

# PLAN OF SUBDIVISION

EDITION 1

**PS 803967B**

## LOCATION OF LAND

PARISH: TARNEIT

TOWNSHIP: -

SECTION: 20

CROWN ALLOTMENT: -

CROWN PORTION: D

TITLE REFERENCE: C/T VOL 11987 FOL 207

LAST PLAN REFERENCE: LOT J on PS803923X

POSTAL ADDRESS: TARNEIT & LEAKES ROADS  
(at time of subdivision) TARNEIT 3029MGA94 CO-ORDINATES: E: 295 170                      ZONE: 55  
(of approx centre of land                      N: 5 810 790  
in plan)

## VESTING OF ROADS AND/OR RESERVES

## Notations

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R-1 RESERVE No. 1	WYNDHAM CITY COUNCIL WYNDHAM CITY COUNCIL

Lots A to J and Lots 1 to 200 (all inclusive) have been omitted from this plan.

## NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

SURVEY:  
This plan is based on survey in PS732577JSTAGING:  
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	Water Supply Pipeline Purposes	See Diag.	Sec. 130 Water Act 1989 Sec. 19 Land Acquisition & Compensation Act 1986 vide Notification AJ284302V	Barwon Region Water Corporation
E-2	Powerline	See Diag.	PS 803923X Sect. 88 Electricity Industry Act 2000	Powercor Australia Limited
E-3	Water Supply	See Diag.	AQ781780Y	City West Water Corporation
E-3	Powerline	See Diag.	PS 803923X Sect. 88 Electricity Industry Act 2000	Powercor Australia Limited
E-4	Water Supply	See Diag.	AQ781780Y	City West Water Corporation
E-5	Sewerage	2.5	This Plan	City West Water Corporation
E-6	Drainage	See Diag.	This Plan	Wyndham City Council

NEWHAVEN ESTATE - STAGE 2 (52 LOTS)

