

PLAN OF SUBDIVISION

PS 801176V

CREATION OF RESTRICTION A

The following restriction is to be created upon registration of this plan.

DESCRIPTION OF RESTRICTION:

Table of land burdened and land benefited:

**PLAN / DOCUMENT AS REQUIRED UNDER CONDITION OF PERMIT
PLANNING AND ENVIRONMENT ACT 1987
WYNDHAM PLANNING SCHEME**

Permit No: WYP8879/15.08
Condition No: 6
Sheet: 1 of 7
Approved by: Jason Mayall
WYNDHAM CITY COUNCIL
Date: 20 April 2017

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
301	302, 310, 311
302	301, 303, 309, 310
303	302, 304, 308, 309
304	303, 305, 307, 308
305	304, 306, 307
306	305, 307
307	304, 305, 306, 308
308	303, 304, 307, 309
309	302, 303, 308, 310
310	301, 302, 309, 311
311	301, 310
312	313
313	312, 314
314	313, 315
315	314, 316
316	315, 317
317	316
318	319, 342
319	318, 320, 341
320	319, 321, 340
321	320, 322, 338, 339
322	321, 323, 337, 338
323	322, 324, 337
324	323, 325, 336, 337

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
325	324, 326, 336
326	325, 327, 335, 336
327	326, 328, 335
328	327, 329, 334, 335
329	328, 330, 333, 334
330	329, 331, 332, 333
331	330, 332
332	330, 331, 333
333	329, 330, 332, 334
334	328, 329, 333, 335
335	326, 327, 328, 334, 336
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337	322, 323, 324, 336, 338
338	321, 322, 337, 339
339	321, 338, 340
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346	345, 347
347	346

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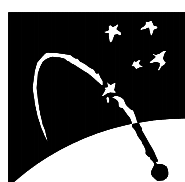
ALBRIGHT ESTATE - 3

LICENSED SURVEYOR ADRIAN A. THOMAS

SCALE



Bosco Jonson Pty Ltd
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 P.O. Box 5075, South Melbourne, Vic 3205
 16 Eastern Road South Melbourne
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DATE 15/03/17
 VERSION J

REFERENCE 30865033
 DRAWING 3086503AJ

ORIGINAL SHEET SIZE A3

SHEET 5

CREATION OF RESTRICTION A (CONTINUED)

The registered proprietor or proprietors for the time being of a lot on this Plan of Subdivision his, her, their or its heirs, executors, administrators and transferees shall not at any time on the said lot or any part or parts thereof:

- (i) Build or cause to be built or allow to be built or allow to remain standing more than one private dwelling-house (which expression shall include a house, apartment, unit or flat) prior to 1 January 2037;
- (ii) Build or cause to be built or allow to be built or allow to remain standing a dwelling-house or any other improvements, or carry out, cause to be carried out or allow to be carried out any building or construction works on the lot prior to 1 January 2027 unless:
 - (A) copies of building plans, elevations, roof plan, site plan (incorporating set-back from all boundaries, building envelope, existing contours, proposed finished floor levels and site levels, all proposed driveways and paths, details of fences and outbuildings and landscaping) and schedule of external colours and materials ("plans") have been submitted to the Design Assessment Panel, at the address in the Design Guidelines (as amended from time to time); and
 - (B) the plans comply with the Design Guidelines and Building Envelopes that deal with all siting and other matters that would otherwise be regulated by Part 4 of the Building Regulations 2006 (or any superceding regulation), a copy of which can be obtained from the website at www.albright-truganina.com.au; and
 - (C) the Design Assessment Panel or such other entity as may be nominated by the Design Assessment Panel from time to time has given its written approval to the plans prior to the commencement of works;
- (iii) Build or cause to be built or allow to be built or allow to remain standing a dwelling-house with a floor area of less than:
 - (A) 160 square metres in the case of a lot having an area of 500 square metres or greater; or
 - (B) 130 square metres in the case of a lot having an area of 400 square metres or greater but less than 500 square metres; or
 - (C) 100 square metres in the case of a lot having an area of 300 square metres or greater but less than 400 square metres; or
 - (D) 75 square metres in the case of a lot having an area of less than 300 square metres.

