAN:**  
REMOVAL OF THAT PART OF DRAINAGE EASEMENT E-5 ON PS813577J AS AFFECTS RESERVE No.1 ON THIS PLAN.  
REMOVAL OF THAT PART OF SEWERAGE EASEMENT E-7 ON PS813577J AS AFFECTS OLIVINE BOULEVARD AND CYCAD AVENUE ON THIS PLAN.  
REMOVAL OF THAT PART OF DRAINAGE AND SEWERAGE EASEMENT E-8 ON PS813577J AS AFFECTS ACADEMY LANE ON THIS PLAN.  
**GROUND FOR REMOVAL:**  
BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN.

## NOTATIONS

DEPTH LIMITATION NIL  
STAGING This ~~is~~ is not a staged subdivision.  
Planning permit No. 717121  
SURVEY. THIS PLAN IS ~~IS NOT~~ BASED ON SURVEY.  
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s):  
30, 50, 51, 54, 55, 77 and 95 (KALKALLO), 33 AND 36 (MERRIANG)  
PROCLAIMED SURVEY AREA: NIL  
THIS IS A SPEAR PLAN.  
EASEMENTS E-6 AND E-9 ARE NOT SHOWN TO SCALE ON THIS PLAN.

**OLIVINE 4**  
**10.92ha**

**79 LOTS**

## 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<br>E-1         | WAY<br>WAY           | SEE PLAN<br>SEE PLAN | PS804566Q<br>PS811330G   | LOT A ON PS804566Q<br>LOT B ON PS811330G             |
| E-2<br>E-2         | DRAINAGE<br>SEWERAGE | SEE PLAN<br>SEE PLAN | PS813577J<br>PS813577J   | CITY OF WHITTLESEA<br>YARRA VALLEY WATER CORPORATION |
| E-3                | SEWERAGE             | SEE PLAN             | INST. ....   | YARRA VALLEY WATER CORPORATION                       |
| E-3                | WATER SUPPLY         | SEE PLAN             | INST. ....   | YARRA VALLEY WATER CORPORATION                       |
| E-3                | POWERLINE            | SEE PLAN             | PS822750V (SECTION 88 OF THE<br>ELECTRICITY INDUSTRY ACT 2000) | AUSNET ELECTRICITY SERVICES PTY LTD                  |

SEE SHEET 2 FOR CONTINUATION



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SURVEYOR REF: 1700s-04

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 18

GERALD DONN

VERSION K

# PLAN OF SUBDIVISION

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| Easement Reference | Purpose      | Width (Metres) | Origin  | Land Benefited/In Favour Of         |
|--------------------|--------------|----------------|---|-------------------------------------|
| E-4                | WAY          | SEE PLAN       | PS804566Q   | LOT A ON PS804566Q                  |
| E-4                | WAY          | SEE PLAN       | PS811330G   | LOT B ON PS811330G                  |
| E-4                | SEWERAGE     | SEE PLAN       | INST. ....  | YARRA VALLEY WATER CORPORATION      |
| E-4                | WATER SUPPLY | SEE PLAN       | INST. ....  | YARRA VALLEY WATER CORPORATION      |
| E-4                | POWERLINE    | SEE PLAN       | PS822750V (SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000) | AUSNET ELECTRICITY SERVICES PTY LTD |
| E-5                | DRAINAGE     | SEE PLAN       | THIS PLAN   | CITY OF WHITTLESEA                  |
| E-5                | SEWERAGE     | SEE PLAN       | THIS PLAN   | YARRA VALLEY WATER CORPORATION      |
| E-6                | SEWERAGE     | SEE PLAN       | PS808019A   | YARRA VALLEY WATER CORPORATION      |
| E-7                | SEWERAGE     | SEE PLAN       | THIS PLAN   | YARRA VALLEY WATER CORPORATION      |
| E-8                | DRAINAGE     | SEE PLAN       | PS822750V   | CITY OF WHITTLESEA                  |
| E-9                | WAY          | SEE PLAN       | PS804566Q   | LOT A ON PS 804566Q                 |
| E-9                | WAY          | SEE PLAN       | PS811330G   | LOT B ON PS 811330G                 |
| E-9                | DRAINAGE     | SEE PLAN       | PS822750V   | CITY OF WHITTLESEA                  |
| E-10               | SEWERAGE     | SEE PLAN       | PS822750V   | YARRA VALLEY WATER CORPORATION      |

