

Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the Sale of Land Act 1962.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract. The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

| Land | Lot «LotNumber» on PS841640K, Alamora, Tarneit 30 | 29 |
|-----------------------|---|------|
| Vendor's name | Sayers Road Holdings Pty Ltd ACN 642 534 567 | Date |
| Vendor's signature | Janelle Maree Brown Attorney for the vendor | |
| Purchaser's name | «Purchaser1.Name» | Date |
| Purchaser's signature | | |
| Purchaser's name | «Purchaser2.Name» | Date |
| Purchaser's signature | | |
| Purchaser's name | «Purchaser3.Name» | Date |
| Purchaser's signature | | ' |
| Purchaser's name | «Purchaser4.Name» | Date |
| Purchaser's signature | | |





1. FINANCIAL MATTERS

- 1.1 Rates, Taxes, Charges or Other Similar Outgoings affecting the land and any interest payable, are as follows:
 - (a) Are contained in the attached certificates.
 - (b) Amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge of, are as follows:
 - (i) The Property is not separately rated. The purchaser's proportion of the Outgoings at settlement, including land tax, shall be calculated in accordance with the proportion that the area of the Property bears to the total area of the lots on the Plan in respect of which the Outgoings are assessed.
 - (ii) Upon completion of the subdivision of the land, there may be a supplementary valuation for rating purposes which may result in a supplementary notice being issued for the Property. The purchaser will be responsible for the payment of that notice.
 - (iii) Following settlement, the purchaser will become a member of the Owners Corporation and will become liable to pay fees levied from time to time pursuant to the Owners Corporation Rules. The annual amount of Owners Corporation fees payable by each purchaser will be determined at the annual general meeting of the Owners Corporation. It is expected that Owners Corporation fees will be first levied at or about the time the club opens.
 - (iv) A community infrastructure levy of E\$1,210 at the time of building approval.
- **1.2 Charges** (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, are as follows:
 - Fire Services Property Levy in accordance with the Fire Services Property Levy Act 2012.
- **Mortgages** (whether registered or unregistered) over the land, which will not be discharged before the purchaser becomes entitled to possession or to the receipt of rents and profits, are as follows:
- **1.4 Terms Contract** where the purchaser is obliged to make 2 or more payments to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land, particulars are as follows:

Not applicable.

2. INSURANCE

2.1 Damage and Destruction - if the contract does not provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or to the receipt of rents and profits, particulars of any policy of insurance maintained by the vendor in respect of any damage to or destruction of the land are as follows:

Not applicable.

Owner-Builder - if there is a residence on the land which was constructed within the preceding 6 years and section 137B of the *Building Act 1993* applies to the residence, particulars of any required insurance under that Act applying to the residence are as follows:

Not applicable.

3. LAND USE

- **3.1 Easements, Covenants or Other Similar Restrictions** affecting the land (whether registered or unregistered):
 - (a) Any easement, covenant or other similar restriction affecting the land (whether registered or unregistered)
 - (i) Are as set out in the attached copies of title documents.
 - (ii) Any easement created by section 98 of the **Transfer of Land Act 1958**, section 12(2) of the **Subdivision Act 1988** and any other easement noted on the Plan, a copy of which is contained in this vendor's Statement;
 - (iii) A sewer may affect the Property;
 - (iv) Any agreement under section 173 of the **Planning and Environment Act 1987** between the vendor and the Wyndham City Council (**Section 173 Agreement**) which relates to development issues;

- (v) Lot entitlement and liabilities as set out in the proposed plan of subdivision;
- (vi) The Owners Corporation Rules of the Owners Corporation.
- (b) Particulars of any existing failure to comply with the terms of that easement, covenant or restriction are as follows:

To the best of the vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction.

- **3.2 Designated Bushfire Prone Area** information concerning whether the property is in a bushfire prone area under section 192A of the **Building Act 1993** is contained in the attached certificate.
- **3.3** Road Access there is access to the property by road.
- **3.4 Planning Scheme** information concerning the planning scheme is contained in the attached certificate.
- 4. NOTICES
- **4.1 Notice, Order, Declaration, Report or Recommendation** of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge particulars are as follows:

The vendor is not aware of, nor has it received any notices unless set out in the attached certificate and the planning permit for the development. The vendor has no way of knowing the contents of any of the documents referred to above unless communicated to the vendor by the relevant public authority or government department.

4.2 Livestock Disease or Contamination by Agricultural Chemicals - particulars of any notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes are as follows:

The vendor is not aware of, nor has it received any notices. The vendor has no way of knowing the contents of any of the documents referred to above unless communicated to the vendor by the relevant public authority or government department.

4.3 Compulsory Acquisition - particulars of any notice of intention to acquire served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

The vendor is not aware of, nor has it received any notices.

5. BUILDING PERMITS

Information concerning building permits have been issued in the past 7 years under the **Building Act 1993** (required only where there is a residence on the land) is contained in the attached certificate.

6. OWNERS CORPORATION

The land is not currently affected by an Owners Corporation within the meaning of the **Owners Corporations Act 2006**.

Upon the registration of the Stage 1 plan of subdivision the land will be affected by an Owners Corporation. An owners corporation certificate with the required accompanying documents will be supplied to the purchaser following registration of the plan.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

The land is not affected by the GAIC. There is no work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*), certificate or notice relating to GAIC.

8. NON-CONNECTED SERVICES

The following services are **not** connected to the land:

- (a) electricity supply
- (b) gas supply
- (c) water supply
- (d) sewerage
- (e) telephone services

9. TITLE

Attached is a copy of the Register Search Statement and the document, or part of the document, referred to as a diagram location in the Register Search Statement that identifies the land and its location.

10. SUBDIVISION

10.1 Unregistered Subdivision

Attached is a copy of the latest version of the plan as the plan of subdivision has not yet been certified.

10.2 Staged Subdivision

- (a) Attached is a copy of the plan for the first stage.
- (b) Details of any requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:
 - Not applicable
- (c) Details of any proposals relating to subsequent stages that are known to the vendor are as follows: See attached staging plan
- (d) The contents of any permit under the **Planning and Environment Act 1987** authorising the staged subdivision are:

The Planning Permit authorising the staged subdivision will be provided to the purchaser when issued.

10.3 Further Plan of Subdivision

Attached is a copy of the latest version of the staging plan.

11. DISCLOSURE OF ENERGY EFFICIENCY INFORMATION

There is no certificate relating to Energy Efficiency Information applicable.

12. DUE DILIGENCE CHECKLIST

The **Sale of Land Act 1962** provides that the vendor or the vendor's licensed estate agent must ensure that a prescribed due diligence checklist is made available to any prospective purchasers from the time the land is offered for sale where that land is vacant residential land or land on which there is a residence. The due diligence checklist is not required to be provided with, or attached to, this vendor's statement but has been attached as a matter of convenience.

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the Due diligence checklist page on the Consumer Affairs Victoria website (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.



Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 12239 FOLIO 715

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LAND DESCRIPTION

Lot S on Plan of Subdivision 822740Y. PARENT TITLE Volume 12233 Folio 374 Created by instrument AT498696P 10/08/2020

REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor

SAYERS ROAD HOLDINGS PTY LTD of LEVEL 1 6 RIVERSIDE QUAY SOUTHBANK VIC 3006 AT856722X 11/12/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT856723V 11/12/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987 AN589268H 23/02/2017

DIAGRAM LOCATION

SEE PS822740Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

| NUMBER | | STATUS | DATE |
|---------------|-----------------------|------------|------------|
| AT856721A (E) | DISCHARGE OF MORTGAGE | Registered | 11/12/2020 |
| AT856722X (E) | TRANSFER | Registered | 11/12/2020 |
| AT856723V (E) | MORTGAGE | Registered | 11/12/2020 |
| | | | |

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 19249C MCCULLOUGH ROBERTSON LAWYERS Effective from 11/12/2020

DOCUMENT END

Title 12239/715 Page 1 of 1

Imaged Document Cover Sheet

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Application by a Responsible Authority for the making of a Recording of an Agreement

Section 181 Planning and Environment Act 1987

Form 21

Lodged by:

Name:

MADDOCKS

Phone:

03 9258 3555

Address:

Collins Square, Tower Two, Level 25, 727 Collins Street Melbourne VIC 3008

Ref:

TGM:6911180

Customer Code:

1167E

The Authority having made an agreement referred to in section 181(1) of the Planning and Environment Act 1987 requires a recording to be made in the Register for the land.

Land:

Volume 7275 Folio 803

Responsible Authority:

Wyndham City Council of 45 Princes Highway, Werribee, Victoria

Section and Act under which agreement made: Section 173 of the Planning and Environment Act 1987

A copy of the agreement is attached to this application

Signature for the Authority: Name of officer: Position Held: Date:

| Delivered by I | _ANDATA®, ti | mestamp 04/01/2021 13:41 | Page 2 of 13 |
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Telephone 61 3 9258 3555 Facsimile 61 3 9258 3666

info@maddocks.com.au www.maddocks.com.au

DX 259 Melbourne

Agreement under section 173 of the Planning and Environment Act 1987

Subject Land: Santa Rosa Farm Sayers Road, Tarneit

Agreement for Deferral of Development Contributions Liability

Wyndham City Council

Trukeel Pty Ltd ACN 005922065

AN589268H

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Agreement under section 173 of the Planning and Environment Act 1987

... -<u>1</u>

Dated / / 2016

Parties

Name Wyndham City Council

Address 45 Princes Highway, Werribee, Victoria

Short name Council

Name

Trukeel Pty Ltd ACN 005922065

Address

C/- Level 5, 707 Collins Street, Melbourne, Victoria

Short name

Owner

Background

- A. Council is the responsible authority for the Planning Scheme.
- B. Council is also the collecting agency under the Development Contributions Plan.
- C. Council enters into this Agreement in its capacity as the responsible authority and the collecting agency.
- D. The Owner is the registered proprietor of the Subject Land.
- E. The Development Contributions Plan applies to the Subject Land. It specifies the contributions required to fund the infrastructure necessary as a result of the development of the area for urban purposes.
- F. The Owner is required to pay the Levy in respect of the subdivision of the Subject Land pursuant to the Permit.
- G. The Owner has requested that Council, in its capacity as collecting agency, agree to defer the obligation for the Owner to pay the Levy for the subdivision of the Subject Land under the Planning Permit until the next subdivision of the Subject Land under a further permit at which time the levy will be payable in respect of the relevant stage authorised under that permit.
- H. Pursuant to the Planning Permit Council has agreed to the request on the terms set out in this Agreement.
- I. As at the date of this Agreement, the Subject Land is subject to a caveat in favour of Tarneit Estate Pty Ltd ACN 068 152 705 (formerly known as Mt Cooper Gardens Pty Ltd) and that corporation has consented to the recording of this Agreement on the certificates of title to the Subject Land.

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The Parties agree

1. Definitions

In this Agreement unless the context admits otherwise:

Act means the Planning and Environment Act 1987.

Agreement means this Agreement and includes this Agreement as amended from time to time.

Credit means a credit against the Levy.

Current Address means:

- (a) for Council, the address shown on page one of this Agreement, or any other address listed on Council's website; and
- (b) for the Owner, the address shown on page one of this Agreement or any other address provided by the Owner to Council for any purpose relating to the Subject Land.

Current Email means:

- (a) for Council, mail@wyndham.vic.gov.au, or any other email address listed on Council's website; and
- (b) for the Owner, any email address provided by the Owner to Council for the express purpose of electronic communication regarding this Agreement.

Development Contributions Plan means the Development Contributions Plan referred to in Schedule 3 being an incorporated document in the Planning Scheme and any other development contributions plan that applies to the Subject Land from time to time.

Endorsed Plan means the plan endorsed with the stamp of Council from time to time under the Planning Permit.

GST Act means the A New Tax System (Goods and Services Tax) Act 1999 (Cwlth) as amended from time to time.

Levy means the development infrastructure levy that is required to be paid upon development of the Subject Land in accordance with the Planning Permit calculated and adjusted in accordance with the Development Contributions Plan.

Lot means a lot on the Endorsed Plan.

Owner means the person registered or entitled from time to time to be registered as proprietor of an estate in fee simple of the Subject Land and includes a mortgagee-in-possession.

Owner's obligations includes the Owner's specific obligations and the Owner's further obligations.

Party or Parties means the Parties to this Agreement.

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Planning Permit means the Planning Permit set out in Schedule 1 which authorising the subdivision of the Subject Land.

Planning Scheme means the Wyndham Planning Scheme and any other planning scheme that applies to the Subject Land.

Residential Lot means a lot created as a result of the subdivision of the Subject Land which in the opinion of Council is of a size and dimension such that it is intended to be developed as a housing lot without further subdivision.

Stage means a specified stage of the subdivision of the Subject Land as identified in any staging plan forming part of the Endorsed Plan.

Statement of Compliance means a Statement of Compliance under the Subdivision Act 1988.

Subject Land means the land being the land title details referred to in Schedule 2 to this Agreement any reference to the Subject Land includes any lot created by the subdivision of the Subject Land or any part of it.

2. Interpretation

In this Agreement unless the context admits otherwise:

- 2.1 the singular includes the plural and vice versa;
- 2.2 a reference to a gender includes all genders;
- a reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law;
- 2.4 any agreement, representation, warranty or indemnity by 2 or more persons (including where 2 or more persons are included in the same defined term) binds them jointly and severally;
- a term used has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act, it has the meaning as defined in the Act;
- a reference to an Act, regulation or the Planning Scheme includes any Act, regulation or amendment amending, consolidating or replacing the Act, regulation or Planning Scheme;
- 2.7 the Background forms part of this Agreement:
- 2.8 the Owner's obligations take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land; and
- any reference to a clause, page, condition, attachment or term is a reference to a clause, page, condition, attachment or term of this Agreement.

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3. Purposes of Agreement

The Parties acknowledge and agree that the purposes of this Agreement are to:

- 3.1 secure the future payment of the Levy for the Subject Land; and
- 3.2 achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

4. Reasons for Agreement

The Parties acknowledge and agree that Council has entered into this Agreement for the following reasons:

4.1 Council has granted consent to the Owner to defer the payment of the Levy for the Subject Land until the next subdivision of the Subject Land on the terms and conditions of this Agreement.

5. Agreement required

The Parties agree that this Agreement will continue to be required until:

- 5.1 the Owner has complied with all of the Owner's obligations unless Council confirms in writing that it is no longer required; and
- 5.2 Council confirms in writing that the Agreement is no longer required.

6. Obligations

The Owner acknowledge and agree that:

- 6.1 pursuant to Council's consent under this Agreement, the Owner has not paid the Levy in respect of the subdivision under the Planning Permit; and
- at the time that the Owner seeks a Statement of Compliance in respect of any part of the Subject Land as part of the next subdivision, the Levy must be paid in respect of that part of the Subject Land that is in the relevant stage of the next subdivision unless Council in its capacity as collecting agency agrees in writing to a different time.

7. Owner's further obligations

7.1 Notice and registration

The Owner must bring this Agreement to the attention of all prospective occupiers, purchasers, lessees, licensees, mortgagees, chargees, transferees and assigns.

7.2 Further actions

The Owner:

7.2.1 must do all things necessary to give effect to this Agreement;

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7.2.2 consents to Council applying to the Registrar of Titles to record this Agreement on the certificate of title of the Subject Land in accordance with s 181 of the Act; and

- 7.2.3 agree to do all things necessary to enable Council to do so, including:
 - (a) sign any further agreement, acknowledgment or document; and
 - (b) obtain all necessary consents to enable the recording to be made.

7.3 Council's costs to be paid

The Owner must pay to Council within 14 days after a written request for payment, Council's costs and expenses (including legal expenses) relating to this Agreement, including:

- 7.3.1 preparing, drafting, finalising, signing, recording and enforcing this Agreement;
- 7.3.2 preparing, drafting, finalising and recording any amendment to this Agreement; and.
- 7.3.3 preparing, drafting, finalising and recording any document to give effect to the ending of this Agreement.

7.4 Interest for overdue money

- 7.4.1 The Owner must pay to Council interest in accordance with s 227A of the *Local Government Act 1989* on any amount due under this Agreement that is not paid by the due date.
- 7.4.2 If interest is owing, Council will apply any payment made to interest and any balance of the payment to the principal amount.

7.5 Notification of compliance with Owner's obligations

The Owner must notify Council of its compliance with all of the Owner's obligations.

8. Agreement under s 173 of the Act

Without limiting or restricting the respective powers to enter into this Agreement, and insofar as it can be so treated, this Agreement is made as a deed in accordance with s 173 of the Act.

9. Owner's warranties

The Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

10. Successors in title

Until such time as a memorandum of this Agreement is recorded on the certificate of title of the Subject Land, the Owner must require successors in title to:

10.1 give effect to this Agreement; and

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10.2 enter into a deed agreeing to be bound by the terms of this Agreement.

11. General matters

11.1 Notices

A notice or other communication required or permitted to be served by a Party on another Party must be in writing and may be served:

- 11.1.1 personally on the other Party;
- 11.1.2 by leaving it at the other Party's Current Address;
- 11.1.3 by posting it by prepaid post addressed to the other Party at the other Party's Current Address; or
- 11.1.4 by email to the other Party's Current Email.

11.2 Counterparts

This Agreement may be executed in counterparts, all of which taken together constitute one document.

11.3 No waiver

Any time or other indulgence granted by Council to the Owner or any variation of this Agreement or any judgment or order obtained by Council against the Owner does not amount to a waiver of any of Council's rights or remedies under this Agreement.

11.4 Severability

If a court, arbitrator, tribunal or other competent authority determines that any part of this Agreement is unenforceable, illegal or void then that part is severed with the other provisions of this Agreement remaining operative.

11.5 No fettering of Council's powers

This Agreement does not fetter or restrict Council's power or discretion to make decisions or impose requirements or conditions in connection with the grant of planning approvals or certification of plans subdividing the Subject Land or relating to use or development of the Subject Land.

11.6 Inspection of documents

A copy of any planning permit, document or plan referred to in this Agreement is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.

11.7 Governing law

This Agreement is governed by and is to be construed in accordance with the laws of Victoria.

[6911180: 17701246_1]

AN589268H 23/02/2017 \$92.70 173

12. GST

- 12.1 In this clause words that are defined in A New Tax System (Goods and Services Tax) Act 1999 have the same meaning as their definition in the Act.
- 12.2 Except as otherwise provided by this clause, all consideration payable under this Agreement in relation to any supply is exclusive of GST.
- 12.3 If GST is payable in respect of any supply made by a supplier under this Agreement, subject to clause 12.2 the recipient will pay to the supplier an amount equal to the GST payable on the supply at the same time and in the same manner as the consideration for the supply is to be provided under this Agreement.
- The supplier must provide a tax invoice to the recipient before the supplier will be entitled to payment of the GST payable under clause 12.3.

13. Commencement of Agreement

This Agreement commences on the date specified on page one or if no date is specified on page one, the date Council executes this Agreement.

