

<b>PLAN OF SUBDIVISION</b>	<b>EDITION 1</b>	<b>PS743456K</b>
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**LOCATION OF LAND**

PARISH: **TARNEIT**

TOWNSHIP: .....

SECTION: 21

CROWN ALLOTMENT: .....

CROWN PORTION: A (Part) & C (Part)

TITLE REFERENCE: Vol. Fol.

LAST PLAN REFERENCE: Lot E on PS743455M

POSTAL ADDRESS: 1121 Dohertys Road  
(at time of subdivision) TARNEIT 3029

MGA 94 CO-ORDINATES: E: 295 530 ZONE: 55  
(of approx centre of land in plan) N: 5811 440

Council Name: Wyndham City Council

Council Reference Number: WYS3599/16  
Planning Permit Reference: WYP6863/13  
SPEAR Reference Number: S080584V

**Certification**

This plan is certified under section 11 (7) of the Subdivision Act 1988  
Date of original certification under section 6: 31/10/2017

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made

Digitally signed by: Caitlin Anne Spratling for Wyndham City Council on 04/07/2019

VESTING OF ROADS AND/OR RESERVES	
IDENTIFIER	COUNCIL/BODY/PERSON
Road R1	Wyndham City Council
Reserve No. 1	Wyndham City Council
Reserve No. 2	Powercor Australia Ltd

**NOTATIONS**

DEPTH LIMITATION: Does Not Apply

**SURVEY:**  
This plan is based on survey.

**STAGING:**  
This is not a staged subdivision.  
Planning Permit No. WYP 6863/13

Area of Release: 2.029ha  
No. of Lots: 34 Lots and Balance Lot F

**NOTATIONS**

Lots on this plan may be affected by one or more restrictions. Refer to Creations of Restriction A, B & C on Sheets 6, 7 & 8 of this plan for details.

**EMERALD PARK - Release 5 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	Transmission of Electricity	See Diag.	C/E A627820	State Electricity Commission of Victoria
E-2	Transmission of Electricity	See Diag.	C/E A828798	State Electricity Commission of Victoria
E-3	Sewerage	See Diag.	PS733919B	City West Water Corporation
E-4	Drainage	See Diag.	PS733919B	Wyndham City Council
E-5	Sewerage	See Diag.	PS733920S	City West Water Corporation
E-6	Sewerage	See Diag.	This Plan	City West Water Corporation
E-7	Powerline	See Diag.	This Plan Sec. 88 Electricity Industry Act 2000	Powercor Australia Ltd
E-8	Powerline	See Diag.	This Plan Sec. 88 Electricity Industry Act 2000	Powercor Australia Ltd
	Sewerage		PS733920S	City West Water Corporation
E-9	Supply of Water Through Underground Pipes	See Diagram	C/E.....	City West Water Corporation
E-10	Supply of Water Through Underground Pipes	See Diagram	C/E.....	City West Water Corporation
	Transmission of Electricity		C/E A627820	State Electricity Commission of Victoria



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SURVEYORS FILE REF: Ref. 02270-S5

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Surveyor's Plan Version (12),  
10/05/2019, SPEAR Ref: S080584V