For the purposes of calculating the floor area of a dwelling-house the area of the garages, terraces, pergolas or verandahs shall be excluded.

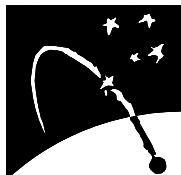

- (iv) Build or cause to be built or allow to be built or allow to remain any fencing:
 - (A) Along a front street boundary; or
 - (B) Between the front street boundary and the building line; or
 - (C) Upon a side or rear boundary of a lot except a fence:
 - a. Which is constructed of timber palings with exposed posts capped across the top of the palings; and
 - b. Which does not exceed 1.8 metres in height excluding a screen erected to meet the requirements of Part 4 of the *Building Regulations* 2006 in relation to overlooking.

The foregoing restriction shall not apply during any period that the lot is being used as a display home.

- (v) Lots 343 - 347 & 328 - 331 inclusive must be two storey dwellings. Single storey to these lots are not permitted.
- (vi) Subdivide or cause to subdivide or allow to be subdivided the lot prior to 1 January 2037.

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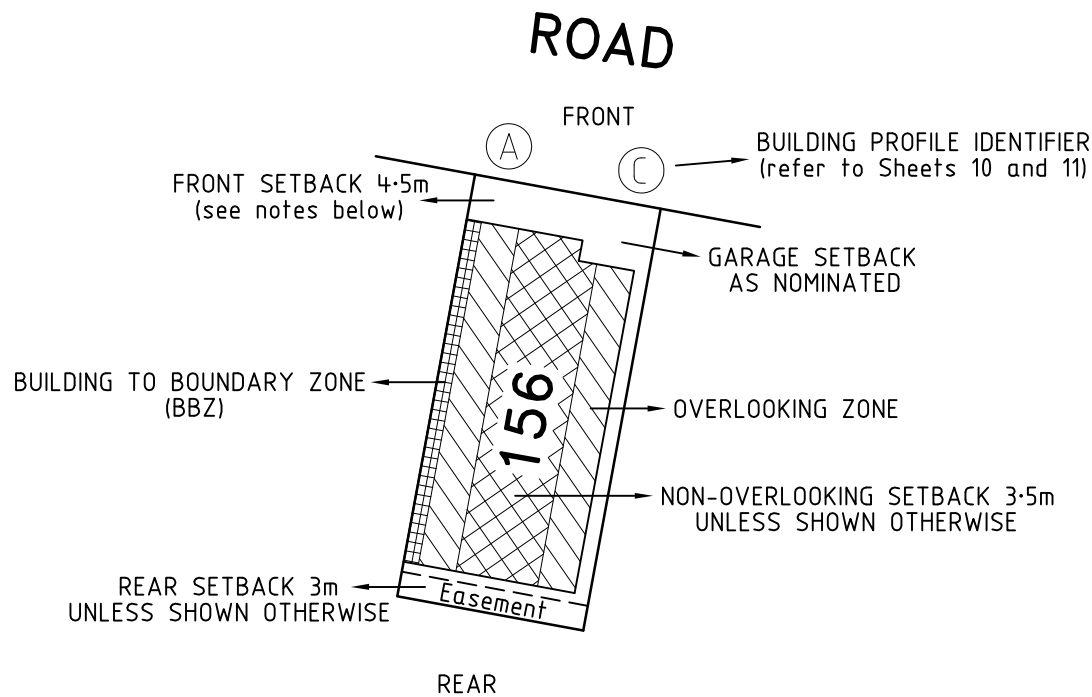
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Sheet: 2 of 7
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<p>ALBRIGHT ESTATE - 3</p> <p>Bosco Jonson Pty Ltd A.B.N 15 169 138 827 P.O. Box 5075, South Melbourne, Vic 3205 16 Eastern Road South Melbourne Vic 3205 Australia Tel 03) 9699 1400 Fax 03) 9699 5992</p> 	<p>LICENSED SURVEYOR ADRIAN A. THOMAS</p> <p>DATE 15/03/17 REFERENCE 30865033 VERSION J DRAWING 3086503AJ</p>	<p>SCALE</p>  <p>LENGTHS ARE IN METRES</p>	<p>ORIGINAL SHEET SIZE A3</p> <p>SHEET 6</p>
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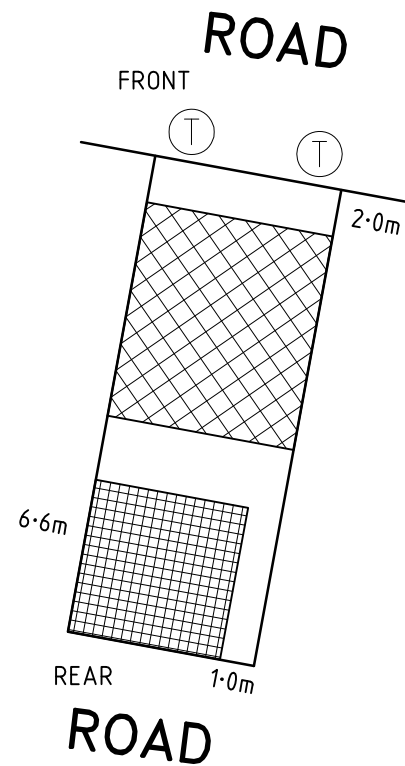
BUILDING ENVELOPE SCHEDULE
See Plan of Subdivision PS801176V