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REF 1700s-04

GERALD DONN

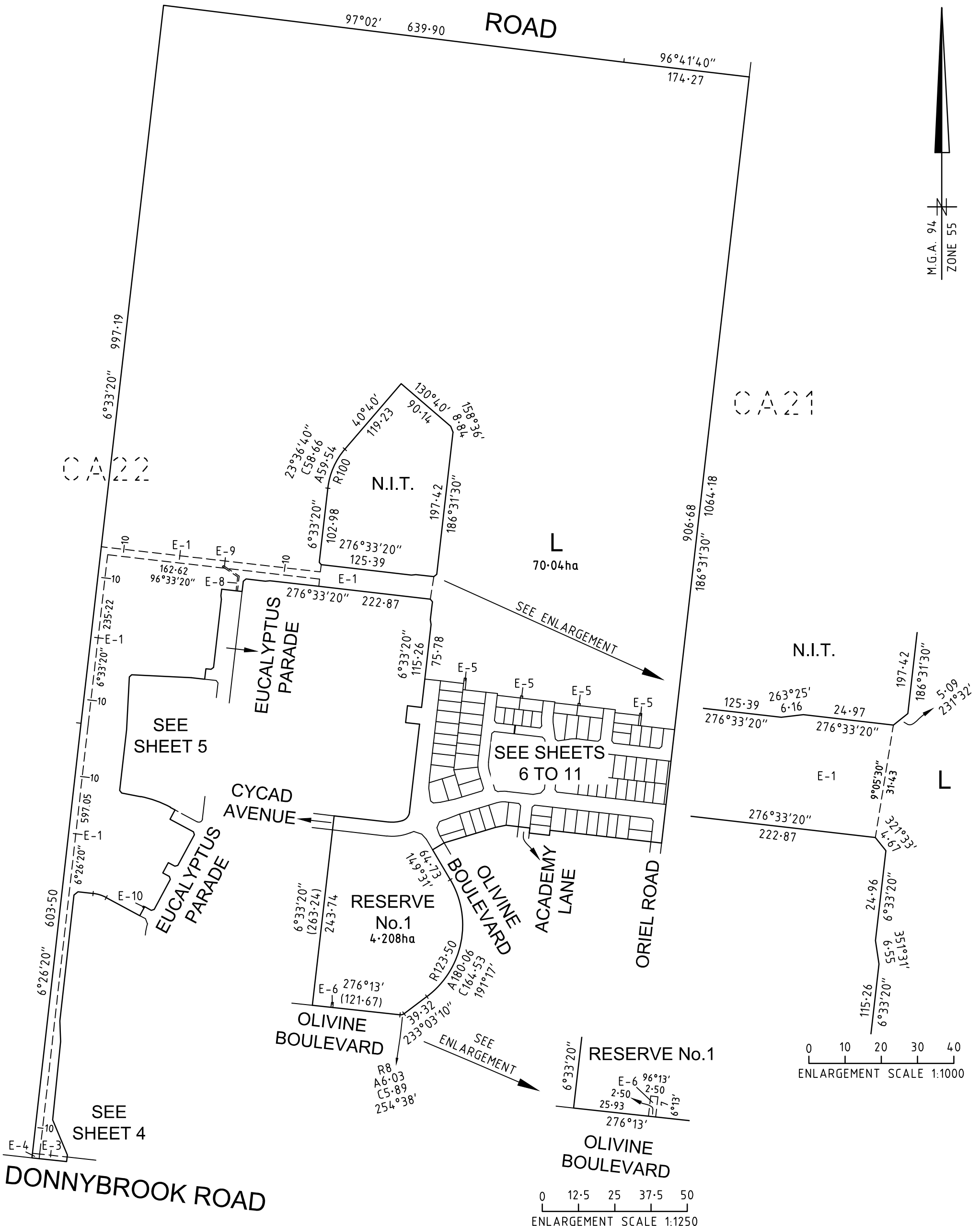
VERSION K

ORIGINAL SHEET  
SIZE: A3

SHEET 2

# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



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SCALE 1:5000

LENGTHS ARE IN METRES

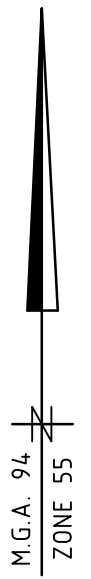
GERALD DONN VERSION K

ORIGINAL SHEET SIZE: A3

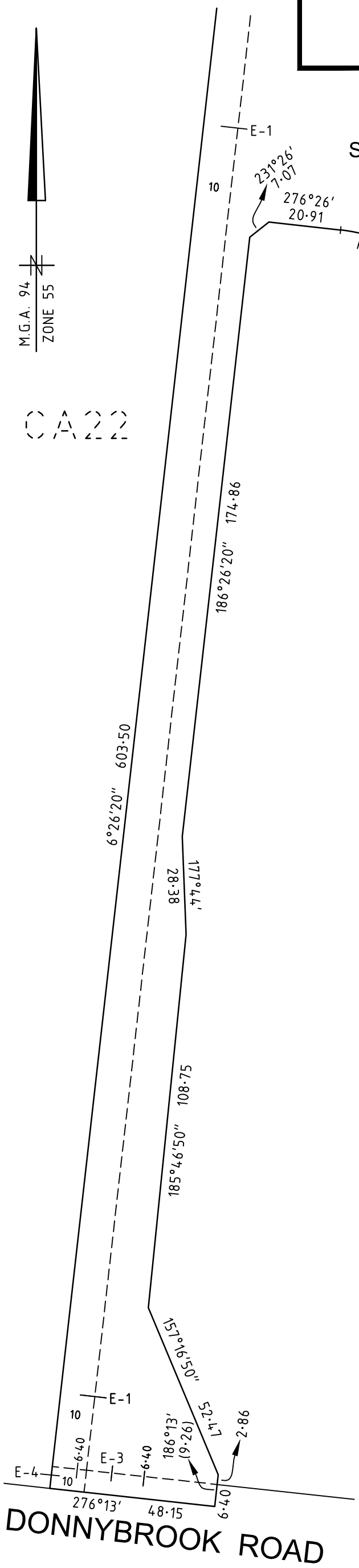
SHEET 3

PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



CA22



L  
SEE SHEET 3

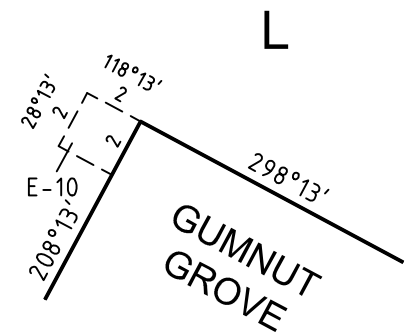
BOUNTY ROAD

SEE SHEET 5

EUCALYPTUS PARADE

GUMNUT GROVE

SEE ENLARGEMENT



