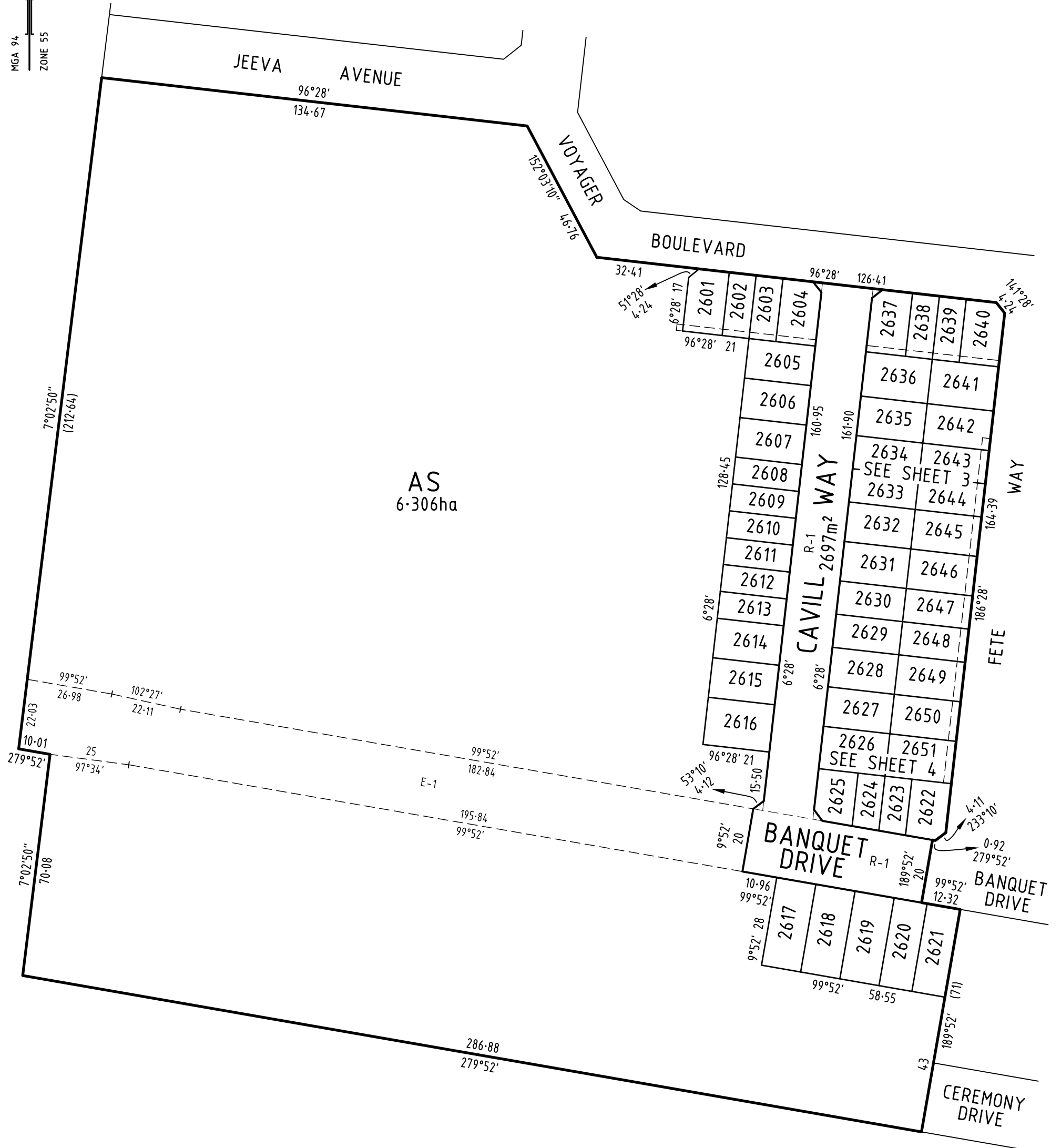
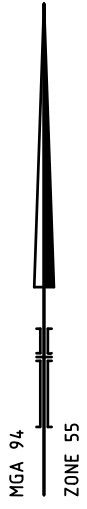