ORIGINAL SHEET SIZE: A3

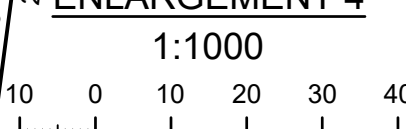
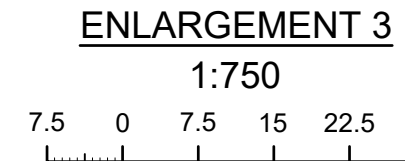
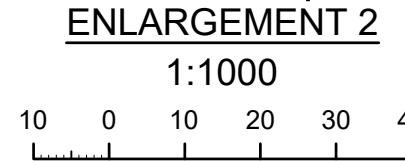
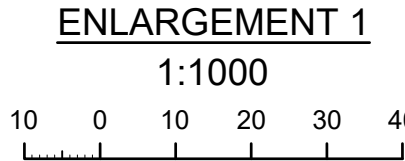
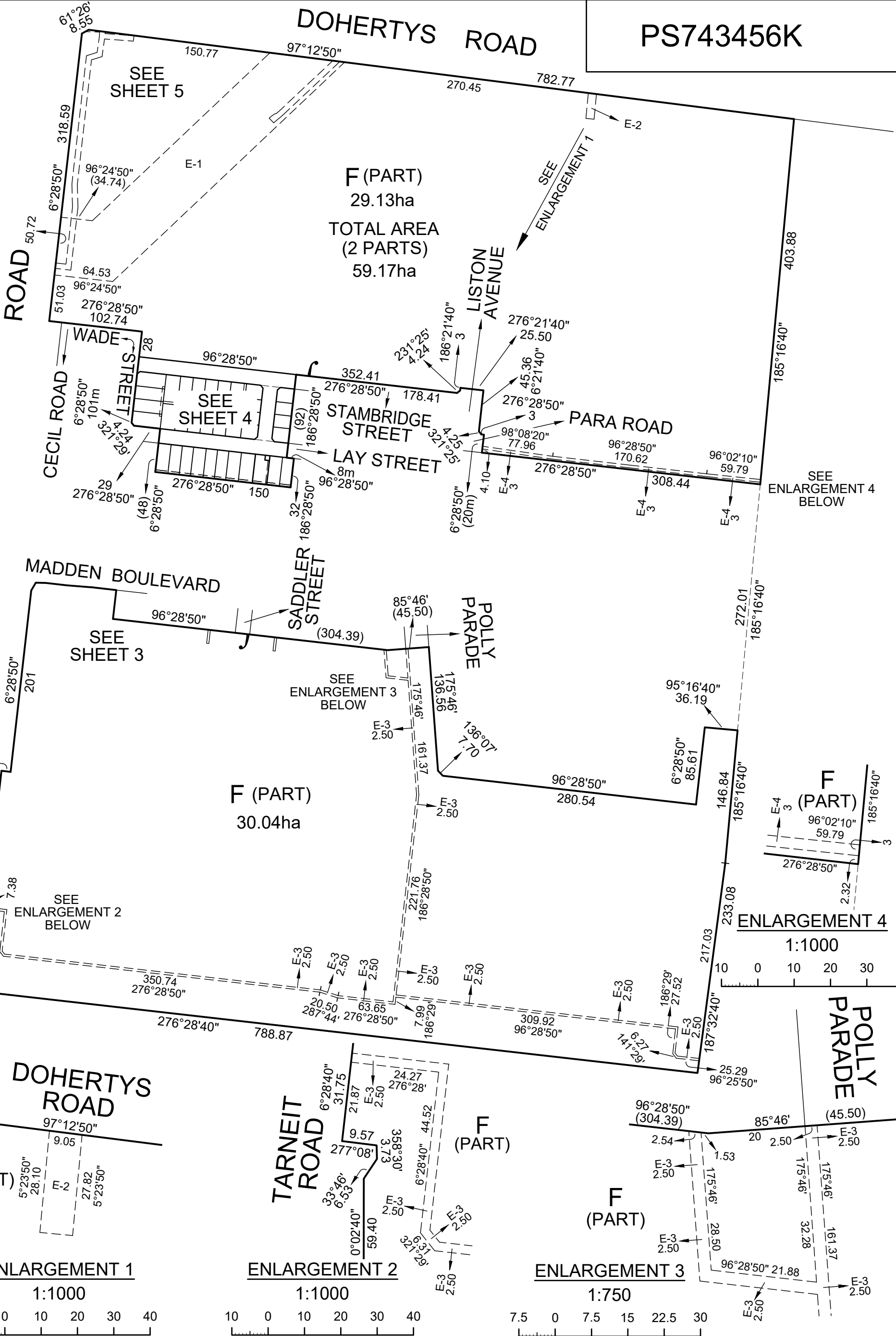
SHEET 1 OF 8

