

PLAN OF SUBDIVISION

EDITION 1

PS 806966M

LOCATION OF LAND

PARISH: TARNEIT

TOWNSHIP: -

SECTION: 20

CROWN ALLOTMENT: -

CROWN PORTION: D

TITLE REFERENCE: C/T VOL FOL ...

LAST PLAN REFERENCE: Lot L on PS 803935Q

POSTAL ADDRESS: TARNEIT & LEAKES ROAD
(at time of subdivision) TARNEIT 3029MGA94 CO-ORDINATES: E: 295 060 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 & 2	WYNDHAM CITY COUNCIL WYNDHAM CITY COUNCIL

Lots 1 to 400 (both inclusive) and Lots A - L (both inclusive) have been omitted from this plan.

Other Purpose of this Plan

To remove by agreement part of the E-5 drainage easement created in PS 803967B that lies within Reserve No.1, Navigation Road and Guidance Way 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	This Plan	City West Water Corporation
E-3	Sewerage	2.5	PS803967B	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	Drainage	See Diag.	PS803967B	Wyndham City Council
E-6	Sewerage	2.5	This Plan	City West Water Corporation
E-6	Drainage	See Diag.	PS803967B	Wyndham City Council
E-7	Supply of Water through underground pipes	6	This Plan	City West Water Corporation
E-7	Sewerage	6	This Plan	City West Water Corporation
E-7	Drainage	See Diag.	PS803967B	Wyndham City Council

NEHAVEN ESTATE - STAGE 4 (51 LOTS)

