

PLAN OF SUBDIVISION

LV USE ONLY
EDITION

PS 906184M

LOCATION OF LAND

PARISH: Pakenham
TOWNSHIP: -
SECTION: -
CROWN ALLOTMENT: 11 (Part)
CROWN PORTION: -
TITLE REFERENCE: Vol. Fol.
LAST PLAN REFERENCE: Lot H PS 906182R
POSTAL ADDRESS: 70 Lecky Road
Officer 3809
MGA2020 Co-ordinates
 (of approx centre of land in plan) E 361 900 ZONE: 55
 N 5 784 050

Council Name: Cardinia Shire Council
 Council Reference Number: S22-120
 Planning Permit Reference: T200562
 SPEAR Reference Number: S200468C
Certification
 This plan is certified under section 11 (7) of the Subdivision Act 1988
 Date of original certification under section 6 of the Subdivision Act 1988: 21/03/2024
 Public Open Space
 A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification
 Digitally signed by: Fiona Shadforth for Cardinia Shire Council on 14/06/2024
Statement of Compliance issued: 13/12/2024
 Public Open Space
 A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
Road R-1	Cardinia Shire Council

Lots A to K (both inclusive) and Lots 1 to 800 (both inclusive) have been omitted from this plan.
 See Sheet 8 for Creation of Restrictions.
Other Purpose of the Plan:
 Part of the easement for 'Sewerage' purposes over Tulk Street created in PS 847345Q in favour of South East Water Corporation is removed by all interested parties upon registration of this plan pursuant to Section 6(1)(k) of the Subdivision Act 1988.

Depth Limitation: Does not apply.

Survey: This plan is ~~is not~~ based on survey. Refer to BP 3986V.
 This survey has been connected to Pakenham permanent marks no. 3, 101 and 185.
 In Proclaimed Survey Area No. 71

Staging: This ~~is~~ is not a staged subdivision.
 Planning Permit No. T200562

Estate: Banyan Place
Development No.: 8
No. of Lots: 41
Area: 2.670 ha
Melways: 215 A9

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	See Diag.	This Plan	Cardinia Shire Council
E-1 & E-2	Sewerage	See Diag.	This Plan	South East Water Corporation
E-3 & E-4	Sewerage	See Diag.	PS 901989T	South East Water Corporation
E-4	Drainage	See Diag.	PS 901989T	Cardinia Shire Council
E-5 & E-8	Sewerage	See Diag.	PS 847345Q	South East Water Corporation
E-6 & E-9	Drainage	See Diag.	PS 901971P	Cardinia Shire Council
E-7 & E-9	Sewerage	See Diag.	PS 901971P	South East Water Corporation
E-8	Drainage	See Diag.	PS 847345Q	Cardinia Shire Council
E-10	Drainage	See Diag.	PS 839075P	Cardinia Shire Council



