

PLAN OF SUBDIVISION

EDITION 1

PS 806974N

LOCATION OF LAND

PARISH: TARNEIT

TOWNSHIP: -

SECTION: 20

CROWN ALLOTMENT: -

CROWN PORTION: D

TITLE REFERENCE: C/T VOL FOL ...

LAST PLAN REFERENCE: LOT M on PS806966M

POSTAL ADDRESS: TARNEIT & LEAKES ROAD
(at time of subdivision) TARNEIT, VIC 3029MGA94 CO-ORDINATES: E: 294 950 ZONE: 55
(of approx centre of land N: 5 810 850
in plan)

VESTING OF ROADS AND/OR RESERVES

Notations

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R-1	WYNDHAM CITY COUNCIL
RESERVE No. 1 & 2	WYNDHAM CITY COUNCIL
RESERVE No. 3	POWERCOR AUSTRALIA LIMITED

Lots 1 to 500 (both inclusive) and Lots A - M (both inclusive) have been omitted from this plan.

Other Purpose of this Plan

To remove by agreement part of the E-6 drainage easement created in PS 803967B that lies within Reserve No.1, Ceremony Drive and Banquet Drive in this plan via Section 6 (1) (k) of the Subdivision Act 1988.

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. WYP6865/13This 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	Sewerage	2.5	PS803935Q	City West Water Corporation
E-2	Sewerage	2.5	PS806966M	City West Water Corporation
E-3	Sewerage	2.5	This Plan	City West Water Corporation
E-4	Supply of Water through underground pipes	6	This Plan	City West Water Corporation
E-4	Sewerage	6	This Plan	City West Water Corporation
E-5	Supply of Water through underground pipes	6	PS806966M	City West Water Corporation
E-5	Sewerage	6	PS806966M	City West Water Corporation
E-6	Drainage	See Diag.	PS803967B	Wyndham City Council

NEWHAVEN ESTATE - STAGE 5 (52 LOTS)

