

# PLAN OF SUBDIVISION

LUV USE ONLY  
**EDITION**

PLAN NUMBER  
**PS820470N**

## LOCATION OF LAND

**PARISH:** TARNEIT  
**TOWNSHIP:** -  
**SECTION:** 22  
**CROWN ALLOTMENT:** -  
**CROWN PORTION:** D (PART)  
**TITLE REFERENCES:** Vol. Fol.  
**LAST PLAN REFERENCE/S:** PS820469W (LOT AC)  
**POSTAL ADDRESS:** (At time of subdivision) CHERISH DRIVE TARNEIT 3029  
**MGA94 Co-ordinates** (of approx centre of land in plan) **E** 296 520 **N** 5 811 900 **ZONE** 55

Council Name: Wyndham City Council  
Council Reference Number: WYS4916/18  
Planning Permit Reference: WYP10365/17  
SPEAR Reference Number: S134379E  
**Certification**  
This plan is certified under section 11 (7) of the Subdivision Act 1988  
Date of original certification under section 6: 22/08/2019  
**Statement of Compliance**  
This is a statement of compliance issued under section 21 of the Subdivision Act 1988  
Public Open Space  
A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made  
Digitally signed by: Caitlin Anne Spratling for Wyndham City Council on 19/05/2020

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1 ROAD R2	WYNDHAM CITY COUNCIL WYNDHAM CITY COUNCIL

LOTS 1 TO 200 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.  
EASEMENT E-3 HAS BEEN OMITTED FROM THIS PLAN.  
FOR RESTRICTION A AFFECTING LOTS 201 TO 253 (BOTH INCLUSIVE) SEE SHEET 9.  
PURSUANT TO SCHEDULE 5 SECTION 14 OF THE ROADS MANAGEMENT ACT 2004 THE EASEMENT OF WAY E-6 ON PS820469W AS AFFECTS CHERISH DRIVE AND KEEPING TERRACE AND THE EASEMENT OF WAY E-9 ON PS820469W AS AFFECTS CHERISH DRIVE ON THIS PLAN CEASES TO EXIST UPON REGISTRATION OF THIS PLAN.  
**OTHER PURPOSE OF PLAN:**  
REMOVAL OF THAT PART OF DRAINAGE EASEMENT E-6 ON PS820469W AS AFFECTS CHERISH DRIVE AND KEEPING TERRACE ON THIS PLAN.  
**GROUNDS FOR REMOVAL:**  
BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN PURSUANT TO SECTION 6(1)(k)(iv) OF THE SUBDIVISION ACT 1988.

## NOTATIONS

DEPTH LIMITATION DOES NOT APPLY  
STAGING This is/is not a staged subdivision.  
Planning permit No.  
SURVEY. THIS PLAN IS/IS NOT BASED ON SURVEY.  
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s):  
PM 90 (TARNEIT), PM158 & PM159 (TRUGANINA)  
PROCLAIMED SURVEY AREA:  
THIS IS A SPEAR PLAN.

**MARIGOLD 2**  
**2.633ha**

**53 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	ELECTRICITY SUPPLY	SEE PLAN	INST. A773783	STATE ELECTRICITY COMMISSION OF VICTORIA
E-2	ELECTRICITY SUPPLY WATER SUPPLY (AS SETOUT IN MEMORANDUM OF COMMON PROVISIONS (MCP) No. AA1195)	5 5	INST. A773783 PS820469W	STATE ELECTRICITY COMMISSION OF VICTORIA MELBOURNE WATER CORPORATION
E-4	DRAINAGE	SEE PLAN	PS820469W	WYNDHAM CITY COUNCIL
E-5	SEWERAGE	SEE PLAN	PS820469W	CITY WEST WATER CORPORATION
E-6	DRAINAGE SEWERAGE	SEE PLAN SEE PLAN	PS820469W PS820469W	WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION

SEE SHEET 2 FOR CONTINUATION



2360S-02 VER J.DWG BC/BC

SURVEYOR REF: 2360s-02

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 9

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Surveyor's Plan Version (J),  
30/08/2019, SPEAR Ref: S134379E