14. Ending of Agreement

- 14.1 This Agreement ends:
 - 14.1.1 when the Owner has complied with all of the Owner's obligations; or
 - 14.1.2 otherwise by agreement between the Parties in accordance with section 177 of the Act.
- On the issue of a Statement of Compliance for a plan of subdivision for Residential Lots created over the Subject Land or earlier by agreement with Council, the Agreement ends in respect of that part of the Subject Land in the plan of subdivision in accordance with the Act provided that at all times, the Agreement must remain registered on the balance of the Subject Land.
- 14.3 The Owner may request in writing Council's consent to end the Agreement in respect of a Residential Lot in any Stage upon the issue of a Statement of Compliance in respect of that Stage.
- 14.4 After this Agreement has ended, Council will, at the Owner's written request and at the Owners cost, apply to the Registrar of Titles under s 183(1) of the Act to cancel the record of this Agreement.

[6911180: 17701246_1]

AN589268H 23/02/2017 \$92.70 173

ľ

Signing Page

Signed, sealed and delivered as a deed by the Parties.

EXECUTED as an agreement.

Signed for and on behalf of the **Wyndham City Council** pursuant to Instrument of
Delegation dated

Date

Executed by Trukeel Pty Ltd ACN005922065 in accordance with s 127(1) of the

Corporations Act 2001:

Signature of Director

ANGELO DI DIO
Print full name

d. U LO

Signature of Director (or Company Secretary)

MARIA DI DIO

Print full name

Delivered by LANDATA®, timestamp 04/01/2021 13:42 Page 12 of 13

AN589268H 23/02/2017 \$92.70 173

Caveator's Consent

Tarneit Estate Pty Ltd ACN 068152705 as caveator under instrument no. AM357304L consents to recording of this Agreement on each of the relevant Certificates of Title comprising Subject Land.

| Executed by Tarneit Estate Pty Ltd ACN 068152705 in accordance with s 127(1) of the Corporations Act 2001 |)))) |
|---|--|
| Signature of Director | Signature of Director (or Company Secretary) |
| Print full name | Print full name |



Schedule 1

Planning Permit details

Planning Permit number WYP8933/16 issued on 22 June 2016

Schedule 2

Subject Land title details

 The land known as Santa Rosa Farm Sayers Road, Tarneit being the land described in Certificate of Title Volume 7275 Folio 803

Schedule 3

Development Contribution Plan details

Wyndham North Development Contribution Plan

[6911180: 17701246_1]

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

| Document Type | Plan |
|------------------------------|------------------|
| Document Identification | PS822740Y |
| Number of Pages | 6 |
| (excluding this cover sheet) | |
| Document Assembled | 04/01/2021 13:42 |

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LUV USE ONLY **EDITION** 1 PLAN NUMBER

PS822740Y

LOCATION OF LAND

PARISH:

TARNEIT

TOWNSHIP:

SECTION: 8

CROWN ALLOTMENT:

A1 (PART)

CROWN PORTION:

TITLE REFERENCES:

Vol. 12233 FOL374

LAST PLAN REFERENCE/S:

PS822737M (LOT R)

POSTAL ADDRESS: (At time of subdivision)

TARNEIT, 3029

MGA94 Co-ordinates (of approx centre of

292 210 5 808 590 ZONE 55

HERMOSA DRIVE

Council Name: Wyndham City Council

Council Reference Number: WYS4786/18 Planning Permit Reference: WYP10107/17 SPEAR Reference Number: S126977B

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 16/05/2019

Statement of Compliance

This is a statement of compliance issued under section 21 of the Subdivision Act 1988

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

Digitally signed by: Irene Baker for Wyndham City Council on 06/08/2020

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER ROAD R1

land in plan)

COUNCIL/BODY/PERSON

WYNDHAM CITY COUNCIL

LOTS 1 TO 1700 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

NOTATIONS

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. SEE SHEET 6 FOR FURTHER DETAILS.

EASEMENT E-4 HAS BEEN OMITTED ON THIS PLAN.

NOTATIONS

DEPTH LIMITATION 15.24m BELOW THE SURFACE.

STAGING

This is/is not a staged subdivision.

Planning permit No.

SURVEY. THIS PLAN IS HIS NOT BASED ON SURVEY.

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s): PM17 (WERRIBEE), PM18, PM134, PM217, PM760 (TARNEIT)

PROCLAIMED SURVEY AREA:

OTHER PURPOSES OF THE PLAN: REMOVAL OF DRAINAGE, SEWERAGE AND WATER SUPPLY EASEMENT E-2 ON PS822737M AS AFFECTS CHIANTI RIDGE ON THIS PLAN.

REMOVAL OF DRAINAGE EASEMENT E-5 ON PS822737M AS AFFECTS HERMOSA DRIVE AND CHIANTI RIDGE ON THIS PLAN.

GROUNDS FOR REMOVAL:

BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN PURSUANT TO SECTION 6 (1)(k)(iv) OF THE SUBDIVISION ACT 1988.

NEWGATE 17 3.165ha

56 LOTS

EASEMENT INFORMATION

LEGEND A-Appurtenant Easement E-Encumbering Easement R-Encumbering Easement (Road)

| Easement Reference | Purpose | Width (Metres) | Orlgin | Land Benefited/In Favour Of |
|-----------------------|---|----------------------------------|-------------------------------------|--|
| E-1 | SEWERAGE | SEE PLAN | PS820473G | CITY WEST WATER CORPORATION |
| E-2 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | PS822737M PS822737M | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-3 | DRAINAGE | SEE PLAN | THIS PLAN | WYNDHAM CITY COUNCIL |
| E-5 | DRAINAGE SEWERAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN SEE PLAN | THIS PLAN THIS PLAN THIS PLAN | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION CITY WEST WATER CORPORATION |
| E-6 | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| E-7 | SEWERAGE | SEE PLAN | PS817174L | CITY WEST WATER CORPORATION |

2070S-17 VER G.DWG JO/AA



Member of the Surbana Jurong Group

SURVEYOR REF: 2070s-17

Digitally signed by: Gabrielle McCarthy, Licensed Surveyor,

Surveyor's Plan Version (G), 23/07/2020, SPEAR Ref: S126977B

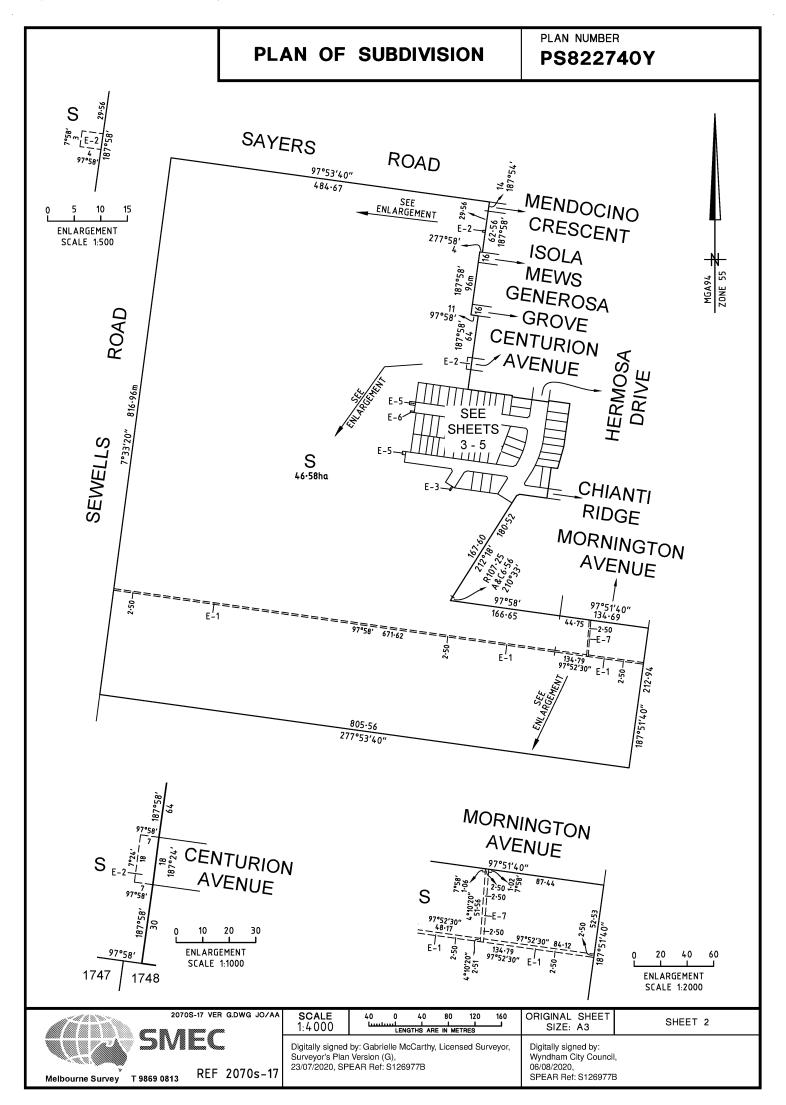
ORIGINAL SHEET SIZE: A3

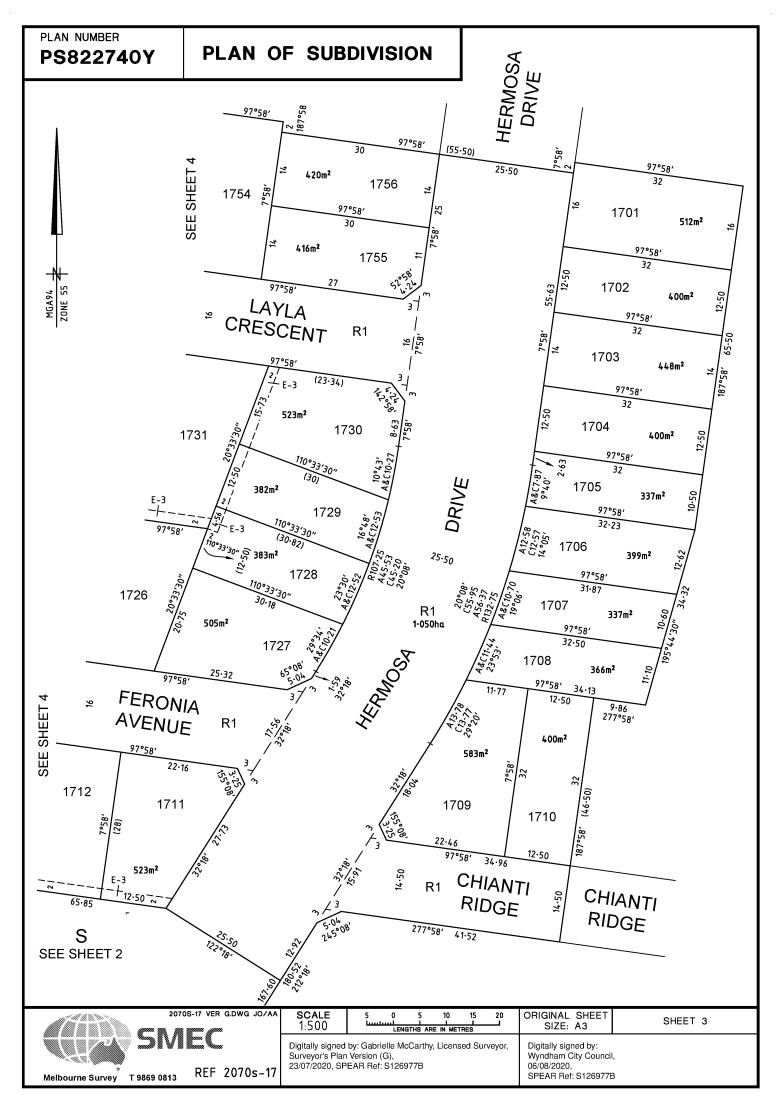
SHEET 1 OF 6

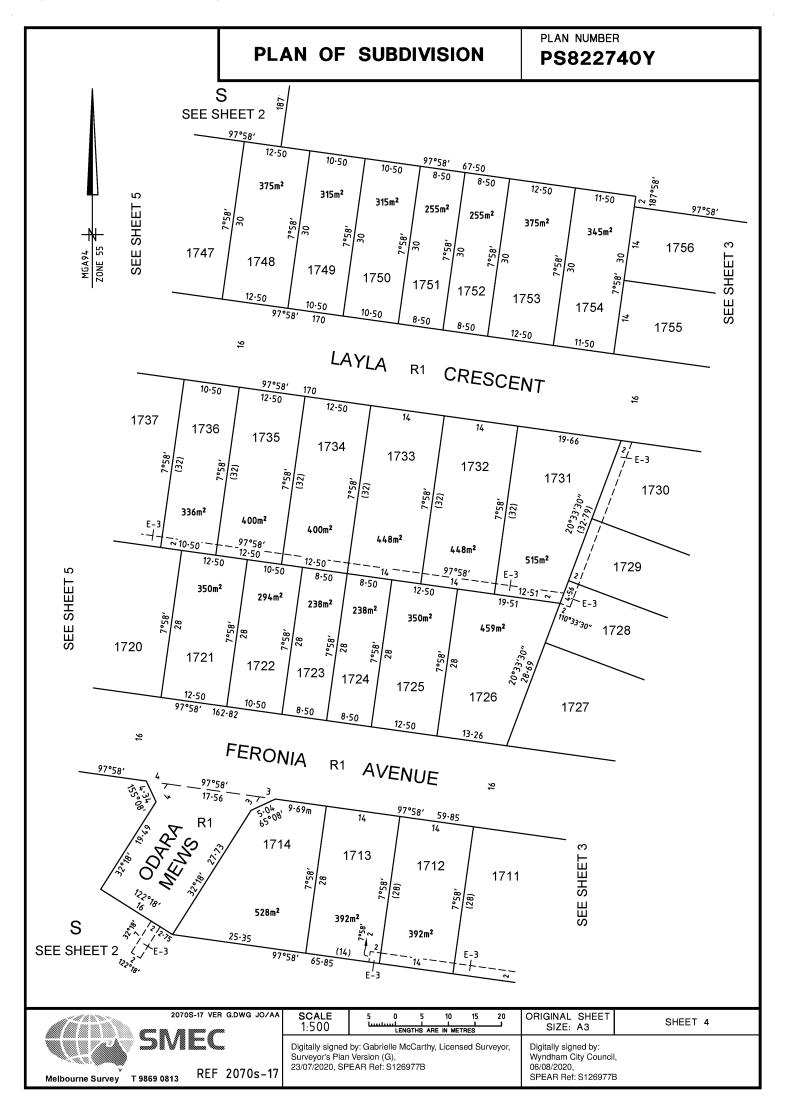
PLAN REGISTERED

TIME: 9.34pm DATE: 10/08/2020

Assistant Registrar of Titles Denise Satti



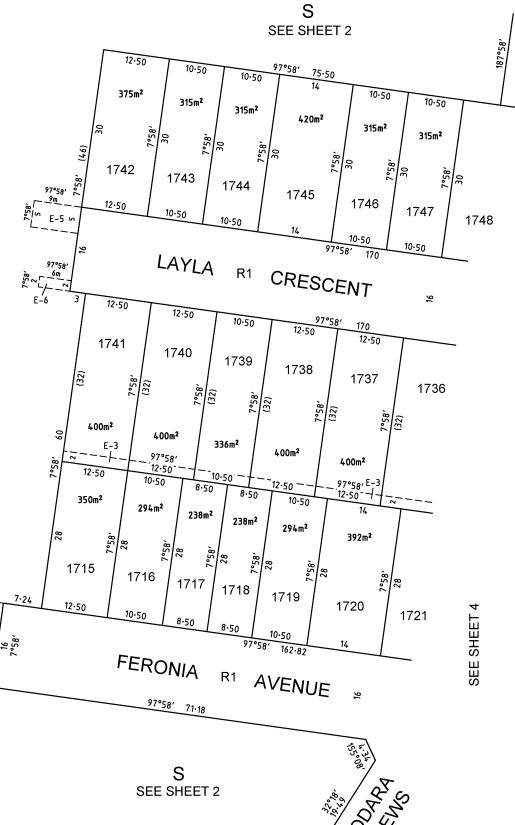




PLAN OF SUBDIVISION 12.50 10.50 10-50 375m² 315m² 315m²

PLAN NUMBER PS822740Y

SEE SHEET





Digitally signed by: Gabrielle McCarthy, Licensed Surveyor,

SCALE 1:500

Digitally signed by: Wyndham City Council, 06/08/2020. SPEAR Ref: S126977B

ORIGINAL SHEET SIZE: A3

SHEET 5

Surveyor's Plan Version (G), 23/07/2020, SPEAR Ref: S126977B

PLAN NUMBER

PS822740Y

CREATION OF RESTRICTION A

The following Restriction is to be created upon registration of Plan of Subdivision PS822740Y by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

Table of Land Burdened and Land Benefited:

| | 251155151115 1 252 | |
|------------------|------------------------------|--|
| BURDENED LOT No. | | |
| 1701 | 1702 | |
| 1702 | 1701, 1703 | |
| 1703 | 1702, 1704 | |
| 1704 | 1703, 1705 | |
| 1705 | 1704, 1706 | |
| 1706 | 1705, 1707 | |
| 1707 | 1706, 1708 | |
| 1708 | 1707, 1709, 1710 | |
| 1709 | 1708, 1710 | |
| 1710 | 1708, 1709 | |
| 1711 | 1712 | |
| 1712 | 1711, 1713 | |
| 1713 | 1712, 1714 | |
| 1714 | 1713 | |
| 1715 | 1716, 1741 | |
| 1716 | 1715, 1717, 1740 | |
| 1717 | 1716, 1718, 1739, 1740 | |
| 1718 | 1717, 1719, 1738, 1739 | |
| 1719 | 1718, 1720, 1737, 1738 | |
| 1720 | 1719, 1721, 1736, 1737 | |
| 1721 | 1720, 1722, 1735, 1736 | |
| 1722 | 1721, 1723, 1734, 1735 | |
| 1723 | 1722, 1724, 1734 | |
| 1724 | 1723, 1725, 1733 | |
| 1725 | 1724, 1726, 1732, 1733 | |
| 1726 | 1725, 1727, 1728, 1731, 1732 | |
| 1727 | 1726, 1728 | |
| 1728 | 1726, 1727, 1729, 1731 | |

| BURDENED LOT No. | BENEFITING LOTS | | |
|------------------|------------------------------|--|--|
| 1729 | 1728, 1730, 1731 | | |
| 1730 | 1729, 1731 | | |
| 1731 | 1726, 1728, 1729, 1730, 1732 | | |
| 1732 | 1725, 1726, 1731, 1733 | | |
| 1733 | 1724, 1725, 1732, 1734 | | |
| 1734 | 1722, 1723, 1733, 1735 | | |
| 1735 | 1721, 1722, 1734, 1736 | | |
| 1736 | 1720, 1721, 1735, 1737 | | |
| 1737 | 1719, 1720, 1736, 1738 | | |
| 1738 | 1718, 1719, 1737, 1739 | | |
| 1739 | 1717, 1718, 1738, 1740 | | |
| 1740 | 1716, 1717, 1739, 1741 | | |
| 1741 | 1715, 1740 | | |
| 1742 | 1743 | | |
| 1743 | 1742, 1744 | | |
| 1744 | 1743, 1745 | | |
| 1745 | 1744, 1746 | | |
| 1746 | 1745, 1747 | | |
| 1747 | 1746, 1748 | | |
| 1748 | 1747, 1749 | | |
| 1749 | 1748, 1750 | | |
| 1750 | 1749, 1751 | | |
| 1751 | 1750, 1752 | | |
| 1752 | 1751, 1753 | | |
| 1753 | 1752, 1754 | | |
| 1754 | 1753, 1755, 1756 | | |
| 1755 | 1754, 1756 | | |
| 1756 | 1754, 1755 | | |

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision must not without the consent of the Responsible Authority build or allow to be built on the lot:

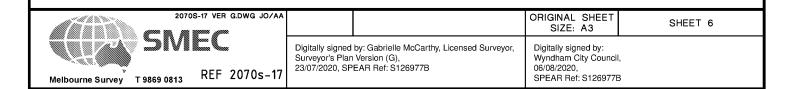
Memorandum of Common Provisions (MCP)

1. Any building other than a building which has been constructed and sited in accordance with the Memorandum of Common Provisions registered in Dealing No. AA6434 and which Memorandum of Common Provisions is incorporated in this plan.