0 2.5 5 7.5  
ENLARGEMENT  
SCALE 1:250

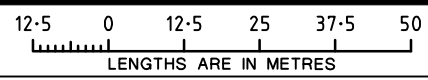
DONNYBROOK ROAD



**SMEC**

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SCALE  
1:1250



ORIGINAL SHEET  
SIZE: A3

SHEET 4

GERALD DONN

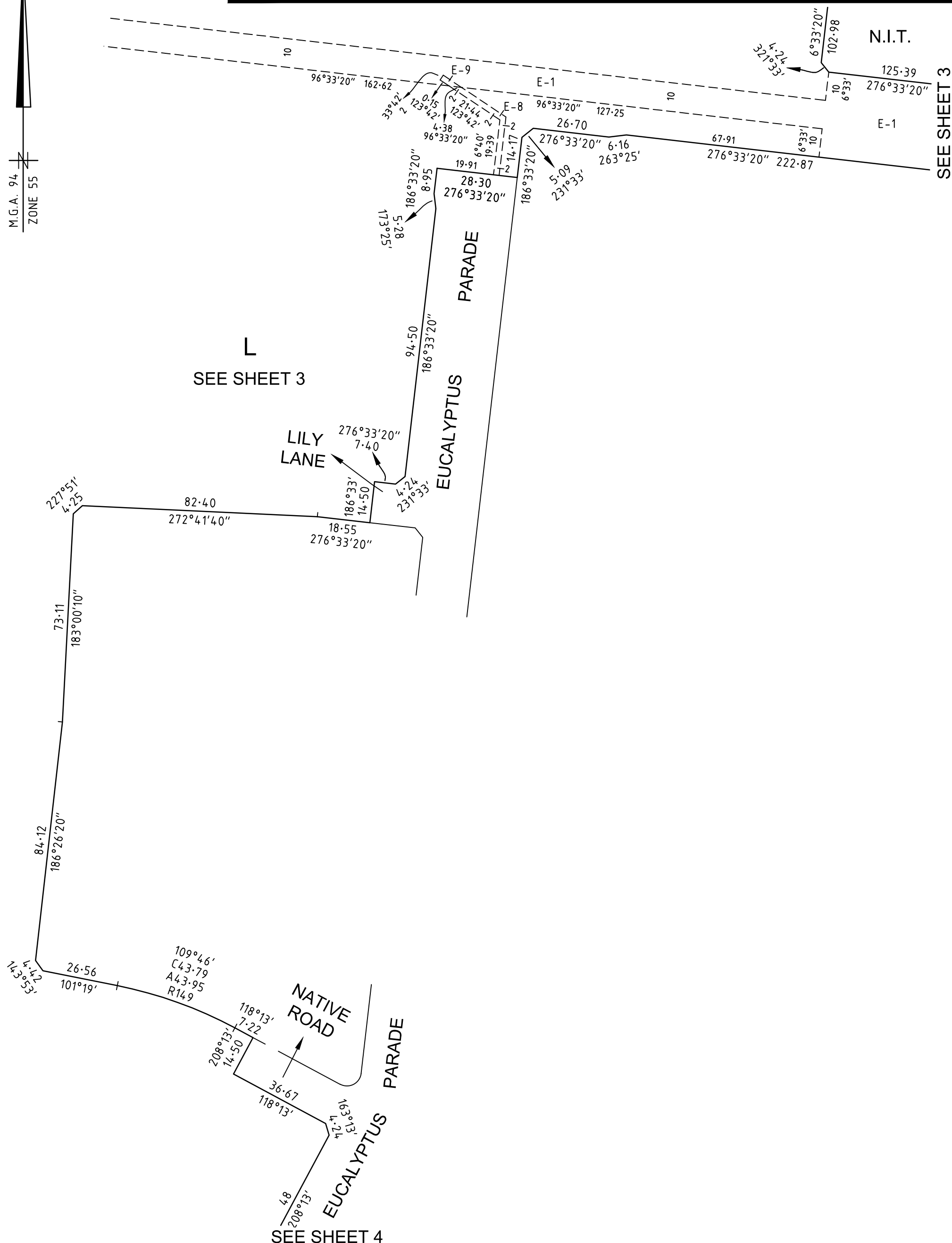
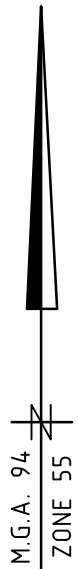
VERSION K

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PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



SEE SHEET 3

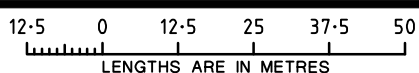
SEE SHEET 3

SEE SHEET 4



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SCALE  
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ORIGINAL SHEET  
SIZE: A3

