






## PLAN OF SUBDIVISION

## SUBDIVISION ACT 1988

## CREATION OF RESTRICTION

the burdened lots / benefitting lots of this restriction are:

| BURDENED LOT No: | BENEFITTING LOTS: |
| :--- | :--- |
| 608 | 609 |
| 609 | 608,610 |
| 610 | 609 |
| 611 | 612,625 |
| 612 | $611,613,625$ |
| 613 | $612,614,616,625$ |
| 614 | $613,615,616$ |
| 615 | 614,616 |
| 616 | $613,614,615,617,625$ |


| BURDENED LOT No: | BENEFITTING LOTS: |
| :--- | :--- |
| 617 | $616,618,624$ |
| 618 | $617,69,620,623$ |
| 619 | 618,620 |
| 620 | $618,619,621$ |
| 621 | $620,622,623$ |
| 622 | 621,623 |
| 623 | $618,621,622,624$ |
| 624 | $617,623,625$ |
| 625 | $616,624,611,612,613$ |


| BURDENED LOT No: | BENEFITTING LOTS: |
| :--- | :--- |
| 626 | 627 |
| 627 | 626,628 |
| 628 | 627,629 |
| 629 | 628,630 |
| 630 | 629,658 |
| 658 | 630,659 |
| 659 | $658,660,661$ |
| 660 | 659,661 |
| 661 | 659,660 |

Upon registration of this plan, the following restriction is to be created.
For the purpose of description:
(i) Primary frontage means
(A) In the case of a lot where only one boundary of that lot abuts a road, the boundary that abuts the road.
(B) In the case of a corner lot where two boundaries of a lot abut a road, the boundary with the greater offset on the building envelopes within the Aquarevo Building Design Guidelines.

## Description of Restriction:

The registered proprietor or proprietors for the time being of a lot on this plan of subdivision his/her 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 more than one private dwelling (which expression shall include a house, apartment, unit or flat);
(ii) Build or cause to be built or allow to be built or allow to remain a dwelling 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 2025 unless:
(A) copies of building plans, elevations, roof plan, site plan (incorporating setback from all boundaries, building envelope, existing contour, 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 care of Stephan P Kosa \& Associates Pty Ltd PO Box 356 Mont Albert Vic 3127 (email dap@kosaarchitects.com.au) or such other entity as may be nominated by the Design Assessment Panel from time to time;
(B) the plans comply with the Aquarevo Building Design Guidelines, a copy of which can be obtained from website at www.aquarevo.com.au/guidelines.htm
(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 as being in accordance with the "Aquarevo Building Design Guidelines" prior to the commencement of works;
(iii) Build or cause to be built or allow to be built or allow to remain a dwelling with a floor area of less than:
(A) 150 square metres in the case of a lot having an area of 500 square metres or greater; or
(B) 110 square metres in the case of a lot having an area of less than 500 square metres, excluding terrace allotments
(C) 85 square metres in the case of terrace allotments as defined in the Design Guidelines. For the purpose 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 a garage;
(A) Which contains a garage door or doors of which the garage opening/s occupy more than $40 \%$ of the width of the primary frontage unless in the case of dwellings of two or more storeys on lots between 250 square metres and 300 square metres whereby the garage opening must not exceed $30 \%$ of the area of the front facade of the dwelling, with the area of the front facade measured from a two dimensional elevation plan excluding any roof area of the dwelling
(B) Which is sited closer to the primary frontage than the dwelling-house or 5.5 metres which ever is the greater.
(v) Build or cause to be built or allow to be built or allow to remain any fencing:
(A) Along a front street boundary; and
(B) Between the front street boundary and the building line; and
(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 5 of the Building Regulations 2018 in relation to overlooking.
(vi) Use the said lot in any way that is not in accordance with the "Aquarevo Building Design Guidelines."

| SCALE |  | ORIGINAL <br> SHEET SIZE A3 | SHEET 7 |
| :--- | :--- | :--- | :--- |
|  |  |  | REF: 8766/6B | VERSION: 6