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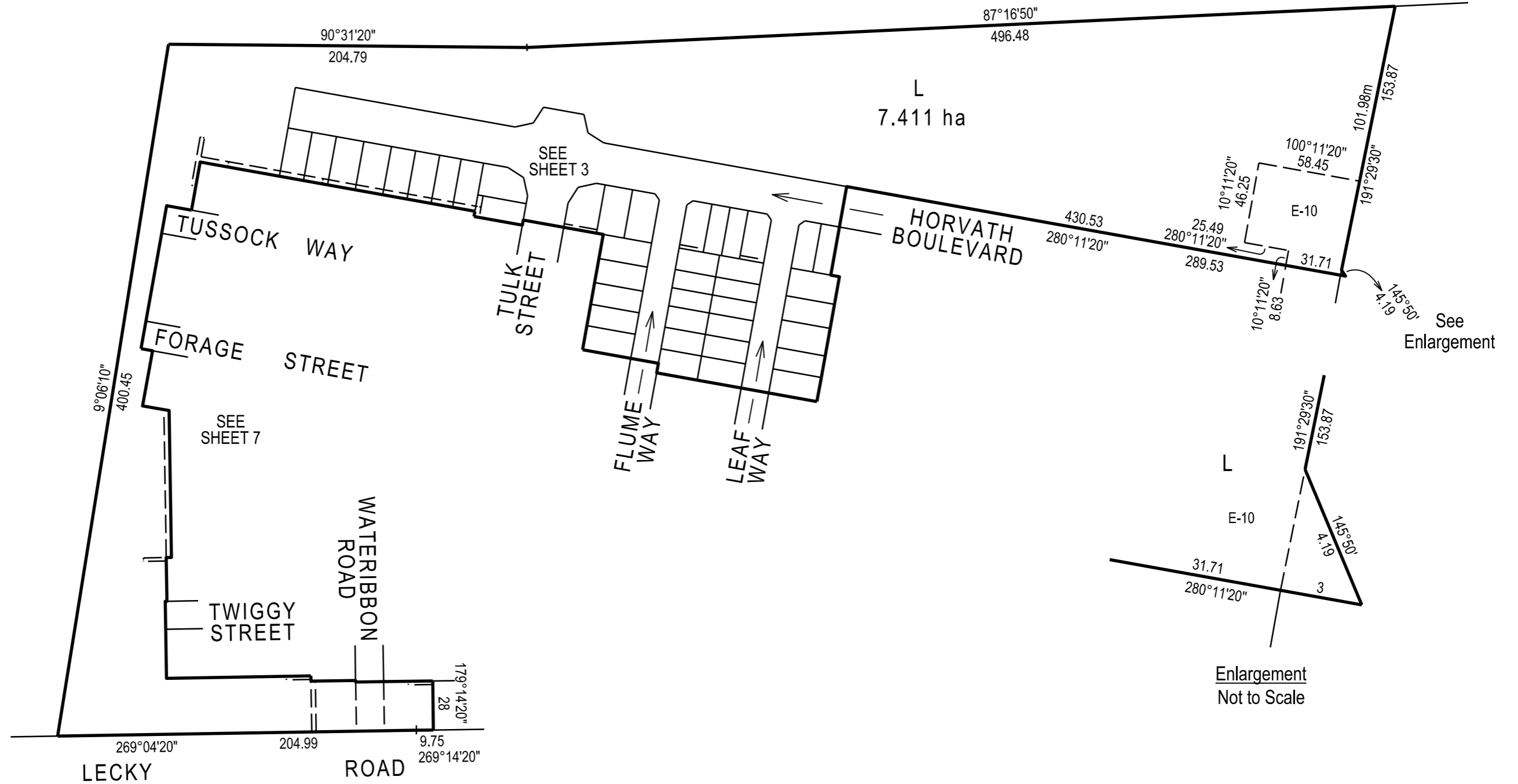
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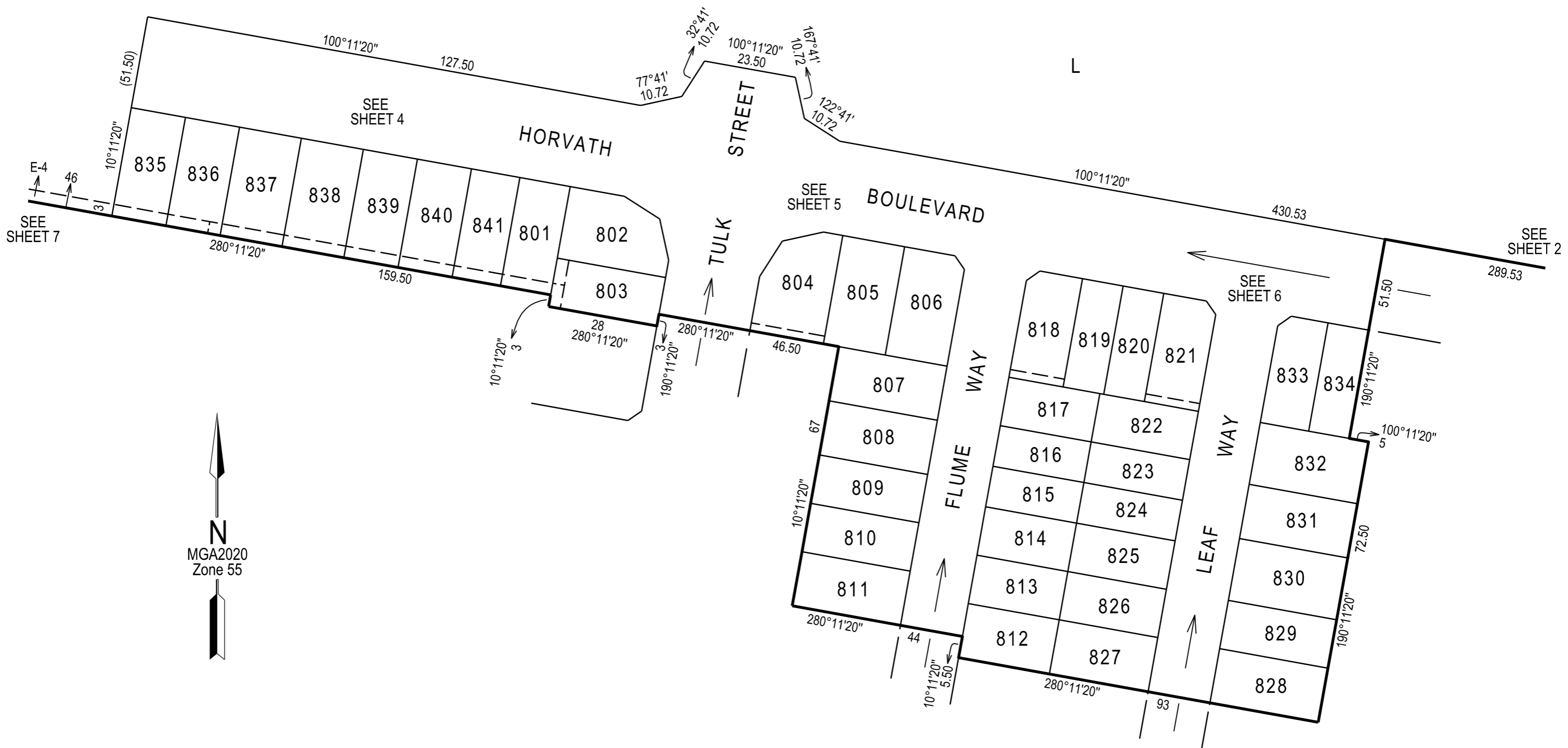
ORIGINAL SHEET
SIZE: A3