SHEET 5

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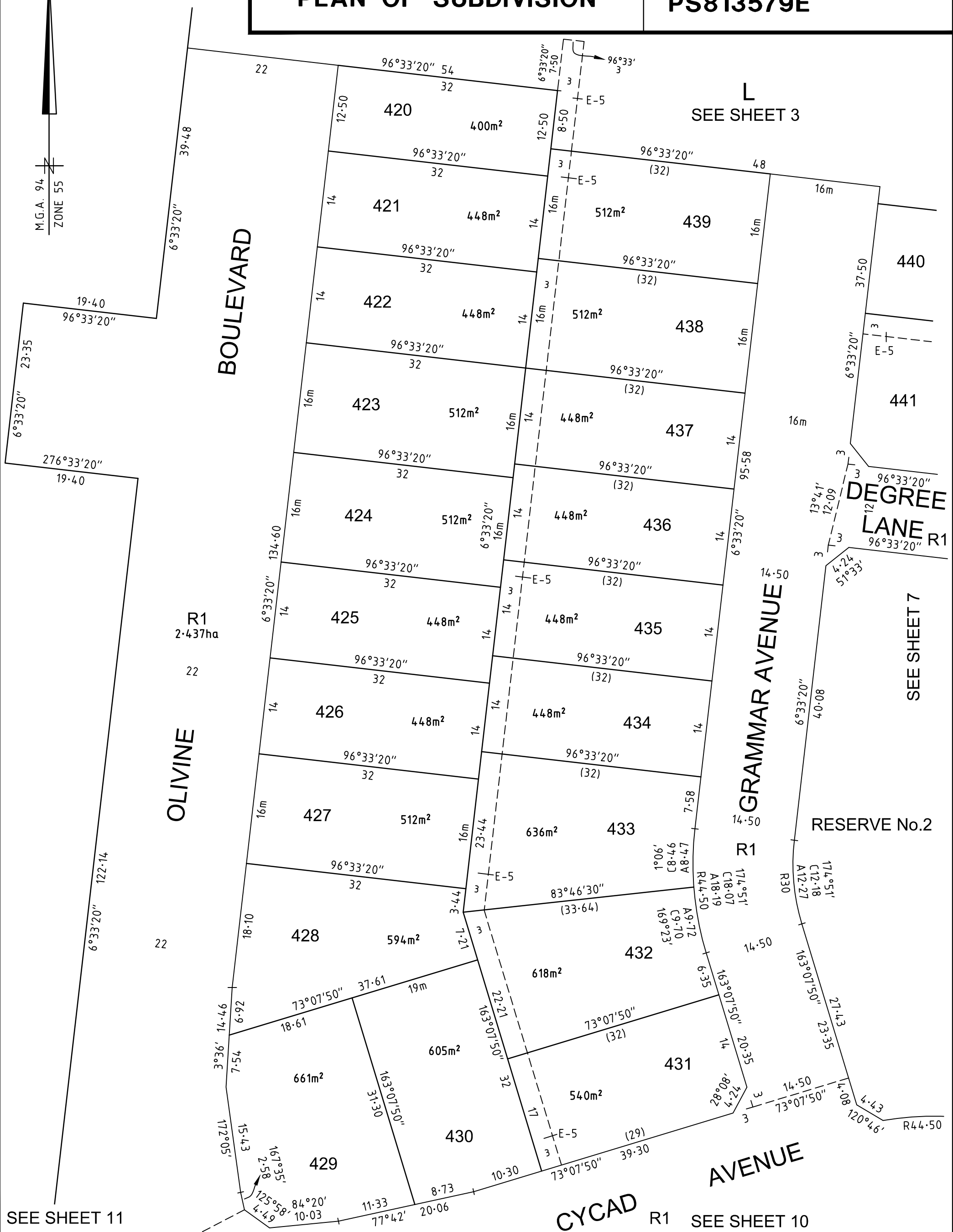
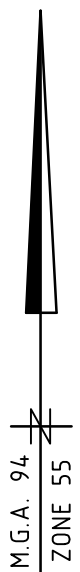
REF 1700s-04

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VERSION K

# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



L  
SEE SHEET 3

SEE SHEET 7

RESERVE No.2

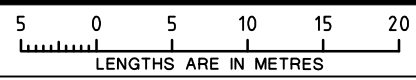
SEE SHEET 11

R1 SEE SHEET 10



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SCALE  
1:500



ORIGINAL SHEET  
SIZE: A3

SHEET 6

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# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**

L  
SEE SHEET 3

GRAMMAR AVENUE

R1

SEE SHEET 6

DEGREE LANE

RESERVE No.4  
12m<sup>2</sup>

HUB LANE

RESERVE No.2  
6104m<sup>2</sup>

CYCAD AVENUE

SEE SHEET 10

FACULTY AVENUE

CONSERVATORY STREET

SEE SHEET 8

SEE SHEET 9

M.G.A. 94  
ZONE 55



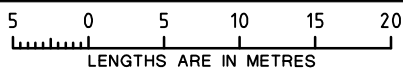
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REF 1700s-04