AREA OF STAGE - 3.003ha

469 La Trobe Street
PO Box 16084
Melbourne Vic 8007
T 61 3 9993 7888
spiire.com.au

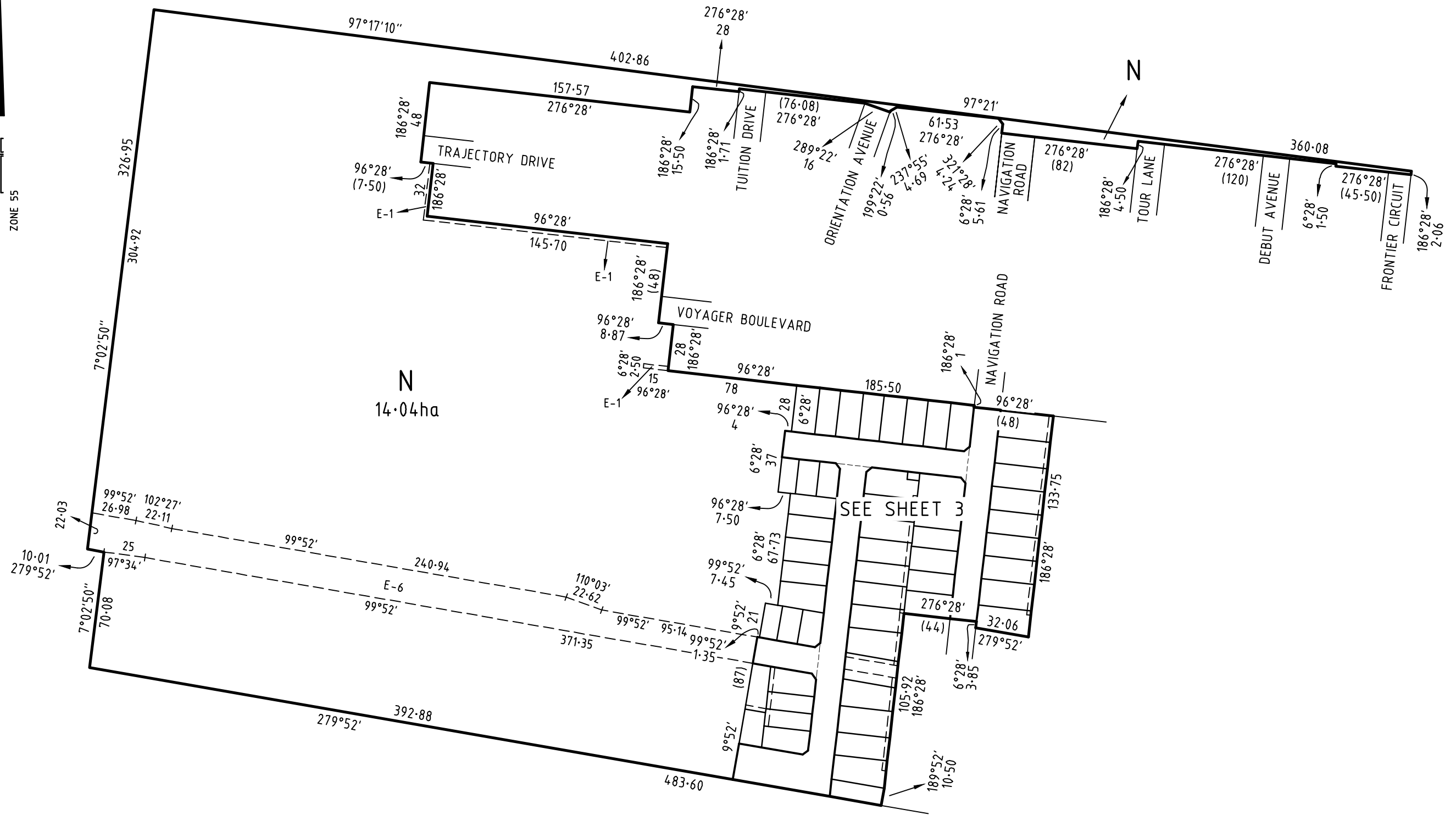
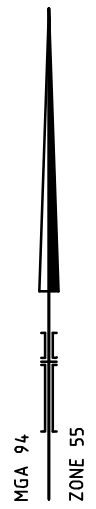
SURVEYORS FILE REF: 303220SV00

ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 7

Licensed Surveyor: Keith Robert Jones

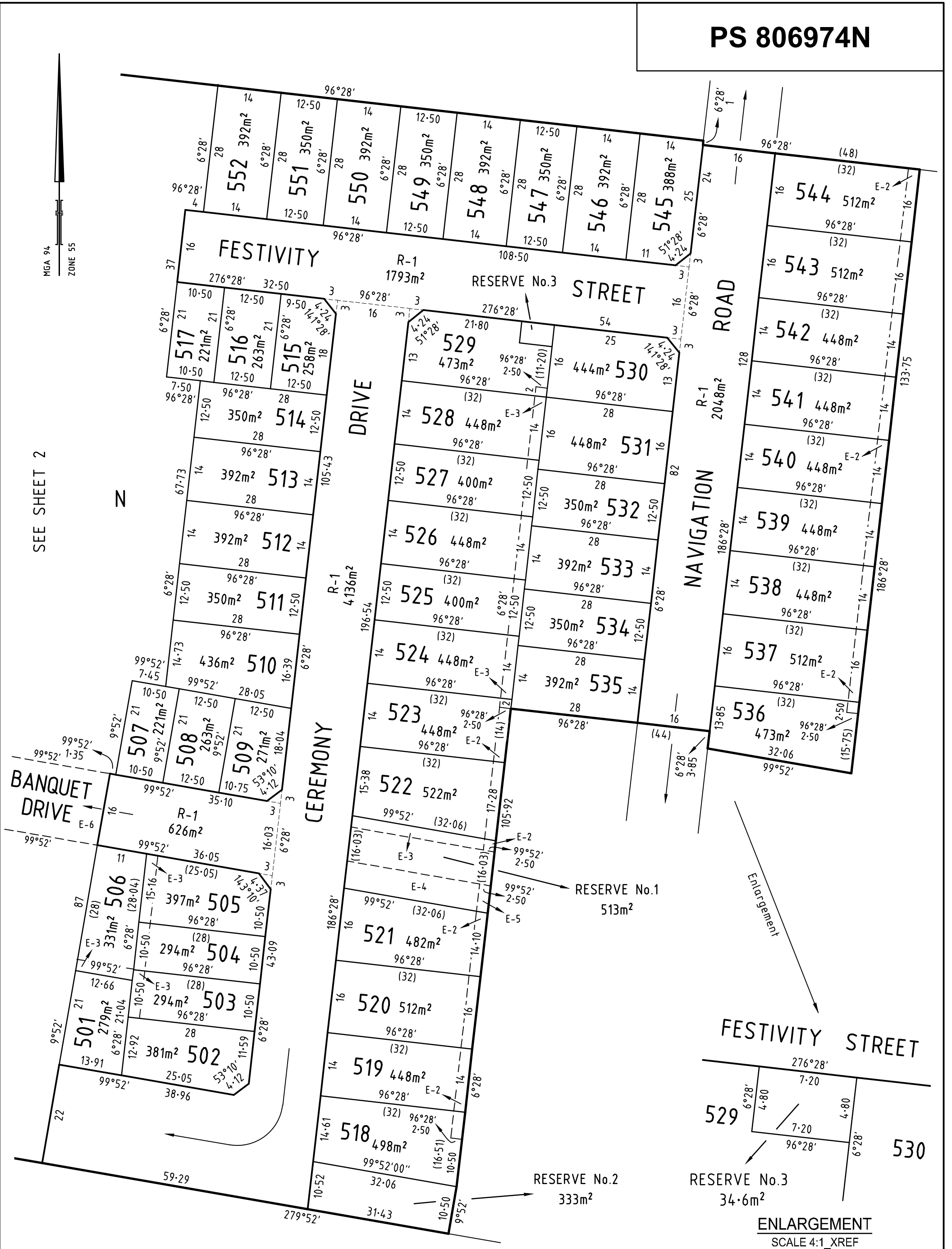
Version: 6



MEGA 94
ZONE 55

SEE SHEET 2

N



Enlargement

FESTIVITY STREET

RESERVE No.3
34.6m²

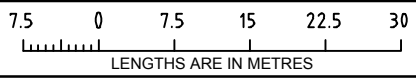
RESERVE No.2
333m²

ENLARGEMENT
SCALE 4:1_XREF



469 La Trobe Street
PO Box 16084
Melbourne Vic 8007
T 61 3 9993 7888
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SCALE
1: 750



ORIGINAL SHEET
SIZE: A3

SHEET 3

Licensed Surveyor: Keith Robert Jones
Ref: 303220SV00
Version: 6

CREATION OF RESTRICTION A

The following restriction is to be created upon registration of Plan of Subdivision No. PS806974N (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.

Table of Land Burdened and Land Benefited :

Burdened Lot No.	Benefited Lots	Burdened Lot No.	Benefited Lots
502	501, 503	531	527, 528, 530, 532
505	504, 506	532	526, 527, 531, 533
506	501, 503, 504, 505	533	525, 526, 532, 534
510	507, 508, 509, 511	534	524, 525, 533, 535
511	510, 512	535	523, 524, 534
512	511, 513	536	537
513	512, 514	537	536, 538
514	513, 515, 516, 517	538	537, 539
518	519	539	538, 540
519	518, 520	540	539, 541
520	519, 521	541	540, 542
521	520	542	541, 543
522	523	543	542, 544
523	522, 524, 535	544	543
524	523, 525, 534, 535	545	546
525	524, 526, 533, 534	546	545, 547
526	525, 527, 532, 533	547	546, 548
527	526, 528, 531, 532	548	547, 549
528	527, 529, 531	549	548, 550
529	528, 530	550	549, 551
530	529, 531	551	550, 552
		552	551