Small Lot Housing Code

2. Any building in the case of lots less than 300 square metres unless in accordance with the Small Lot Housing Code or unless a specific Planning Permit for the building has been obtained from Wyndham City Council.

The restrictions in paragraphs 1 and 2 shall cease to burden any lot on the Plan of Subdivision with affect from 1st January 2030.



Under Section 37 of the Subdivision Act 1988

LUV USE ONLY

PLAN NUMBER

COUNCIL NAME:

EDITION

PS841640V

WYNDHAM CITY COUNCIL

LOCATION OF LAND

PARISH:

TARNEIT

TOWNSHIP:

SECTION: 8

CROWN ALLOTMENT: A1 (PART)

CROWN PORTION:

TITLE REFERENCES:

Vol.12239 Fol.715

LAST PLAN REFERENCE/S:

PS822740Y (LOT S)

POSTAL ADDRESS: (At time of subdivision) HERMOSA DRIVE TARNEIT, 3029

MGA94 Co-ordinates (of approx centre of land in plan)

292 150 5 808 460 **ZONE** 55

NOTATIONS

VESTING OF ROADS AND/OR RESERVES IDENTIFIER COUNCIL/BODY/PERSON ROAD R1 WYNDHAM CITY COUNCIL **RESERVE No.1** WYNDHAM CITY COUNCIL WYNDHAM CITY COUNCIL **RESERVE No.2**

NOTATIONS

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS (SEE OWNERS CORPORATION SEARCH REPORT FOR DETAILS).

LOTS 1 TO 100 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. SEE SHEET 9 FOR FURTHER DETAILS.

CP1 DENOTES COMMON PROPERTY 1.

COMMON PROPERTY 1 IS NOT SHOWN TO SCALE ON THIS PLAN.

OTHER PURPOSES OF THE PLAN:

STAGING THIS IS A STAGED SUBDIVISION. PLANNING PERMIT No. WYP10107

DEPTH LIMITATION 15.24m BELOW THE SURFACE.

SURVEY. THIS PLAN IS BASED ON SURVEY.

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s): PM17 (WERRIBEE) AND PM18, PM134, PM217 & PM760 (TARNEIT)

PROCLAIMED SURVEY AREA:

REMOVAL OF THAT PART OF DRAINAGE EASEMENT E-3 ON PS822740Y INSOFAR AS IT AFFECTS ODARA MEWS ON THIS PLAN.

GROUNDS FOR REMOVAL AND VARIATION:

BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN PURSUANT TO SECTION 6 (1)(k)(iv) OF THE SUBDIVISION ACT 1988.

ALAMORA 1 4.964ha

37 LOTS

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 | SEE PLAN | PS820473G | CITY WEST WATER CORPORATION |
| E-2 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | PS822737M PS822737M | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-3 | DRAINAGE SEWERAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN SEE PLAN | PS822740Y PS822740Y PS822740Y | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION CITY WEST WATER CORPORATION |
| | | SEE S | SHEET 2 FOR CONTINUATION | N |

2070S-01 VER C.DWG SB/AMM

SURVEYOR REF:

2070s-01

ORIGINAL SHEET SIZE: A3

SHEET 1 OF 9

GABRIELLE MCCARTHY

VERSION C

Melbourne Survey T 9869 0813

Under Section 37 of the Subdivision Act 1988

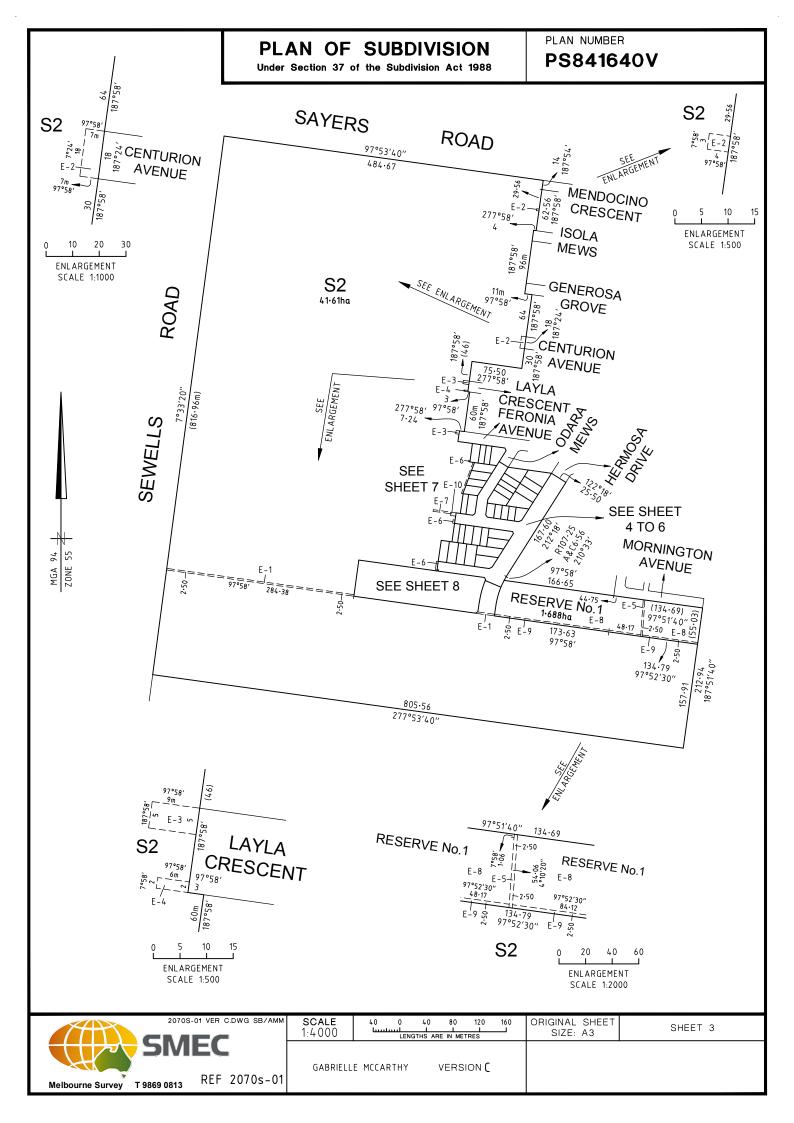
PLAN NUMBER PS841640V

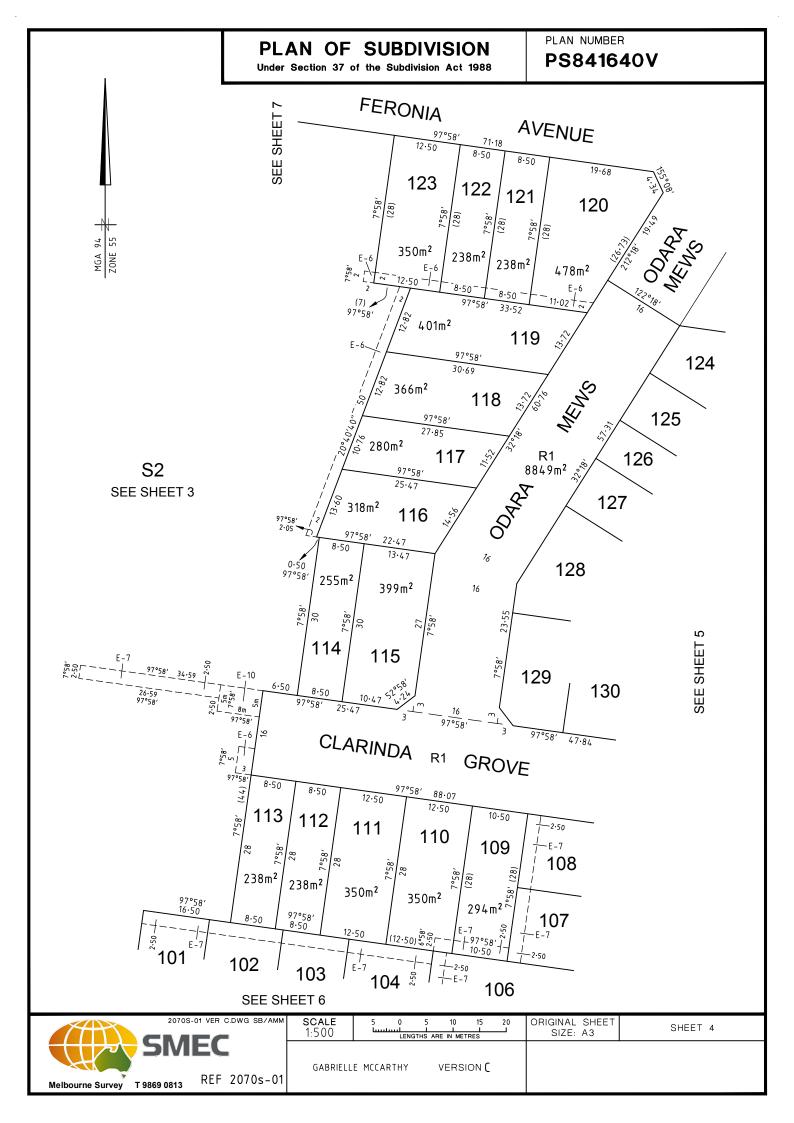
| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of |
|-----------------------|---|----------------------|--|---|
| E-4 | SEWERAGE | SEE PLAN | PS822740Y | CITY WEST WATER CORPORATION |
| E-5 | SEWERAGE CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741 | SEE PLAN SEE PLAN | PS817174L THIS PLAN | CITY WEST WATER CORPORATION MELBOURNE WATER CORPORATION |
| E-6 | DRAINAGE | SEE PLAN | THIS PLAN | WYNDHAM CITY COUNCIL |
| E-7 | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| E-8 | CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS NO.AA2741 | SEE PLAN | THIS PLAN | MELBOURNE WATER CORPORATION |
| E-9 | SEWERAGE | SEE PLAN | PS820473G | CITY WEST WATER CORPORATION |
| | CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741 | SEE PLAN | THIS PLAN | MELBOURNE WATER CORPORATION |
| E-10 | DRAINAGE | SEE PLAN | THIS PLAN | WYNDHAM CITY COUNCIL |
| | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| | WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| | DISTRIBUTION AND/OR TRANSMISSION OF GAS | SEE PLAN | THIS PLAN (SECTION 146 GAS INDUSTRY ACT 2001) | AUSNET GAS SERVICES PTY LTD |
| E-11 | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| | CREATION & MAINTENANCE OF WETLANDS, FLOODWAY AND DRAINAGE AS SPECIFIED AND SET-OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741 | SEE PLAN | THIS PLAN | MELBOURNE WATER CORPORATION |
| | | | | |

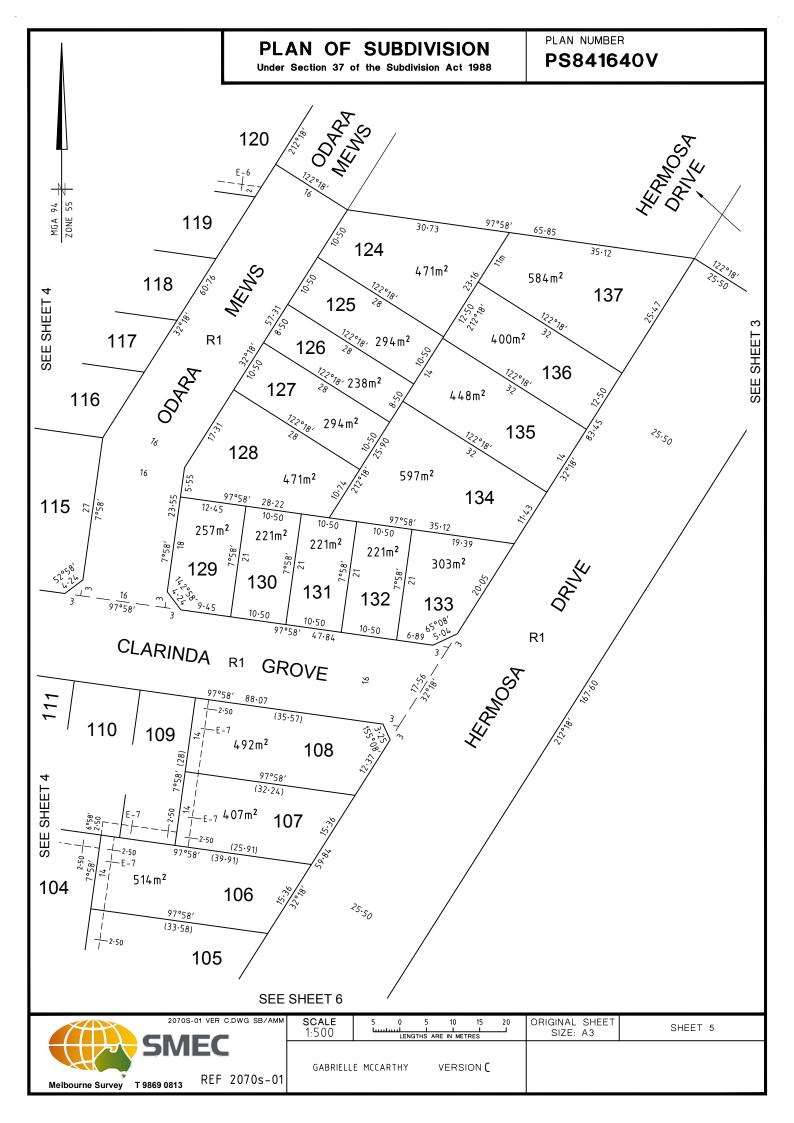
| 2070 | S-01 VER C.DWG SB/AMM |
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| W. II. | REF 2070s-01 |
| Melbourne Survey T 9869 0813 | |

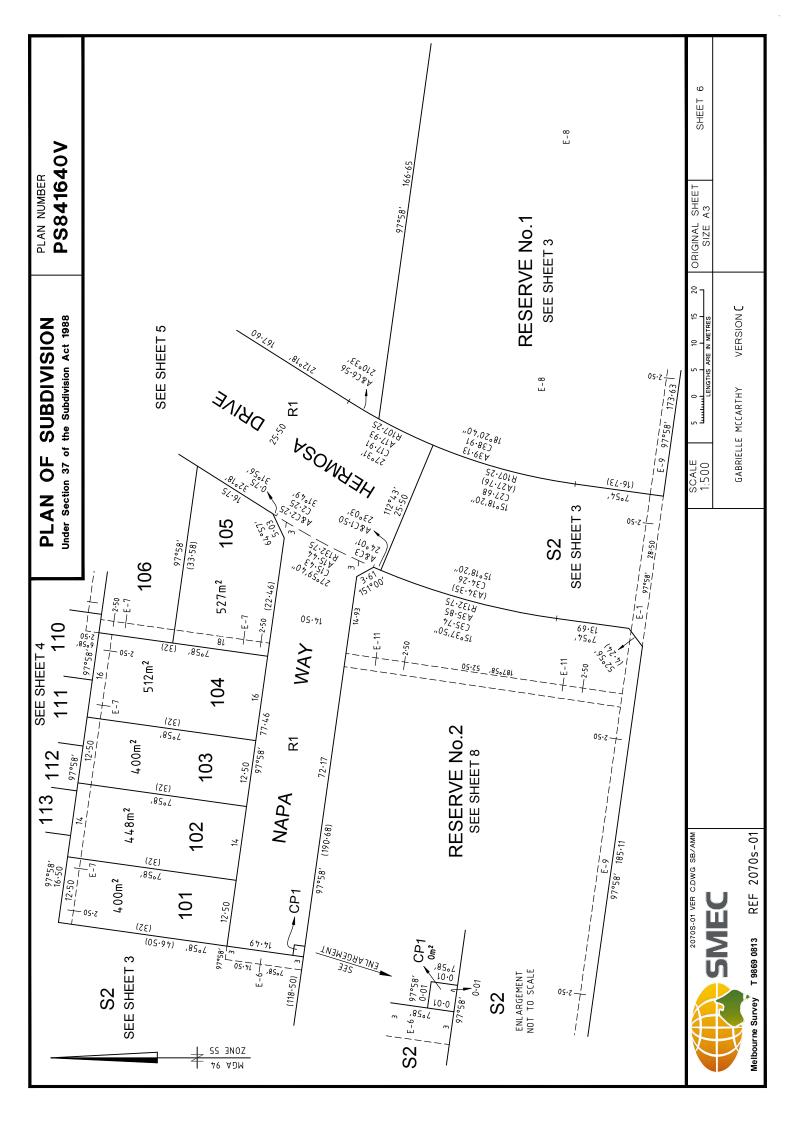
ORIGINAL SHEET SIZE: A3

SHEET 2









PS841640V PLAN NUMBER Under Section 37 of the Subdivision Act 1988 PLAN OF SUBDIVISION SEE SHEEL 4 119 118 123 117 FERONIA AVENUE (28) 97°58′ E-6 277°58′ 187°58′ 1724 ,85°781 91 SEE SHEET 3

ORIGINAL SHEET SIZE A3 VERSION (5 0 5 10 15 Lending Lengths Are in Metres GABRIELLE MCCARTHY SCALE 1:500

SHEET 7

REF 2070s-01 Melbourne Survey T 9869 0813

SS 3NOZ WC∀ 6¢

RESERVE SEE SHEET 3 3/140 No.1 ω E-8 SHEET PSONA34 PS841640V .02'81°21 83.757 83.754 84.757 86.7019 PLAN NUMBER (86-73) ORIGINAL SHEET SIZE A3 4.05.2 ".02,81.51 92.7E) 56.7EV 52.2E18 58.5EV 74.5E) "05,42.51 105 157.00'-(13-69) .05.61°8 .03.91°8 ,7506 SEE SHEET 6 MAY30 104 2.50+ 7.5 0 7.5 15 22.5 VERSION (E-11+ Under Section 37 of the Subdivision Act 1988 2.50+ SUBDIVISION | 102 | 103 | NAPA GABRIELLE MCCARTHY - CP1 101 PLAN OF SCALE 1:750 E-6-E-8 97°58′ (190·68) RESERVE No.2 1.041ha SEE SHEET 3 **S**2 REF 2070s-01 ..05,61.8 2.50+ E-8 (55) ۷،28, T 9869 0813 Melbourne Survey SS 3NOZ WCV 6t

Under Section 37 of the Subdivision Act 1988

PLAN NUMBER PS841640V

CREATION OF RESTRICTION A

The following Restriction is to be created upon registration of Plan of Subdivision PS841640V 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. | BENEFITING LOTS |
|------------------|-------------------------|
| 101 | 102 |
| 102 | 101, 103, 112, 113 |
| 103 | 102, 104, 111, 112 |
| 104 | 103, 105, 106, 110, 111 |
| 105 | 104, 106 |
| 106 | 104, 105, 107, 109, 110 |
| 107 | 106, 108, 109 |
| 108 | 107, 109 |
| 109 | 106, 107, 108, 110 |
| 110 | 104, 106, 109, 111 |
| 111 | 103, 104, 110, 112 |
| 112 | 102, 103, 111, 113 |
| 113 | 102, 112 |
| 114 | 115, 116 |
| 115 | 114, 116 |
| 116 | 114, 115, 117 |
| 117 | 116, 118 |
| 118 | 117, 119 |
| 119 | 118, 120, 121, 122, 123 |

| BURDENED LOT No. | BENEFITING LOTS |
|------------------|-----------------------------------|
| 120 | 119, 121 |
| 121 | 119, 120, 122 |
| 122 | 119, 121, 123 |
| 123 | 119, 122 |
| 124 | 125, 136, 137 |
| 125 | 124, 126, 135, 136 |
| 126 | 125, 127, 134, 135 |
| 127 | 126, 128, 134 |
| 128 | 127, 129, 130, 131, 134 |
| 129 | 128, 130 |
| 130 | 128, 129, 131 |
| 131 | 128, 130, 132, 134 |
| 132 | 131, 133, 134 |
| 133 | 132, 134 |
| 134 | 126, 127, 128, 131, 132, 133, 135 |
| 135 | 125, 126, 134, 136 |
| 136 | 124, 125, 135, 137 |
| 137 | 124, 136 |

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision must not without the consent of the Responsible Authority build or allow to be built on the lot:

Memorandum of Common Provisions (MCP)

1. Any building other than a building which has been constructed and sited in accordance with the Memorandum of Common Provisions registered in Dealing No. AA and which Memorandum of Common Provisions is incorporated in this plan.