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Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-7	SEWERAGE	SEE PLAN	THIS PLAN	CITY WEST WATER CORPORATION
E-8	DRAINAGE	SEE PLAN	THIS PLAN	WYNDHAM CITY COUNCIL
	SEWERAGE	SEE PLAN	THIS PLAN	CITY WEST WATER CORPORATION
E-9	DRAINAGE	SEE PLAN	PS820469W	WYNDHAM CITY COUNCIL
	WAY	SEE PLAN	PS820469W	WYNDHAM CITY COUNCIL
E-10	CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741	SEE PLAN	PS820469W	MELBOURNE WATER CORPORATION
E-11	CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741	SEE PLAN	PS820469W	MELBOURNE WATER CORPORATION
	SEWERAGE	SEE PLAN	PS820469W	CITY WEST WATER CORPORATION
E-12	WAY	SEE PLAN	PS820469W	WYNDHAM CITY COUNCIL

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Melbourne Survey T 9869 0813

REF 2360s-02

ORIGINAL SHEET  
SIZE: A3

SHEET 2

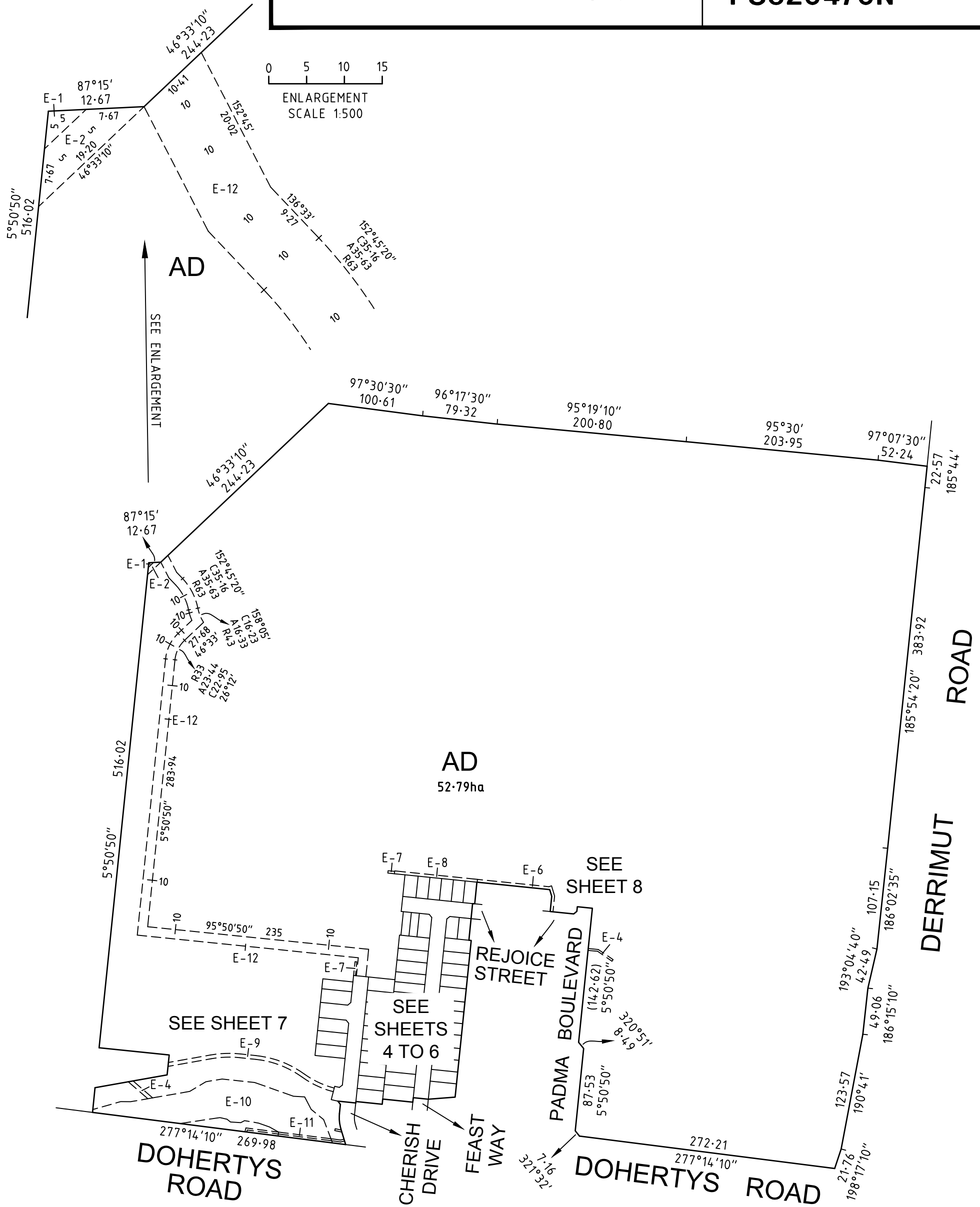
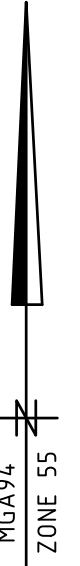
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# PLAN OF SUBDIVISION