PLAN OF SUBDIVISION		EDITION 1	PS906031P	
LOCATION OF LAND PARISH: TARNEIT TOWNSHIP: - SECTION: 20 CROWN ALLOTMENT: - CROWN PORTION: D (PART) TITLE REFERENCE: C/T VOL 12381 FOL 127 LAST PLAN REFERENCE: LOT AE on PS842441W POSTAL ADDRESS: TARNEIT & LEAKES ROAD (at time of subdivision) TARNEIT, VIC 3029 MGA94 CO-ORDINATES: E: 294 720 ZONE: 55 (of approx centre of land N: 5 810 900 in plan)		Council Name: Wyndham City Council Council Reference Number: WYS5956/22 Planning Permit Reference: WYP11335/18 SPEAR Reference Number: S191679E 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: 01/05/2023 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: Maria Pereira for Wyndham City Council on 14/05/2024		
VESTING OF ROADS AND/OR RESERVES		Notations		
IDENTIFIER	COUNCIL/BODY/PERSON			
ROAD R-1	WYNDHAM CITY COUNCIL			
NOTATIONS				
DEPTH LIMITATION DOES NOT APPLY				
SURVEY: This plan is based on survey in PS732577J STAGING: This is not a staged subdivision Planning Permit No. WYP11335/18 This survey has been connected to permanent marks No(s). Tarneit PM 94 & 759 In Proclaimed Survey Area No. -				
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 Diagram	PS803967B	Wyndham City Council
E-1	Sewerage	See Diagram	This Plan	Greater Western Water Corporation
E-2	Sewerage	See Diagram	This Plan	Greater Western Water Corporation
NEWHAVEN ESTATE - STAGE 26 (51 LOTS)			AREA OF STAGE - 1.609ha	
414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au		SURVEYORS FILE REF: 306199SV00		ORIGINAL SHEET SIZE: A3
		Digitally signed by: Scott Deas, Licensed Surveyor, Surveyor's Plan Version (4), 16/04/2024, SPEAR Ref: S191679E		SHEET 1 OF 5

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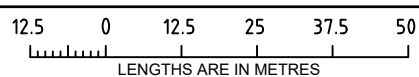


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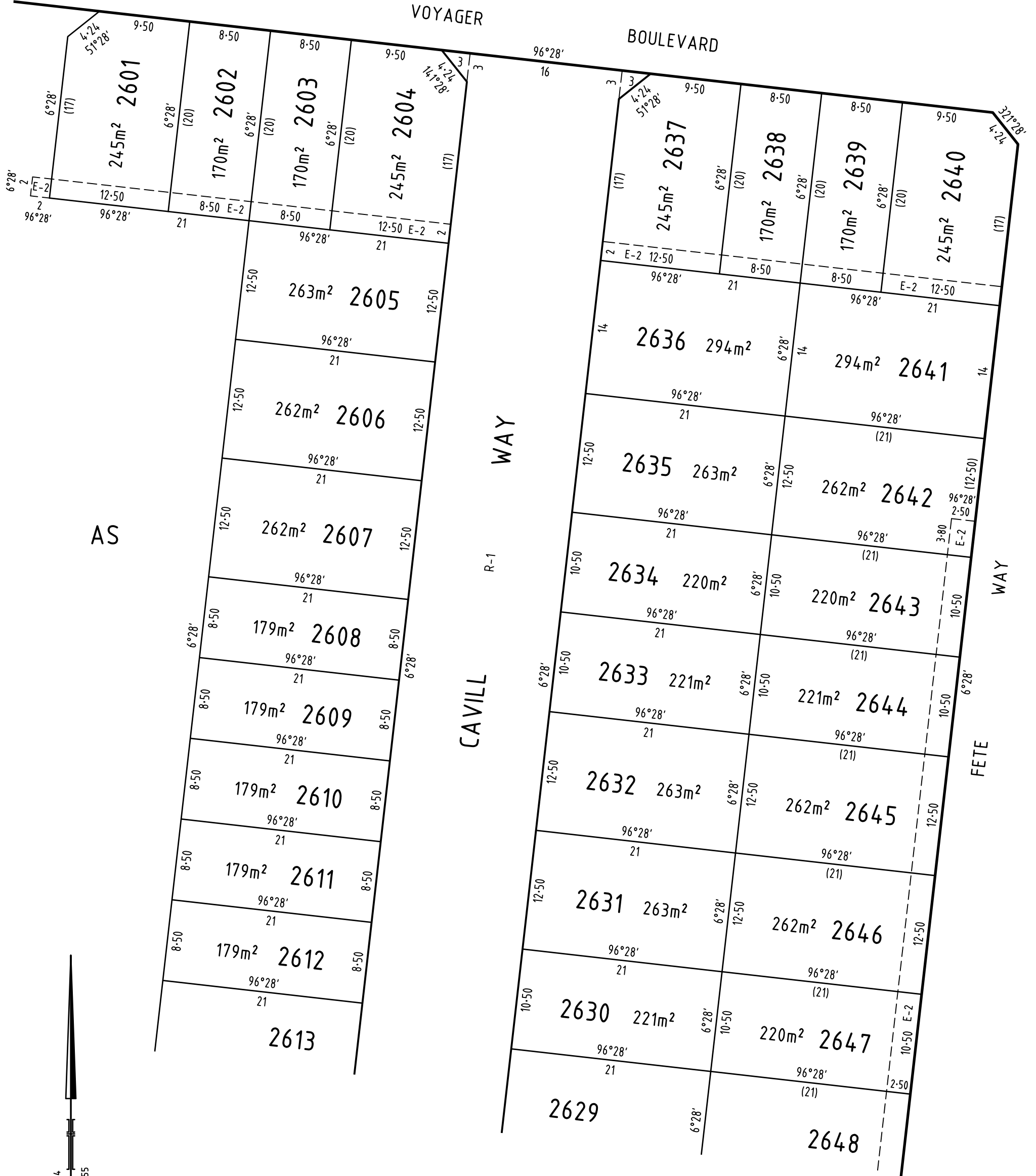
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SIZE: A3