AREA OF STAGE - 2.919ha

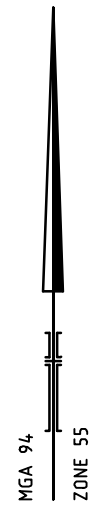
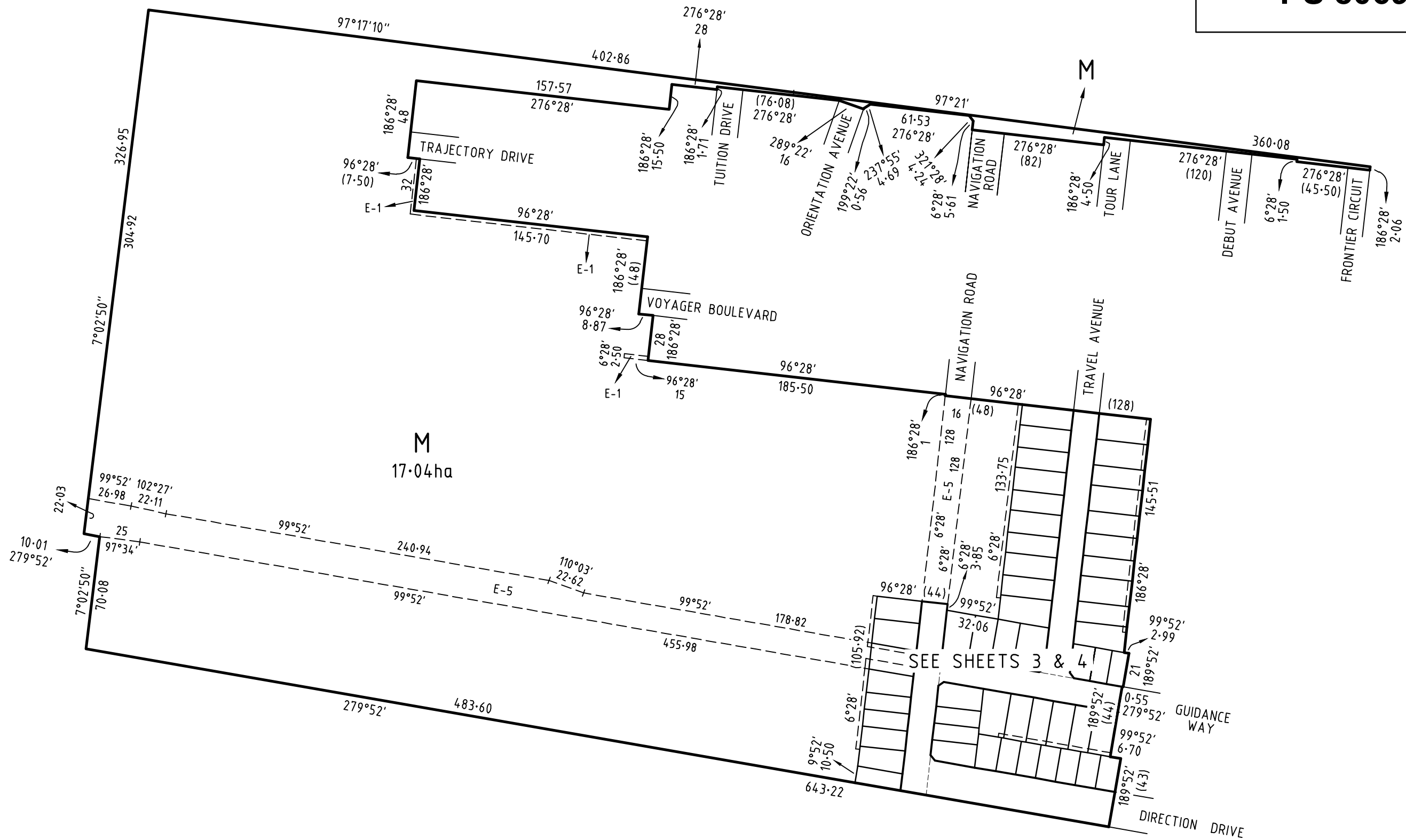
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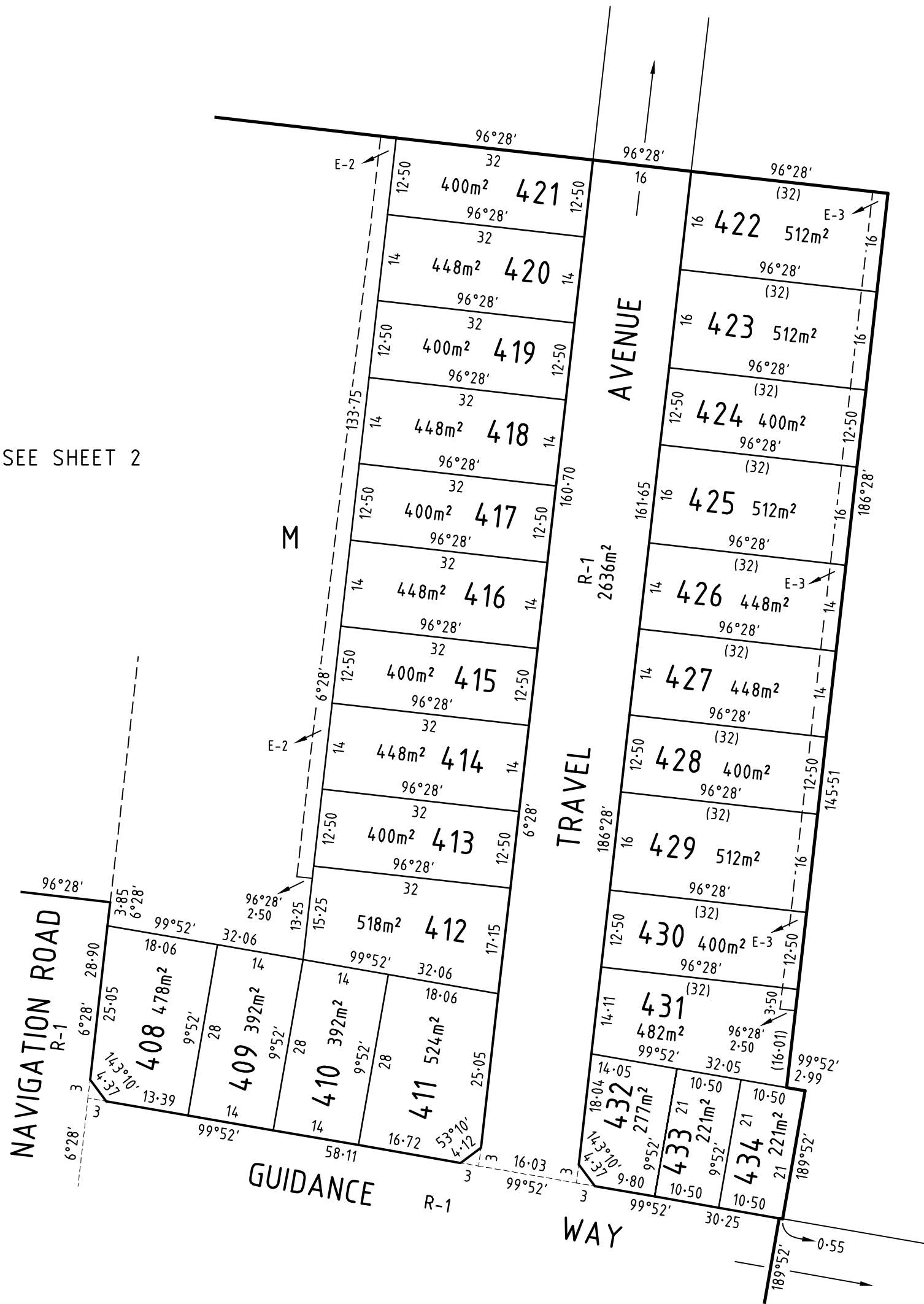
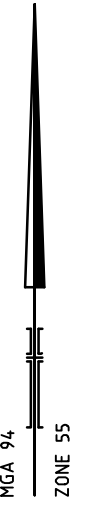
SURVEYORS FILE REF: 303219SV00

ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 8

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Version: 7





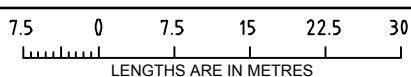
SEE SHEET 2

SEE SHEET 4



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SCALE
 1: 750

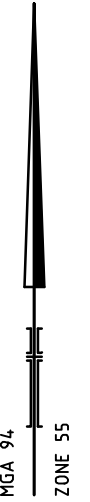


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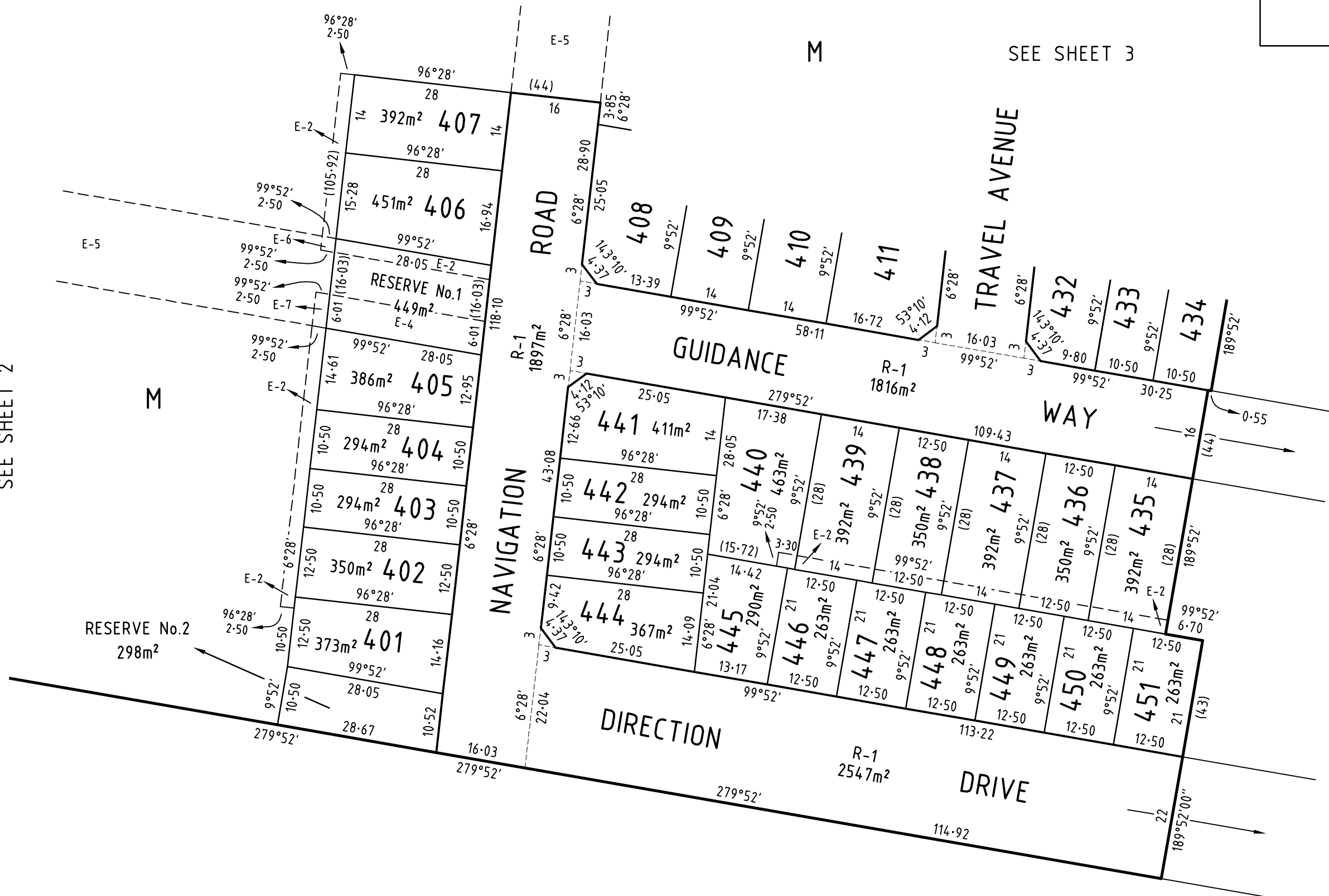
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SEE SHEET 3