LEGEND

EXAMPLE OF TYPICAL BUILDING ENVELOPE SETBACKS



EXAMPLE OF REAR LOADED TERRACE LOT



Notations

- The front and side setbacks are measured to the outermost walls of the buildings.
- Garages must be setback a minimum of 5.0m from the front street boundary unless otherwise noted.
- Walls less than 1.0m from the boundary must be within 200mm of the boundary.
- The BBZ shall be applicable to one side boundary only, one side boundary must be kept clear of buildings. Terrace style lots are exempt from this requirement.
- The setback to a side street boundary for a corner lot is 2m unless noted otherwise.
- Where the minimum front setback is 3.0m or more, porches, verandahs and architectural features can encroach into the front setback by up to 1.5m at heights of up to 4.5m for a single story home and heights of up to 9.0m for a two-story home.
- Where the minimum front setback is less than 3.0m porches, verandahs and architectural features can encroach into the front setback by up to 1.0m at heights of up to 4.5m for a single story home and heights of up to 9.0m for a two-story home.

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Refer "Diagrams and Plans" in this document for further definitions

Single Storey Building Envelope hatch types

Building to Boundary Zone

Double Storey Building Envelope hatch types

Overlooking Zone - Habitable room windows or raised open spaces are a source of overlooking

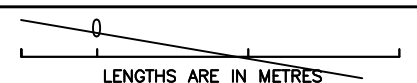
Non Overlooking Zone - Habitable room windows or raised open spaces are not a source of overlooking

The registered proprietor or proprietors of the lot are required to build in accordance with the approved building envelopes shown hereon and in the "Profile Diagrams" in this document.

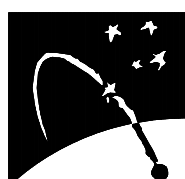
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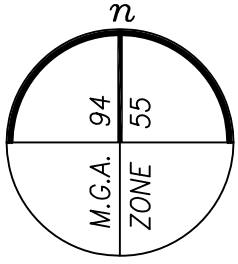
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DRAWING 3086503AJ