AREA OF STAGE - 3.156ha

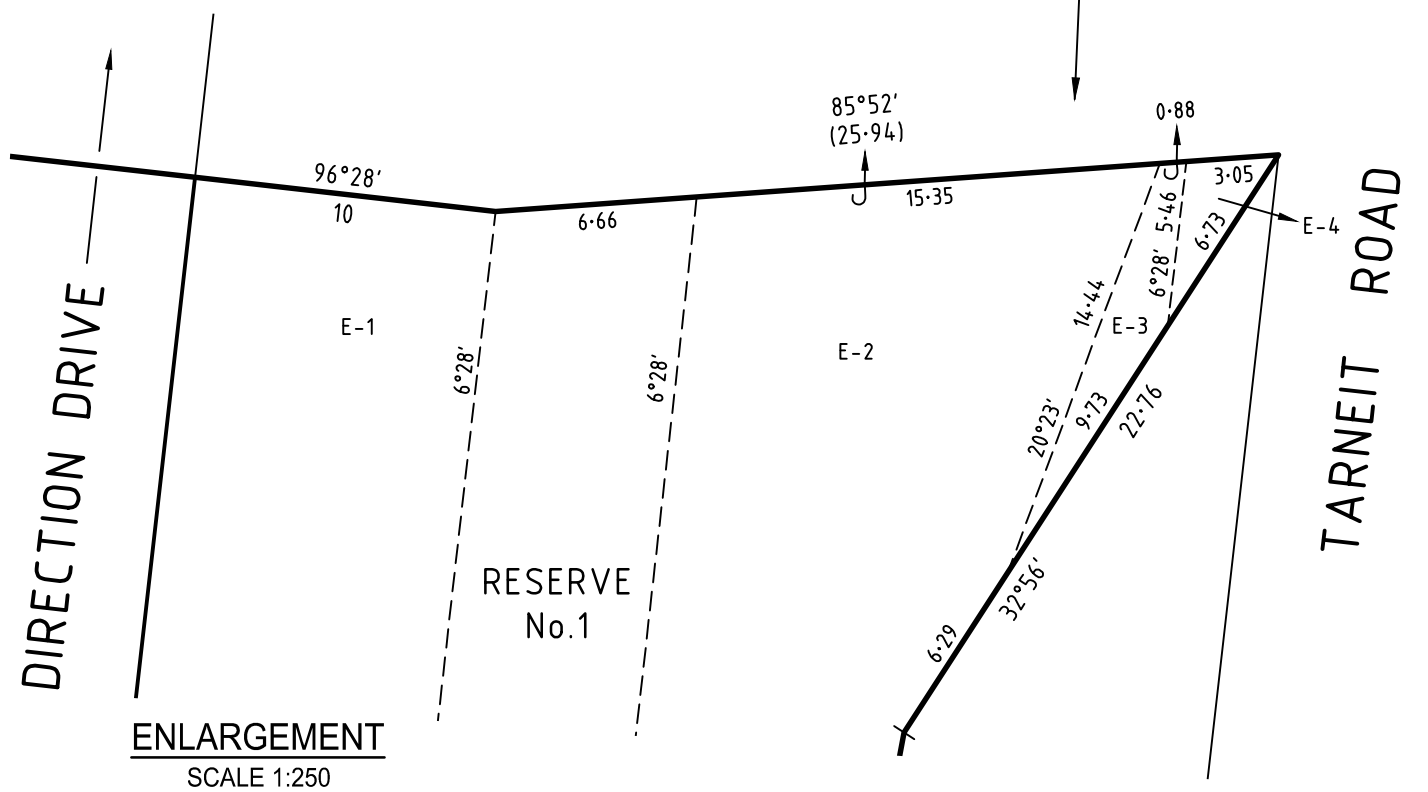
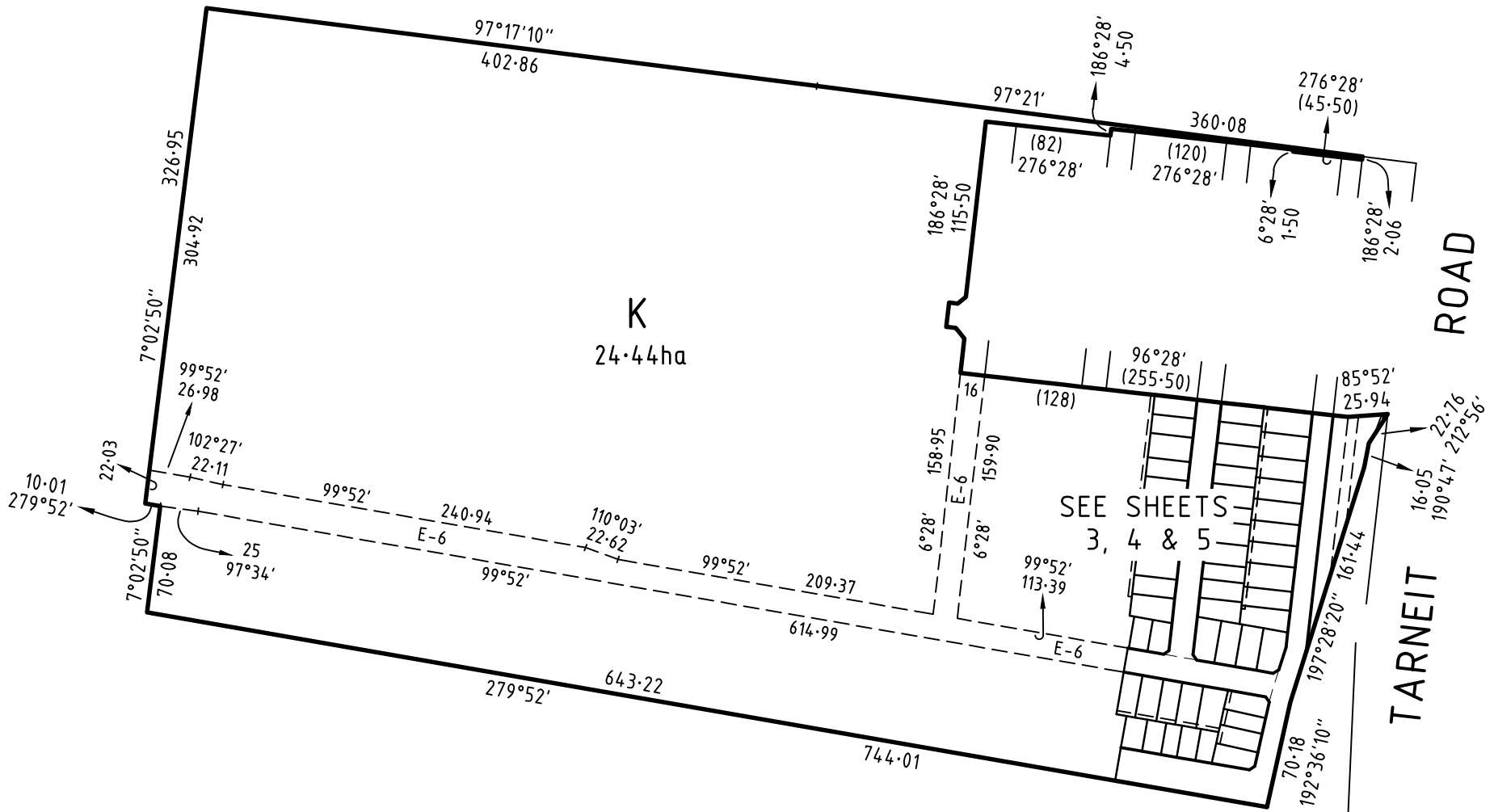
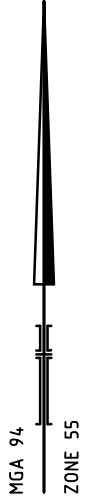
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SURVEYORS FILE REF: 303217SV00