Small Lot Housing Code

2. Any building in the case of lots less than 300 square metres unless in accordance with the Small Lot Housing Code or unless a specific Planning Permit for the building has been obtained from Wyndham City Council.

The restrictions in paragraphs 1 and 2 shall cease to burden any lot on the Plan of Subdivision with affect from 1st January 2031.



| SCALE | 0 | | | |
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| | handaad | 1 | | |
| | LENGTHS | ARE IN | METRES | |
| | | | | |

ORIGINAL SHEET SIZE: A3

SHEET 9

GABRIELLE MCCARTHY

VERSION (

| OWNERS CORPORATION SCHEDULE | | | | | | F | 'S841 | 640V | | | | | | |
|-----------------------------|--------------------|------------------|---------------|------|-------------|--------------|-------|-------------------|-------------|-----------|---|--------------------|-------------|-----------|
| Owners Corp | oration No. | | | | 1 | | | | | Plan No. | | PS841640V | | |
| Land affecte | ed by Owners (| Corporation | | | Lots: | ALL THE LOTS | 11 | N THE TABLE B | BELOW | | | | | |
| | , | | | | | | | | | | | | | |
| Limitations of | f Owners Corpor | ration: | | | Common Pro | репу мо.: | 1 | | | | | | | |
| Notations | - Cwileis Corpor | alion. | | | ONLIMITED | | | | | | | | | |
| NIL | | | | | | | | | | | | | | |
| | | | | | | | | | | | | Totals | | |
| | | | | | | | | | | | _ | | Entitlement | Liability |
| | | | | | | | | | | | L | This schedule | 3701 | 3701 |
| | | | | | | | | | | | | Previous stages | 0 | 0 |
| | | | | | | | | | | | | Overall Total | 3701 | 3701 |
| | | | | | | = | _ | | | | | | | |
| 1 -4 | F | 1.1 - 6.196 - | П | 1 -4 | | 1 | t a | and Lot Liability | | 1.1-1.104 | П | 1 -4 | E-title t | 1.1-1-104 |
| Lot 101 | Entitlement 100 | Liability 100 | ${\mathbb H}$ | Lot | Entitlement | Liability | | Lot | Entitlement | Liability | H | Lot | Entitlement | Liability |
| 101 | 100 | 100 | | | | | | | | | | | | |
| 103 | 100 | 100 | | | | | | | | | | | | |
| 104 | 100 | 100 | | | | | | | | | | | | |
| 105 | 100 | 100 | | | | | | | | | | | | |
| 106 | 100 | 100 | | | | | | | | | | | | |
| 107 108 | 100 100 | 100 100 | | | | | | | | | | | | |
| 109 | 100 | 100 | | | | | | | | | | | | |
| 110 | 100 | 100 | | | | | | | | | | | | |
| 111 | 100 | 100 | | | | | | | | | | | | |
| 112 | 100 | 100 | | | | | | | | | | | | |
| 113 | 100 | 100 | | | | | | | | | | | | |
| 114 | 100 | 100 | | | | | | | | | | | | |
| 115 | 100 | 100 | | | | | | | | | | | | |
| 116 117 | 100 100 | 100 100 | | | | | | | | | | | | |
| 118 | 100 | 100 | | | | | | | | | | | | |
| 119 | 100 | 100 | | | | | | | | | | | | |
| 120 | 100 | 100 | | | | | | | | | | | | |
| 121 | 100 | 100 | | | | | | | | | | | | |
| 122 | 100 | 100 | | | | | | | | | | | | |
| 123 | 100 | 100 | | | | | | | | | | | | |
| 124 | 100 | 100 | | | | | | | | | | | | |
| 125 | 100 | 100 | | | | | | | | | | | | |
| 126 127 | 100 100 | 100 100 | | | | | | | | | | | | |

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| Customer code: | |

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

Preliminary

All Provisions not addressed in this Memorandum of Common Provisions (MCP) are as required in the current Building Regulations.

This MCP cannot be changed or amended unless with the written consent of the Responsible Authority.

Approved Building Envelopes

Any building on Lot 101 to Lot 137 (inclusive) within subdivision plan PS 841640V must be contained within the building envelopes shown on the attached plan and defined by the associated setback profiles and written notes contained therein.

1. Text of restrictions:

The matters which are restricted by the building envelopes are:

1.1 Minimum street setback Building Regulations 2018 Part 5 – Siting, Regulation 74

The front street setback is designated on the specified Building Envelope for each allotment. All dwellings must be set back from the main street frontage by the minimum distance indicated. Garages must be located or set back behind the front façade of the dwelling.

Unless noted on the plan, the minimum front setback on a splayed or curved corner between two street frontages is on an arc connecting the front street setback line to the side street setback line commencing at the points that are perpendicular to the points where the street alignment commences to arc.

Garages must be constructed within the Building Envelope and sited a minimum of 5 metres from the front street boundary

Setbacks for single garages for lots less than 12.5 metres in width, are nominated on the building envelopes.

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- 1. The provisions are to be numbered consecutively from number 1.
- 2. Further pages may be added but each page should be consecutively numbered.
- 3. To be used for the inclusion of provisions in instruments and plans.

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Page 1 of 8

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1.2 Building height Building Regulations 2018 Part 5 – Siting, Regulation 75 Wyndham Planning Scheme Clause 54.03-2

The height of a building must not exceed the maximum building height shown in the profile diagrams specified in the Building Envelope Schedule. Maximum building heights between specified points on a setback profile lie on a straight line drawn between the two specified points within a profile. Maximum building heights between profiles lie on a straight line drawn between the closest parts of the two profiles.

1.3 Site coverage

Building Regulations 2018 Part 5 – Siting, Regulation 76 Wyndham Planning Scheme Clause 54.03-3

Unless otherwise specified in the notations to the Building Envelopes as they apply to particular allotments, buildings must not occupy more than 60 per cent of the lot.

1.4 Side and rear setbacks Building Regulations 2018 Part 5 – Siting, Regulation 79 Wyndham Planning Scheme Clause 54.04-1

The side setback is designated on the specified Building Envelope for each allotment. A building must be setback from a side boundary not less than the distances specified in the Profile Diagrams and shown on the Building Envelopes by a setback identifier code. Garages may be built to the side boundary if provided for on the Building Envelope plan and adjacent buildings allow. The measurements are taken from the natural surface levels to the top of the wall.

The side street setback is designated on the specified Building Envelope for each allotment.

A rear wall of a building not exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 3 metres, and a rear wall of a building exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 5.5 metres for standard lots.

The maximum height of a building facing a rear boundary must not exceed the maximum building height allowed by the side envelope profile as shown in the Profile Diagrams, or a height limit for a rear setback as dimensioned on the Building Envelope plan.

1.5 Walls on boundaries Building Regulations 2018 Part 5 – Siting, Regulation 80 Wyndham Planning Scheme Clause 54.04-2

Unless otherwise noted on the Building Envelopes, walls and associated parts of a building within 1.0 metre of a boundary are restricted to areas within a Building to Boundary Zone (BBZ). The BBZ spans the length of the side boundary between the front and rear setbacks permitted by this Building Envelope. The total length of walls in the BBZ is limited to 60% of the length of the boundary except for terrace style lots where walls are permitted to the extent of the nominated BBZ.

Within the BBZ, the following apply:

- Walls within the BBZ are allowed.
- Carports and verandahs are not permitted to be built to the boundary.
- Maximum height of a wall in the BBZ is restricted to 3.6 metres.
- Walls less than 1.0 metre from the boundary must be within 200 mm of the boundary.
- BBZ is permitted to one side only

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Encroachments

Side, Side Street and Rear: The following may encroach into the specified setback distances by not more than 600 mm:

- Porches, eaves, verandahs
- Masonry chimneys
- Screens, but only to the extent needed to protect a neighbouring property from a direct view
- Water tanks
- Heating and cooling equipment and other services

The following may encroach into the specified setback distances:

- Landings with an area of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Unroofed stairways and ramps
- Pergolas
- Shade sails
- Eaves, fascia, gutters

Front: The following may encroach into the specified front street setback distances by no more than 1500 mm: For the purposes of these guidelines, gutters are not a measured item.

- Porches and verandahs to a maximum height of 4.5 metres.
- Decks and uncovered landings of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Eaves.

For the purposes of these guidelines, gutters are not a measured item.

1.6 Daylight to existing habitable room windows
Building Regulations 2018 Part 5 – Siting, Regulation 81
Wyndham Planning Scheme Clause 54.04-3

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 81 is superseded by this MCP.

1.7 Solar access to existing north-facing habitable room windows Building Regulations 2018 Part 5 – Siting, Regulation 82 Wyndham Planning Scheme Clause 54.04-4

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 82 is superseded by this MCP.

1.8 Overshadowing of recreational private open space
Building Regulations 2018 Part 5 – Siting, Regulation 83
Wyndham Planning Scheme Clause 54.04-5

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 83 is superseded by this MCP.

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1.9 Overlooking Building Regulations 2018 Part 5 – Siting, Regulation 84 Wyndham Planning Scheme Clause 54.04-6

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 85 is superseded by this MCP.

Building regulations

Building regulations 73, 74, 75, 79, 81, 82, 83, 84 & 85 are superseded by the approved building envelopes.

Notes on Restrictions

- Ground level after engineering works associated with the subdivision is to be regarded as natural ground level.
- In the case of a conflict between the Building Envelope plan or Profile Diagrams and these written notations, the specifications in the written notations prevail.
- Buildings must not cover registered easements unless provided for by the easement.

General Definitions

If not defined above, the words below shall have the meaning attributed to them in the document identified.

In the Building Act 1993:

- Building
- Lot

In Part 5 of Building Regulations 2018:

- Clear to the sky
- Height
- Private open space
- Recreational private open space
- Raised open space
- Setback
- Site coverage
- Window
- Single dwelling
- North (true north)

In the Victoria Planning Provisions, 31 October 2002:

- Frontage (Clause 72)
- Dwelling (Clause 74)
- Habitable room (Clause 72)
- Storey (Clause 72)

Additional Definitions

DAP

DAP means the Design Assessment Panel appointed by Villawood responsible for approving designs to be in accordance with this MCP.

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Page 4 of 8

Front street or Main Street frontage

Front Street means the street or road that forms the frontage to the lot concerned. Where there is more than one road which adjoins a lot or where it may be otherwise unclear, the Front Street may be identified by the letter "F" in the Building Envelope Plan or will be as agreed in writing by the DAP.

MCP

This Memorandum of Common Provisions.

Natural ground level

Natural ground level means the ground level after engineering works associated with the subdivision have been completed.

Side boundary

A boundary of a lot that runs between and connects the street frontage of the lot to the rear boundary of the lot.

Site coverage

Site coverage includes roofed areas of the dwelling, in addition to roofed terraces, patios, decks and pergolas. Eaves, fascia and gutters not exceeding 600 mm in total width, and unroofed swimming pools, terraces, patios, decks and pergolas should be disregarded.

Standard lot

A single lot that accommodates a freestanding dwelling detached from adjoining dwellings and of an individual style.

Street

For the purposes of determining street setbacks, street means any road other than a lane, footway, alley or right of way.

Villawood

Villawood Properties.

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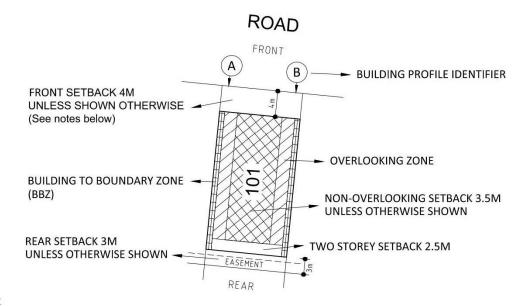
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Diagrams and plans:

BUILDING ENVELOPE PLAN

LEGEND

EXAMPLE OF TYPICAL BUILDING ENVELOPE SETBACKS



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 form the boundary must be within 200mm of the boundary.
- Two storey setback within the building envelope at the rear of the properties is 2.5m
- Building to Boundary Zone to one boundary only unless terrace profile nominated.

ADDITIONAL NOTATIONS (for Lots marked with *):

- With the exception of garages with access from a laneway, garages must be located or setback behind the front facade of the home.
- Minimum Open Space required is 25 square metres with a 3m minimum width.
- Maximum building site coverage of 60% is permitted.

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

Single Storey Building Envelope
Note: Garages must be setback a minimum 5m from main street frontage

Building to Boundary Zone

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

Double Storey Building Requirement

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

This plan forms part of the "Alamora Design Guidelines". Please refer to these Guidelines for further information.

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Page 6 of 8

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NOTATIONS

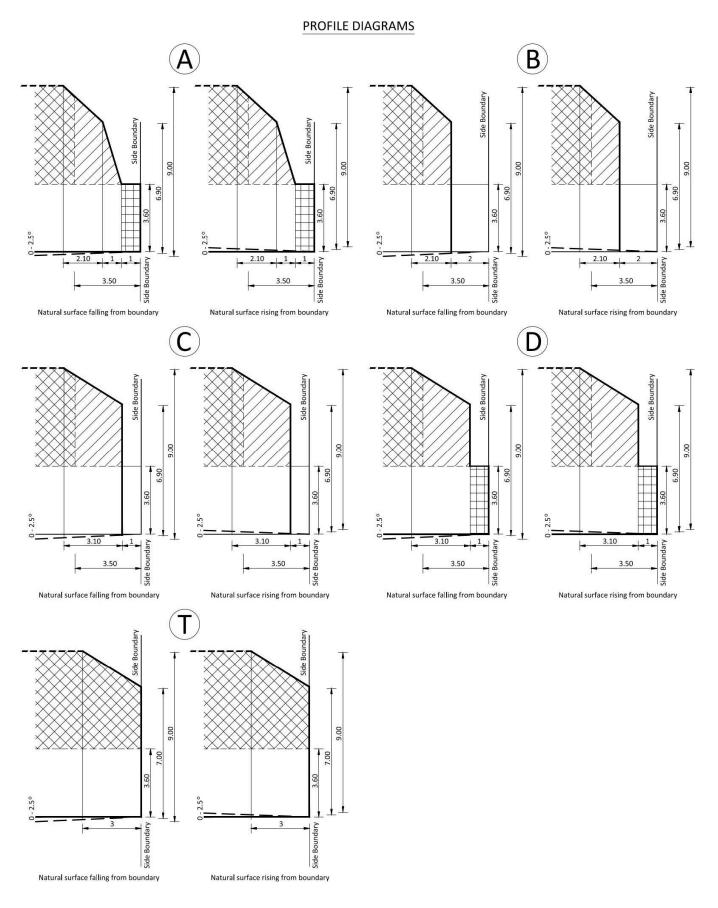
- Where a profile when applied covers an easement, the portion of the profile within the easement cannot be considered for approval / built upon. This may vary in the circumstances where building on the easement receives prior written consent by the
- The Building Envelopes on this plan are shown enclosed by continuous thick lines.
- Profile types (A), (B), (C), (D) and (T) are contained in "Profile Diagrams" in this



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Page 7 of 8



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Page 8 of 8

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Under Section 37 of the Subdivision Act 1988

LUV USE ONLY

PLAN NUMBER

EDITION

PS841640V/S2

WYNDHAM CITY COUNCIL

LOCATION OF LAND

PARISH:

TARNEIT

TOWNSHIP:

SECTION: 8

CROWN ALLOTMENT: A1 (PART)

CROWN PORTION:

TITLE REFERENCES: Vol.

LAST PLAN REFERENCE/S: PS822740Y/S2

POSTAL ADDRESS: (At time of subdivision) HERMOSA DRIVE TARNEIT, 3029

MGA94 Co-ordinates (of approx centre of land in plan)

292 000 5 808 460 **ZONE** 55

Fol.

NOTATIONS

COUNCIL NAME:

VESTING OF ROADS AND/OR RESERVES COUNCIL/BODY/PERSON

IDENTIFIER ROAD R2 **RESERVE No.3**

WYNDHAM CITY COUNCIL

POWERCOR AUSTRALIA LTD.

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS (SEE OWNERS CORPORATION SEARCH REPORT FOR DETAILS).

LOTS 1 TO 200 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. SEE SHEET 8 FOR FURTHER DETAILS.

EASEMENTS E-5 AND E-7 TO E-11 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

NOTATIONS

DEPTH LIMITATION 15.24m BELOW THE SURFACE.

STAGING

THIS IS A STAGED SUBDIVISION. PLANNING PERMIT No. WYP10107

SURVEY. THIS PLAN IS BASED ON SURVEY.