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SHEET 7

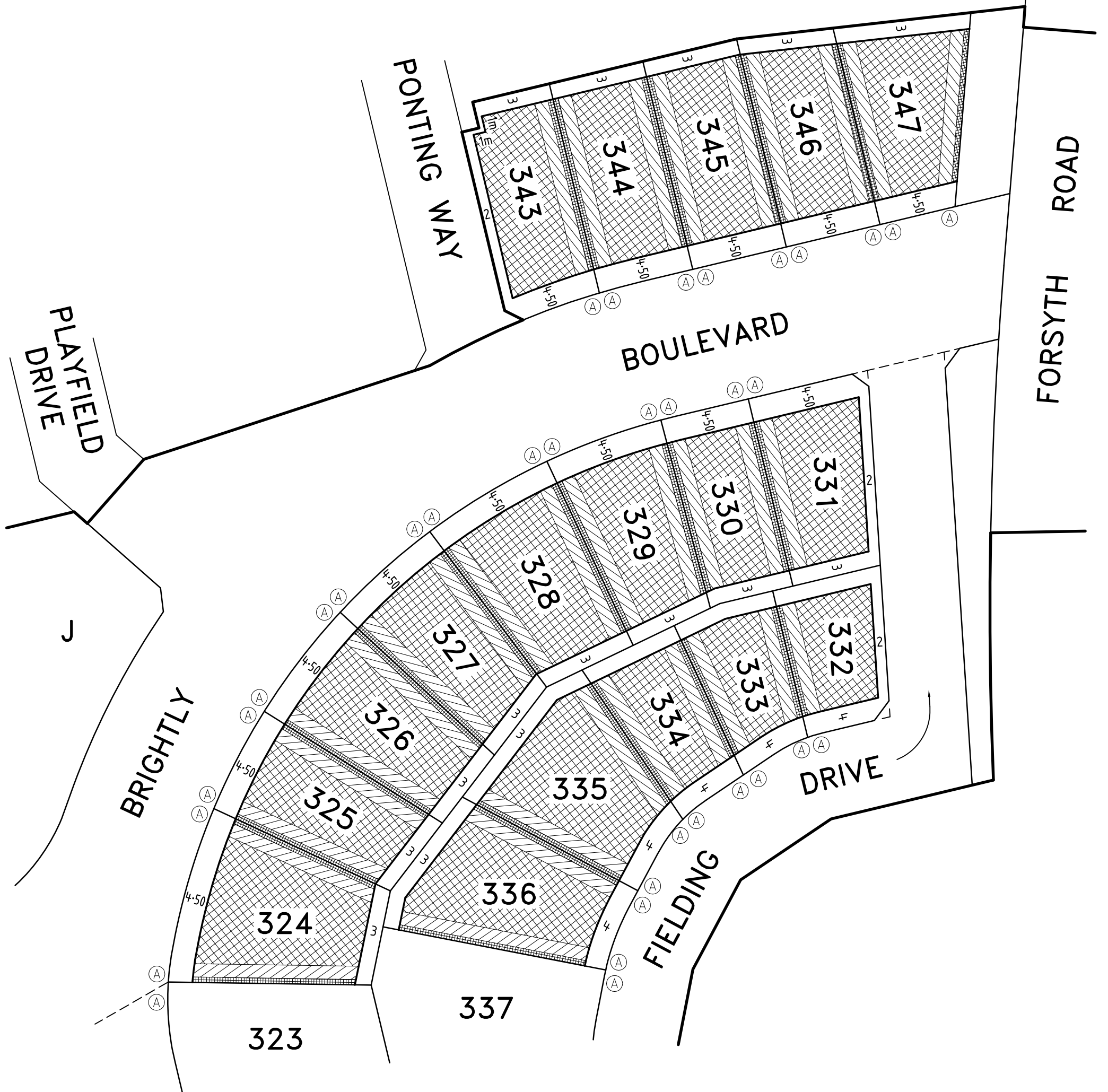
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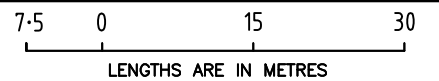
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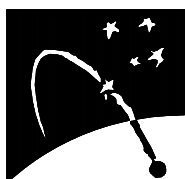
ALBRIGHT ESTATE - 3