SHEET 1 of 8

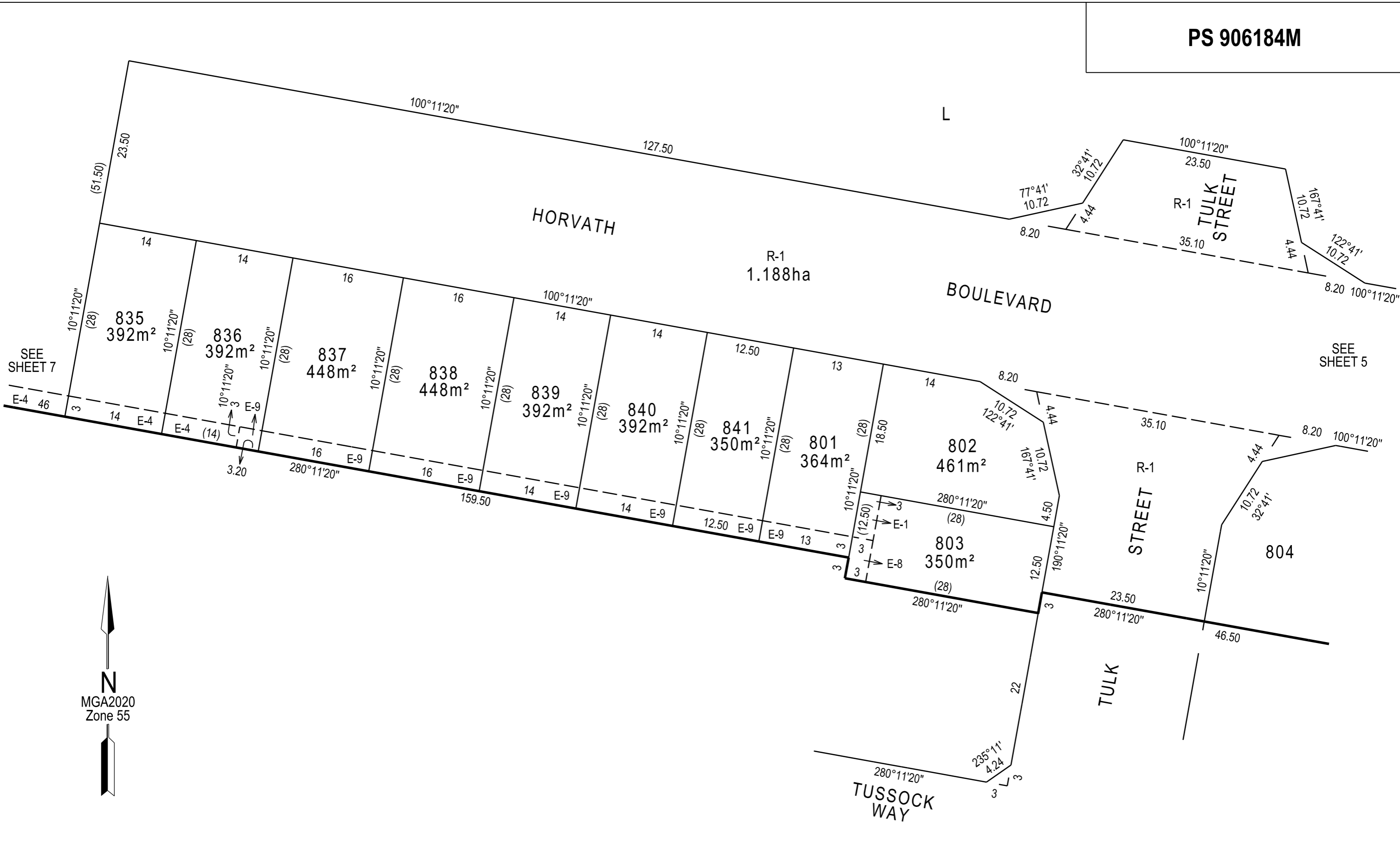
Digitally signed by: Michael Neylan Degg, Licensed Surveyor,
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SEE SHEET 7