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) subdivide or allow a lot to be subdivided.
- (2) consolidate or allow a lot to be consolidated.
- (3) build more than one dwelling on a lot.
- (4) for those burdened lots with a width greater than 11.50 metres at the frontage construct a building or part of a building unless the building or part of a building is set back a minimum of 1 metre from one side boundary.
- (5) 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.
- (6) 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.
- (7) 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) and (5) to (7) (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. PS806974N (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.

Table of Land Burdened and Land Benefited :

Burdened Lot No.	Benefited Lots
501	502, 503, 506
503	501, 502, 504, 506
504	503, 505, 506
507	508, 510
508	507, 509, 510
509	508, 510
515	514, 516
516	514, 515, 517
517	514, 516

Lots 501, 503, 504, 507, 508, 516 and 517 (all inclusive) are defined as Type A Lots and lots 509 and 515 (both 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.
- (2) subdivide or allow a lot to be subdivided.
- (3) consolidate or allow a lot to be consolidated.
- (4) build more than one dwelling on a lot.
- (5) for lot 503, construct a building or part of a building unless the building or part of a building is set back a minimum of 1 metre from one side boundary.
- (6) 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.
- (7) 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.
- (8) 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) Condition (1) of this restriction shall expire after the issue of a certificate of occupancy for the dwelling on the burdened lot.
- 2) Conditions (2) to (4) and (6) to (8) (all inclusive) of this restriction shall expire 6 years after the date of registration of this plan.

CREATION OF RESTRICTION C

The following restriction is to be created upon registration of Plan of Subdivision No. PS806974N (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Land to benefit: Lots 501 to 510 and Lots 518 to 523 (all inclusive) on this Plan of Subdivision.
 Land to be burdened: Lots 501 to 510 and Lots 518 to 523 (all inclusive) 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_{max} and 40 dB L_{Acq} during the 8 hour period between 10pm and 6am and;
2. For Lots 504 to 510 and Lots 520 to 523 (all inclusive) the dwelling proposed to be constructed must achieve the minimum acoustic rating and the typical construction requirements set out in table 1 below.

Table 1.

Description of typical construction to achieve a minimum acoustic rating (R_w⁽¹⁾) to achieve the requirements of DDO10			
External Walls	Roof - Ceiling	Glazing	Doors
R _w > 46 Typically achieved with: - Lightweight facade material, such as 75mm Hebel Power Panel XL (33kg/m ²) - 25mm furring channel - 90mm timber stud framing - Minimum R2.0 insulation placed in cavity - 10mm thick plasterboard (7kg/m ²) internal wall lining.	R _w > 44 Typically achieved with: - Pitched roof at 22.5 degrees, consisting of metal deck roofing (minimum BMT 0.48mm) or roof tiles with sarking - Minimum R3.6 insulation in roof cavity - 10mm thick plasterboard (minimum 7kg/m ²) internal ceiling lining Eaves to be sealed and treated to prevent minimize noise break in to the roof space.	R _w > 31 Typically achieved with: - 4mm monolithic glass ⁽²⁾ All windows and sliding glass doors shall incorporate full perimeter good-quality acoustic seals which form an airtight seal on closure.	R _w > 30 Typically achieved with: - Minimum 40mm solid core with good-quality full perimeter acoustic grade seals which form an airtight seal on door closure.
<p>Notes:</p> <p>(1) R_w (Weighted Sound Reduction Index) - A single number rating of the sound insulation performance of a specific building element. R_w is measured in a laboratory and is commonly used by manufacturers to describe the sound insulation performance of building elements such as plasterboard and concrete.</p> <p>(2) Should home builders select alternative windows for thermal insulation (e.g. double glazing) care shall be taken such that the acoustic performance of such system meets the minimum sound transmission loss requirements. The final glazing selection will be dependant on size, function and relevant Australian Design Standards. This assessment considers a variety of bedroom sizes with total glazing areas up to 4m² per room.</p> <p>(3) For this assessment, split system air-conditioning systems have been assumed in preference to the more acoustically open evaporative type air conditioning systems. Ventilation paths may be required to be acoustically treated to control noise break-in and ensure that the sound insulation performance of the building envelope is not compromised. Forms of suitable ventilation may include a ducted system with internal lining or an acoustically rated trickle vent system such as Silenceair or Titon Trimvent system or an approved equivalent.</p> <p>(4) For the upper level of double storey dwellings, consideration should be given to treatments scheduled in Table 2 for mitigation of rail noise.</p>			