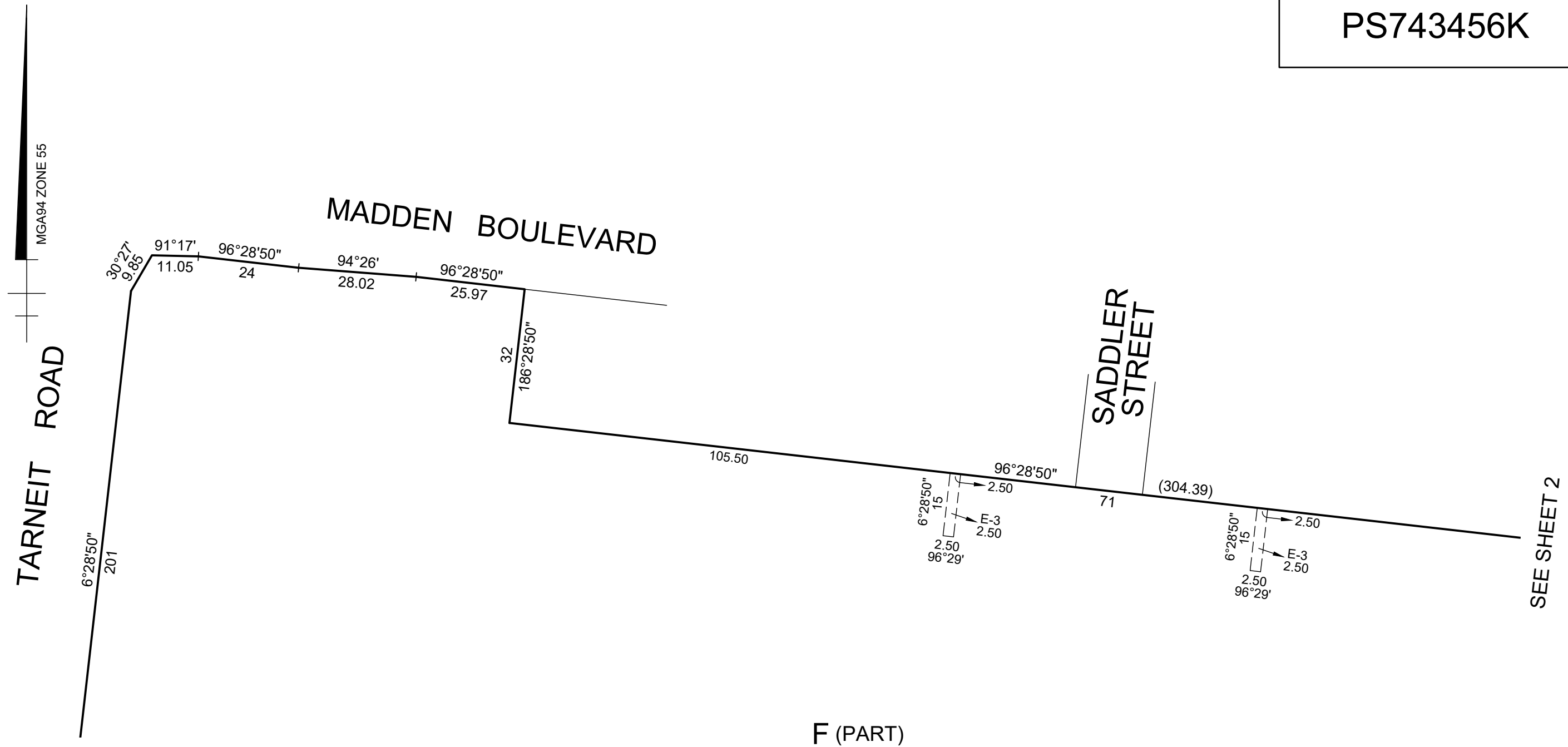
DOHERTYS ROAD

F (PART)  
29.13ha  
TOTAL AREA  
(2 PARTS)  
59.17ha

F (PART)  