SHEET 2

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14/05/2024,
SPEAR Ref: S191679E

SEE SHEET 2



SEE SHEET 4

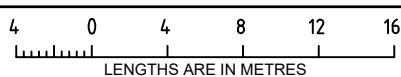


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SCALE
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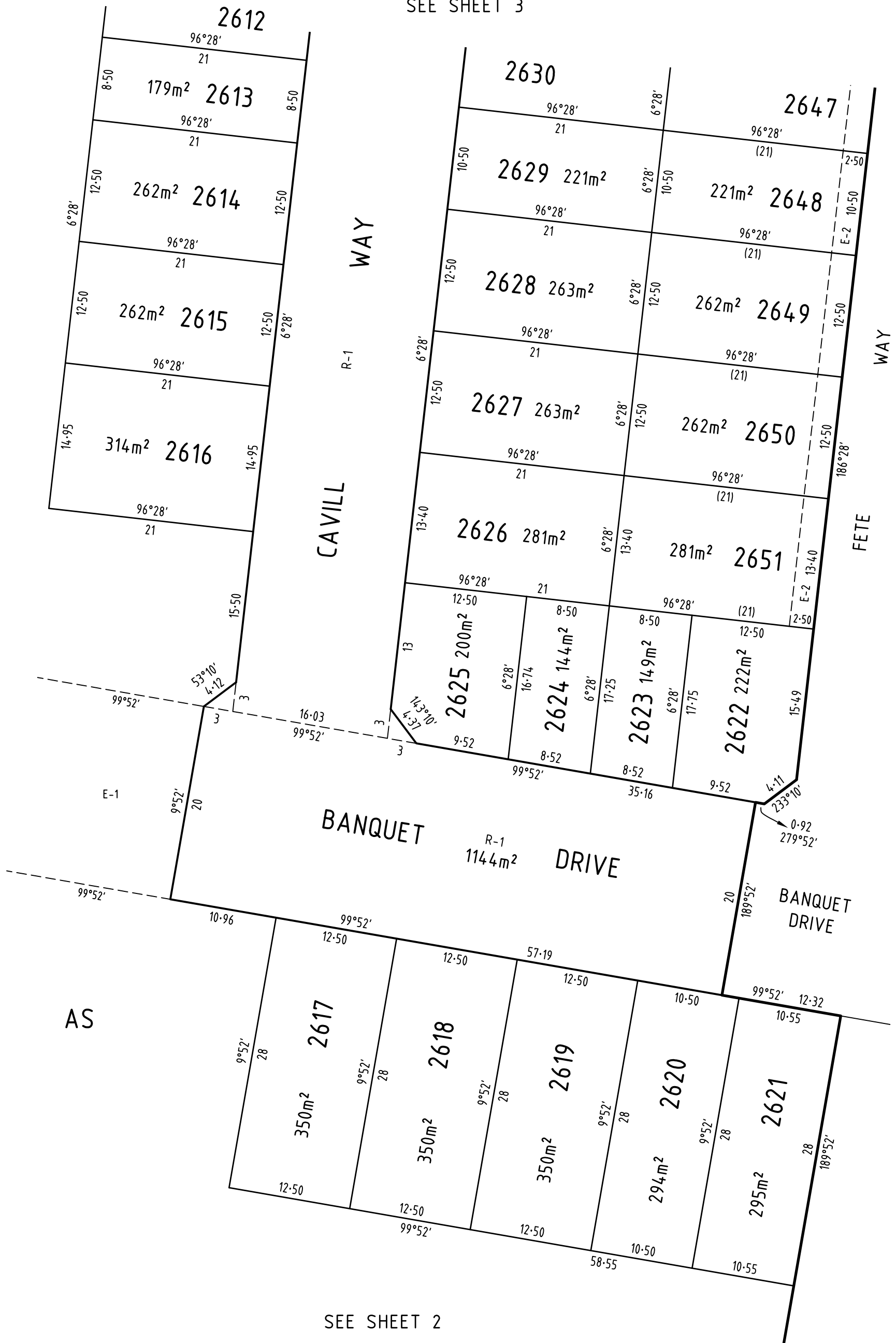
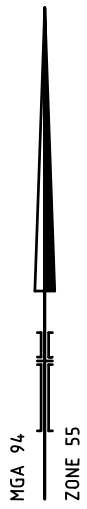
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SHEET 3