LICENSED SURVEYOR ADRIAN A. THOMAS

SCALE
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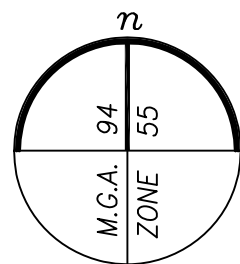
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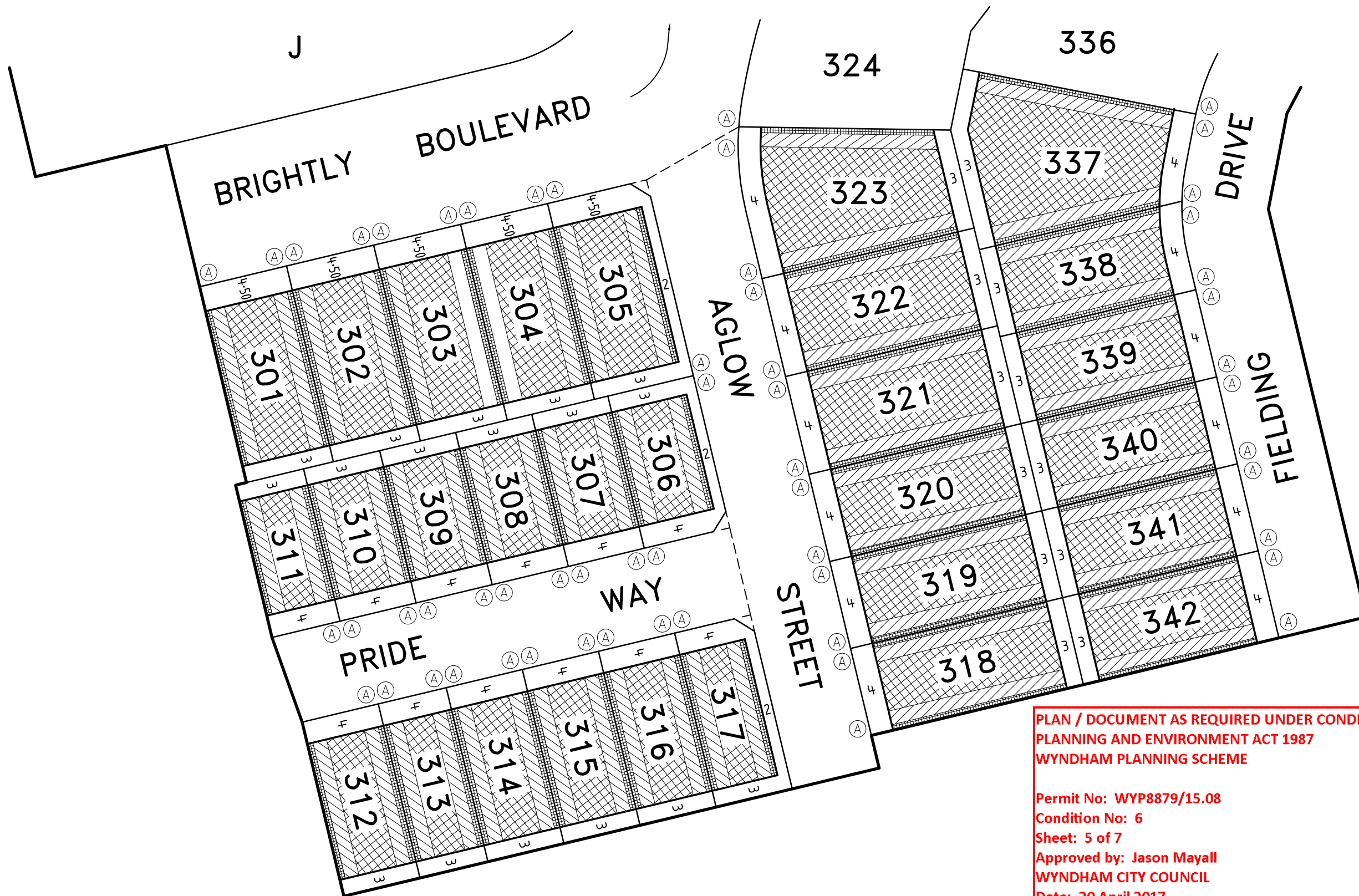
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 SHEET 8