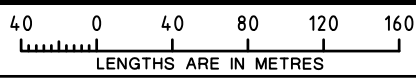
PLAN NUMBER  
**PS820470N**

0 5 10 15  
ENLARGEMENT  
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SCALE  
1:4000



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ORIGINAL SHEET  
SIZE: A3

SHEET 3

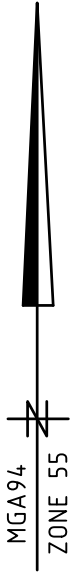
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# PLAN OF SUBDIVISION

PLAN NUMBER  
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SEE SHEET 5



SEE SHEET 6

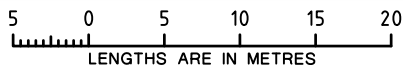
AD  
SEE SHEET 3

R1  
4313m²  
WAY  
FEAST  
WAY



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SCALE  
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ORIGINAL SHEET  
SIZE: A3

SHEET 4

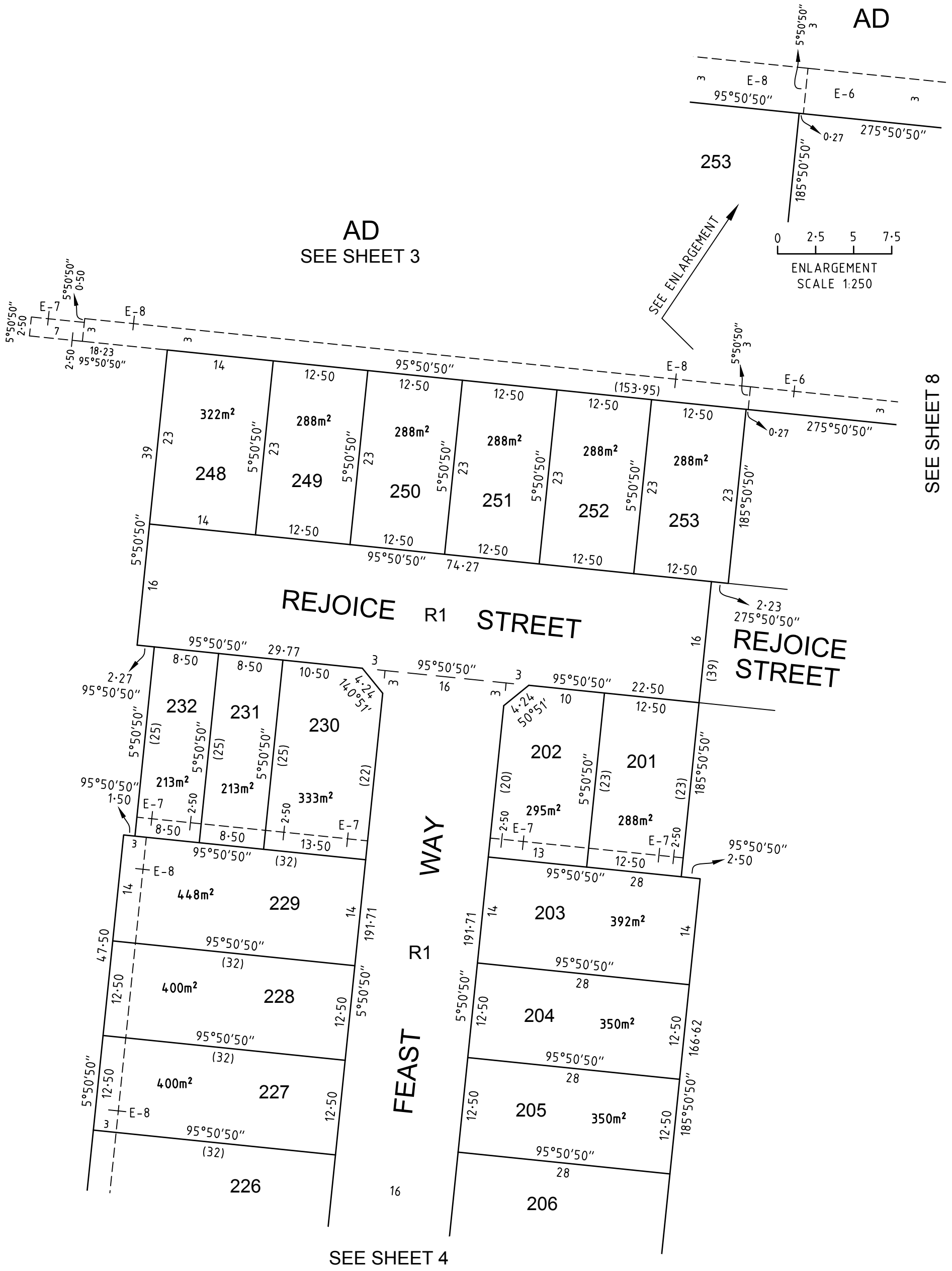
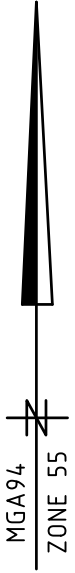
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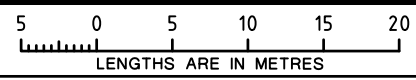