SEE SHEET 5



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SCALE 1:500

5 0 5 10 15 20
LENGTHS ARE IN METRES

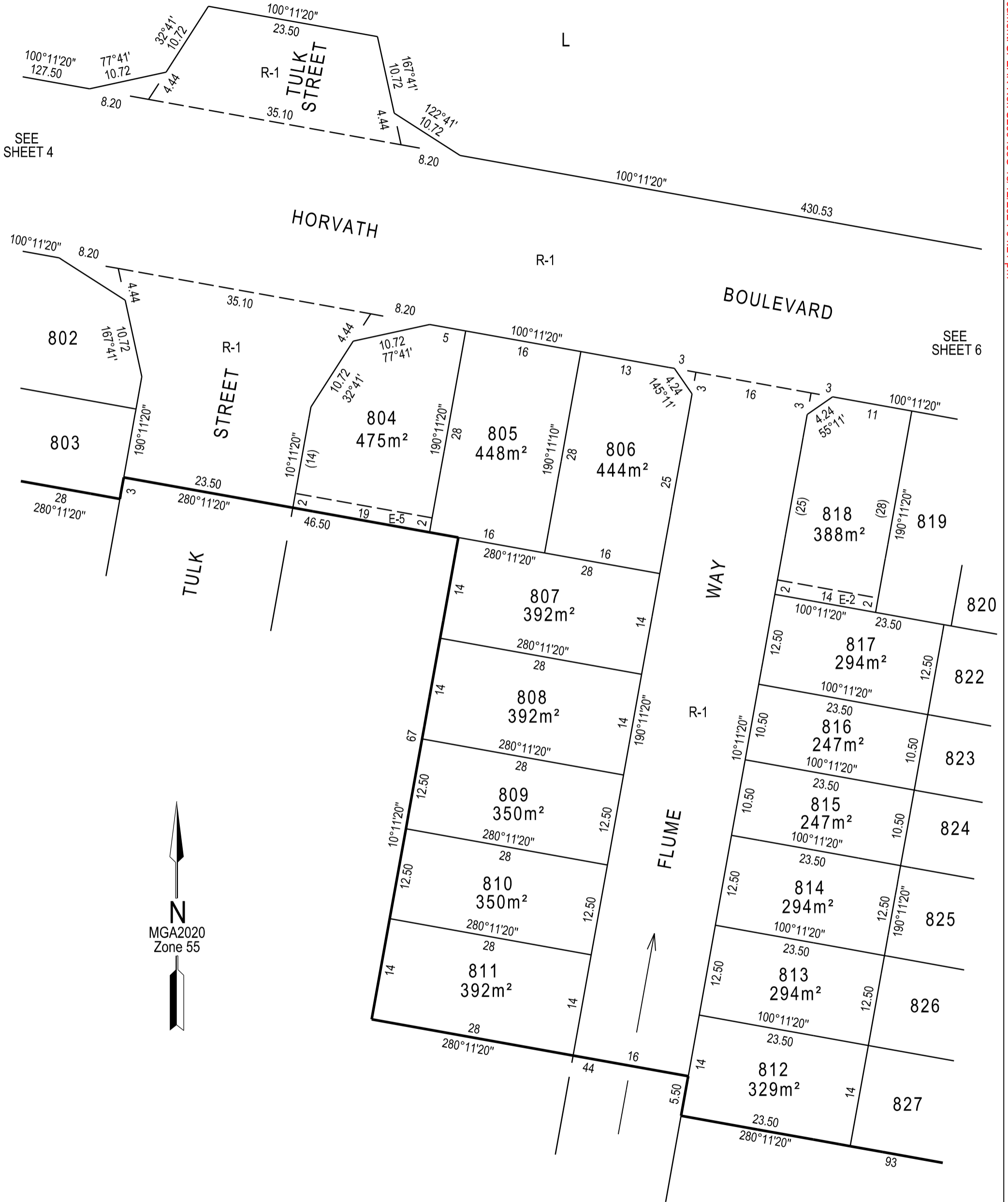
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SHEET 4