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s): PM17 (WERRIBEE) AND PM18, PM134, PM217 & PM760 (TARNEIT)

PROCLAIMED SURVEY AREA:

OTHER PURPOSES OF THE PLAN:

REMOVAL OF THAT PART OF DRAINAGE EASEMENT E-6 ON PS841640V INSOFAR AS IT AFFECTS NAPA WAY AND CLARINDA GROVE ON THIS PLAN.

REMOVAL OF THAT PART OF SEWERAGE EASEMENT E-7 ON PS841640V INSOFAR AS IT AFFECTS CLARINDA GROVE ON THIS PLAN.

REMOVAL OF THAT PART OF SEWERAGE, DRAINAGE, WATER SUPPLY AND DISTRIBUTION AND / OR TRANSMISSION OF GAS EASEMENT E-10 ON PS841640V INSOFAR AS IT AFFECTS CLARINDA GROVE ON THIS PLAN.

GROUNDS FOR REMOVAL AND VARIATION:

BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN PURSUANT TO SECTION 6 (1)(k)(iv) OF THE SUBDIVISION ACT 1988.

ALAMORA 2 2.418ha

52 LOTS

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 | SEE PLAN | PS820473G | CITY WEST WATER CORPORATION |
| E-2 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | PS822737M PS822737M | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-3 | DRAINAGE SEWERAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN SEE PLAN | PS822740Y PS822740Y PS822740Y | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION CITY WEST WATER CORPORATION |
| | | SEE S | HEET 2 FOR CONTINUATION | N |

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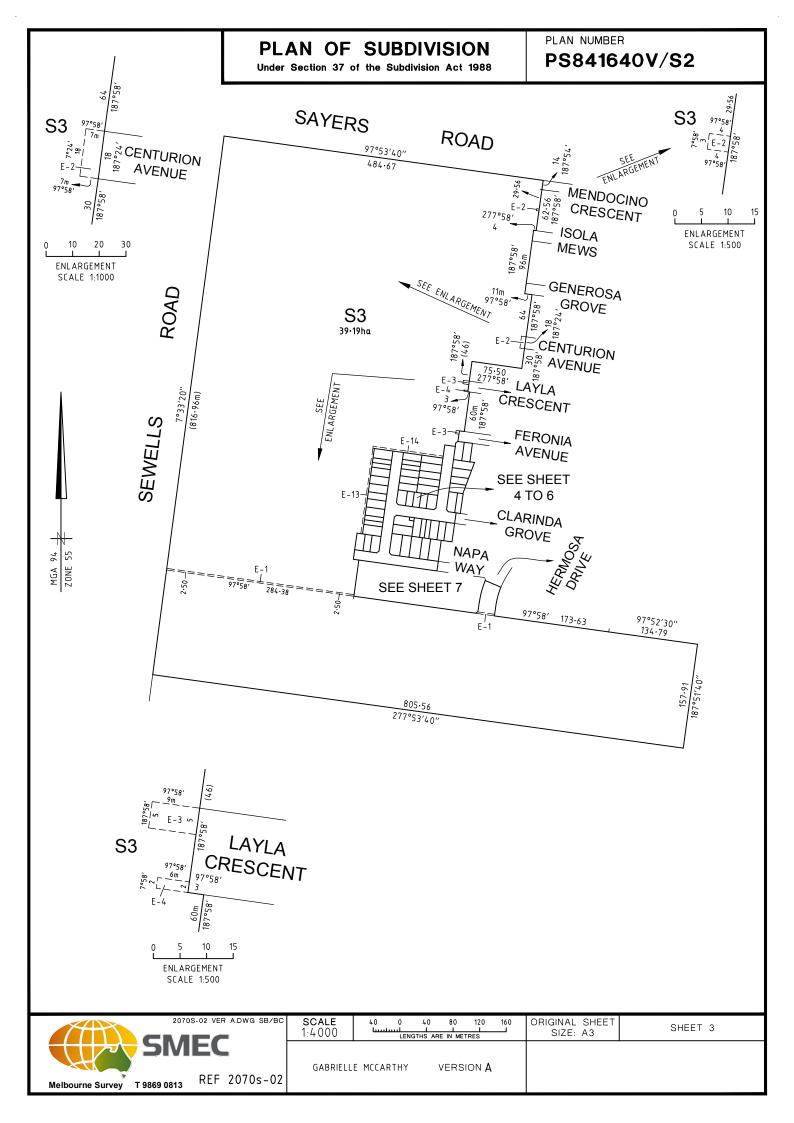
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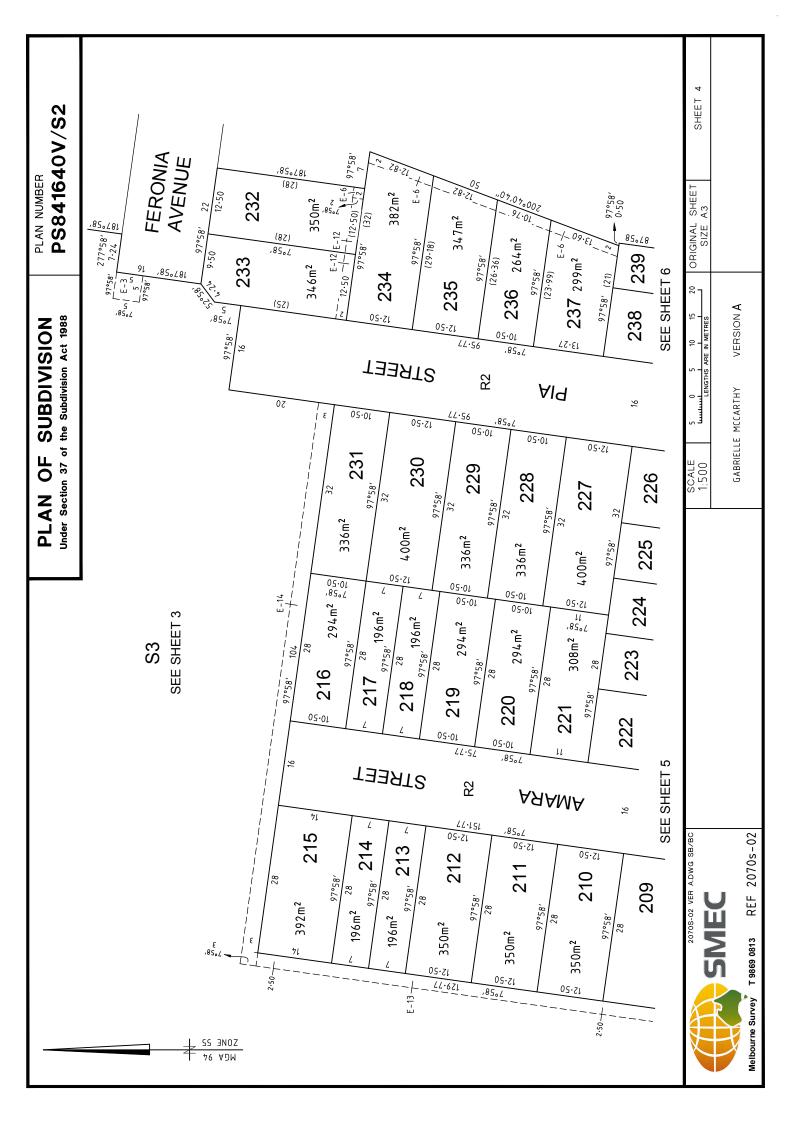
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PLAN NUMBER

| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of |
|-----------------------|----------------------|----------------------|------------------------|---|
| E-4 | SEWERAGE | SEE PLAN | PS822740Y | CITY WEST WATER CORPORATION |
| E-6 | DRAINAGE | SEE PLAN | PS841640V | WYNDHAM CITY COUNCIL |
| E-12 | DRAINAGE | SEE PLAN | THIS PLAN | WYNDHAM CITY COUNCIL |
| E-13 | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| E-14 E-14 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | THIS PLAN THIS PLAN | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
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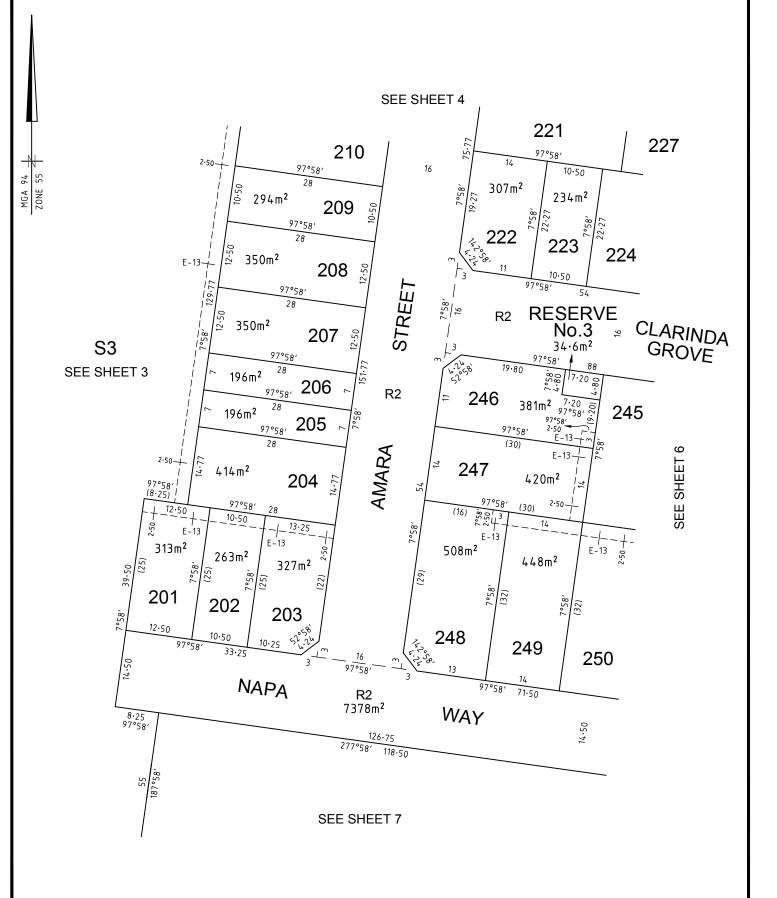
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Under Section 37 of the Subdivision Act 1988

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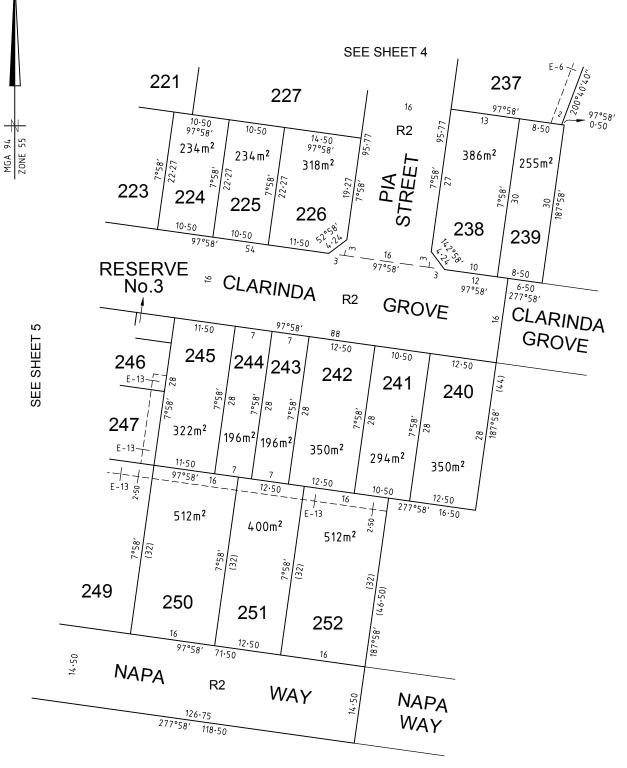
GABRIELLE MCCARTHY

VERSION A

PLAN NUMBER

PS841640V/S2

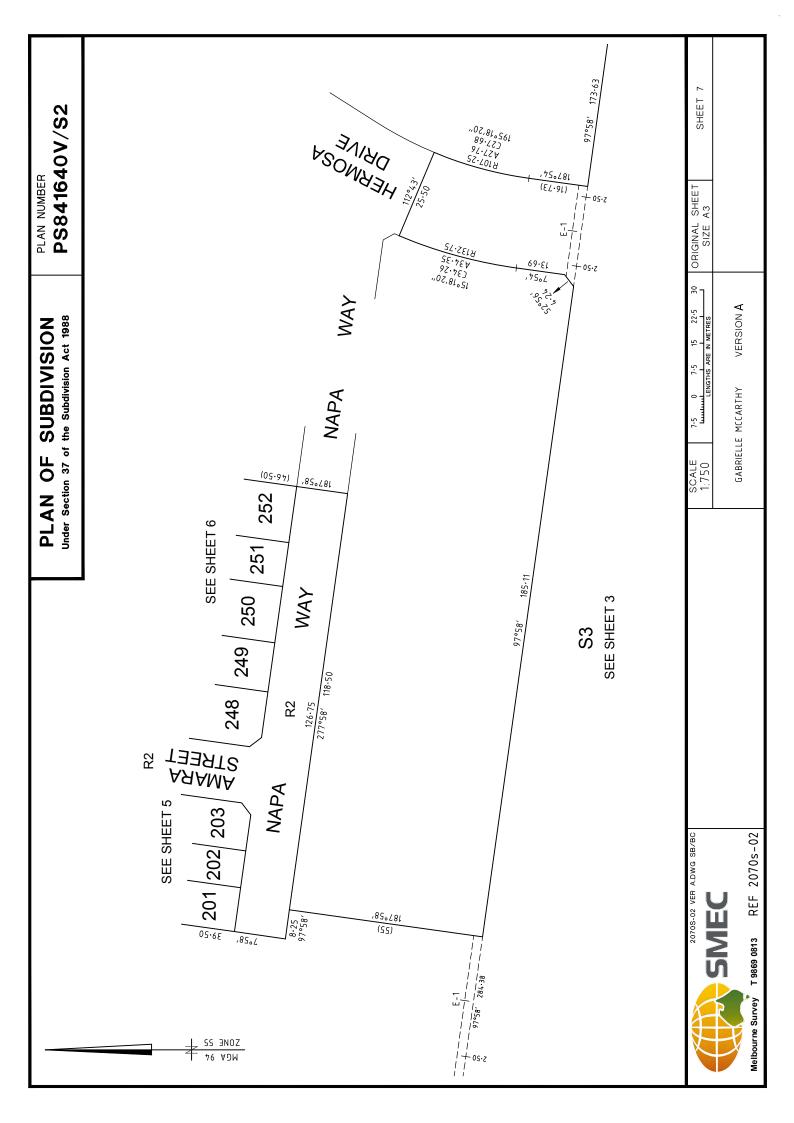
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SEE SHEET 7

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Under Section 37 of the Subdivision Act 1988

PLAN NUMBER PS841640V/S2

CREATION OF RESTRICTION A

The following Restriction is to be created upon registration of Plan of Subdivision PS841640V/S2 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. | BENEFITING LOTS |
|------------------|-------------------------|
| 201 | 202, 204 |
| 202 | 201, 203, 204 |
| 203 | 202, 204 |
| 204 | 201, 202, 203, 205 |
| 205 | 204, 206 |
| 206 | 205, 207 |
| 207 | 206, 208 |
| 208 | 207, 209 |
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| 210 | 209, 211 |
| 211 | 210, 212 |
| 212 | 211, 213 |
| 213 | 212, 214 |
| 214 | 213, 215 |
| 215 | 214 |
| 216 | 217, 231 |
| 217 | 216, 218, 230 |
| 218 | 217, 219, 229, 230 |
| 219 | 218, 220, 228, 229 |
| 220 | 219, 221, 227, 228 |
| 221 | 220, 222, 223, 224, 227 |
| 222 | 221, 223 |
| 223 | 221, 222, 224 |
| 224 | 221, 223, 225, 227 |
| 225 | 224, 226, 227 |
| 226 | 225, 227 |

| BURDENED | LOT N | o. BENEFITING LOTS | | |
|----------|-------|------------------------------|--|--|
| 227 | | 220, 221, 224, 225, 226, 228 | | |
| 228 | | 219, 220, 227, 229 | | |
| 229 | | 218, 219, 228, 230 | | |
| 230 | | 217, 218, 229, 231 | | |
| 231 | | 216, 230 | | |
| 232 | | 233, 234 | | |
| 233 | | 232, 234 | | |
| 234 | | 232, 233, 235 | | |
| 235 | | 234, 236 | | |
| 236 | | 235, 237 | | |
| 237 | | 236, 238, 239 | | |
| 238 | | 237, 239 | | |
| 239 | | 237, 238 | | |
| 240 | | 241 | | |
| 241 | | 240, 242, 252 | | |
| 242 | | 241, 243, 251, 252 | | |
| 243 | | 242, 244, 251 | | |
| 244 | | 243, 245, 250, 251 | | |
| 245 | | 244, 246, 247, 250 | | |
| 246 | | 245, 247 | | |
| 247 | | 245, 246, 248, 249 | | |
| 248 | | 247, 249 | | |
| 249 | | 247, 248, 250 | | |
| 250 | | 244, 245, 249, 251 | | |
| 251 | | 242, 243, 244, 250, 252 | | |
| 252 | | 241, 242, 251 | | |

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision must not without the consent of the Responsible Authority build or allow to be built on the lot:

Memorandum of Common Provisions (MCP)

1. Any building other than a building which has been constructed and sited in accordance with the Memorandum of Common Provisions registered in Dealing No. AA and which Memorandum of Common Provisions is incorporated in this plan.

Small Lot Housing Code

2. Any building in the case of lots less than 300 square metres unless in accordance with the Small Lot Housing Code or unless a specific Planning Permit for the building has been obtained from Wyndham City Council.

The restrictions in paragraphs 1 and 2 shall cease to burden any lot on the Plan of Subdivision with affect from 1st January 2031.



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SHEET 8

OWNERS CORPORATION SCHEDULE PS841640V/S2 PS841640V/S2 Owners Corporation No. Plan No. ALL THE LOTS IN THE TABLE BELOW Land affected by Owners Corporation Lots: Common Property No.: UNLIMITED Limitations of Owners Corporation: Notations NIL Totals Entitlement Liability This schedule Previous stages Overall Total Lot Entitlement and Lot Liability Entitlement Lot Liability Lot Entitlement Liability Entitlement Liability Lot Entitlement Liability S3

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This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

Preliminary

All Provisions not addressed in this Memorandum of Common Provisions (MCP) are as required in the current Building Regulations.

This MCP cannot be changed or amended unless with the written consent of the Responsible Authority.

Approved Building Envelopes

Any building on Lot 201 to Lot 252 (inclusive) within subdivision plan PS 841640V / S2 must be contained within the building envelopes shown on the attached plan and defined by the associated setback profiles and written notes contained therein.