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SCALE  
1:500



GERALD DONN

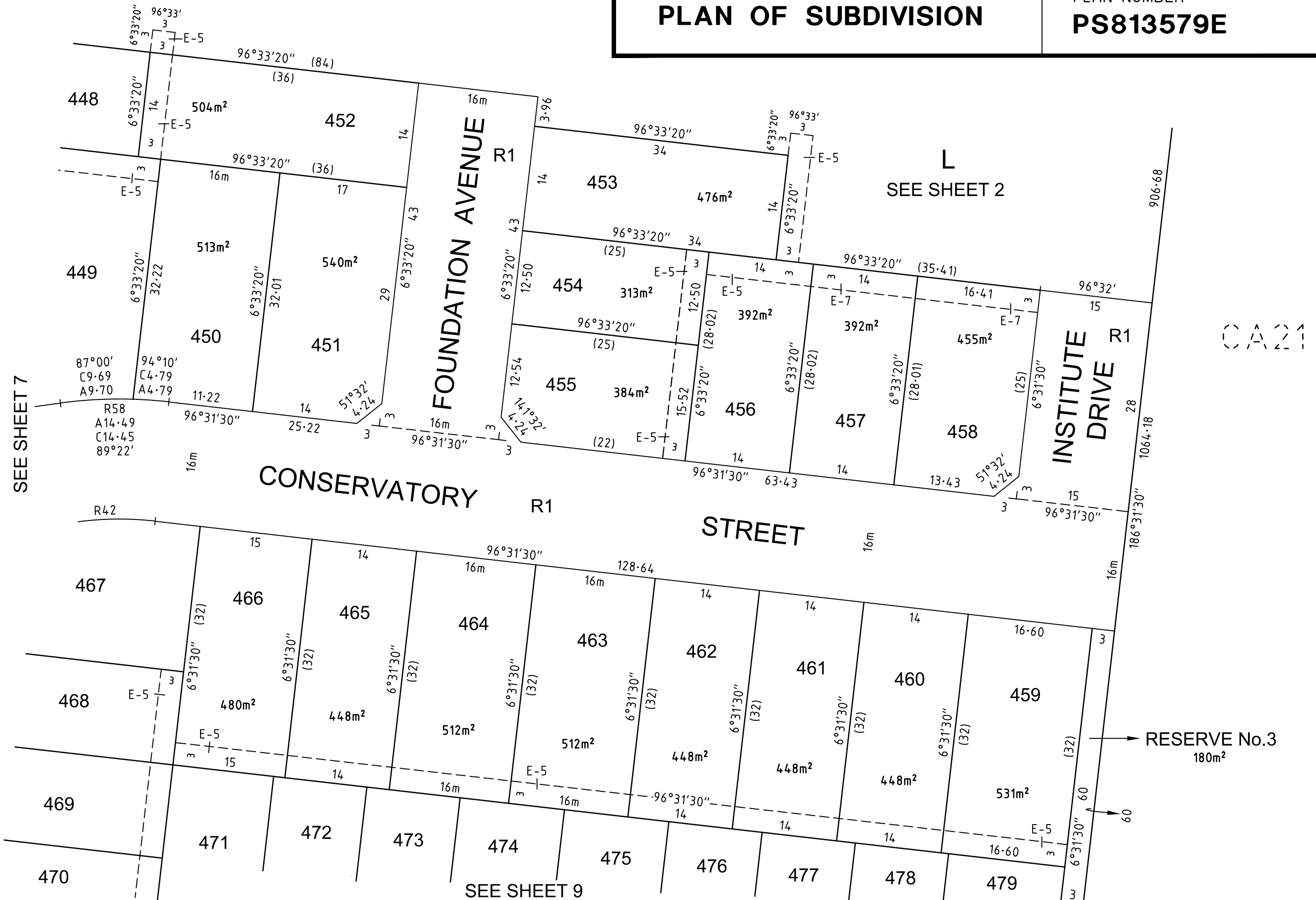
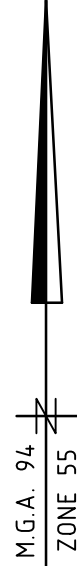
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ORIGINAL SHEET  
SIZE: A3