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SEE SHEET 4

SEE SHEET 6



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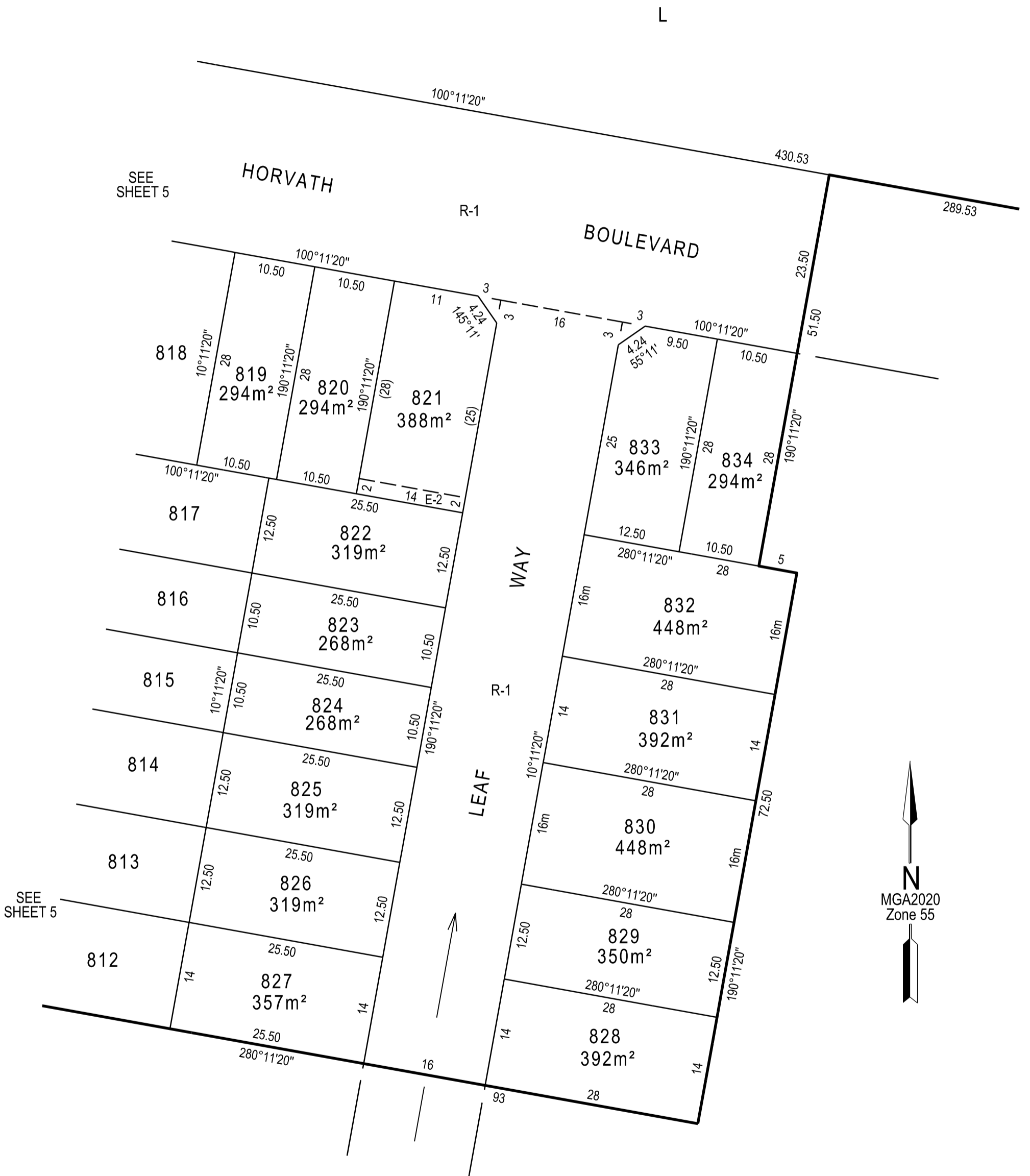
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SHEET 5