1. Text of restrictions:

The matters which are restricted by the building envelopes are:

1.1 Minimum street setback Building Regulations 2018 Part 5 – Siting, Regulation 74

The front street setback is designated on the specified Building Envelope for each allotment. All dwellings must be set back from the main street frontage by the minimum distance indicated. Garages must be located or set back behind the front façade of the dwelling.

Unless noted on the plan, the minimum front setback on a splayed or curved corner between two street frontages is on an arc connecting the front street setback line to the side street setback line commencing at the points that are perpendicular to the points where the street alignment commences to arc.

Garages must be constructed within the Building Envelope and sited a minimum of 5 metres from the front street boundary

Setbacks for single garages for lots less than 12.5 metres in width, are nominated on the building envelopes.

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- 1. The provisions are to be numbered consecutively from number 1.
- 2. Further pages may be added but each page should be consecutively numbered.
- 3. To be used for the inclusion of provisions in instruments and plans.

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Page 1 of 8

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1.2 Building height Building Regulations 2018 Part 5 – Siting, Regulation 75 Wyndham Planning Scheme Clause 54.03-2

The height of a building must not exceed the maximum building height shown in the profile diagrams specified in the Building Envelope Schedule. Maximum building heights between specified points on a setback profile lie on a straight line drawn between the two specified points within a profile. Maximum building heights between profiles lie on a straight line drawn between the closest parts of the two profiles.

1.3 Site coverage

Building Regulations 2018 Part 5 – Siting, Regulation 76 Wyndham Planning Scheme Clause 54.03-3

Unless otherwise specified in the notations to the Building Envelopes as they apply to particular allotments, buildings must not occupy more than 60 per cent of the lot.

1.4 Side and rear setbacks Building Regulations 2018 Part 5 – Siting, Regulation 79 Wyndham Planning Scheme Clause 54.04-1

The side setback is designated on the specified Building Envelope for each allotment. A building must be setback from a side boundary not less than the distances specified in the Profile Diagrams and shown on the Building Envelopes by a setback identifier code. Garages may be built to the side boundary if provided for on the Building Envelope plan and adjacent buildings allow. The measurements are taken from the natural surface levels to the top of the wall.

The side street setback is designated on the specified Building Envelope for each allotment.

A rear wall of a building not exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 3 metres, and a rear wall of a building exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 5.5 metres for standard lots.

The maximum height of a building facing a rear boundary must not exceed the maximum building height allowed by the side envelope profile as shown in the Profile Diagrams, or a height limit for a rear setback as dimensioned on the Building Envelope plan.

1.5 Walls on boundaries Building Regulations 2018 Part 5 – Siting, Regulation 80 Wyndham Planning Scheme Clause 54.04-2

Unless otherwise noted on the Building Envelopes, walls and associated parts of a building within 1.0 metre of a boundary are restricted to areas within a Building to Boundary Zone (BBZ). The BBZ spans the length of the side boundary between the front and rear setbacks permitted by this Building Envelope. The total length of walls in the BBZ is limited to 60% of the length of the boundary except for terrace style lots where walls are permitted to the extent of the nominated BBZ.

Within the BBZ, the following apply:

- Walls within the BBZ are allowed.
- Carports and verandahs are not permitted to be built to the boundary.
- Maximum height of a wall in the BBZ is restricted to 3.6 metres.
- Walls less than 1.0 metre from the boundary must be within 200 mm of the boundary.
- BBZ is permitted to one side only

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Encroachments

Side, Side Street and Rear: The following may encroach into the specified setback distances by not more than 600 mm:

- Porches, eaves, verandahs
- Masonry chimneys
- Screens, but only to the extent needed to protect a neighbouring property from a direct view
- Water tanks
- Heating and cooling equipment and other services

The following may encroach into the specified setback distances:

- Landings with an area of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Unroofed stairways and ramps
- Pergolas
- Shade sails
- Eaves, fascia, gutters

Front: The following may encroach into the specified front street setback distances by no more than 1500 mm: For the purposes of these guidelines, gutters are not a measured item.

- Porches and verandahs to a maximum height of 4.5 metres.
- Decks and uncovered landings of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Eaves.

For the purposes of these guidelines, gutters are not a measured item.

1.6 Daylight to existing habitable room windows
Building Regulations 2018 Part 5 – Siting, Regulation 81
Wyndham Planning Scheme Clause 54.04-3

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 81 is superseded by this MCP.

1.7 Solar access to existing north-facing habitable room windows Building Regulations 2018 Part 5 – Siting, Regulation 82 Wyndham Planning Scheme Clause 54.04-4

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 82 is superseded by this MCP.

1.8 Overshadowing of recreational private open space Building Regulations 2018 Part 5 – Siting, Regulation 83 Wyndham Planning Scheme Clause 54.04-5

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 83 is superseded by this MCP.

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1.9 Overlooking Building Regulations 2018 Part 5 – Siting, Regulation 84 Wyndham Planning Scheme Clause 54.04-6

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 85 is superseded by this MCP.

Building regulations

Building regulations 73, 74, 75, 79, 81, 82, 83, 84 & 85 are superseded by the approved building envelopes.

Notes on Restrictions

- Ground level after engineering works associated with the subdivision is to be regarded as natural ground level.
- In the case of a conflict between the Building Envelope plan or Profile Diagrams and these written notations, the specifications in the written notations prevail.
- Buildings must not cover registered easements unless provided for by the easement.

General Definitions

If not defined above, the words below shall have the meaning attributed to them in the document identified.

In the Building Act 1993:

- Building
- Lot

In Part 5 of Building Regulations 2018:

- Clear to the sky
- Height
- Private open space
- Recreational private open space
- Raised open space
- Setback
- Site coverage
- Window
- Single dwelling
- North (true north)

In the Victoria Planning Provisions, 31 October 2002:

- Frontage (Clause 72)
- Dwelling (Clause 74)
- Habitable room (Clause 72)
- Storey (Clause 72)

Additional Definitions

DAP

DAP means the Design Assessment Panel appointed by Villawood responsible for approving designs to be in accordance with this MCP.

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Page 4 of 8

Front street or Main Street frontage

Front Street means the street or road that forms the frontage to the lot concerned. Where there is more than one road which adjoins a lot or where it may be otherwise unclear, the Front Street may be identified by the letter "F" in the Building Envelope Plan or will be as agreed in writing by the DAP.

MCP

This Memorandum of Common Provisions.

Natural ground level

Natural ground level means the ground level after engineering works associated with the subdivision have been completed.

Side boundary

A boundary of a lot that runs between and connects the street frontage of the lot to the rear boundary of the lot.

Site coverage

Site coverage includes roofed areas of the dwelling, in addition to roofed terraces, patios, decks and pergolas. Eaves, fascia and gutters not exceeding 600 mm in total width, and unroofed swimming pools, terraces, patios, decks and pergolas should be disregarded.

Standard lot

A single lot that accommodates a freestanding dwelling detached from adjoining dwellings and of an individual style.

Street

For the purposes of determining street setbacks, street means any road other than a lane, footway, alley or right of way.

Villawood

Villawood Properties.

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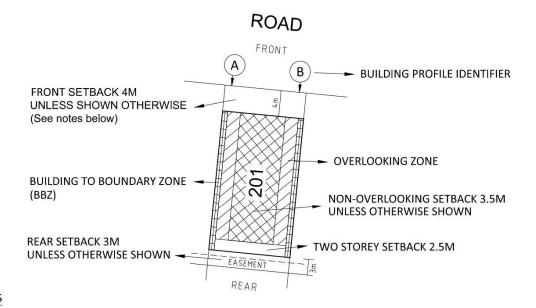
Page 5 of 8

Diagrams and plans:

BUILDING ENVELOPE PLAN

LEGEND

EXAMPLE OF TYPICAL BUILDING ENVELOPE SETBACKS



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 form the boundary must be within 200mm of the boundary.
- Two storey setback within the building envelope at the rear of the properties is 2.5m
- Building to Boundary Zone to one boundary only unless terrace profile nominated.

ADDITIONAL NOTATIONS (for Lots marked with *):

- With the exception of garages with access from a laneway, garages must be located or setback behind the front facade of the home.
- Minimum Open Space required is 25 square metres with a 3m minimum width.
- Maximum building site coverage of 60% is permitted.

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

Single Storey Building Envelope
Note: Garages must be setback a minimum 5m from main street frontage

Building to Boundary Zone

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

Double Storey Building Requirement

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

This plan forms part of the "Alamora Design Guidelines". Please refer to these Guidelines for further information.

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PRELIMINARY

NOTATIONS

- Where a profile when applied covers an easement, the portion of the profile within the easement cannot be considered for approval / built upon. This may vary in the circumstances where building on the easement receives prior written consent by the relevant authority.

- The Building Envelopes on this plan are shown enclosed by continuous thick lines.

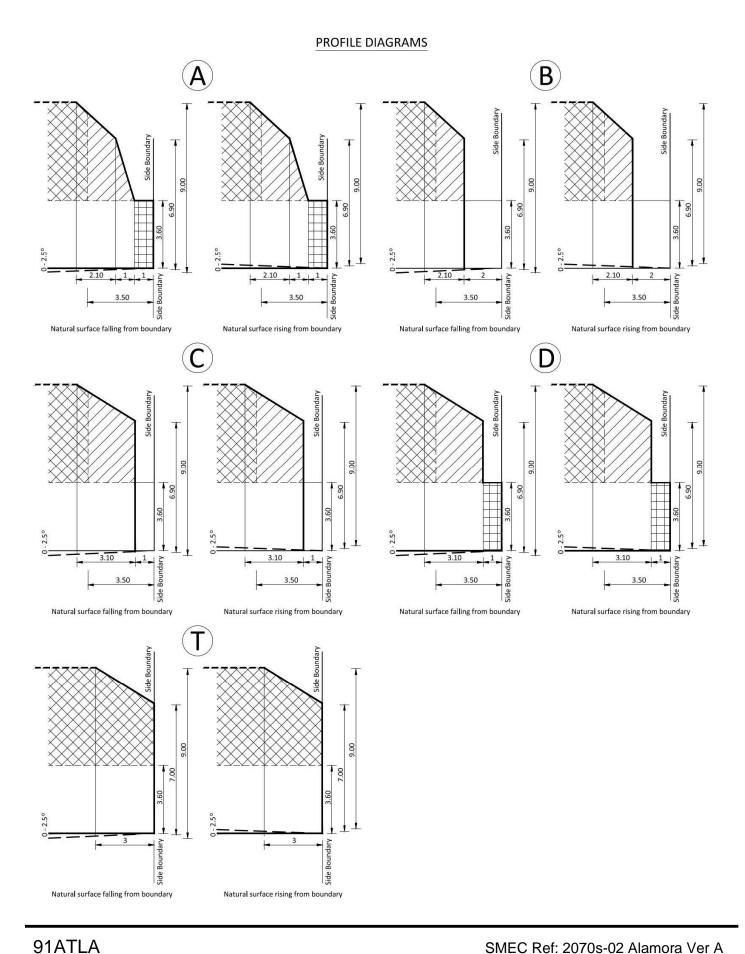
- Profile types (A),(B),(C),(D) and (T) are contained in "Profile Diagrams" in this document.



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Under Section 37 of the Subdivision Act 1988

LUV USE ONLY

EDITION

PLAN NUMBER

PS841640V/S3

LOCATION OF LAND

PARISH: **TARNEIT**

TOWNSHIP:

SECTION: 8

CROWN ALLOTMENT: A1 (PART)

CROWN PORTION:

TITLE REFERENCES: Vol. Fol.

LAST PLAN REFERENCE/S: PS841640V/S2 (LOT S3)

POSTAL ADDRESS: (At time of subdivision)

HERMOSA DRIVE TARNEIT, 3029

MGA94 Co-ordinates (of approx centre of land in plan)

291 870 5 808 500 ZONE

COUNCIL NAME: WYNDHAM CITY COUNCIL

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER ROAD R3 **RESERVE No.4**

COUNCIL/BODY/PERSON WYNDHAM CITY COUNCIL

WYNDHAM CITY COUNCIL

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS (SEE OWNERS CORPORATION SEARCH REPORT FOR DETAILS).

NOTATIONS

LOTS 1 TO 300 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN. LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS.

SEE SHEET 7 FOR FURTHER DETAILS. EASEMENTS E-5 TO E-12 (BOTH INCLUSIVE), E-15 AND E-16 HAVE BEEN OMITTED FROM THIS PLAN.

NOTATIONS

DEPTH LIMITATION 15.24m BELOW THE SURFACE.

THIS IS A STAGED SUBDIVISION. STAGING SURVEY. THIS PLAN IS BASED ON SURVEY.

PLANNING PERMIT No. WYP10107

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s): PM17 (WERRIBEE) AND PM18, PM134, PM217 & PM760 (TARNEIT) PROCLAIMED SURVEY AREA:

ALAMORA 3

3.553ha

56 LOTS

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 | SEE PLAN | PS820473G | CITY WEST WATER CORPORATION |
| E-2 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | PS822737M PS822737M | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-3 | DRAINAGE SEWERAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN SEE PLAN | PS822740Y PS822740Y PS822740Y | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION CITY WEST WATER CORPORATION |
| | | SEE S | SHEET 2 FOR CONTINUATION | N |



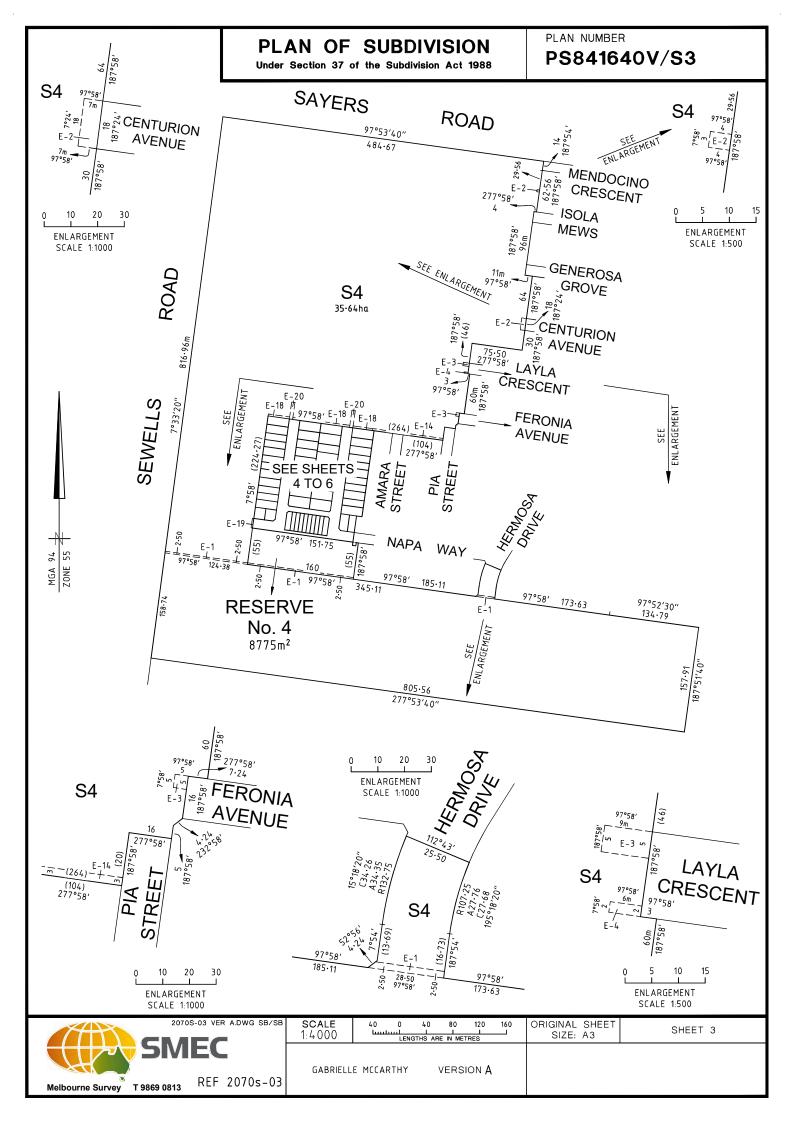
| SURVEYOR REF: | SURVEYOR REF: 2070S-03 | | SHEET 1 OF 7 |
|---------------|--------------------------|--|--------------|
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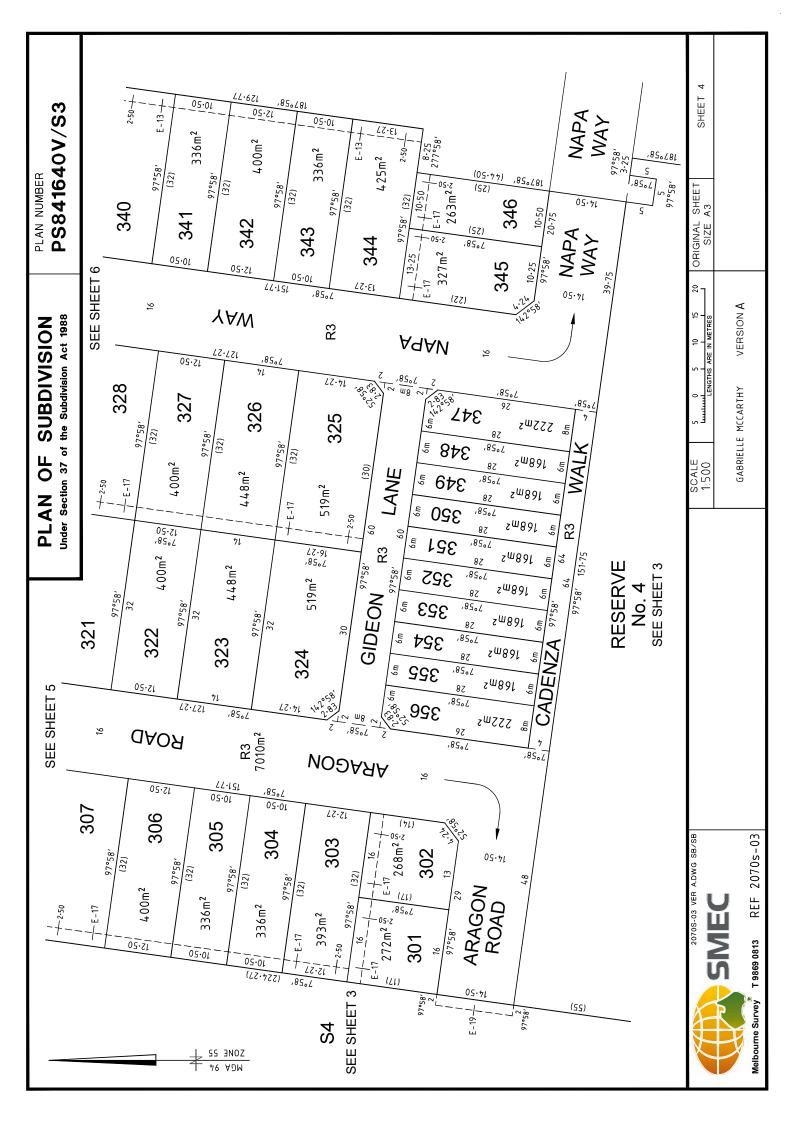
Under Section 37 of the Subdivision Act 1988