SHEET 7

# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



SEE SHEET 7

L  
SEE SHEET 2

CA21

CONSERVATORY STREET

STREET

INSTITUTE DRIVE

RESERVE No.3  
180m<sup>2</sup>

SEE SHEET 9

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SCALE 1:500

LENGTHS ARE IN METRES

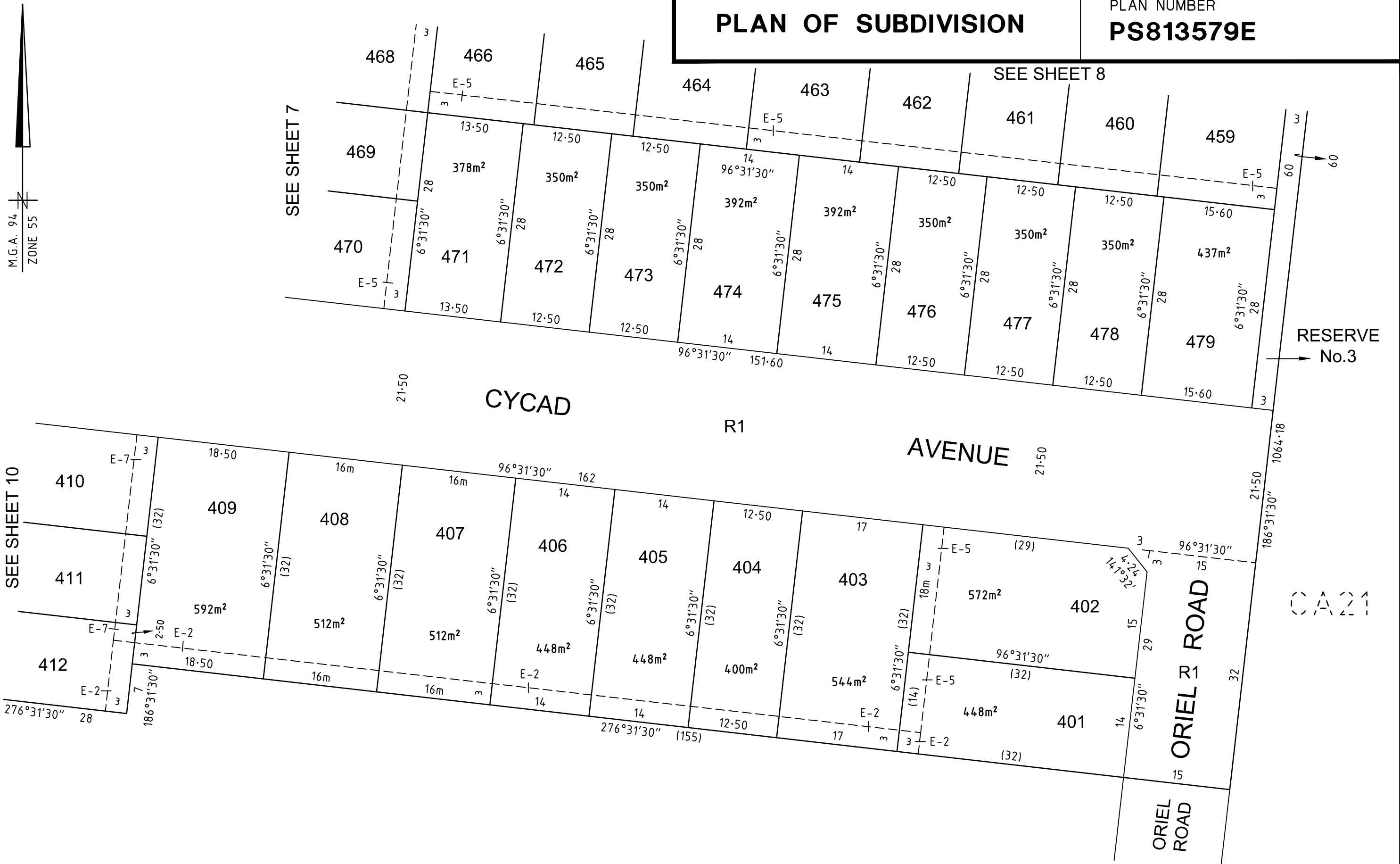
GERALD DONN VERSION K

ORIGINAL SHEET SIZE A3 SHEET 8



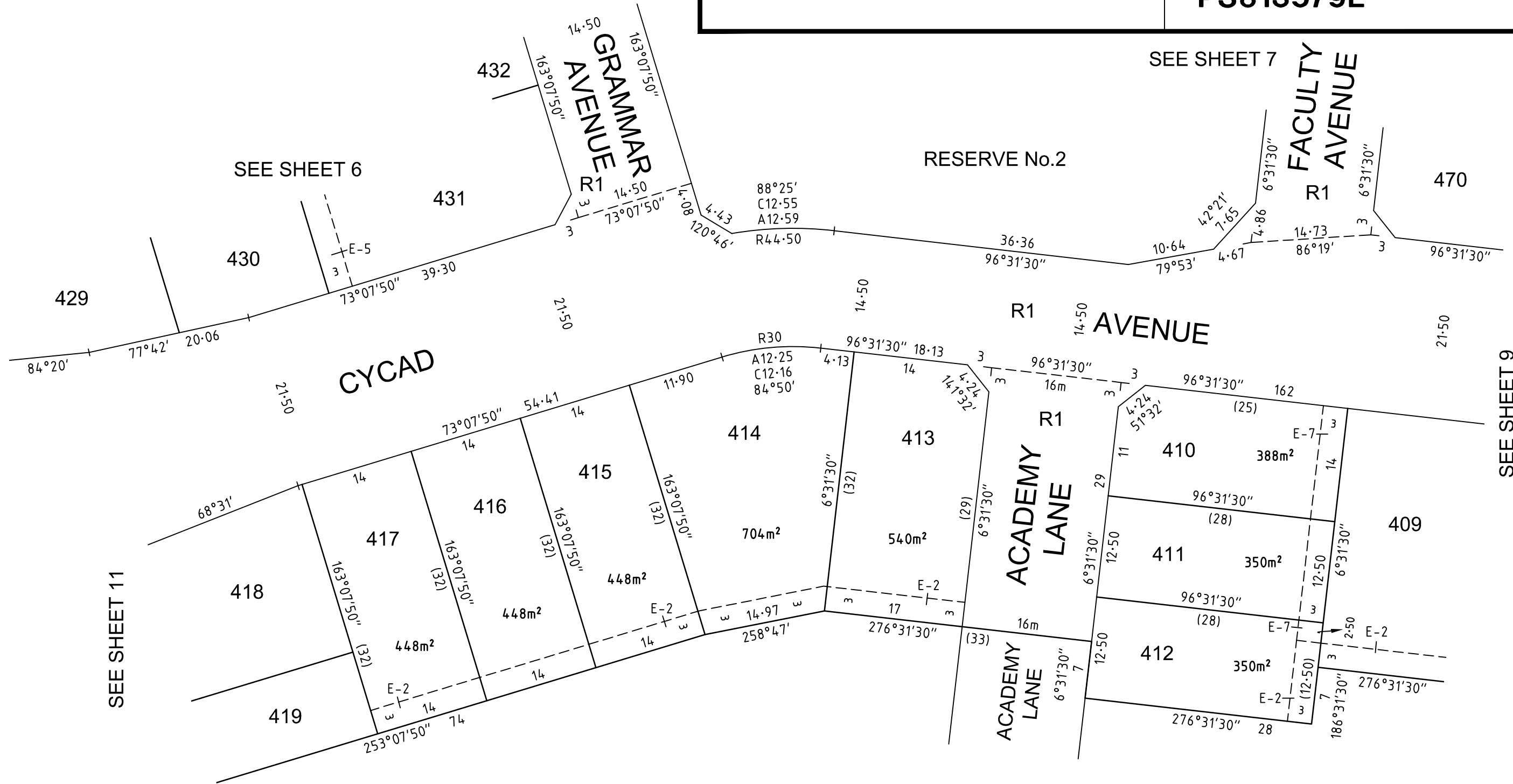
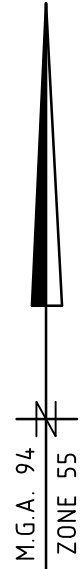
# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS813579E**