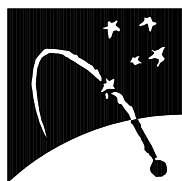
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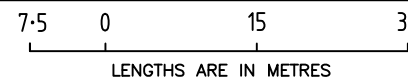
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ORIGINAL SHEET SIZE A3
 SHEET 9

PLAN OF SUBDIVISION

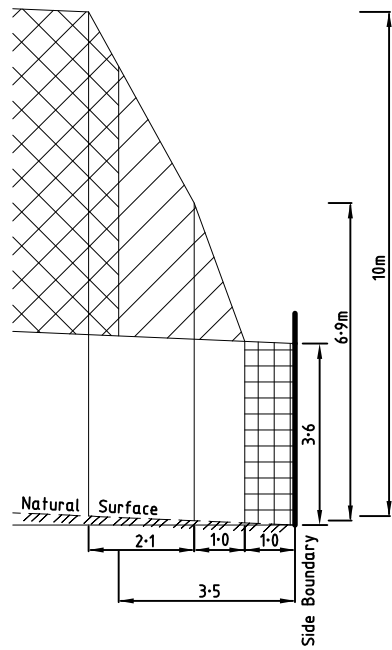
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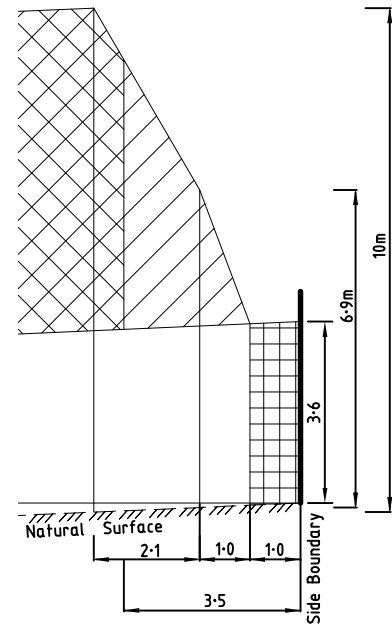
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PROFILE DIAGRAMS