PLAN NUMBER

| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of |
|-----------------------|--|----------------------------------|-------------------------------|--|
| E-4 | SEWERAGE | SEE PLAN | PS822740Y | CITY WEST WATER CORPORATION |
| E-13 | SEWERAGE | SEE PLAN | PS841640V/S2 | CITY WEST WATER CORPORATION |
| E-14 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | PS841640V/S2 PS841640V/S2 | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-17 | SEWERAGE | SEE PLAN | THIS PLAN | CITY WEST WATER CORPORATION |
| E-18 | DRAINAGE SEWERAGE | SEE PLAN SEE PLAN | THIS PLAN THIS PLAN | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-19 | DRAINAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN | THIS PLAN THIS PLAN | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION |
| E-20 | DRAINAGE SEWERAGE WATER SUPPLY (THROUGH UNDERGROUND PIPES) | SEE PLAN SEE PLAN SEE PLAN | THIS PLAN THIS PLAN THIS PLAN | WYNDHAM CITY COUNCIL CITY WEST WATER CORPORATION CITY WEST WATER CORPORATION |
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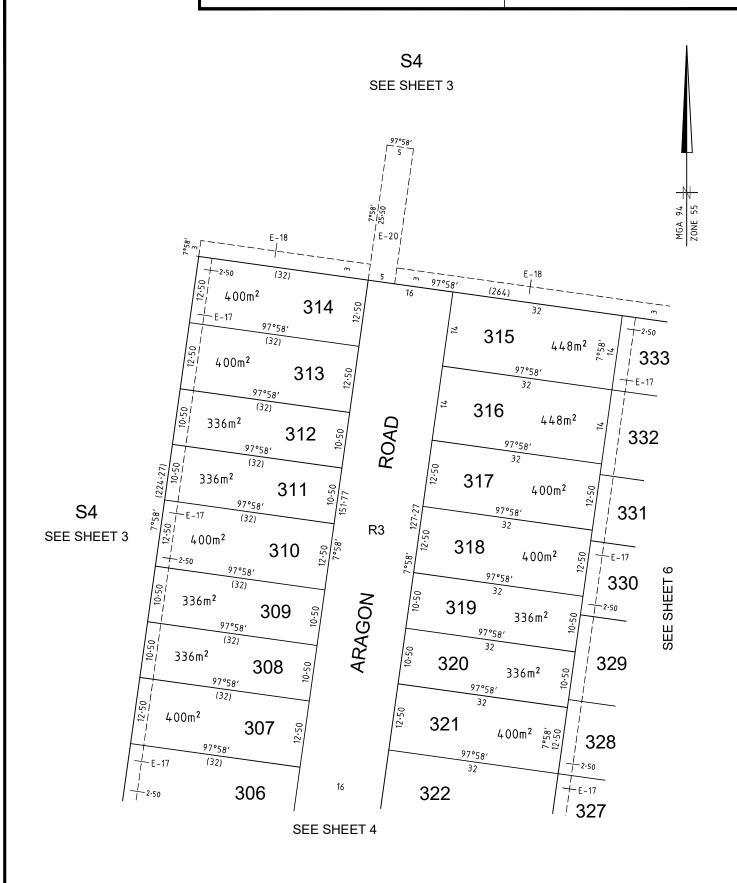
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Under Section 37 of the Subdivision Act 1988

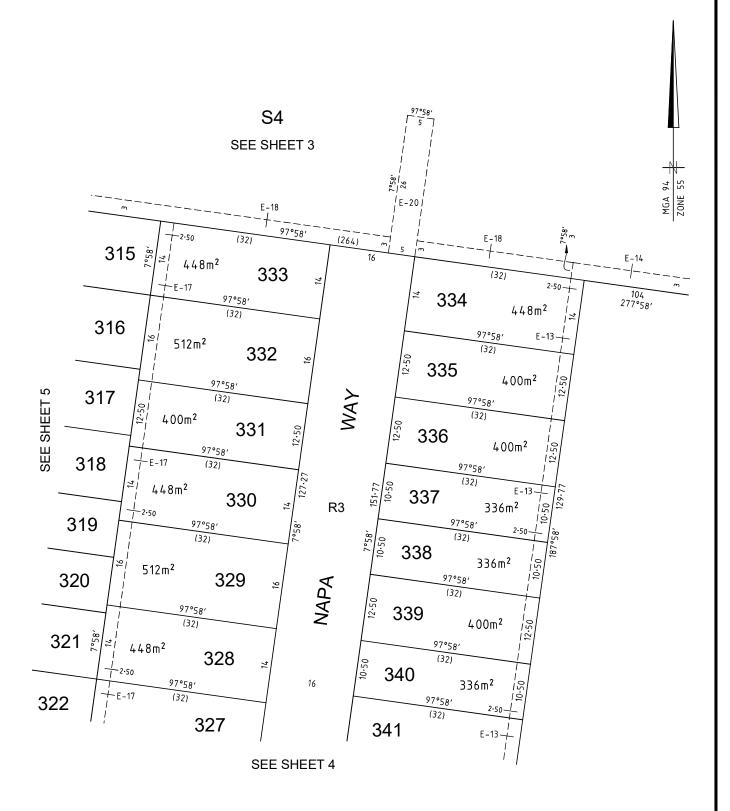
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Under Section 37 of the Subdivision Act 1988

PLAN NUMBER
PS841640V/S3

CREATION OF RESTRICTION A

The following Restriction is to be created upon registration of Plan of Subdivision PS841640V/S3 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. | BENEFITING LOTS |
|------------------|--------------------|
| 301 | 302, 303 |
| 302 | 301, 303 |
| 303 | 301, 302, 304 |
| 304 | 303, 305 |
| 305 | 304, 306 |
| 306 | 305, 307 |
| 307 | 306, 308 |
| 308 | 307, 309 |
| 309 | 308, 310 |
| 310 | 309, 311 |
| 311 | 310, 312 |
| 312 | 311, 313 |
| 313 | 312, 314 |
| 314 | 313 |
| 315 | 316, 333 |
| 316 | 315, 317, 332 |
| 317 | 316, 318, 331, 332 |
| 318 | 317, 319, 330, 331 |
| 319 | 318, 320, 329, 330 |
| 320 | 319, 321, 328, 329 |
| 321 | 320, 322, 328 |
| 322 | 321, 323, 327 |
| 323 | 322, 324, 326 |
| 324 | 323, 325 |
| 325 | 324, 326 |
| 326 | 323, 325, 327 |
| 327 | 322, 326, 328 |
| 328 | 320, 321, 327, 329 |

| BURDENED LOT No. | BENEFITING LOTS |
|------------------|---------------------------------------|
| 329 | 319, 320, 328, 330 |
| 330 | 318, 319, 329, 331 |
| 331 | 317, 318, 330, 332 |
| 332 | 316, 317, 331, 333 |
| 333 | 315, 332 |
| 334 | 313, 332 |
| 335 | 334, 336 |
| 336 | 335, 337 |
| | · · · · · · · · · · · · · · · · · · · |
| 337 | 336, 338 |
| 338 | 337, 339 |
| 339 | 338, 340 |
| 340 | 339, 341 |
| 341 | 340, 342 |
| 342 | 341, 343 |
| 343 | 342, 344 |
| 344 | 343, 345, 346 |
| 345 | 344, 346 |
| 346 | 344, 345 |
| 347 | 348 |
| 348 | 347, 349 |
| 349 | 348, 350 |
| 350 | 349, 351 |
| 351 | 350, 352 |
| 352 | 351, 353 |
| 353 | 352, 354 |
| 354 | 353, 355 |
| 355 | 354, 356 |
| 356 | 355 |

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot on the Plan of Subdivision must not without the consent of the Responsible Authority build or allow to be built on the lot:

Memorandum of Common Provisions (MCP)

1. Any building other than a building which has been constructed and sited in accordance with the Memorandum of Common

Small Lot Housing Code

2.Any building in the case of lots less than 300 square metres unless in accordance with the Small Lot Housing Code or unless a specific Planning Permit for the building has been obtained from Wyndham City Council.

The restrictions in paragraphs 1 and 2 shall cease to burden any lot on the Plan of Subdivision with affect from 1st January 2031.

| 2070 | DS-03 VER A.DWG SB/SB | | | | |
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| SCALE | 0 |
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| | LENGTHS ARE IN METRES |
| | |

OWNERS CORPORATION SCHEDULE

PS841640V/S3

| Owners Corp | oration No. | | | 1 | | | | Plan No. | PS841640V/S | 33 | |
|-------------------------------------|---------------|------------|------------|------------------------|-----------------|-------------------|-------------|-----------|-----------------|-------------|-----------|
| Land affected by Owners Corporation | | | | Lots: | ALL THE LOTS | IN THE TABLE B | ELOW | | | | |
| Land affected by Owners Corporation | | | | | | | | | | | |
| | | | | Common Property No.: 1 | | | | | | | |
| | Owners Corpor | ation: | | UNLIMITED | | | | | | | |
| Notations NIL | | | | | | | | | | | |
| INIL | | | | | | | | | Totals | | |
| | | | | | | | | | | Entitlement | Liability |
| | | | | | | | | | This schedule | 5601 | 5601 |
| | | | | | | | | | | 3331 | |
| | | | | | | | | | Previous stages | 8900 | 8900 |
| | | | | | | | | | | | |
| | | | | | | | | | Overall Total | 14501 | 14501 |
| | | | | | | | | | | | |
| | | | | | Lot Entitlement | and Lot Liability | ′ | | | | |
| Lot | Entitlement | Liability | Lot | Entitlement | Liability | Lot | Entitlement | Liability | Lot | Entitlement | Liability |
| 301 302 | 100 100 | 100 100 | 350 351 | 100 100 | 100 100 | | | | | | |
| 303 | 100 | 100 | 352 | 100 | 100 | | | | | | |
| 304 | 100 | 100 | 353 | 100 | 100 | | | | | | |
| 305 | 100 | 100 | 354 | 100 | 100 | | | | | | |
| 306 | 100 | 100 | 355 | 100 | 100 | | | | | | |
| 307 | 100 | 100 | 356 | 100 | 100 | | | | | | |
| 308 | 100 | 100 | S4 | 1 | 1 | | | | | | |
| 309 310 | 100 100 | 100 100 | | | | | | | | | |
| 311 | 100 | 100 | | | | | | | | | |
| 312 | 100 | 100 | | | | | | | | | |
| 313 | 100 | 100 | | | | | | | | | |
| 314 | 100 | 100 | | | | | | | | | |
| 315 | 100 | 100 | | | | | | | | | |
| 316 | 100 | 100 | | | | | | | | | |
| 317 | 100 | 100 | | | | | | | | | |
| 318 319 | 100 100 | 100 100 | | | | | | | | | |
| 320 | 100 | 100 | | | | | | | | | |
| 321 | 100 | 100 | | | | | | | | | |
| 322 | 100 | 100 | | | | | | | | | |
| 323 | 100 | 100 | | | | | | | | | |
| 324 | 100 | 100 | | | | | | | | | |
| 325 | 100 100 | 100 100 | | | | | | | | | |
| 326 327 | 100 | 100 | | | | | | | | | |
| 328 | 100 | 100 | | | | | | | | | |
| 329 | 100 | 100 | | | | | | | | | |
| 330 | 100 | 100 | | | | | | | | | |
| 331 | 100 | 100 | | | | | | | | | |
| 332 | 100 | 100 | | | | | | | | | |
| 333 | 100 | 100 | | | | | | | | | |
| 334 335 | 100 100 | 100 100 | | | | | | | | | |
| 336 | 100 | 100 | | | | | | | | | |
| 337 | 100 | 100 | | | | | | | | | |
| 338 | 100 | 100 | | | | | | | | | |
| 339 | 100 | 100 | | | | | | | | | |
| 340 | 100 | 100 | | | | | | | | | |
| 341 | 100 | 100 | | | | | | | | | |
| 342 343 | 100 100 | 100 100 | | | | | | | | | |
| 344 | 100 | 100 | | | | | | | | | |
| 345 | 100 | 100 | | | | | | | | | |
| 346 | 100 | 100 | | | | | | | | | |
| 347 | 100 | 100 | | | | | | | | | |
| 348 | 100 | 100 | | | | | | | | | |
| 349 | 100 | 100 | | | | | | | | | |
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| | | 5M | | 2070s-03 | | | | | | ORIGINA | |
| | | | | | | | | | | SIZE | A3 |

< GABRIELLE McCARTHY / Ver A>

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Melbourne Survey T 9869 0813 F 9869 0901

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| Name: | |
| Phone: | |
| Address: | |
| Reference: | |
| Customer code: | |

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

Preliminary

All Provisions not addressed in this Memorandum of Common Provisions (MCP) are as required in the current Building Regulations.

This MCP cannot be changed or amended unless with the written consent of the Responsible Authority.

Approved Building Envelopes

Any building on Lot 301 to Lot 356 (inclusive) within subdivision plan PS 841640V / S3 must be contained within the building envelopes shown on the attached plan and defined by the associated setback profiles and written notes contained therein.

1. Text of restrictions:

The matters which are restricted by the building envelopes are:

1.1 Minimum street setback Building Regulations 2018 Part 5 – Siting, Regulation 74

The front street setback is designated on the specified Building Envelope for each allotment. All dwellings must be set back from the main street frontage by the minimum distance indicated. Garages must be located or set back behind the front façade of the dwelling.

Unless noted on the plan, the minimum front setback on a splayed or curved corner between two street frontages is on an arc connecting the front street setback line to the side street setback line commencing at the points that are perpendicular to the points where the street alignment commences to arc.

Garages must be constructed within the Building Envelope and sited a minimum of 5 metres from the front street boundary

Setbacks for single garages for lots less than 12.5 metres in width, are nominated on the building envelopes.

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SMEC Ref: 2070s-03 Alamora Ver A

- 1. The provisions are to be numbered consecutively from number 1.
- 2. Further pages may be added but each page should be consecutively numbered.
- 3. To be used for the inclusion of provisions in instruments and plans.

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Page 1 of 8

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1.2 Building height Building Regulations 2018 Part 5 – Siting, Regulation 75 Wyndham Planning Scheme Clause 54.03-2

The height of a building must not exceed the maximum building height shown in the profile diagrams specified in the Building Envelope Schedule. Maximum building heights between specified points on a setback profile lie on a straight line drawn between the two specified points within a profile. Maximum building heights between profiles lie on a straight line drawn between the closest parts of the two profiles.

1.3 Site coverage

Building Regulations 2018 Part 5 – Siting, Regulation 76 Wyndham Planning Scheme Clause 54.03-3

Unless otherwise specified in the notations to the Building Envelopes as they apply to particular allotments, buildings must not occupy more than 60 per cent of the lot.

1.4 Side and rear setbacks Building Regulations 2018 Part 5 – Siting, Regulation 79 Wyndham Planning Scheme Clause 54.04-1

The side setback is designated on the specified Building Envelope for each allotment. A building must be setback from a side boundary not less than the distances specified in the Profile Diagrams and shown on the Building Envelopes by a setback identifier code. Garages may be built to the side boundary if provided for on the Building Envelope plan and adjacent buildings allow. The measurements are taken from the natural surface levels to the top of the wall.

The side street setback is designated on the specified Building Envelope for each allotment.

A rear wall of a building not exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 3 metres, and a rear wall of a building exceeding 3.6 metres in height must be set back from the rear boundary a minimum of 5.5 metres for standard lots.

The maximum height of a building facing a rear boundary must not exceed the maximum building height allowed by the side envelope profile as shown in the Profile Diagrams, or a height limit for a rear setback as dimensioned on the Building Envelope plan.

1.5 Walls on boundaries Building Regulations 2018 Part 5 – Siting, Regulation 80 Wyndham Planning Scheme Clause 54.04-2

Unless otherwise noted on the Building Envelopes, walls and associated parts of a building within 1.0 metre of a boundary are restricted to areas within a Building to Boundary Zone (BBZ). The BBZ spans the length of the side boundary between the front and rear setbacks permitted by this Building Envelope. The total length of walls in the BBZ is limited to 60% of the length of the boundary except for terrace style lots where walls are permitted to the extent of the nominated BBZ.

Within the BBZ, the following apply:

- Walls within the BBZ are allowed.
- Carports and verandahs are not permitted to be built to the boundary.
- Maximum height of a wall in the BBZ is restricted to 3.6 metres.
- Walls less than 1.0 metre from the boundary must be within 200 mm of the boundary.
- BBZ is permitted to one side only

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Page 2 of 8

Encroachments

Side, Side Street and Rear: The following may encroach into the specified setback distances by not more than 600 mm:

- Porches, eaves, verandahs
- Masonry chimneys
- Screens, but only to the extent needed to protect a neighbouring property from a direct view
- Water tanks
- Heating and cooling equipment and other services

The following may encroach into the specified setback distances:

- Landings with an area of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Unroofed stairways and ramps
- Pergolas
- Shade sails
- Eaves, fascia, gutters

Front: The following may encroach into the specified front street setback distances by no more than 1500 mm: For the purposes of these guidelines, gutters are not a measured item.

- Porches and verandahs to a maximum height of 4.5 metres.
- Decks and uncovered landings of not more than 2 square metres and less than 0.8 metres high from natural ground level
- Eaves.

For the purposes of these guidelines, gutters are not a measured item.

1.6 Daylight to existing habitable room windows
Building Regulations 2018 Part 5 – Siting, Regulation 81
Wyndham Planning Scheme Clause 54.04-3

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 81 is superseded by this MCP.

1.7 Solar access to existing north-facing habitable room windows Building Regulations 2018 Part 5 – Siting, Regulation 82 Wyndham Planning Scheme Clause 54.04-4

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 82 is superseded by this MCP.

1.8 Overshadowing of recreational private open space
Building Regulations 2018 Part 5 – Siting, Regulation 83
Wyndham Planning Scheme Clause 54.04-5

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 83 is superseded by this MCP.

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Page 3 of 8

1.9 Overlooking Building Regulations 2018 Part 5 – Siting, Regulation 84 Wyndham Planning Scheme Clause 54.04-6

This item is covered within the building envelope plan and profile diagrams.

Building Regulation 85 is superseded by this MCP.

Building regulations

Building regulations 73, 74, 75, 79, 81, 82, 83, 84 & 85 are superseded by the approved building envelopes.

Notes on Restrictions

- Ground level after engineering works associated with the subdivision is to be regarded as natural ground level.
- In the case of a conflict between the Building Envelope plan or Profile Diagrams and these written notations, the specifications in the written notations prevail.
- Buildings must not cover registered easements unless provided for by the easement.

General Definitions

If not defined above, the words below shall have the meaning attributed to them in the document identified.

In the Building Act 1993:

- Building
- Lot

In Part 5 of Building Regulations 2018:

- Clear to the sky
- Height
- Private open space
- Recreational private open space
- Raised open space
- Setback
- Site coverage
- Window
- Single dwelling
- North (true north)

In the Victoria Planning Provisions, 31 October 2002:

- Frontage (Clause 72)
- Dwelling (Clause 74)
- Habitable room (Clause 72)
- Storey (Clause 72)

Additional Definitions

DAP

DAP means the Design Assessment Panel appointed by Villawood responsible for approving designs to be in accordance with this MCP.