30.04ha

F (PART)  
59.79



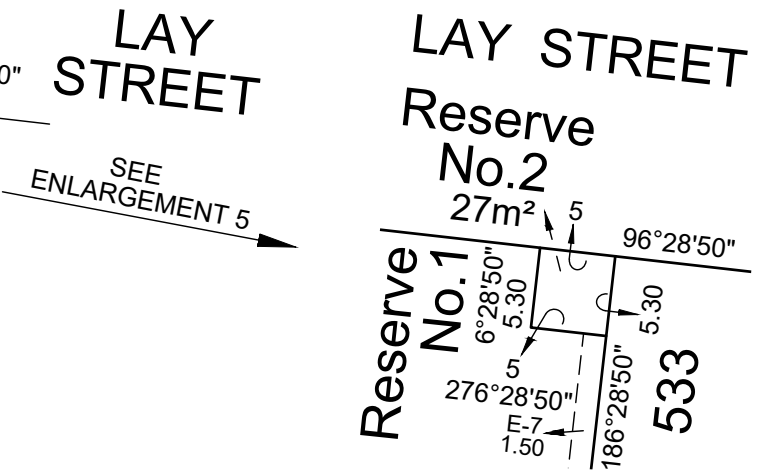
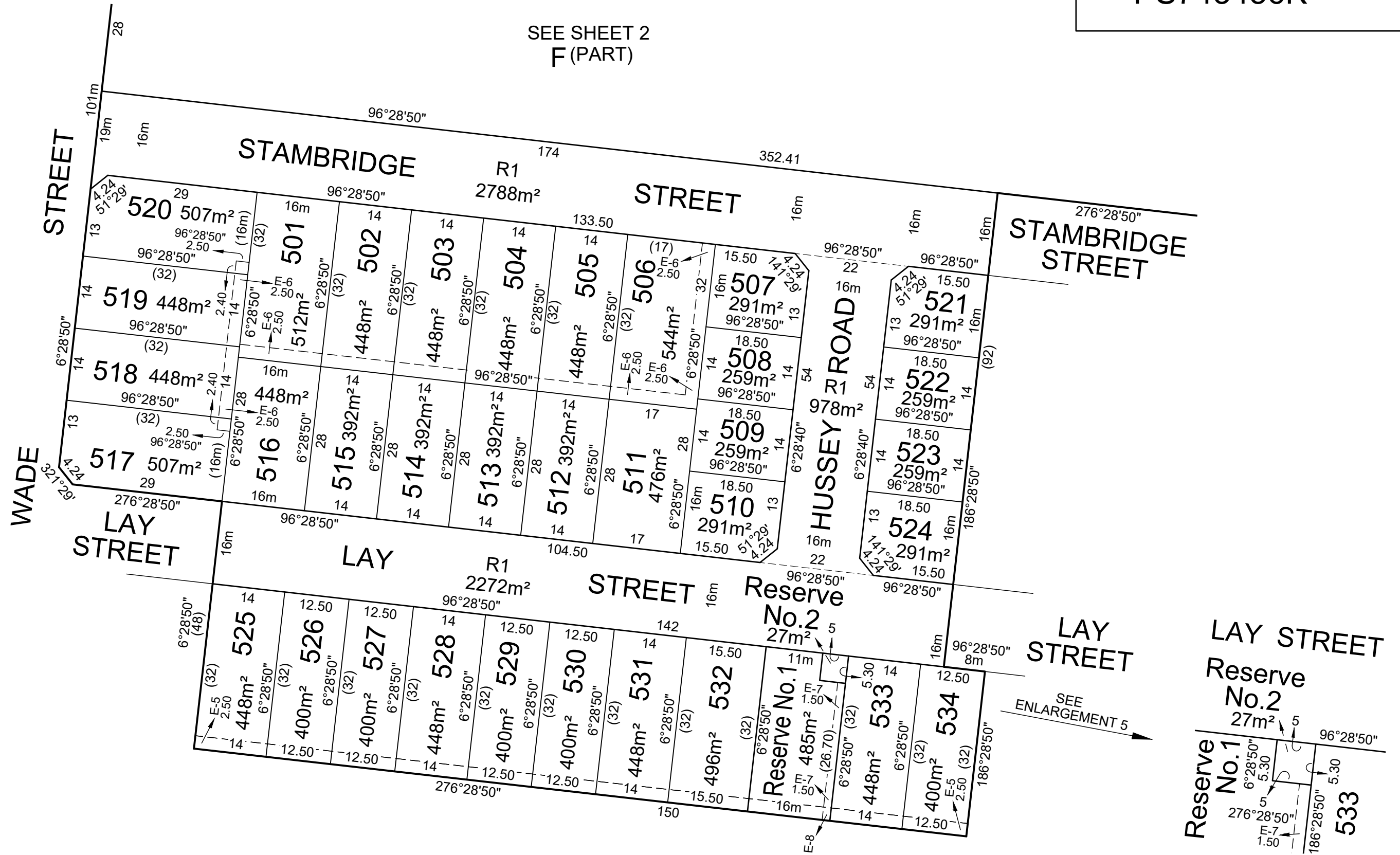