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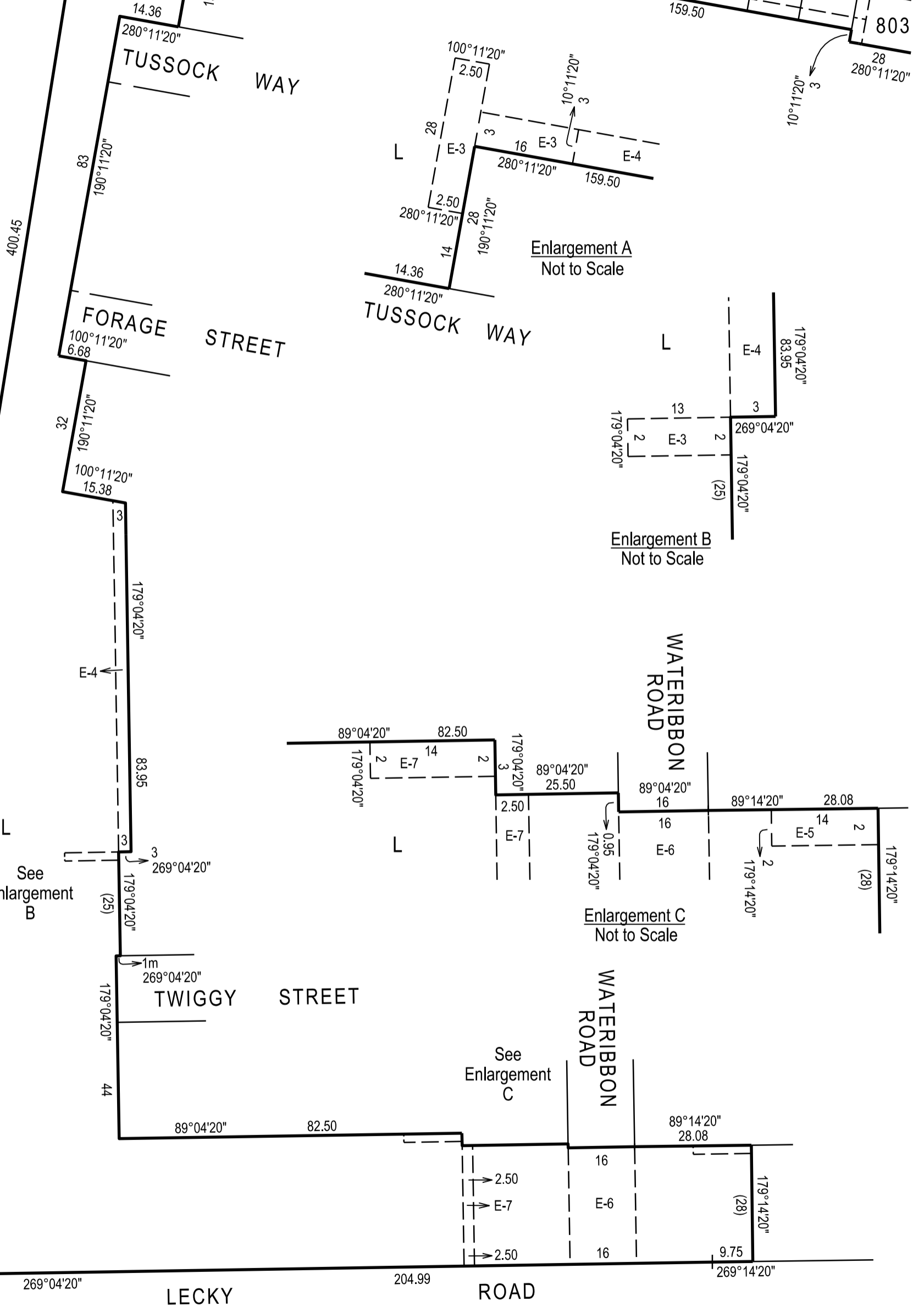
SEE SHEET 2

