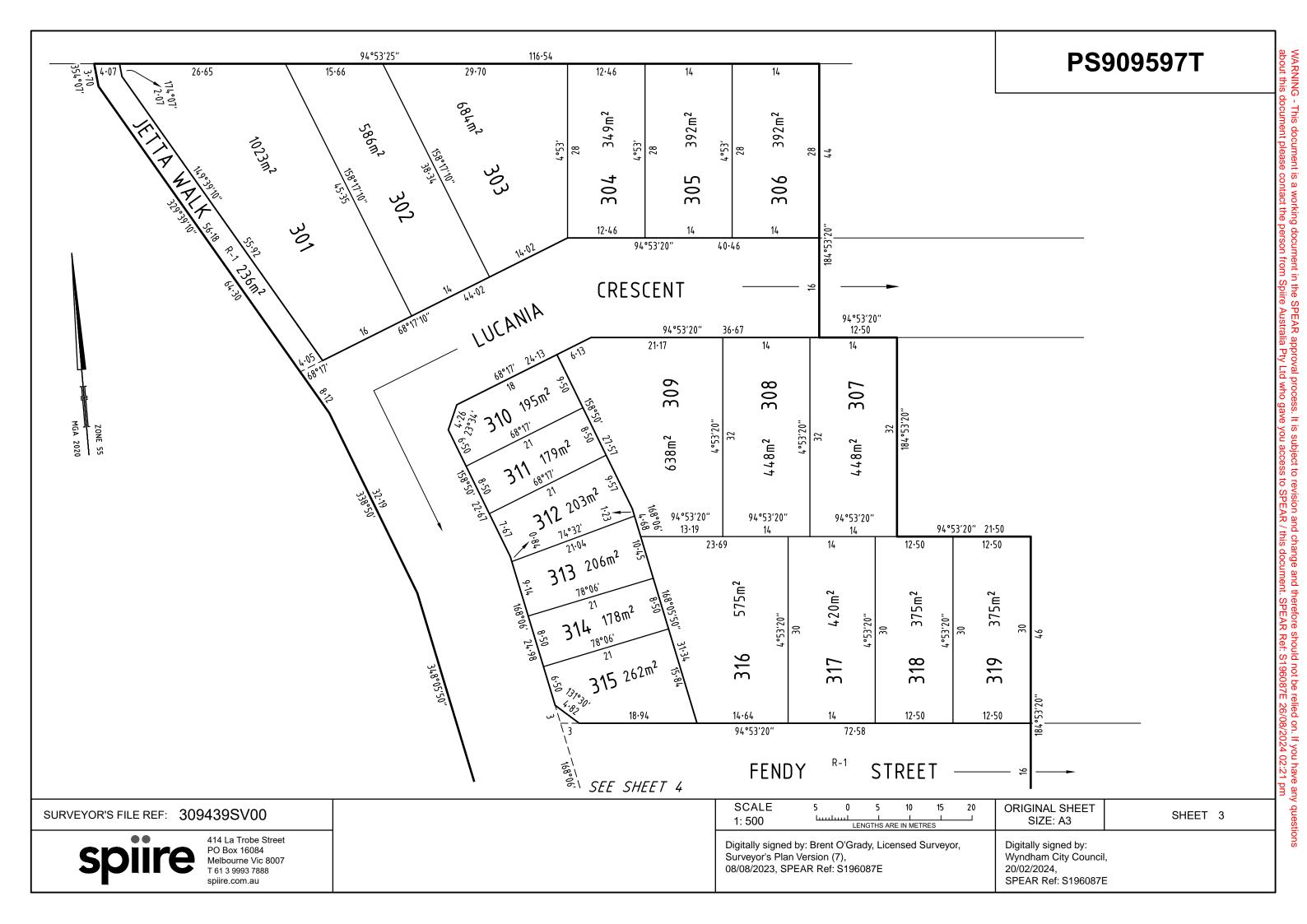
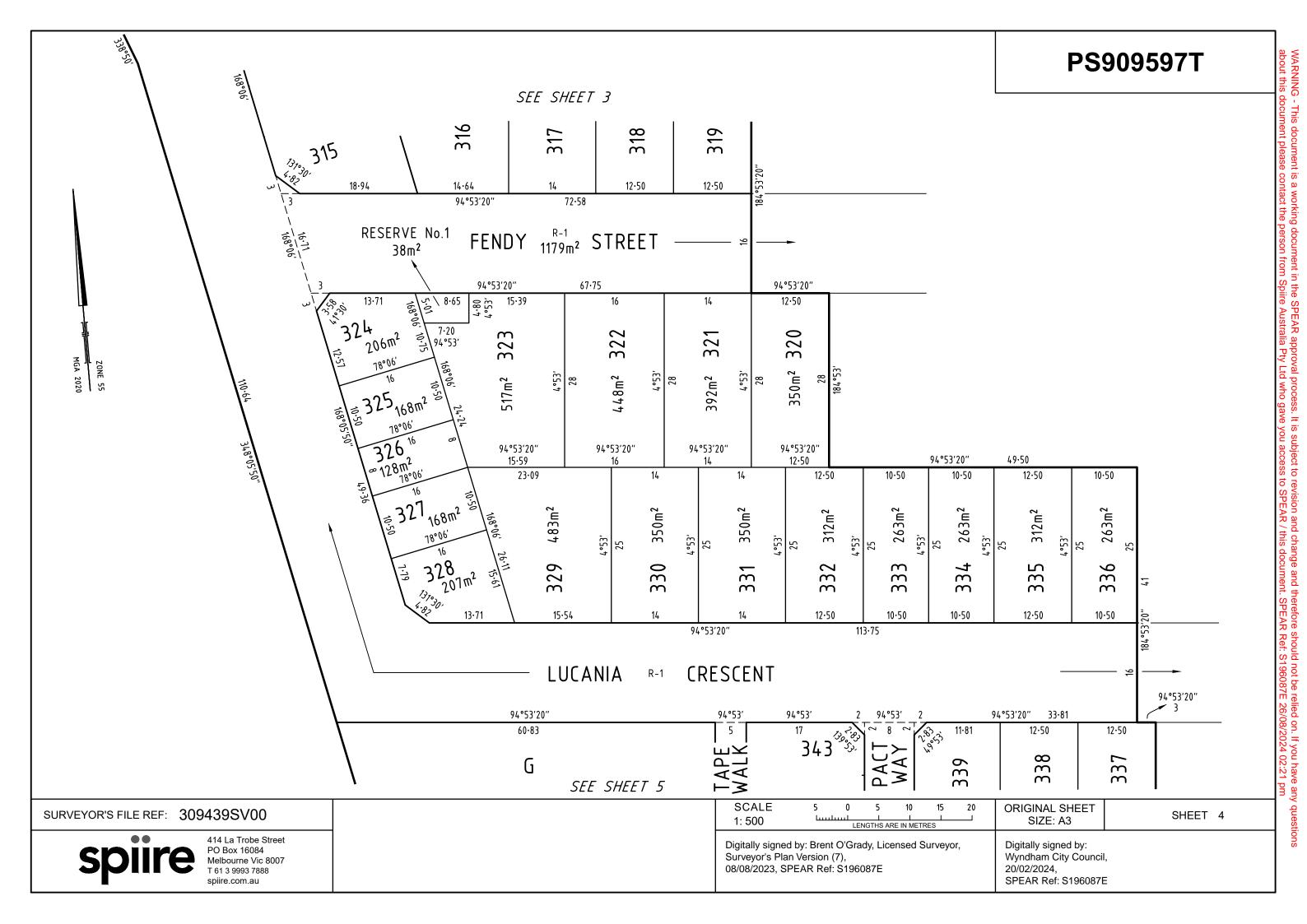
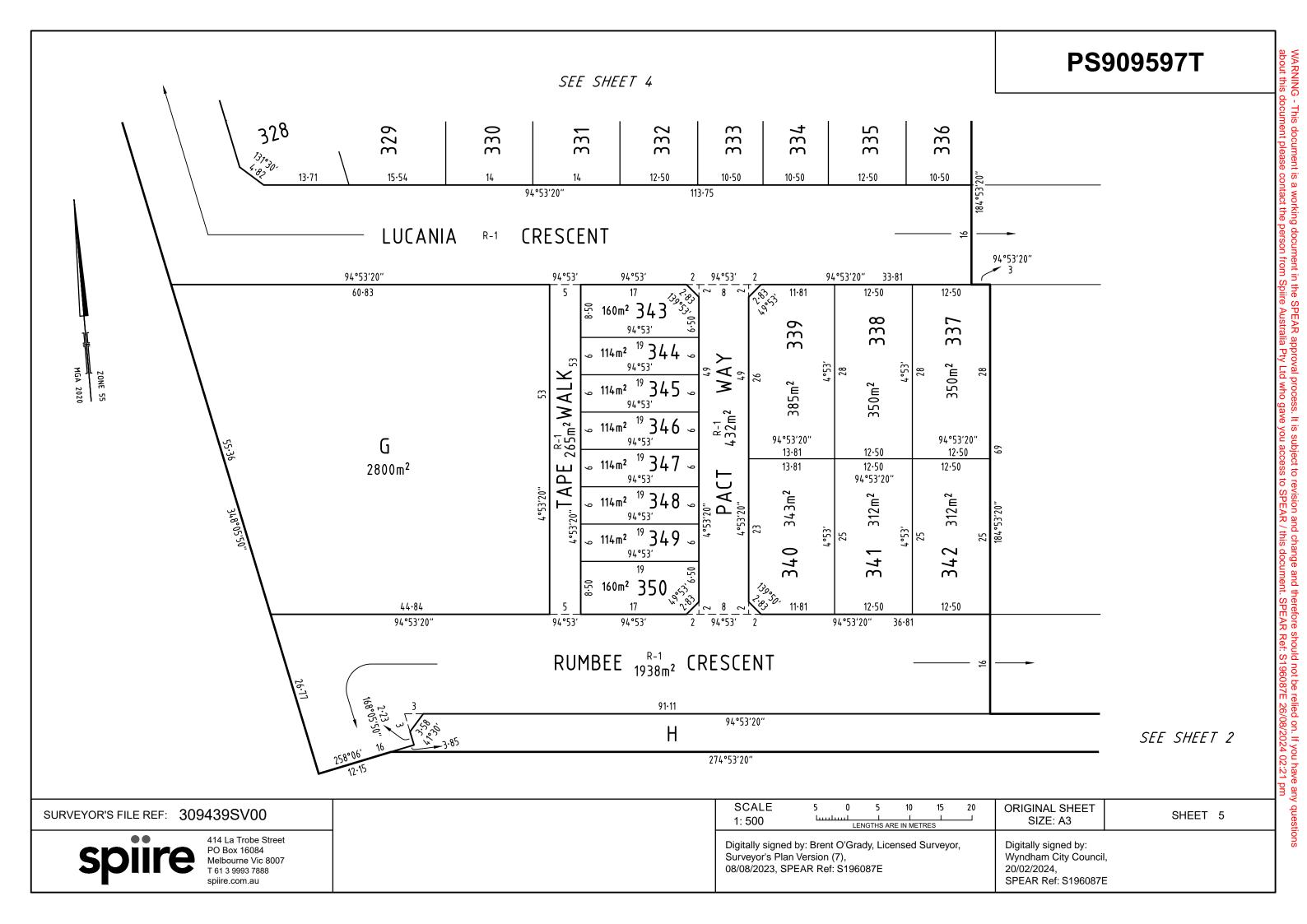
## PLAN OF SUBDIVISION **PS909597T EDITION 1** Council Name: Wyndham City Council LOCATION OF LAND Council Reference Number: WYS6034/22 PARISH: TARNEIT Planning Permit Reference: WYP13135/21 SPEAR Reference Number: S196087E TOWNSHIP: -Certification SECTION: 22 This plan is certified under section 6 of the Subdivision Act 1988 CROWN ALLOTMENT: -Public Open Space CROWN PORTION: F (Part) A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 TITLE REFERENCE: C/T VOL .... FOL ... has been made and the requirement has not been satisfied at Certification VOL .... FOL ... Digitally signed by: Maria Pereira for Wyndham City Council on 20/02/2024 LAST PLAN REFERENCE: LOT F on PS909577A LOT N on PS912551B POSTAL ADDRESS: 860 DERRIMUT ROAD, (at time of