SEE SHEET 2

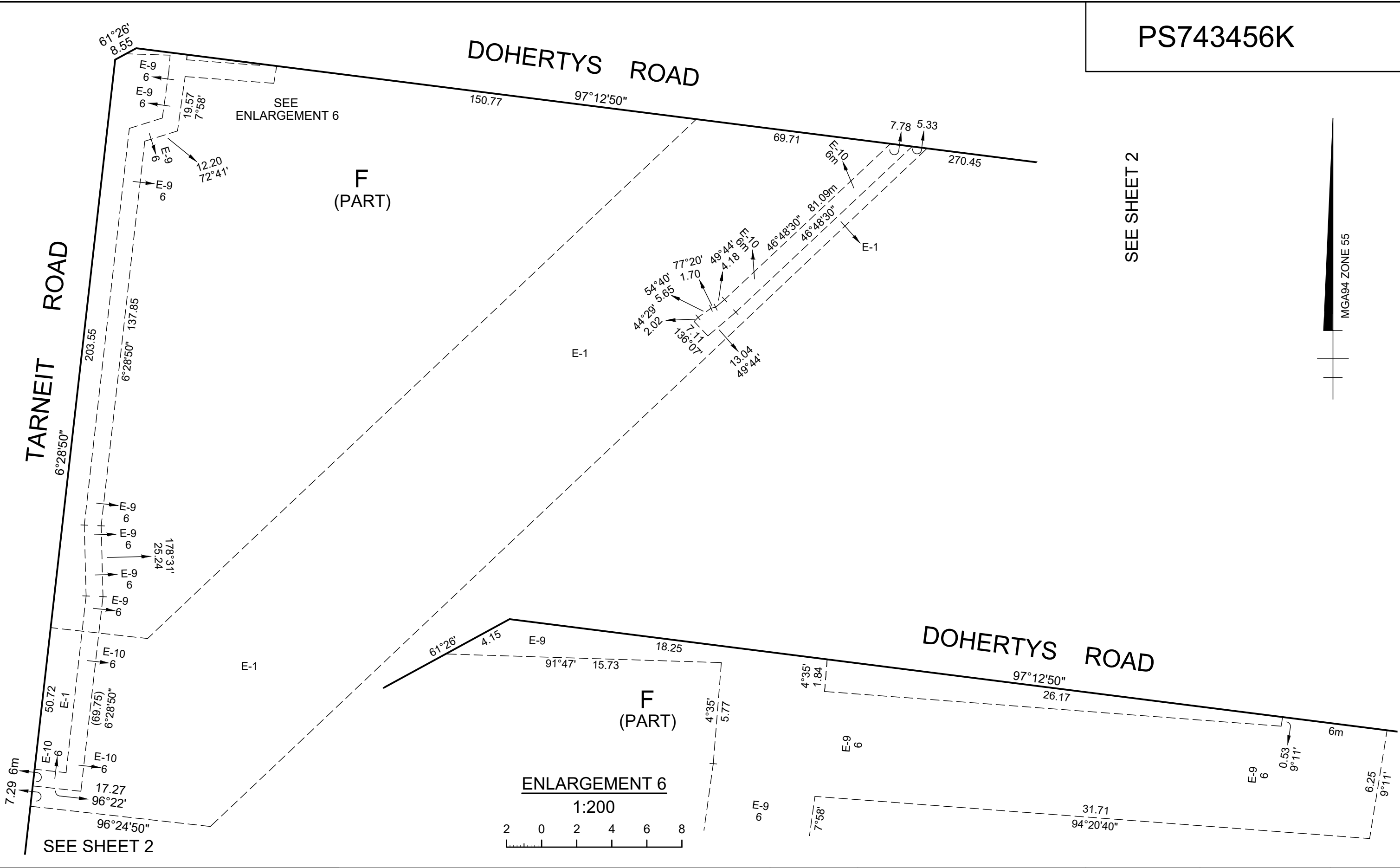
SEE SHEET 2

F (PART)

SEE SHEET 2  
F (PART)







## CREATION OF RESTRICTION 'A'

PS743456K

Upon registration of this plan the following restriction is created.