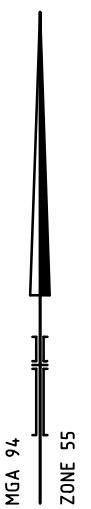
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SHEET 1 OF 9

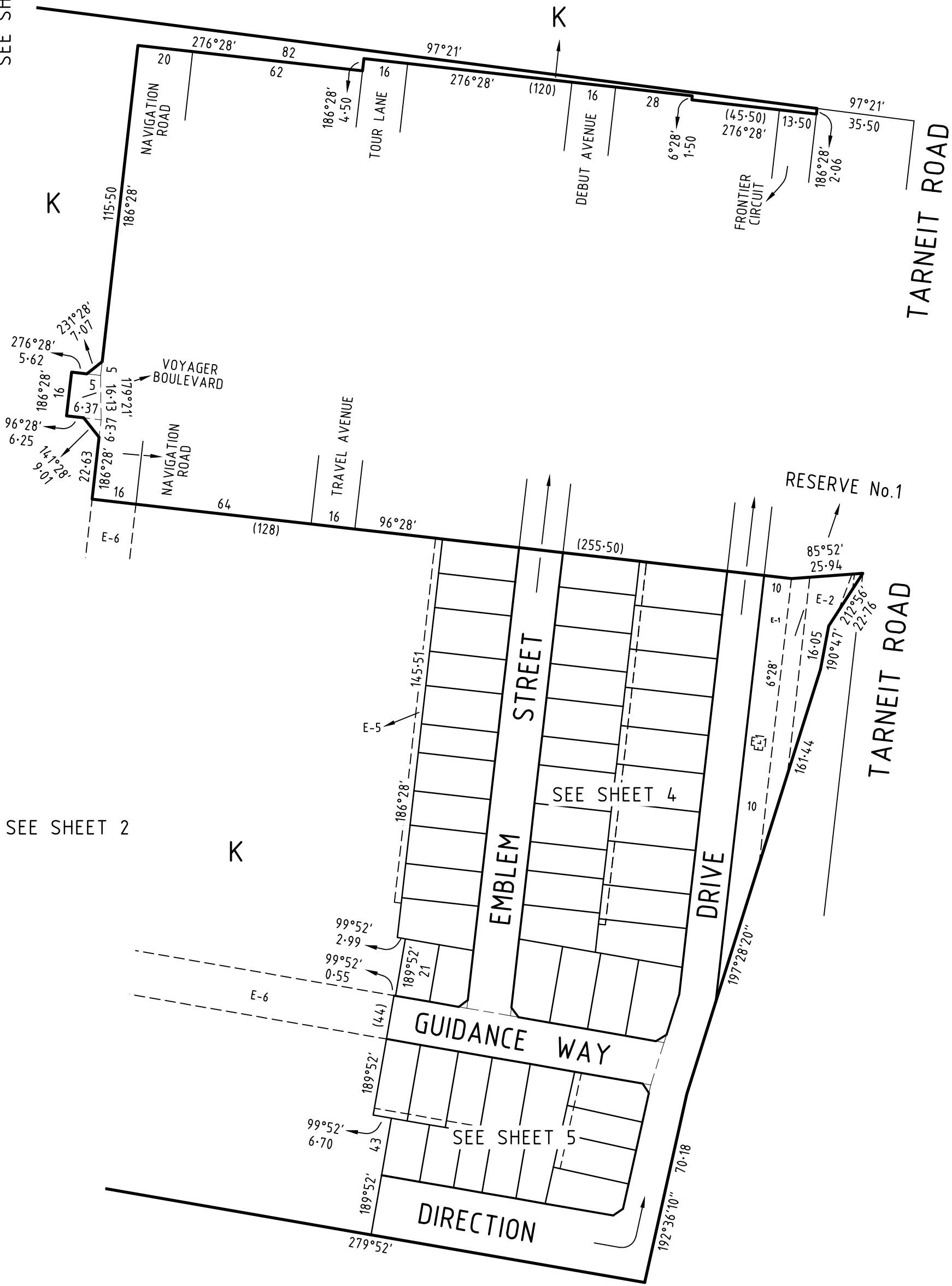
Licensed Surveyor: Keith Robert Jones  
Version: 11