subdivision) TARNEIT, VIC 3029 ZONE: 55 MGA2020 CO-ORDINATES: E: 297 570 (of approx centre of land in plan) N: 5812710 VESTING OF ROADS AND/OR RESERVES **NOTATIONS IDENTIFIER** COUNCIL / BODY / PERSON Land being subdivided is enclosed within thick continuous lines **ROAD R-1** WYNDHAM CITY COUNCIL POWERCOR AUSTRALIA LIMITED **RESERVE No.1** Lots 1 to 300, and A to F (all inclusive) have been omitted from this plan. Other purpose of this plan To remove by agreement Easement E-1 created in PS901682W **NOTATIONS** via section 6 (1) (k) of the Subdivision Act 1988. **DEPTH LIMITATION: DOES NOT APPLY** To remove by agreement that part of Easement E-3 created in PS901682W that lies within ROAD on this plan via section 6 (1) (k) of the Subdivision Act 1988. SURVEY: This plan is based on survey (PS 901682W) To remove by agreement that part of Easement E-1 created in PS906058S that lies within ROAD on this plan via section 6 (1) (k) of the Subdivision Act 1988. STAGING: This is not a staged subdivision To remove by agreement that part of Easement E-4 created in PS912551B that lies Planning Permit No. WYP13135/21 within ROAD on this plan via section 6 (1) (k) of the Subdivision Act 1988. This survey has been connected to permanent marks No(s). PM158 & PM159 In Proclaimed Survey Area No. -**EASEMENT INFORMATION** LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road) Width Easement Origin Purpose Land Benefited / In Favour of (Metres) Reference AREA OF STAGE - 4.284ha HARLOW ESTATE - STAGE 3 (50 LOTS) ORIGINAL SHEET SURVEYORS FILE REF: SHEET 1 OF 6 309439SV00 414 La Trobe Street SIZE: A3 PO Box 16084 Digitally signed by: Brent O'Grady, Licensed Surveyor, Melbourne Vic 8007 Surveyor's Plan Version (7), T 61 3 9993 7888 08/08/2023, SPEAR Ref. S196087E