SEE SHEET 3



See Enlargement A

E-4
(46)



Enlargement A
Not to Scale

Enlargement B
Not to Scale

Enlargement C
Not to Scale

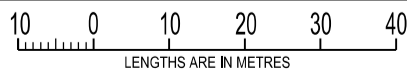
See Enlargement C

See Enlargement B



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SCALE
1:1000



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ORIGINAL SHEET
SIZE: A3

SHEET 7

Digitally signed by: Cardinia Shire Council, 14/06/2024, SPEAR Ref: S200468C

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.

LAND TO BENEFIT: Lots 813 and 827

LAND TO BURDEN: Lot 812

The registered proprietor or proprietors for the time being of a burdened lot to which this restriction applies shall not construct or extend any dwelling or allow the construction or extension of any dwelling other than:

1. In accordance with the Victorian Small Lot Housing Code, unless with the written consent of the Responsible Authority.
2. In accordance with the building envelope as defined by Victorian Small Lot Housing Code as specified for Type A lots, unless with the written consent of the Responsible Authority,
3. A single dwelling and must not subdivide to create an additional lot.
4. Other than in accordance with the approved Banyan Place Design Guidelines (www.banyanplaceofficer.com.au), unless with the written consent of the Responsible Authority,
5. Without the approval of Banyan Place Design Review Committee (DRC).

Expiry:

This restriction will cease to affect any of the burdened lots after the 31st December 2039.

CREATION OF RESTRICTION B

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 burdened and Land benefited

Burdened Lot No.	Benefiting Lots on this Plan	Burdened Lot No.	Benefiting Lots on this Plan	Burdened Lot No.	Benefiting Lots on this Plan
813	812, 814, 826	819	817, 818, 820, 822	825	814, 824, 826
814	813, 815, 825	820	819, 821, 822	826	813, 825, 827
815	814, 816, 824	822	817, 819, 820, 821, 823	833	832, 834
816	815, 817, 823	823	816, 822, 824	834	832, 833
817	816, 818, 819, 822	824	815, 823, 825		

The registered proprietor or proprietors for the time being of a burdened lot to which this restriction applies shall not construct or extend any dwelling or allow the construction or extension of any dwelling other than:

1. In accordance with the Victorian Small Lot Housing Code, unless with the written consent of the Responsible Authority.
2. In accordance with the building envelope as defined by Victorian Small Lot Housing Code as specified for Type B lots, unless with the written consent of the Responsible Authority,
3. A single dwelling and must not subdivide to create an additional lot.
4. Other than in accordance with the approved Banyan Place Design Guidelines (www.banyanplaceofficer.com.au), unless with the written consent of the Responsible Authority,
5. Without the approval of Banyan Place Design Review Committee (DRC).

Expiry:

This restriction will cease to affect any of the burdened lots after the 31st December 2039.

CREATION OF RESTRICTION C

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 burdened and Land benefited

Burdened Lot No.	Benefiting Lots on this Plan	Burdened Lot No.	Benefiting Lots on this Plan	Burdened Lot No.	Benefiting Lots on this Plan
801	802, 803, 841	810	809, 811	832	831, 833, 834
802	801, 803	811	810	835	836
803	801, 802	818	817, 819	836	835, 837
804	805	821	820, 822	837	836, 838
805	804, 806, 807	827	812, 826	838	837, 839
806	805, 807	828	829	839	838, 840
807	805, 806, 808	829	828, 830	840	839, 841
808	807, 809	830	829, 831	841	801, 840
809	808, 810	831	830, 832		

The registered proprietor or proprietors for the time being of a burdened lot to which this restriction applies shall not construct or extend any dwelling or allow the construction or extension of any dwelling:

1. Other than in accordance with the Setbacks as defined by the Banyan Place Design Guidelines (www.banyanplaceofficer.com.au), unless with the written consent of the Responsible Authority.
2. Other than in accordance with the approved Banyan Place Design Guidelines (www.banyanplaceofficer.com.au), unless with the written consent of the Responsible Authority,
3. Without the approval of Banyan Place Design Review Committee (DRC).
4. Other than a single dwelling and must not subdivide to create an additional lot.

Expiry:

This restriction will cease to affect any of the burdened lots after the 31st December 2039.