ENLARGEMENT  
SCALE 1:250



SEE SHEET 2



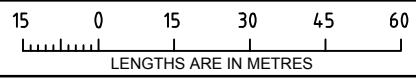
SEE SHEET 2

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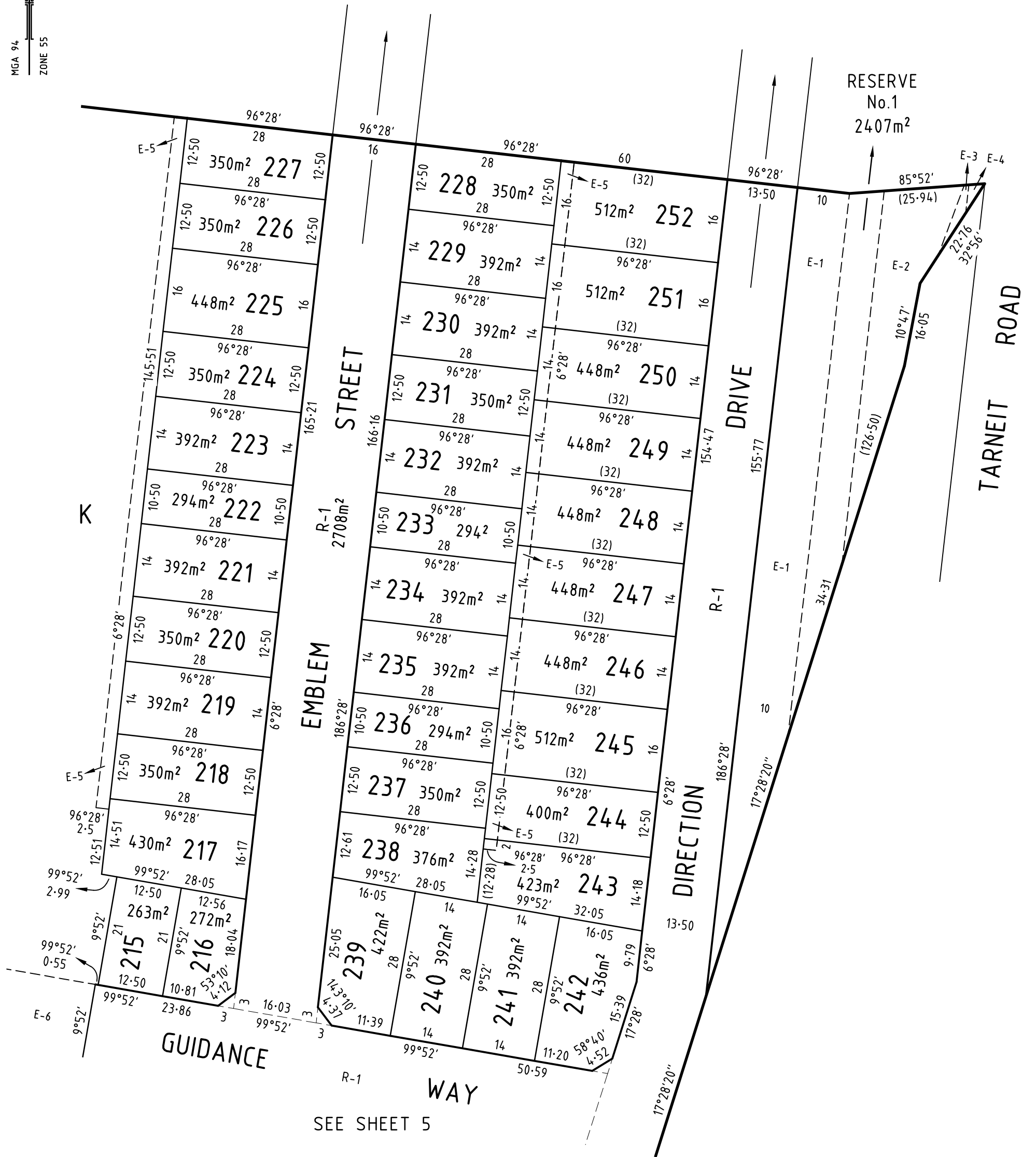
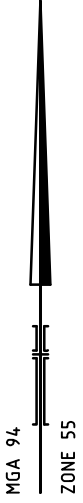
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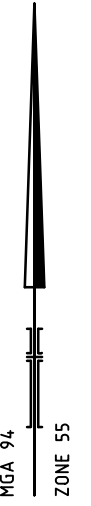