(A) Profile

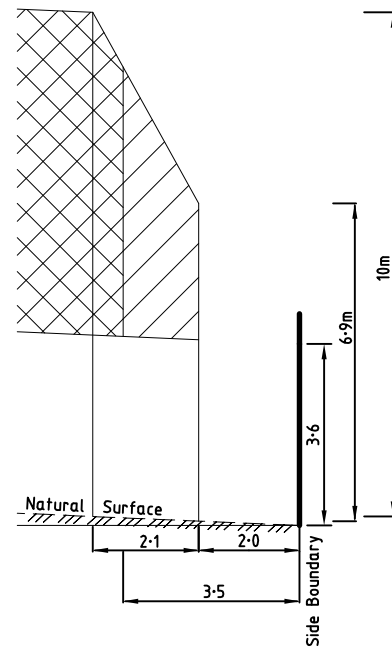


Natural surface rising from side boundary

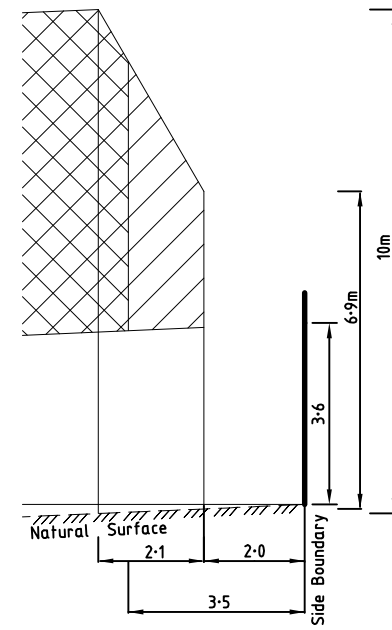


Natural surface falling from side boundary

(B) Profile

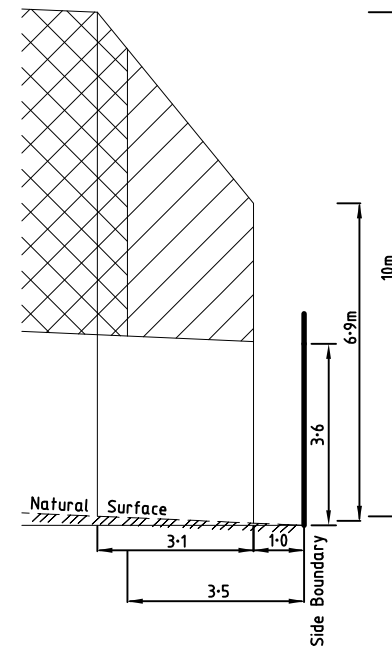


Natural surface rising from side boundary

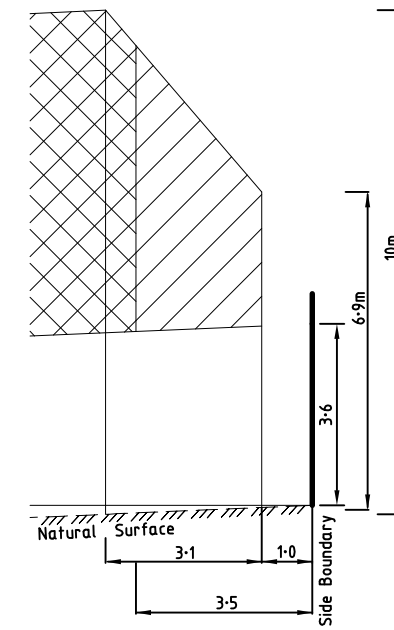


Natural surface falling from side boundary

(C) Profile

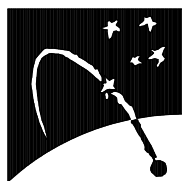


Natural surface rising from side boundary



Natural surface falling from side boundary

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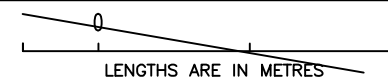
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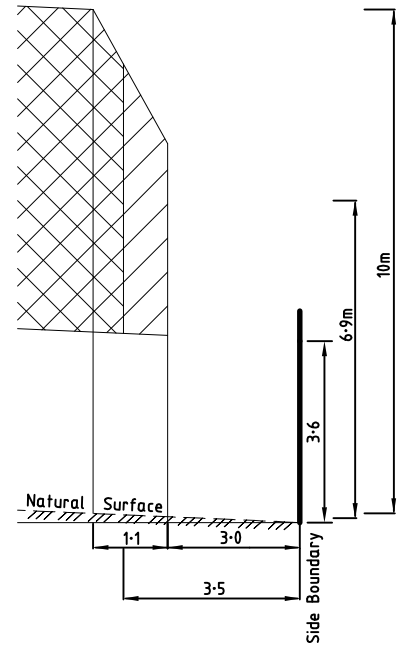


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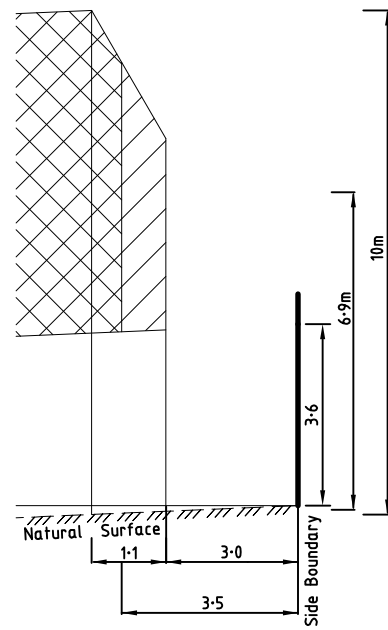
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SHEET 10