SEE SHEET 2



CREATION OF RESTRICTION A

The following restriction is to be created upon registration of Plan of Subdivision No. PS806966M (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
401	402	421	420
402	401, 403	422	423
405	404	423	422, 424
406	407	424	423, 425
407	406	425	424, 426
408	409	426	425, 427
409	408, 410	427	426, 428
410	409, 411, 412	428	427, 429
411	410, 412	429	428, 430
412	410, 411, 413	430	429, 431
413	412, 414	431	430, 432, 433, 434
414	413, 415	435	436, 450, 451
415	414, 416	436	435, 437, 449, 450
416	415, 417	437	436, 438, 448, 449
417	416, 418	438	437, 439, 447, 448
418	417, 419	439	438, 440, 446, 447
419	418, 420	440	439, 441, 442, 443, 445, 446
420	419, 421	441	440, 442
		444	443, 445

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. PS806966M (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
403	402, 404
404	403, 405
432	431, 433
433	431, 432, 434
434	431, 433
442	440, 441, 443
443	440, 442, 444, 445
445	440, 443, 444, 446
446	439, 440, 445, 447
447	438, 439, 446, 448
448	437, 438, 447, 449
449	436, 437, 448, 450
450	435, 436, 449, 451
451	435, 450

Lots 403, 404, 433, 434, 442, 443 and 445 to 451 (all inclusive) are defined as Type A lots under the Small Lot Housing Code and Lot 432 is defined as a Type B lot 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.
- (8) 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 (7) (all inclusive) of this restriction shall expire 6 years after the date of registration of this plan.



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SHEET 6

CREATION OF RESTRICTION C

The following restriction is to be created upon registration of Plan of Subdivision No. PS806966M (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Land to benefit: Lots 401 to 411 and Lots 432 to 451 (all inclusive) on this Plan of Subdivision.

Land to be burdened: Lots 401 to 411 and Lots 432 to 451 (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 LAmax and 40 dB LAeq during the 8 hour period between 10pm and 6am and;
2. For Lots 404 to 411 and Lots 432 to 442 (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.
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 ² 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 401 to 403 and Lots 443 to 451 (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>			