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 14/05/2024,
 SPEAR Ref: S191679E

SEE SHEET 3

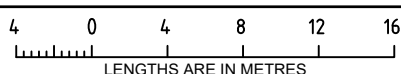


SEE SHEET 2



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SHEET 4

Digitally signed by:
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 14/05/2024,
 SPEAR Ref: S191679E

CREATION OF RESTRICTION A

The following restriction is to be created upon registration of Plan of Subdivision No. PS906031P (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

For the purposes of this restriction:

- (a) A dwelling means a house.
- (b) A building means any structure except a fence.

Land to benefit: Lots 2601 to 2651 (both inclusive) on this Plan of Subdivision.
 Land to be burdened: Lots 2601 to 2651 (both inclusive) on this Plan of Subdivision.

DESCRIPTION OF RESTRICTION

Except with the written consent of the Transferor 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:

- (1) build or allow to be built on the lot any building other than a building that has been approved by Peet or the Peet Design Review Panel in accordance with the Newhaven Design Guidelines.
- (2) 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 No. 1895 Pty Ltd and then only in compliance with any condition (consistent with any restrictions affecting the lot) imposed by Peet No. 1895 Pty Ltd in respect of that approval.
- (3) construct any dwelling or commercial building unless that dwelling or commercial building incorporates plumbing for a recycled water supply for toilet flushing and garden watering use.

Note:

- 1) Conditions (1) to (3) (all inclusive) of this restriction shall expire 6 years after the date of registration of this plan.

CREATION OF RESTRICTION B

The following restriction is to be created upon registration of Plan of Subdivision No. PS906031P (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

For the purposes of this restriction:

- (a) A dwelling means a house.
- (b) A building means any structure except a fence.

Land to benefit: Lots 2601 to 2615, and 2620 to 2651 (all inclusive) on this Plan of Subdivision.
 Land to be burdened: Lots 2601 to 2615, and 2620 to 2651 (all inclusive) on this Plan of Subdivision.

Lots 2605 to 2615, 2620, 2621, 2626 to 2636, and 2641 to 2651 (all inclusive) are defined as Type A Lots under the Small Lot Housing Code and Lots 2601 to 2604, 2622 to 2625, and 2637 to 2640 (all inclusive) are defined as Type B Lots under the Small Lot Housing Code.

DESCRIPTION OF RESTRICTION

Except with the written consent of the Transferor 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 benefited lot on this plan to which the following restriction applies shall not:

- (1) Construct any building on any burdened lot unless that building conforms to the Small Lot Housing Code incorporated under the Wyndham Planning Scheme, unless in accordance with a planning permit granted to construct a dwelling on that lot.

Note:

- 1) Condition (1) of this restriction shall expire after the issue of a certificate of occupancy for the dwelling on the burdened lot.

CREATION OF RESTRICTION C

The following restriction is to be created upon registration of Plan of Subdivision No. PS906031P (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Land to benefit: Lots 2616 to 2626 (both inclusive) and Lot 2651 on this Plan of Subdivision.
 Land to be burdened: Lots 2616 to 2626 (both inclusive) and Lot 2651 on this Plan of Subdivision.


Note: The burdened Lots fall within the Design and Development Overlay Schedule 10 (DDO10) under the Wyndham Planning Scheme and are nominated as properties requiring architectural noise attenuation measures by reference to the letter titled Newhaven Estate - Rail Noise dated 11th October 2016 prepared by Marshall Day Acoustics and having Document Reference Number Lt 003 2016356AL Newhaven Estate - Rail Noise.

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being for any Lot on this plan to which the following restrictions applies shall not construct a dwelling on any burdened lot on this plan unless:

- 1. The dwelling is constructed in such a way so that internal bedroom noise levels do not exceed 65dB L_{Amax} and 40 dB L_{Aeq} during the 8 hour period between 10pm and 6am and;
- 2. The dwelling proposed to be constructed achieves the minimum acoustic rating and the typical construction requirements set out in table 1 within the memorandum of common provisions registered in dealing number AA9130

(NOTE :- The 2nd storey of any double storey dwelling proposed to be constructed should consider the minimum acoustic rating and the typical construction requirements set out in table 2 within the memorandum of common provisions registered in dealing number AA9130).

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