SEE SHEET 11

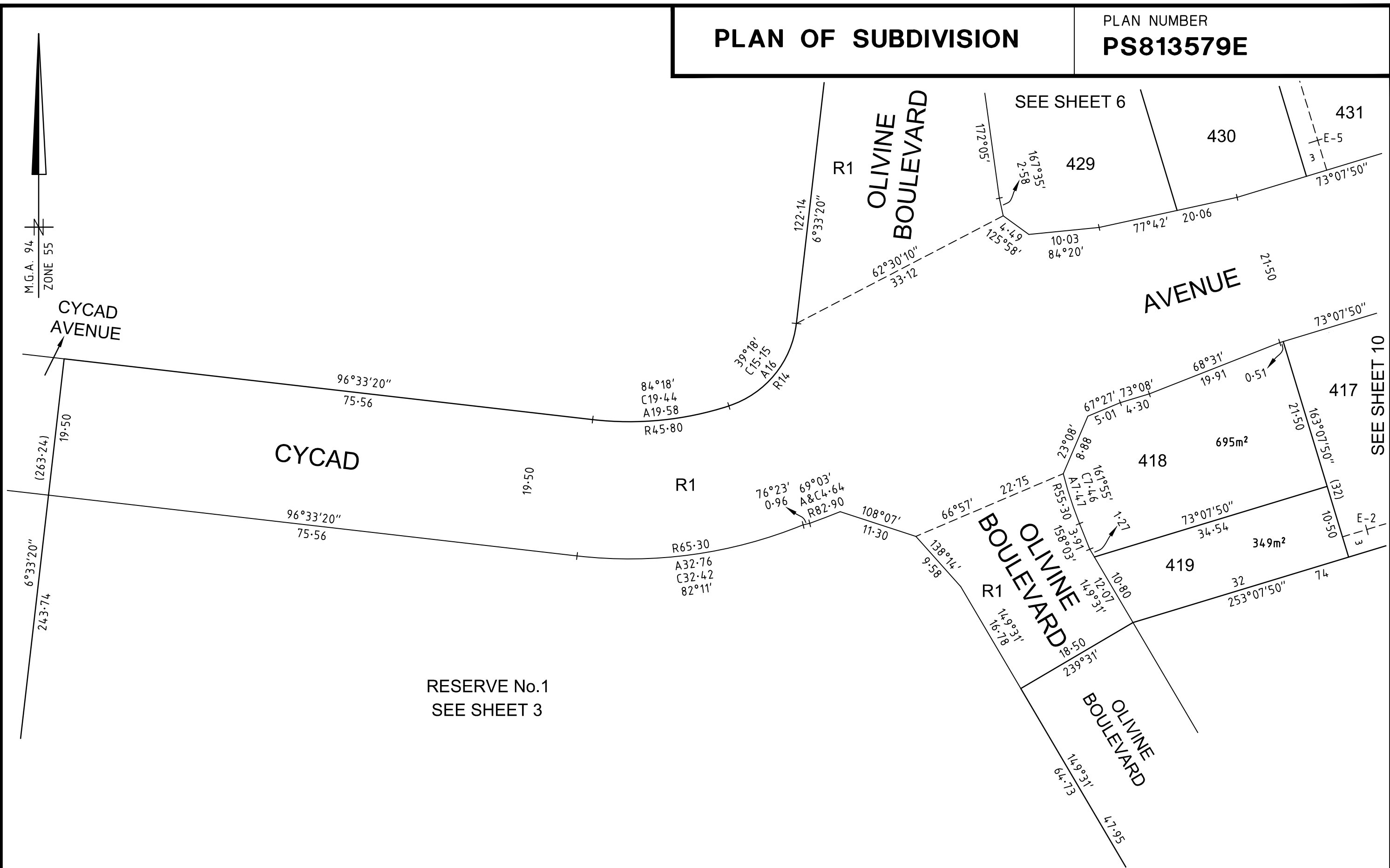
SEE SHEET 6

SEE SHEET 7

SEE SHEET 9

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PLAN NUMBER  
**PS813579E**

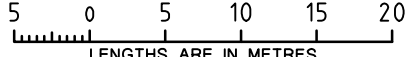


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|                |   |                           |          |
|----------------|---|---------------------------|----------|
| SCALE<br>1:500 |  <p>5 0 5 10 15 20<br/>LENGTHS ARE IN METRES</p> | ORIGINAL SHEET<br>SIZE A3 | SHEET 11 |
| GERALD DONN    |   | VERSION K                 |          |

**CREATION OF RESTRICTION A**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Land to be burdened:** Lots 402, 410, 413, 418, 429, 431, 441, 445, 448, 451, 455, 458, 467 and 470  
**Land to be benefited:** Lots 401 to 479 (all inclusive)

**Description of Restriction**

The registered proprietor or proprietors for the time being of any Lot on this plan to which the following restriction applies shall not:

**Corner Lots**

- 1) Construct a double storey dwelling located on a corner lot, the side wall on the first level (upper storey) facing the secondary (side) street frontage being constructed:
  - a) with less than 30% glazing for the area of the wall and the remainder of that wall being constructed in contrasting material finishes, or
  - b) setback less than 900 millimetres from the ground level (lower storey) wall.



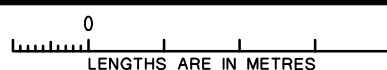
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SCALE



ORIGINAL SHEET  
SIZE: A3

SHEET 12

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VERSION K

**CREATION OF RESTRICTION B**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Land to be burdened:** Lots 401 to 479 (all inclusive)

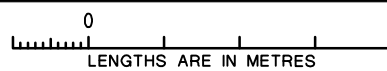
**Land to be benefited:** Lots 401 to 479 (all inclusive)

**Description of Restriction**

The registered proprietor or proprietors for the time being of any Lot on this plan to which the following restriction applies shall not:

**Garages**

- 1) Construct a garage on the burdened lot setback less than 5 metres from the front (road) boundary of the lot.