LAND TO BE BURDENED: See Table 1

LAND TO BENEFIT: See Table 1

### DESCRIPTION OF RESTRICTION

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THIS PLAN:

MUST NOT BUILD OR PERMIT TO BE BUILT OR REMAIN ON THE LOT ANY BUILDING OTHER THAN A BUILDING WHICH HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE SMALL LOT HOUSING CODE (TYPE "A") INCORPORATED INTO THE WYNDHAM PLANNING SCHEME UNLESS A PLANNING PERMIT IS GRANTED BY THE RESPONSIBLE AUTHORITY FOR A BUILDING THAT DOES NOT CONFORM WITH THE SMALL LOT HOUSING CODE.

THIS RESTRICTION SHALL CEASE TO APPLY TO ANY BUILDING ON THE LOT AFTER THE ISSUE OF A CERTIFICATE OF OCCUPANCY FOR THE WHOLE OF A DWELLING ON THE LOT.

TABLE 1

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
507	506, 508
508	506, 507, 509
509	506, 508, 510, 511
510	509, 511
521	522
522	521, 523
523	522, 524
524	523

## CREATION OF RESTRICTION 'B'

Upon registration of this plan the following restriction is created.

LAND TO BE BURDENED: Lots 501 to 534 (both inclusive) on this plan.

LAND TO BENEFIT: Lots 501 to 534 (both inclusive) on this plan.

### DESCRIPTION OF RESTRICTION

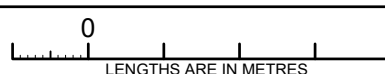
THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT TO WHICH THIS RESTRICTION APPLIES MUST NOT BUILD OR PERMIT TO BE BUILT A DWELLING OR COMMERCIAL BUILDING UNLESS THE BUILDING INCORPORATES DUAL PLUMBING FOR RECYCLED WATER SUPPLY FOR TOILET FLUSHING AND GARDEN WATERING USE IF IT BECOMES AVAILABLE.

THIS RESTRICTION SHALL CEASE TO APPLY TO ANY BUILDING ON THE LOT AFTER THE ISSUE OF A CERTIFICATE OF OCCUPANCY FOR THE WHOLE OF A DWELLING ON THE LOT.



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SCALE



ORIGINAL SHEET  
SIZE: A3

Ref. 02270-S5

SHEET 6

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Wyndham City Council,  
04/07/2019,  
SPEAR Ref: S080584V

# CREATION OF RESTRICTION 'C'

PS743456K

The following Restriction is to be created upon Registration of this plan.

LAND TO BE BURDENED: See Table 2  
LAND TO BENEFIT: See Table 2

## DESCRIPTION OF RESTRICTION

Except with the written consent of the Responsible Authority the registered proprietor or proprietors for the time being of any burdened lot to which this restriction applies must not:

1. Construct or allow to be constructed or remain on the lot any building or garage outside the building envelope shown hatched in the schedule on sheet 8 of this plan (excluding allowable projecting building elements that project outside the building envelopes as contained in Part 5 Regulation 74(3), 79(3) & 79(4) of the Building Regulations 2018).
2. Construct any building or garage on a side boundary of a lot unless the building or garage is set back a minimum of 1 metre from the other side boundary of that lot.
3. Construct a garage or carport which is set back less than 5.5 metres from the front boundaries.
4. Construct a garage with an opening which occupies more than 40% of the width of the lot frontage.
5. Construct a building which, notwithstanding the extent of the building envelope, fails to otherwise meet the requirements of Part 5 of the Building Regulations 2018.

This Restriction shall cease to have affect after the issue of the certificate of occupancy (or the like) under the Building Act 1993 for the whole of the parcel.

TABLE 2

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
501	502, 516, 519, 520
502	501, 503, 515
503	502, 504, 514
504	503, 505, 513
505	504, 506, 512
506	505, 507, 508, 509, 511
511	506, 509, 510, 512
512	505, 511, 513
513	504, 512, 514
514	503, 513, 515
515	502, 514, 516
516	501, 515, 517, 518
517	516, 518
518	501, 516, 517, 519
519	501, 518, 520
520	501, 519

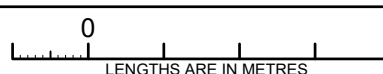
TABLE 2 (Continued)

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
525	526
526	525, 527
527	526, 528
528	527, 529
529	528, 530
530	529, 531
531	530, 532
532	531
533	534
534	533



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SCALE



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ORIGINAL SHEET  
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SHEET 7

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