

PLAN OF SUBDIVISION

EDITION 1

PS 810123S

LOCATION OF LAND

PARISH: TARNEIT

TOWNSHIP: -

SECTION: 20

CROWN ALLOTMENT: -

CROWN PORTION: D (PART)

TITLE REFERENCE: C/T VOL FOL ...

LAST PLAN REFERENCE: LOT N on PS 806974N

POSTAL ADDRESS: TARNEIT & LEAKES ROAD
(at time of subdivision) TARNEIT, VIC 3029MGA94 CO-ORDINATES: E: 294 790 ZONE: 55
(of approx centre of land N: 5 810 890
in plan)

VESTING OF ROADS AND/OR RESERVES

Notations

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R-1	WYNDHAM CITY COUNCIL

Lots 1 to 600 (both inclusive), Lots A to O and Lots Q to S (all inclusive) have been omitted from this plan.

Other Purpose of this Plan
To remove by agreement part of the E-3 drainage easement created in PS 803967B that lies within 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 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	Sewerage	2.50	PS803935Q	City West Water Corporation
E-2	Sewerage	2.50	This Plan	City West Water Corporation
E-3	Drainage	See Diag.	PS803967B	Wyndham City Council
E-4	Drainage	See Diag.	This Plan	Wyndham City Council

NEWHAVEN ESTATE - STAGE 6 (63 LOTS)

AREA OF STAGE - 3.564ha

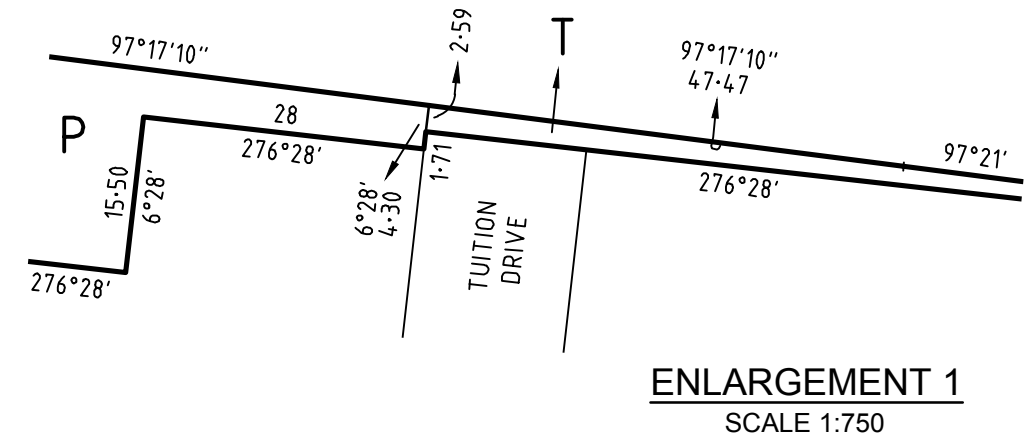
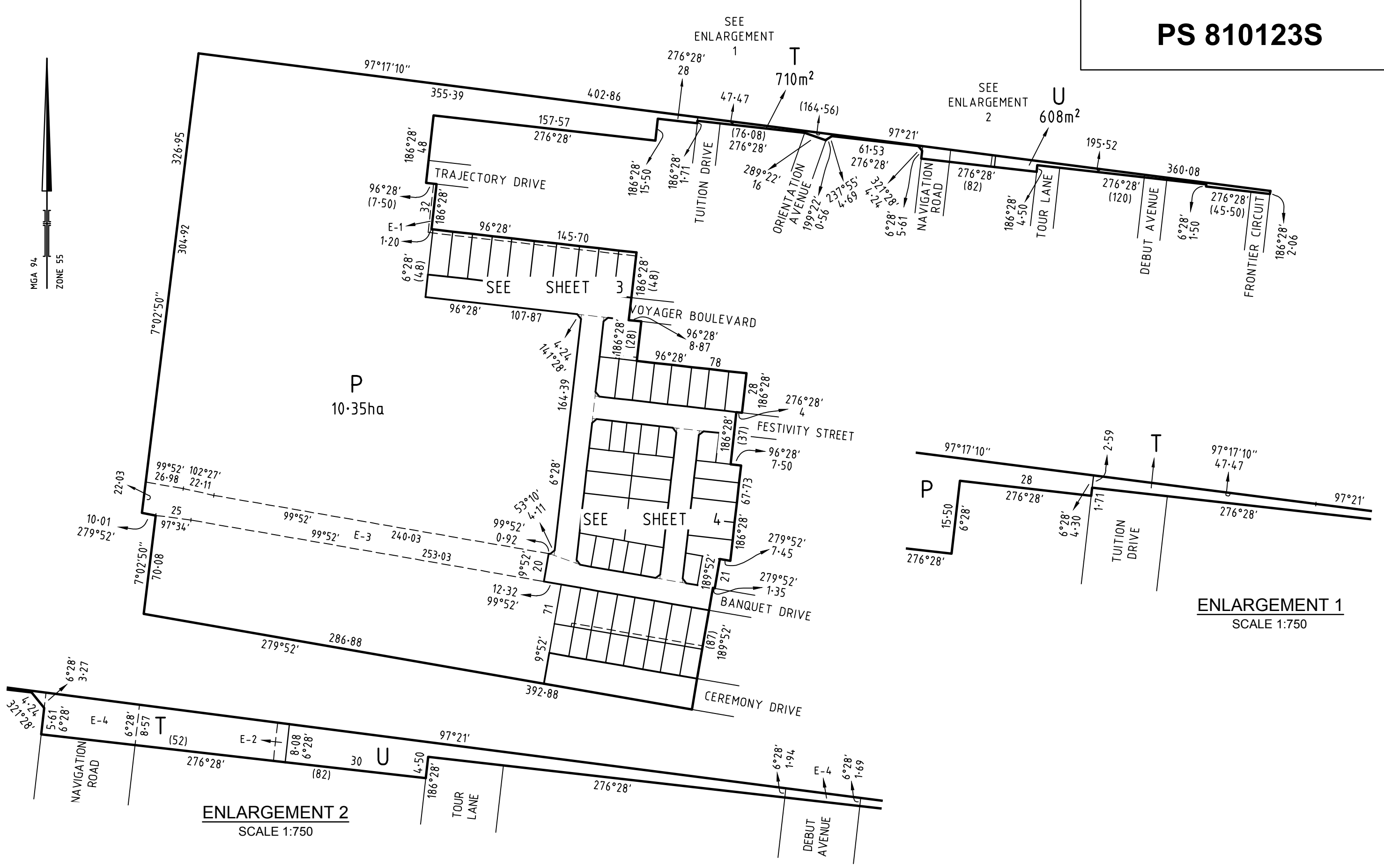
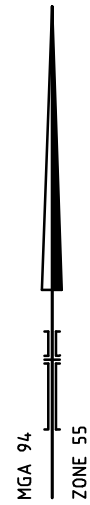
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T 61 3 9993 7888
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SURVEYORS FILE REF: 303438SV00