SEE SHEET 8



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REF 2360s-02

SCALE  
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ORIGINAL SHEET  
SIZE: A3

SHEET 5

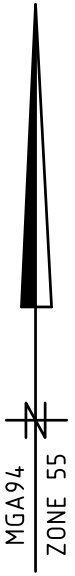
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# PLAN OF SUBDIVISION

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AD  
SEE SHEET 3

SEE SHEET 5

SEE SHEET 7

SEE SHEET 4



SEE SHEET 7

**SMEC**

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SCALE  
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LENGTHS ARE IN METRES

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SIZE: A3

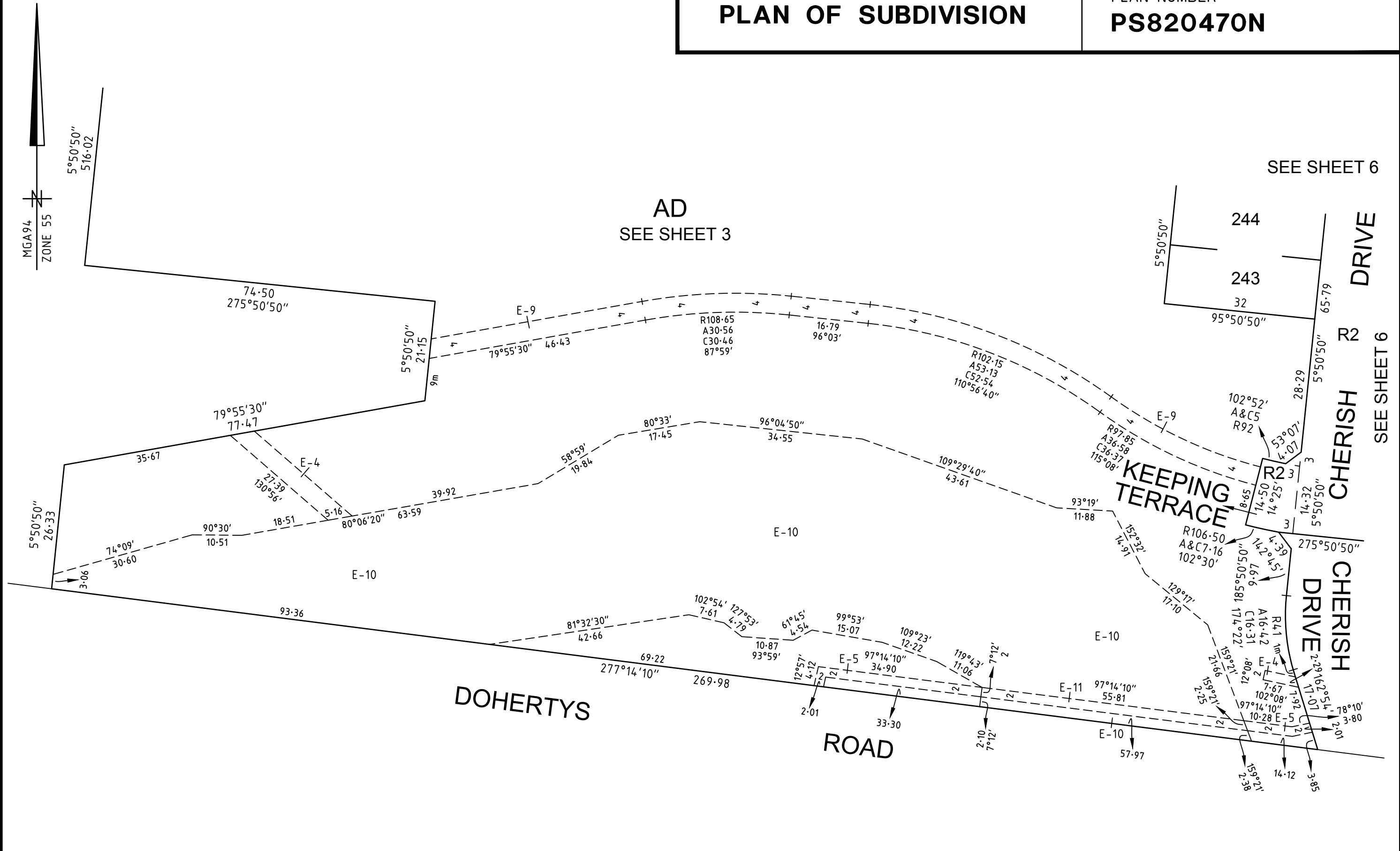
SHEET 6

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AD  
SEE SHEET 3

SEE SHEET 6

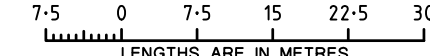
DRIVE  
R2  
SEE SHEET 6

KEEPING TERRACE

DOHERTYS ROAD

CHERISH DRIVE

2360S-02 VER J.DWG BC/BC  
  
**SMEC**  
 Melbourne Survey T 9869 0813 REF 2360s-02

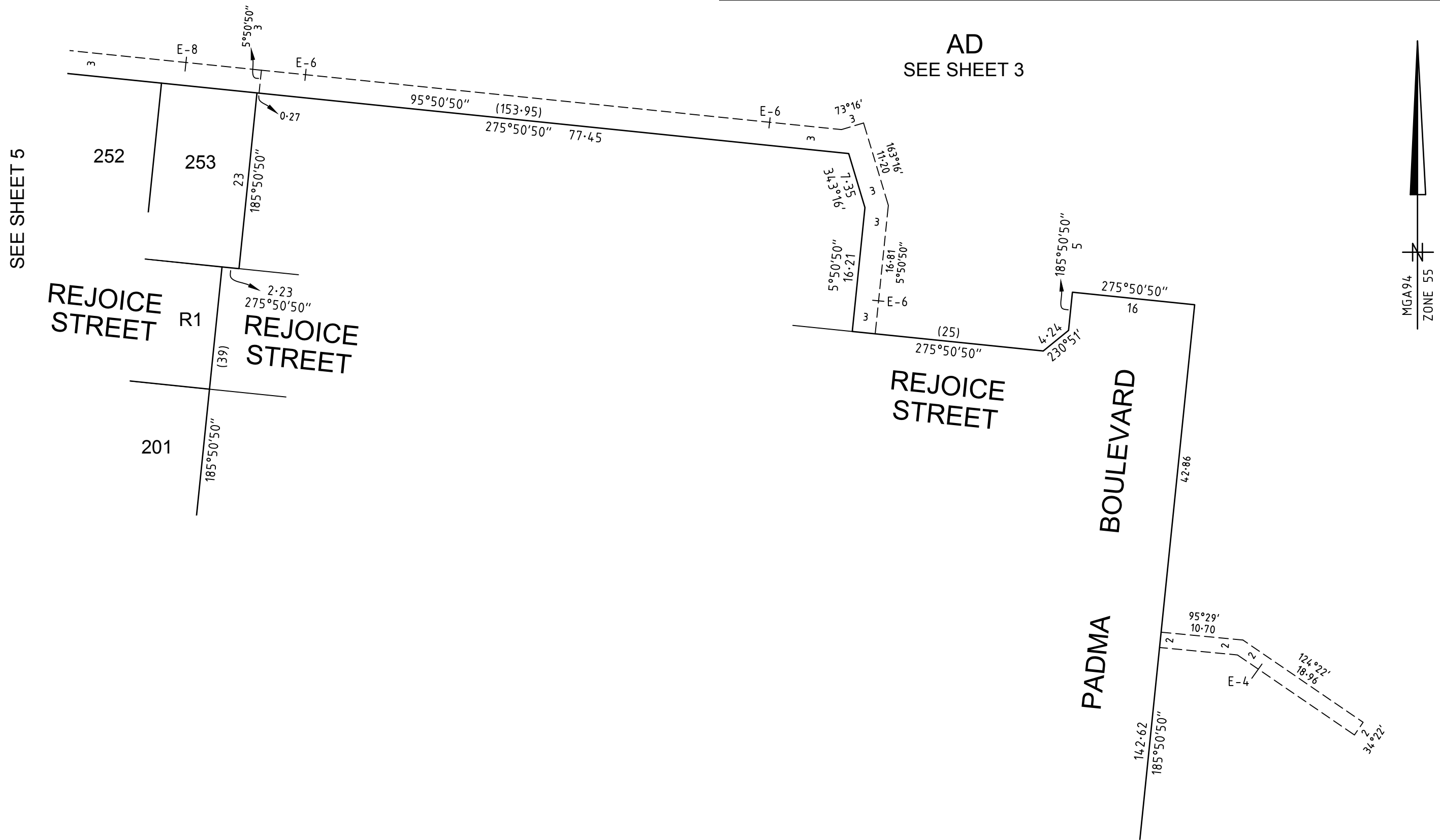
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 SHEET 7  
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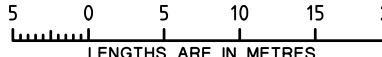