D Profile

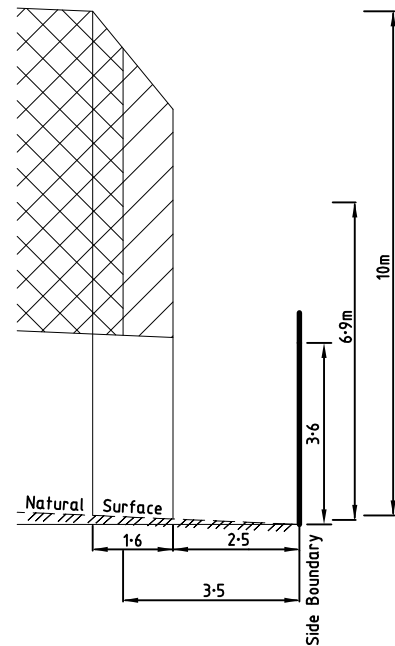


Natural surface rising from side boundary

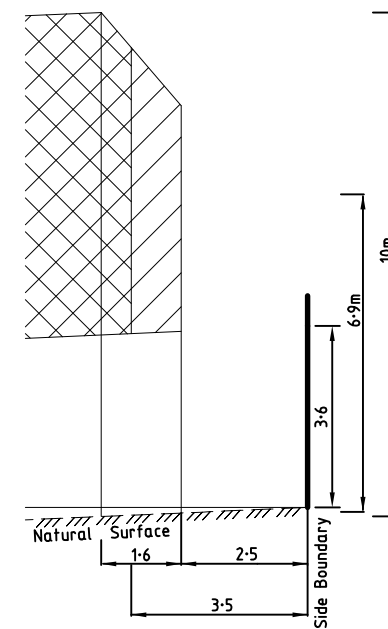


Natural surface falling from side boundary

E Profile



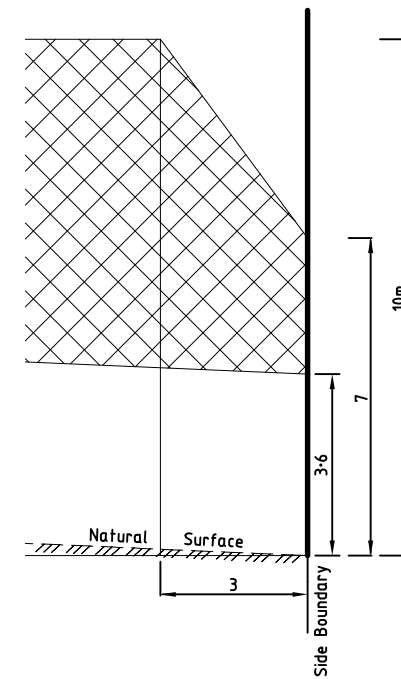
Natural surface rising from side boundary



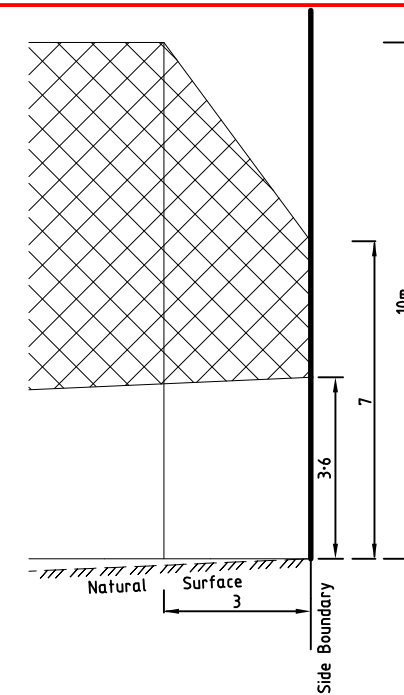
Natural surface falling from side boundary

PROFILE DIAGRAMS CONTINUED

T Profile



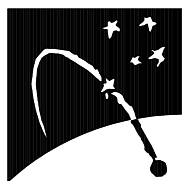
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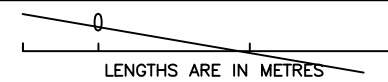
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