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WARNING - This document is a working document in the SPEAR approval process. It is subject to revision and change and therefore should not be relied on. If you have any questions about this document please contact the person from Spiire Australia Pty Ltd who gave you access to SPEAR / this document. SPEAR Ref: S196087E 26/08/2024 02:21 pm







# PS909597T

## CREATION OF RESTRICTION 1

The following restriction is to be created upon registration of Plan of Subdivision No. PS 909597T (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Burdened Lot No.	Benefited Lots	Burdened Lot No.	Benefited Lots	Burdened Lot No.	Benefited Lots
301	302	316	308, 309, 313, 314, 315, 317	330	321, 322, 329, 331
302	301, 303	317	307, 308, 316, 318	331	320, 321, 330, 332
303	302, 304	318	307, 317, 319	332	320, 331, 333
304	303, 305	319	318	335	334, 336
305	304, 306	320	321, 331, 332	337	338, 341, 342
306	305	321	320, 322, 330, 331	338	337, 339, 340, 341
307	308, 317, 318	322	321, 323, 329, 330	339	338, 340
308	307, 309, 316, 317	323	322, 324, 325, 326, 329	340	338, 339, 341
309	308, 310, 311, 312, 313, 316	329	322, 323, 327, 328, 330	341	337, 338, 340, 342
				342	337 341

### **DESCRIPTION OF RESTRICTION**

Except 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:

### Design Guidelines and MCP

- build or allow to be built on the Lot any building other than a building which has been constructed in accordance with the endorsed Memorandum of Common Provisions (MCP) registered in Dealing Number AA9126, which MCP is incorporated into this Restriction.
- build a building or structure unless it complies with the Harlow Estate Design Guidelines
- build or allow to be built on the lot any building other than a building that has received approval of all plans and specifications by the Harlow Design & Assessment Panel via the Design approval panel at www.harlowtarneit.com.au prior to the issue of a building permit.
- for lot 301 construct a side fence on the western boundary abutting Jetta Walk unless it is a metal fence or capped timber paling fence unless otherwise agreed with the Responsible Authority.
- for lots 301,302 and 303 construct a fence on the rear boundary abutting the local park unless it is a metal fence or capped timber paling fence unless otherwise agreed with the Responsible Authority
- build or allow to be built on lots 304 to 306 (both inclusive) a building unless;
  - it is setback 3 metres from the rear boundary and
  - the southern boundary of secluded private open space must be setback from any wall on the adjoining land to the north at least (2 + 0.9h) metres, where 'h' is the height of the wall. Where there is no wall constructed on the adjoining land, 'h' is 6.9metres, and the setback is taken from 3 metres north of the shared boundary and
  - it has a landscape treatment to screen the industrial interface along the rear boundary in accordance with the Harlow Design Guidelines and approved by the Harlow Design & Assessment panel via the Design approval panel at www.harlowtarneit.com.au prior to the issue of a building permit.

### **Expiry**

This restriction shall cease to burden any lot on the Plan of Subdivision upon the issue of an occupancy permit under the Building Act 1993 or with effect 5 years from the date of registration.

## **CREATION OF RESTRICTION 2**

The following restriction is to be created upon registration of Plan of Subdivision No. PS 909597T (Plan of Subdivision) by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

## TABLE OF LAND BURDENED AND LAND BENEFITED:

Burdened Lot No.	Benefited Lots	Burdened Lot No.	Benefited Lots	Burdened Lot No.	Benefited Lots
310	309, 311	326	323, 325, 327	344	343, 345
311	309, 310, 312	327	326, 328, 329	345	344, 346
312	309, 311, 313	328	327, 329	346	345, 347
313	309, 312, 314, 316	333	332, 334	347	346, 348
314	313, 315, 316	334	333, 335	348	347, 349
315	314, 316	336	335	349	348, 350
324	323, 325	343	344	350	349
325	323, 324, 326				

Lots 333, 334 and 336 are defined as Type A lots under the 'Small lot Housing Code'.

Lots 310 to 315, 324 to 328 and 343 to 350 (all inclusive) are defined as Type B lots under the 'Small lot Housing Code'.

## **DESCRIPTION OF RESTRICTION**

Except 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 in the table as a lot subject to the 'Small Lot Housing Code' shall not:

## Small Lot Housing Code

- build or allow to be built or remain on the lot any remaining building or structure that has not been constructed in accordance with the 'Small Lot Building Code' unless in an accordance with a planning permit granted to construct a dwelling on the lot.
- build a building or structure unless it complies with the Harlow Estate Design Guidelines.
- build or allow to be built on the lot any building other than a building that has received approval of all plans and specifications by the Harlow Design & Assessment Panel via the Design approval panel at www.harlowtarneit.com.au prior to the issue of a building permit.

## **Expiry**

This restriction shall cease to have effect on a lot after the issuing of the occupancy permit under the Building Act 1993 for the whole of the dwelling on (1)

SURVEYOR'S FILE REF: 309439SV00			ORIGINAL SHEET SIZE: A3	SHEET 6
Spiire Me	4 La Trobe Street D Box 16084 elbourne Vic 8007 51 3 9993 7888 iire.com.au	Digitally signed by: Brent O'Grady, Licensed Surveyor, Surveyor's Plan Version (7), 08/08/2023, SPEAR Ref: S196087E	Digitally signed by: Wyndham City Council, 20/02/2024, SPEAR Ref: S196087E	