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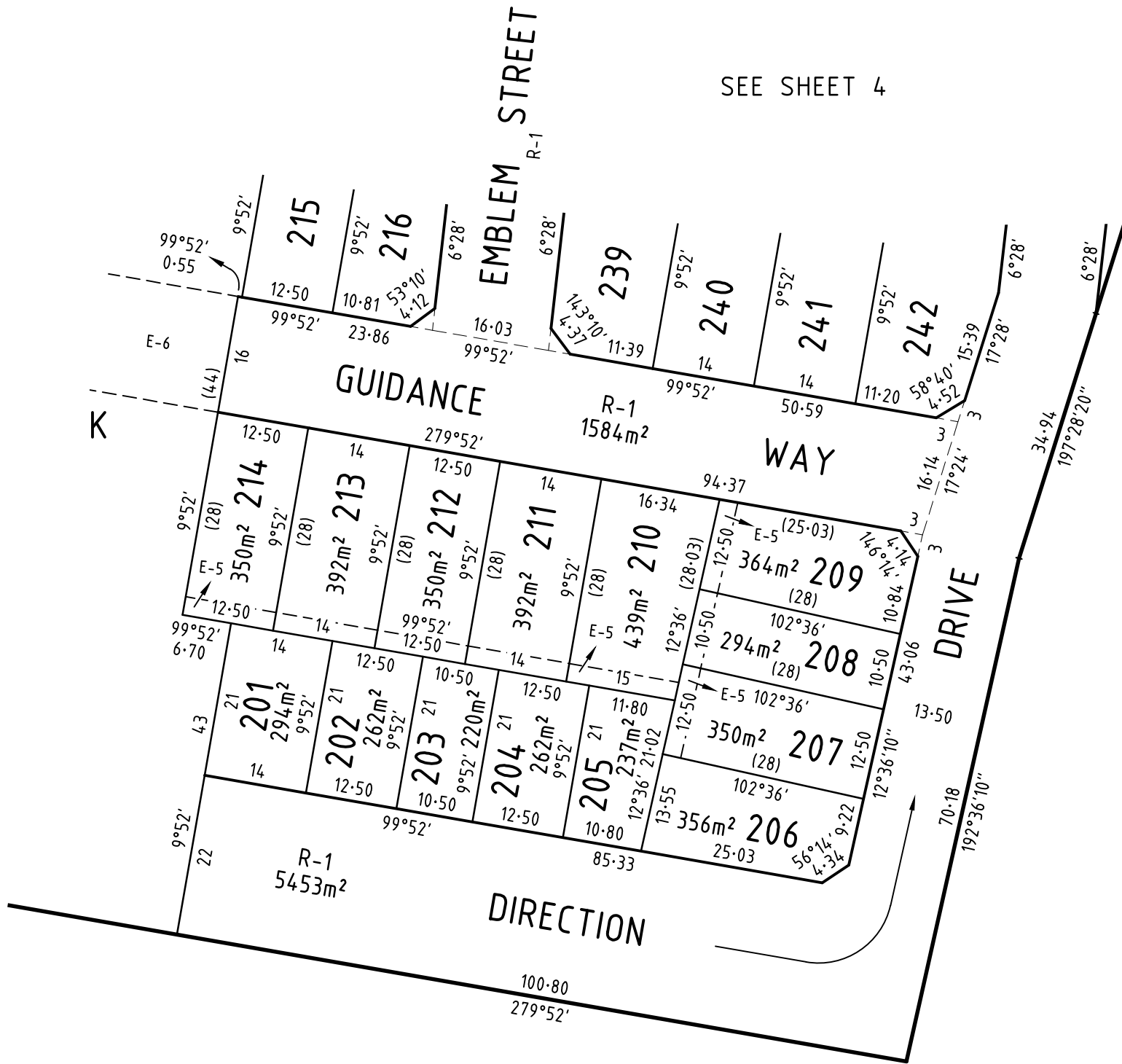
SHEET 3

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SEE SHEET 4

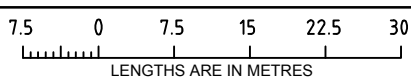


SEE SHEET 2



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SCALE  
 1: 750



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 SIZE: A3

SHEET 5

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**CREATION OF RESTRICTION A**

The following restriction is to be created upon registration of Plan of Subdivision No. PS803967B (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
206	205, 207	231	230, 232, 249, 250
207	205, 206, 208, 210	232	231, 233, 248, 249
209	208, 210	234	233, 235, 246, 247
210	204, 205, 207, 208, 209, 211	235	234, 236, 245, 246
211	203, 204, 210, 212	237	236, 238, 244, 245
212	202, 203, 211, 213	238	237, 239, 240, 243, 244
213	201, 202, 212, 214	239	238, 240
214	201, 213	240	238, 239, 241, 243
217	215, 216, 218	241	240, 242, 243
218	217, 219	242	241, 243
219	218, 220	243	238, 240, 241, 242, 244
220	219, 221	244	237, 238, 243, 245
221	220, 222	245	235, 236, 237, 244, 246
223	222, 224	246	234, 235, 245, 247
224	223, 225	247	233, 234, 246, 248
225	224, 226	248	232, 233, 247, 249
226	225, 227	249	231, 232, 248, 250
227	226	250	230, 231, 249, 251
228	229, 252	251	229, 230, 250, 252
229	228, 230, 251, 252	252	228, 229, 251
230	229, 231, 250, 251		

**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) of this restriction shall expire 8 years after the date of registration of this plan.



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 SIZE: A3

SHEET 6

CREATION OF RESTRICTION B

The following restriction is to be created upon registration of Plan of Subdivision No. PS803967B (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	Benefited Lots	Burdened Lot	Benefited Lots
201	202, 213, 214	215	216, 217
202	201, 203, 212, 213	216	215, 217
203	202, 204, 211, 212	222	221, 223
204	203, 205, 210, 211	233	232, 234, 247, 248
205	204, 206, 207, 210	236	235, 237, 245
208	207, 209, 210		

Lots 201 to 205, 208, 215, 216, 222, 233 and 236 (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.
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. 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.