CREATION OF RESTRICTION C (CONTINUED)

3. For Lots 501 to 503 and Lots 518 and 519 (all inclusive) the dwelling proposed to be constructed must achieve the minimum acoustic rating and the typical construction requirements set out in table 2 below.

Table 2.

Description of typical construction to achieve a minimum acoustic rating (Rw ⁽¹⁾) to achieve the requirements of DDO10			
External Walls	Roof - Ceiling	Glazing	Doors
<p>Rw > 46</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> - Lightweight facade material, such as 75mm Hebel Power Panel XL (33kg/m²) - 25mm furring channel - 90mm timber stud framing - Minimum R2.0 insulation placed in cavity - 10mm thick plasterboard (7kg/m²) internal wall lining. 	<p>Rw > 52</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> - Pitched roof at 22.5 degrees, consisting of metal deck roofing (minimum BMT 0.48mm) or roof tiles with sarking - Minimum R3.6 insulation in roof cavity - 13mm thick sound rated plasterboard (minimum 13kg/m²) internal ceiling lining <p>Eaves to be sealed and treated to prevent minimize noise break in to the roof space.</p>	<p>Rw > 32 for window size up to 2.5m²</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> - 6.38mm laminate glass ⁽²⁾ <p>Rw > 36 for window size up to 4m²</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> - 10.38mm laminate glass ⁽³⁾ <p>All windows and sliding glass doors shall incorporate full perimeter good-quality acoustic seals which form an airtight seal on closure.</p>	<p>Rw > 30</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> - Minimum 40mm solid core with good-quality full perimeter acoustic grade seals which form an airtight seal on door closure.
<p>Notes:</p> <p>(1) Rw (Weighted Sound Reduction Index) - A single number rating of the sound insulation performance of a specific building element. Rw is measured in a laboratory and is commonly used by manufacturers to describe the sound insulation performance of building elements such as plasterboard and concrete.</p> <p>(2) Should home builders select alternative windows for thermal insulation (e.g. double glazing) care shall be taken such that the acoustic performance of such system meets the minimum sound transmission loss requirements. The final glazing selection will be dependant on size, function and relevant Australian Design Standards. This assessment considers a variety of bedroom sizes with total glazing areas up to 4m² per room.</p> <p>(3) For this assessment, split system air-conditioning systems have been assumed in preference to the more acoustically open evaporative type air conditioning systems. Ventilation paths may be required to be acoustically treated to control noise break-in and ensure that the sound insulation performance of the building envelope is not compromised.</p> <p>Forms of suitable ventilation may include a ducted system with internal lining or an acoustically rated trickle vent system such as Silenceair or Titon Trimvent system or an approved equivalent.</p> <p>(4) Treatment applies to single and double storey dwellings. In addition, double storey dwellings within the second row of allotments, the upper storeys should consider these treatments, scheduled in Table 2 for mitigation of rail noise.</p>			