ORIGINAL SHEET
SIZE: A3

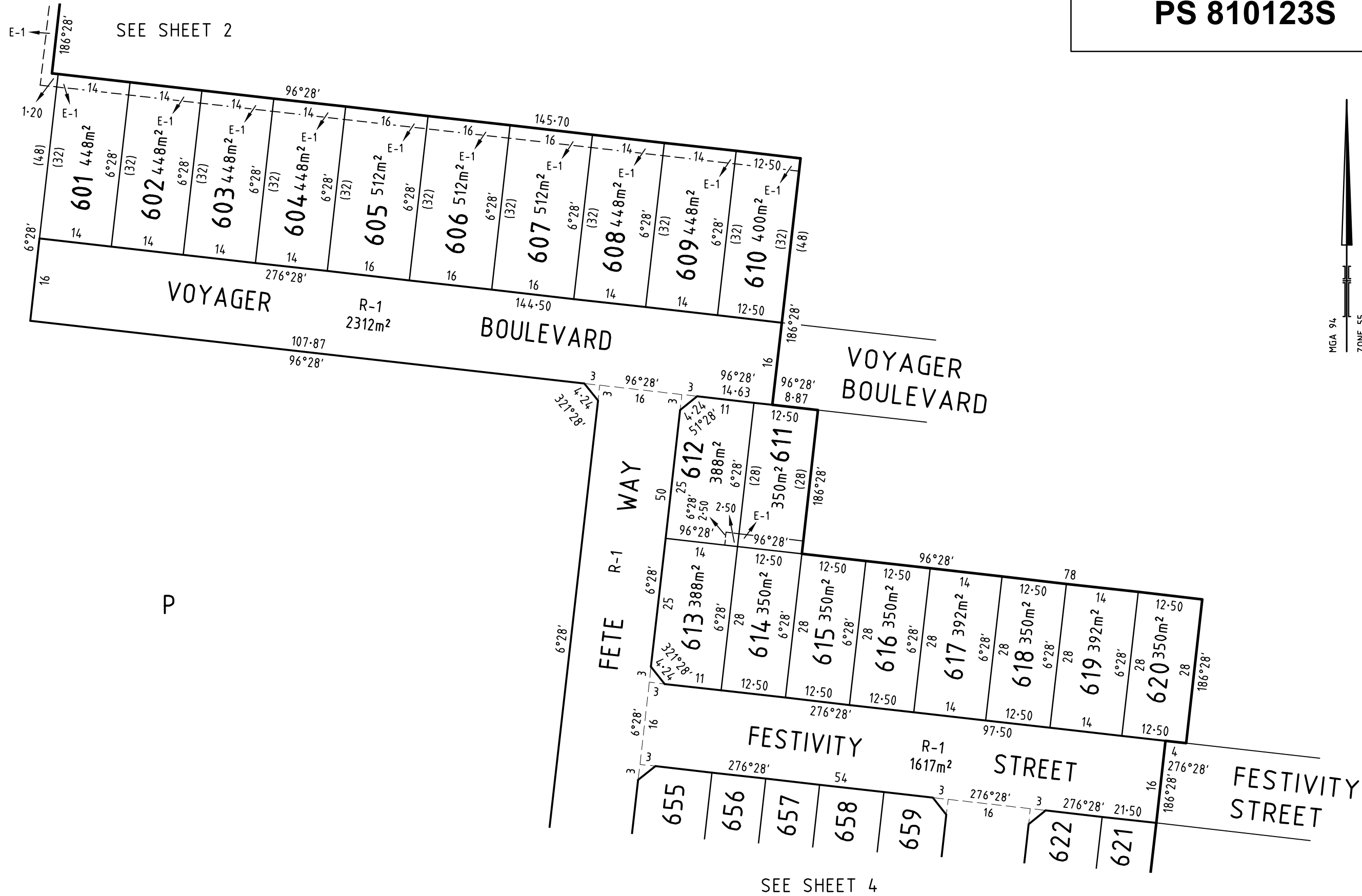
SHEET 1 OF 8

Licensed Surveyor: Keith Robert Jones
Version: 6

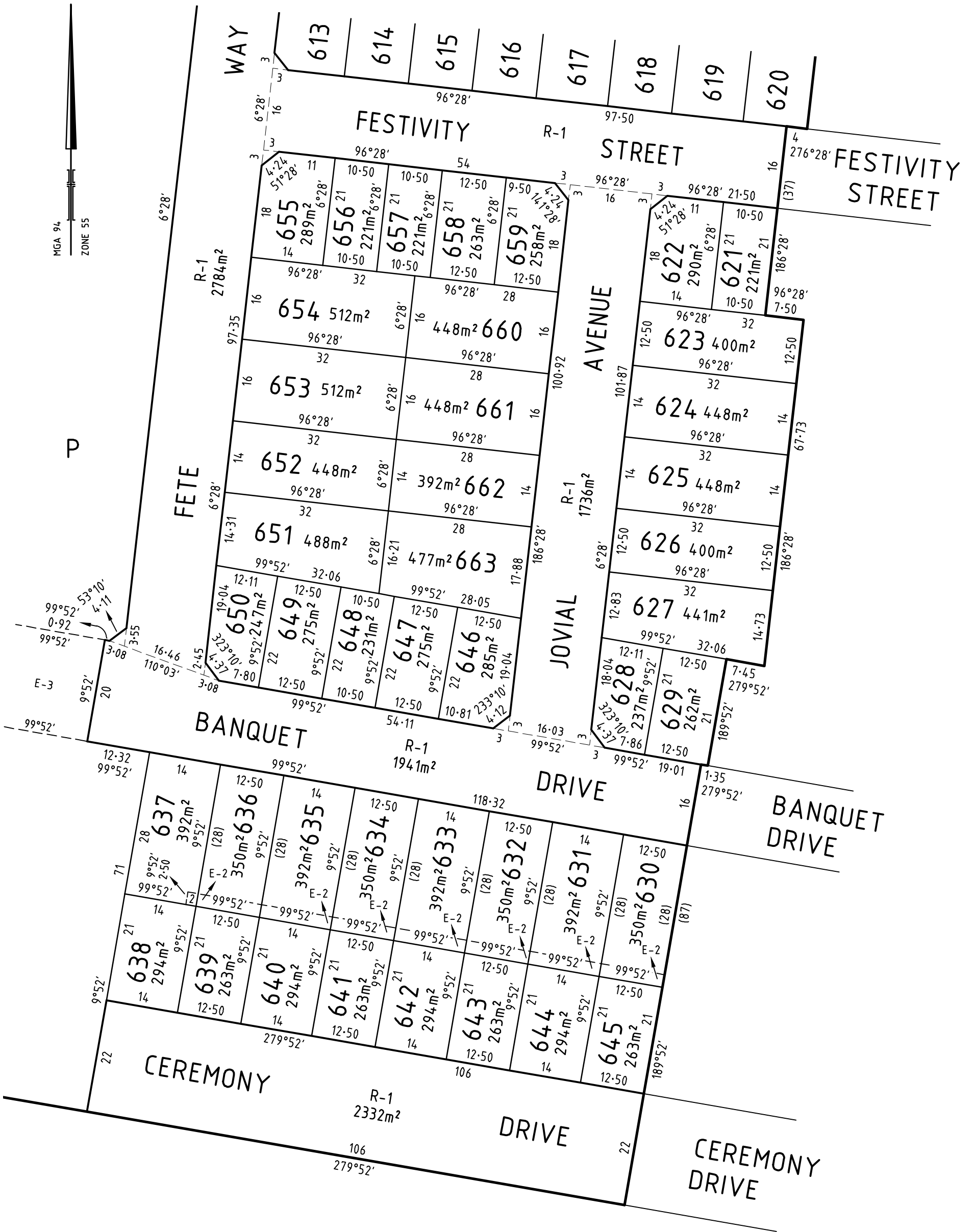


ENLARGEMENT 1
SCALE 1:750

ENLARGEMENT 2
SCALE 1:750



SEE SHEET 3

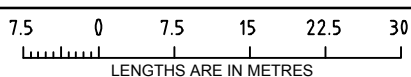


SEE SHEET 2



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SCALE
 1: 750



ORIGINAL SHEET
 SIZE: A3

SHEET 4

Licensed Surveyor: Keith Robert Jones
 Ref: 303438SV00
 Version: 6

CREATION OF RESTRICTION A

The following restriction is to be created upon registration of Plan of Subdivision No. PS810123S (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
601	602	623	621, 622, 624
602	601, 603	624	623, 625
603	602, 604	625	624, 626
604	603, 605	626	625, 627
605	604, 606	627	626, 628, 629
606	605, 607	630	631, 645
607	606, 608	631	630, 632, 644
608	607, 609	632	631, 633, 643
609	608, 610	633	632, 634, 642
610	609	634	633, 635, 641
611	612, 614	635	634, 636, 640
612	611, 613	636	635, 637, 639
613	612, 614	637	636, 638
614	611, 613, 615	651	648, 649, 650, 652, 663
615	614, 616	652	651, 653, 662
616	615, 617	653	652, 654, 661
617	616, 618	654	653, 655, 656, 657, 660
618	617, 619	660	654, 657, 658, 659, 661
619	618, 620	661	653, 660, 662
620	619	662	652, 661, 663
		663	646, 647, 648, 651, 662

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) 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.
- (2) 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.
- (3) 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.
- (4) 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 (2) to (4) (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. PS810123S (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
621	622, 623
622	621, 623
628	627, 629
629	627, 628
638	637, 639
639	636, 638, 640
640	635, 639, 641
641	634, 640, 642
642	633, 641, 643
643	632, 642, 644
644	631, 643, 645
645	630, 644
646	647, 663
647	646, 648, 663
648	647, 649, 651, 663
649	648, 650, 651
650	649, 651
655	654, 656
656	654, 655, 657
657	654, 656, 658, 660
658	657, 659, 660
659	658, 660

Lots 621, 629, 638, 639, 640, 641, 642, 643, 644, 645, 647, 648, 649, 656, 657 and 658 are defined as Type A Lots and lots 622, 628, 646, 650, 655 and 659 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) 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.
- (3) 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.
- (4) 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.
- (5) 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.

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) (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. PS801023S (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Land to benefit: Lots 627 to 651 and 663 (all inclusive) on this Plan of Subdivision.

Land to be burdened: Lots 627 to 651 and 663 (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 627 to 637, 646 to 651 and 663 (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 (Rw⁽¹⁾) to achieve the requirements of DDO10			
External Walls	Roof - Ceiling	Glazing	Doors
Rw > 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.	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 ²) 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 ⁽²⁾ 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.
<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. 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 638 to 645 (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>			