**CREATION OF RESTRICTION C**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Land to be Burdened:** Lots 401 to 479 (all inclusive)

**Land to be Benefited:** Lots 401 to 479 (all inclusive)

**Description of Restriction**

The registered proprietor or proprietors for the time being of any burdened lot on this plan must not and must not permit any other person under its control or direction to:

- 1) Develop the land other than in accordance with the siting and design provisions contained in the Olivine Design Guidelines.
- 2) Erect or affix any sign or notice on the burdened lot.
- 3) Place or erect any clothes drying or airing facility on the burdened lot except where any such item is not visible from public areas.
- 4) Keep a caravan, trailer, boat, plant machinery or a truck on a burdened lot except where any such item is not visible from public areas.
- 5) Consolidate or seek to consolidate any burdened lot with another lot or part of a lot.
- 6) Erect any fences or retaining walls on a burdened lot unless such alterations or maintenance is consistent with the Olivine Design Guidelines.

These Covenants will cease to have effect after a period of 8 years from the date of registration of this Plan. Nothing in this registration applies to the Vendor.

**For the Purposes of this Restriction:**

Development means the residential development to be carried out on the land originally comprised in the Parent Title by or on behalf of the Vendor or its successors as developer of that land.

Parent Title means the land which was comprised in Certificate of Title Volume 11354 Folio 717 prior to any subdivision of that title.

Vendor means Mirvac Victoria Pty Ltd ACN 006708363.



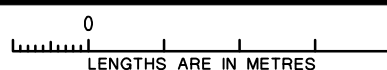
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SCALE



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SIZE: A3

SHEET 14

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**CREATION OF RESTRICTION D**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Table of land burdened and land benefited:**

| BURDENED LOTS SUBJECT TO THE SMALL LOT HOUSING CODE | BENEFITING LOTS ON THIS PLAN |
|---|------------------------------|
| 441   | 440, 442                     |
| 442   | 440, 441, 443                |
| 443   | 440, 442, 444, 446           |
| 444   | 443, 445, 446                |
| 445   | 444, 446                     |

**Description of Restriction**

The registered proprietor or proprietors for the time being of any burdened lots on this plan must not build or permit to be built or remain on the lot any building or structure that has not been constructed in accordance with the "Small Lot Housing Code" which:

- (i) For Lots 442, 443 & 444 are Type A lots, and
- (ii) For Lots 441 & 445 are Type B lots,

Unless in accordance with a planning permit granted to construct a dwelling on the lot.

**Expiry**

This restriction shall cease to have effect after the issue of a certificate of occupancy for the whole of the dwelling on the burdened lot.

**CREATION OF RESTRICTION E**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Table of land burdened and land benefited:**

| BURDENED LOTS | BENEFITING LOTS ON THIS PLAN |
|---------------|------------------------------|
| 459           | 460, 478, 479                |
| 479           | 459, 478                     |

**Description of Restriction**

The registered proprietor or proprietors for the time being of any lot on this plan to which the following restriction applies shall not:

**Dwelling with side interface to Gas Easement**

- 1). Build or allow to be built on the burdened lot a dwelling other than a two or three storey dwelling that incorporates passive surveillance features such as windows or balconies at the first storey on the east elevation.



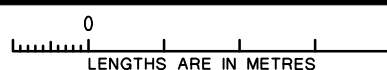
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SCALE



ORIGINAL SHEET  
SIZE: A3

SHEET 16

GERALD DONN

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**CREATION OF RESTRICTION F**

The following restriction is to be created upon registration of Plan of Subdivision PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Land to be Burdened:** Lots 401 to 479 (all inclusive) on this Plan.

**Land to be Benefited:** Lots 401 to 479 (all inclusive) on this Plan.

**Description of Restriction**

The registered proprietor or proprietors for the time being of any lot on this plan to which the following restriction applies shall not:

**Dual Occupancy**

- 1) For Lot 451, construct or allow to be constructed any more than two dwellings on that lot, and
- 2) For all other burdened lots on this plan, construct or allow to be constructed any more than one dwelling on the burdened lot.

**Expiry**

This restriction shall cease to have effect eight (8) years after the date of registration of this plan.



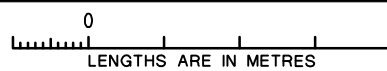
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VERSION K

ORIGINAL SHEET  
SIZE: A3

SHEET 17

**CREATION OF RESTRICTION G**

The following restriction is to be created upon registration of Plan of Subdivision No. PS 813579E by way of restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Table of Land to be Burdened and Land to be Benefited:**

| BURDENED LOT No. | BENEFITING LOTS    |
|------------------|--------------------|
| 429              | 428, 430           |
| 434              | 425, 426, 433, 435 |
| 448              | 447, 449           |
| 458              | 457                |
| 459              | 460, 478, 479      |
| 469              | 468, 470, 471      |
| 472              | 465, 466, 471, 473 |
| 479              | 459, 478           |

**Description of Restriction**

Except with the written consent of Mirvac and in all other instances with the written consent of each and every registered proprietor of a benefiting 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:

**Double Storey Construction**

- 1) Build or allow to be built on the Lot a dwelling house unless it is 2 storeys.



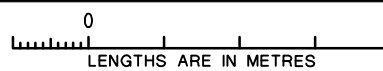
**SMEC**

Melbourne Survey T 9869 0813

REF 1700s-04

1700S-04 VER K.DWG AE/RW

SCALE



ORIGINAL SHEET  
SIZE: A3

SHEET 18

GERALD DONN

VERSION K