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SCALE 1:500	 <p>LENGTHS ARE IN METRES</p>	ORIGINAL SHEET SIZE A3	SHEET 8
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# PLAN OF SUBDIVISION

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## CREATION OF RESTRICTION A

The following Restriction is to be created upon registration of Plan of Subdivision PS820470N by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

### Table of Land Burdened and Land Benefited:

BURDENED LOT No.	BENEFITING LOTS
201	202, 203
202	201, 203
203	201, 202, 204
204	203, 205
205	204, 206
206	205, 207
207	206, 208
208	207, 209
209	208, 210
210	209, 211
211	210, 212
212	211, 213
213	212, 214
214	213, 215
215	214
216	217, 241, 242
217	216, 218, 240, 241
218	217, 219, 239, 240
219	218, 220, 238, 239
220	219, 221, 237, 238
221	220, 222, 237
222	221, 223, 236
223	222, 224, 234, 235
224	223, 225, 233, 234
225	224, 226, 233
226	225, 227, 233
227	226, 228

BURDENED LOT No.	BENEFITING LOTS
228	227, 229
229	228, 230, 231, 232
230	229, 231
231	229, 230, 232
232	229, 231
233	224, 225, 226, 234
234	223, 224, 233, 235
235	223, 234, 236
236	222, 235, 237
237	220, 221, 236, 238
238	219, 220, 237, 239
239	218, 219, 238, 240
240	217, 218, 239, 241
241	216, 217, 240, 242
242	216, 241
243	244
244	243, 245
245	244
246	247
247	246
248	249
249	248, 250
250	249, 251
251	250, 252
252	251, 253
253	252

## DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision must not without the consent of the Responsible Authority build or allow to be built on the lot:

### Memorandum of Common Provisions (MCP)

1. Any building other than a building which has been constructed and sited in accordance with the Memorandum of Common Provisions registered in Dealing No. AA4937 and which Memorandum of Common Provisions is incorporated in this plan.

### Small Lot Housing Code

2. Any building in the case of lots less than 300 square metres unless in accordance with the Small Lot Housing Code (Type A) or unless a specific Planning Permit for the building has been obtained from Wyndham City Council.

The restrictions in paragraphs 1 and 2 shall cease to burden any lot on the Plan of Subdivision after 1st January 2030.