Notes:

- 1) Condition (1) shall expire after the issue of a certificate of occupancy for the dwelling on the burdened lot.
- 2) Conditions (2) to (7) shall expire 8 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. PS803967B (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Land to benefit: Lots 201 to 216 and lots 239 to 242 (all inclusive) on this Plan of Subdivision.  
 Land to be burdened: Lots 201 to 216 and lots 239 to 242 (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<sub>max</sub> and 40 dB L<sub>Acq</sub> during the 8 hour period between 10pm and 6am and;
2. For Lots 210 to 216 and lots 239 to 242 (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.**

<b>Description of typical construction to achieve a minimum acoustic rating (R<sub>w</sub><sup>(1)</sup>) to achieve the requirements of DDO10</b>			
<b>External Walls</b>	<b>Roof - Ceiling</b>	<b>Glazing</b>	<b>Doors</b>
Rw > 46  Typically achieved with: - Lightweight facade material, such as 75mm Hebel Power Panel XL (33kg/m <sup>2</sup> ) - 25mm furring channel - 90mm timber stud framing - Minimum R2.0 insulation placed in cavity - 10mm thick plasterboard (7kg/m <sup>2</sup> ) internal wall lining.	Rw > 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 <sup>2</sup> ) internal ceiling lining  Eaves to be sealed and treated to prevent minimize noise break in to the roof space.	Rw > 31  Typically achieved with: - 4mm monolithic glass <sup>(2)</sup>  All windows and sliding glass doors shall incorporate full perimeter good-quality acoustic seals which form an airtight seal on closure.	Rw > 30  Typically achieved with: - Minimum 40mm solid core with good-quality full perimeter acoustic grade seals which form an airtight seal on door closure.
Notes: (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.  (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 4m <sup>2</sup> per room.  (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.  (4) For the upper level of double storey dwellings, consideration should be given to treatments scheduled in Table 2 for mitigation of rail noise.			



**CREATION OF RESTRICTION C (CONTINUED)**

3. For Lots 201 to 209 (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.**

<b>Description of typical construction to achieve a minimum acoustic rating (Rw <sup>(1)</sup> ) to achieve the requirements of DDO10</b>			
<b>External Walls</b>	<b>Roof - Ceiling</b>	<b>Glazing</b>	<b>Doors</b>
<p>Rw &gt; 46</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> <li>- Lightweight facade material, such as 75mm Hebel Power Panel XL (33kg/m<sup>2</sup>)</li> <li>- 25mm furring channel</li> <li>- 90mm timber stud framing</li> <li>- Minimum R2.0 insulation placed in cavity</li> <li>- 10mm thick plasterboard (7kg/m<sup>2</sup>) internal wall lining.</li> </ul>	<p>Rw &gt; 52</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> <li>- Pitched roof at 22.5 degrees, consisting of metal deck roofing (minimum BMT 0.48mm) or roof tiles with sarking</li> <li>- Minimum R3.6 insulation in roof cavity</li> <li>- 13mm thick sound rated plasterboard (minimum 13kg/m<sup>2</sup>) internal ceiling lining</li> </ul> <p>Eaves to be sealed and treated to prevent minimize noise break in to the roof space.</p>	<p>Rw &gt; 32 for window size up to 2.5m<sup>2</sup></p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> <li>- 6.38mm laminate glass <sup>(2)</sup></li> </ul> <p>Rw &gt; 36 for window size up to 4m<sup>2</sup></p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> <li>- 10.38mm laminate glass <sup>(3)</sup></li> </ul> <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 &gt; 30</p> <p>Typically achieved with:</p> <ul style="list-style-type: none"> <li>- Minimum 40mm solid core with good-quality full perimeter acoustic grade seals which form an airtight seal on door closure.</li> </ul>
<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 4m<sup>2</sup> 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>			