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Page 4 of 8

Front street or Main Street frontage

Front Street means the street or road that forms the frontage to the lot concerned. Where there is more than one road which adjoins a lot or where it may be otherwise unclear, the Front Street may be identified by the letter "F" in the Building Envelope Plan or will be as agreed in writing by the DAP.

MCP

This Memorandum of Common Provisions.

Natural ground level

Natural ground level means the ground level after engineering works associated with the subdivision have been completed.

Side boundary

A boundary of a lot that runs between and connects the street frontage of the lot to the rear boundary of the lot.

Site coverage

Site coverage includes roofed areas of the dwelling, in addition to roofed terraces, patios, decks and pergolas. Eaves, fascia and gutters not exceeding 600 mm in total width, and unroofed swimming pools, terraces, patios, decks and pergolas should be disregarded.

Standard lot

A single lot that accommodates a freestanding dwelling detached from adjoining dwellings and of an individual style.

Street

For the purposes of determining street setbacks, street means any road other than a lane, footway, alley or right of way.

Villawood

Villawood Properties.

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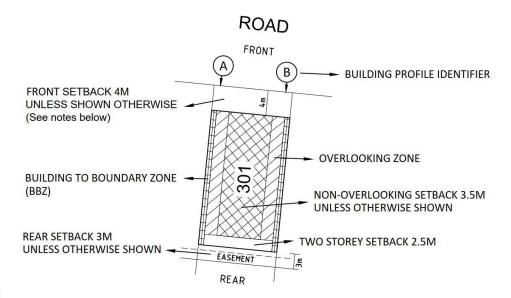
Page 5 of 8

Diagrams and plans:

BUILDING ENVELOPE PLAN

LEGEND

EXAMPLE OF TYPICAL BUILDING ENVELOPE SETBACKS



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 form the boundary must be within 200mm of the boundary.
- Two storey setback within the building envelope at the rear of the properties is 2.5m
- Building to Boundary Zone to one boundary only unless terrace profile nominated.

ADDITIONAL NOTATIONS (for Lots marked with *):

- With the exception of garages with access from a laneway, garages must be located or setback behind the front facade of the home.
- Minimum Open Space required is 25 square metres with a 3m minimum width.
- Maximum building site coverage of 60% is permitted.

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

| | Single Storey Building Envelope Note: Garages must be setback a minimum 5m from main street frontage |
|---|---|
| | Building to Boundary Zone |
| | 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 |
| * | Double Storey Building Requirement |

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

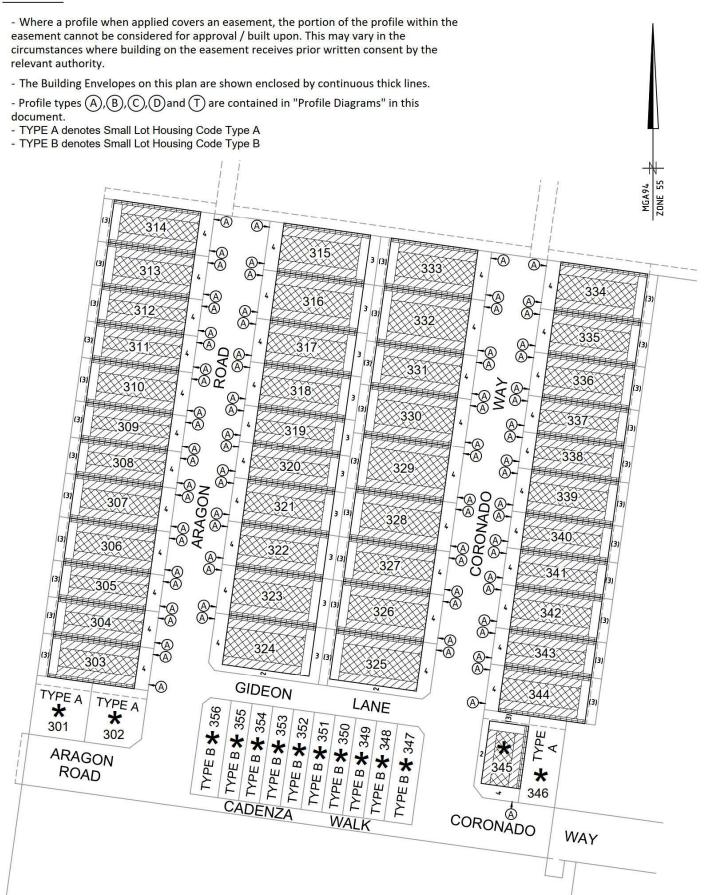
This plan forms part of the "Alamora Design Guidelines". Please refer to these Guidelines for further information.

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Page 6 of 8

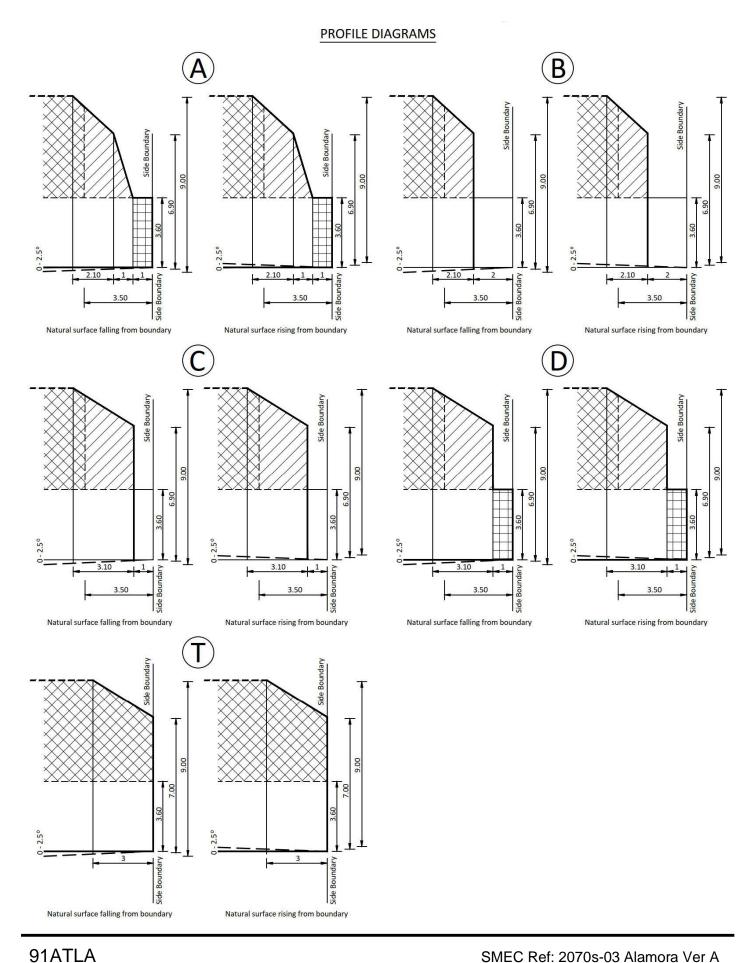
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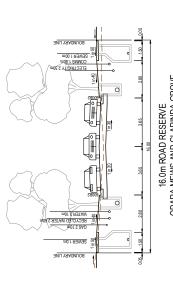
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Page 8 of 8

THE BACK OF THIS FORM MUST NOT BE USED Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us



Stage 1, Sayers Road, Tarneit Alamora Estate



16.0m ROAD RESERVE ODARA MEWS AND CLARINDA GROVE

| | | | | | | _ | | |
|-------------------|-----------------|------------|--------------|-------|-------|-------|------|--|
| | VERGE WIDTH (m) | STH/EAST | 420 | 420 | 6.45 | 2.70 | | |
| | VERGE | NTHWEST | 420 | 4.20 | 11.75 | 4.20 | | |
| | TYPE | STH/EAST | 82 | B2 | 82 | B2 | | |
| ROAD LAYOUT TABLE | KERB TYPE | KERE | NTHWEST | B2 | B2 | 82 | B2 | |
| | ROAD WIDTH (m) | E | BACK TO BACK | 297 | 7.60 | 7.30 | 7.60 | |
| | | VNI OT VNI | 7.30 | 7.30 | 7.00 | 7.30 | | |
| | | UPTOUP | 6.40 | 6.40 | 6.10 | 6.40 | | |
| | ROAD RESERVE | WIDTH (m) | 16.00 | 16.00 | 25.50 | 14.50 | | |
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| - | ROAD RESERVE | | ROAD WIDIN(m) | | KEKB | KEKB IYPE | VERGE |
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| DA GROVE | 16.00 | 6.40 | 7.30 | 7.60 | 85 | B2 | 420 |
| SADRIVE | 25.50 | 6.10 | 7.00 | 7.30 | 85 | 82 | 11.75 |
| MY | 14.50 | 6.40 | 7.30 | 7.60 | 85 | 82 | 420 |
| | | | | | | | |
| | | | | | | | |
| | | SERVICES | SERVICES OFFSET TABLE | | | | |

| GAS | WATER | RECYCLED WATER | ELECTRICITY | OPTIC |
|------------|------------|----------------|-------------|-------|
| OFFSET (m) | OFFSET (m) | OFFSET (m) | OFFSET (m) | OFFSE |
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| 2.10N | 3.10N | 2.60 N | 2508 | 1.80 |
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55.0m WATERWAY RESERVE (BY OTHERS)



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Ph 0395141500 SMEC

Alamora Estate, Sayers Road, Tarneit - Stage 1 Wyndham City Council Road and Drainage Cover Plan

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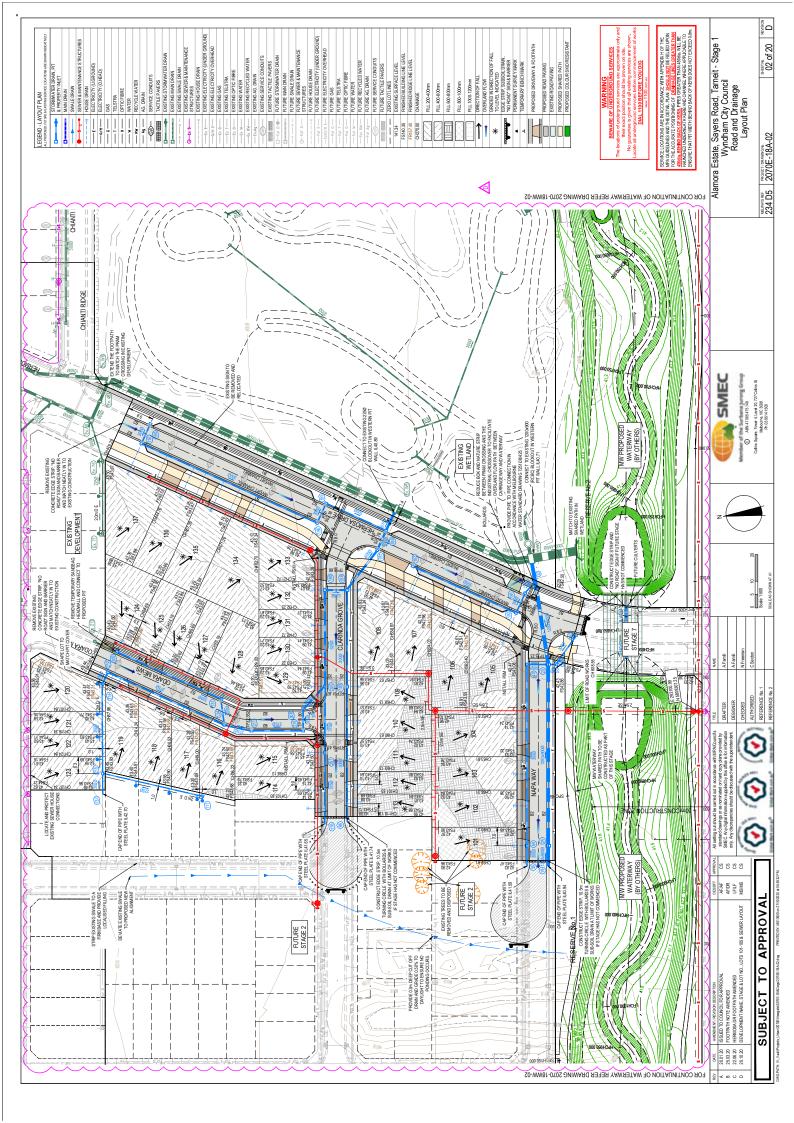
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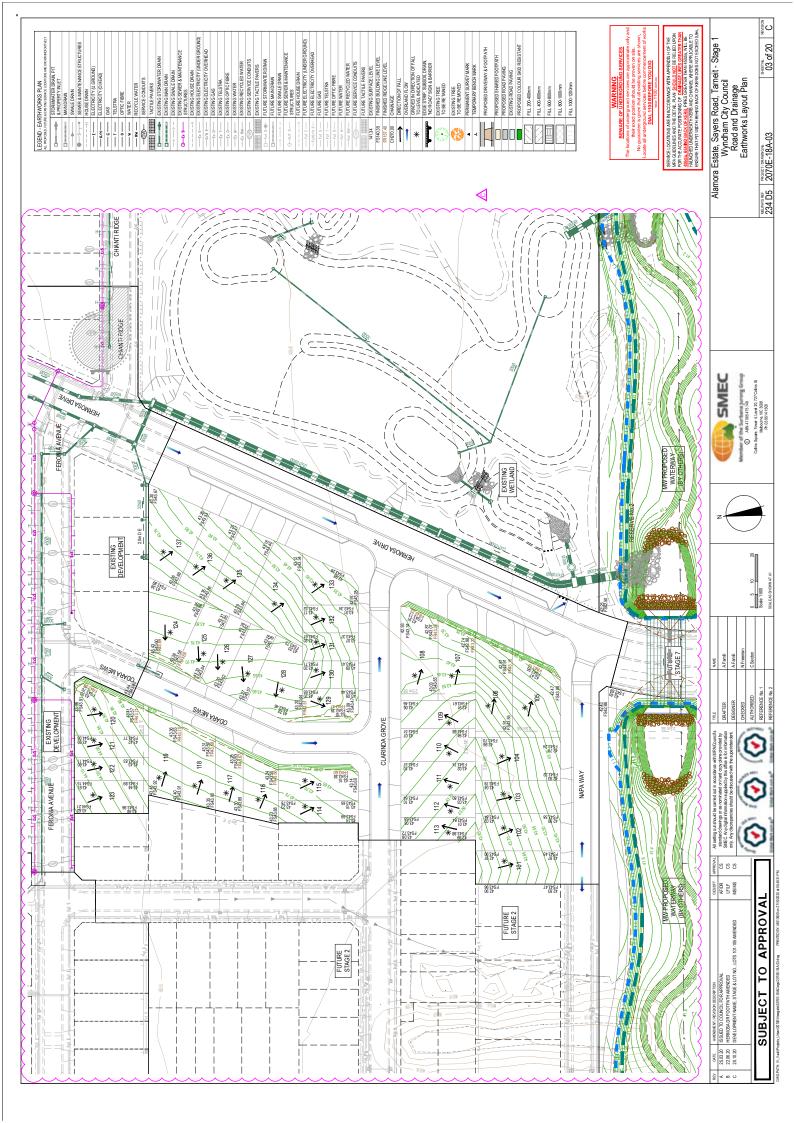
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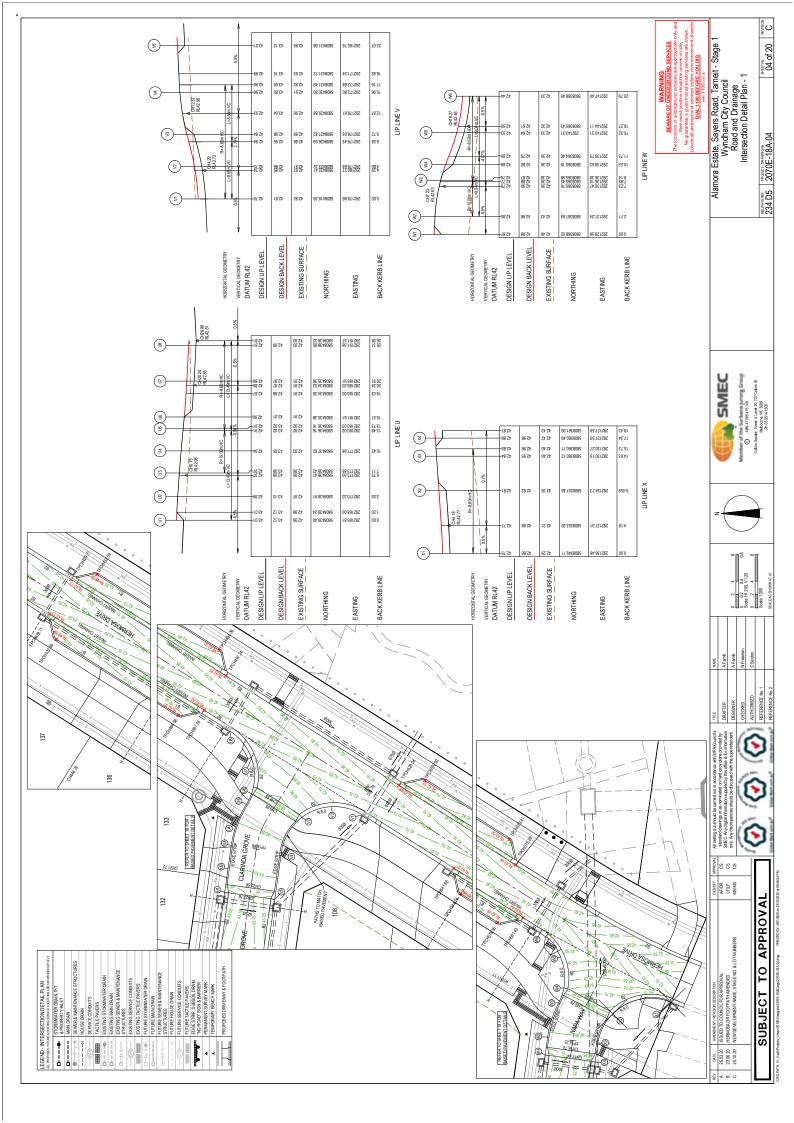
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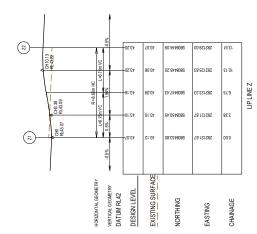


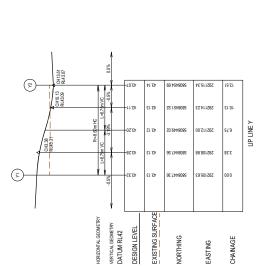




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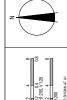
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Alamora Estate, Sayers Road, Tarneit - Stage 1 Wyndham City Council Road and Drainage Intersection Detail Plan - 2

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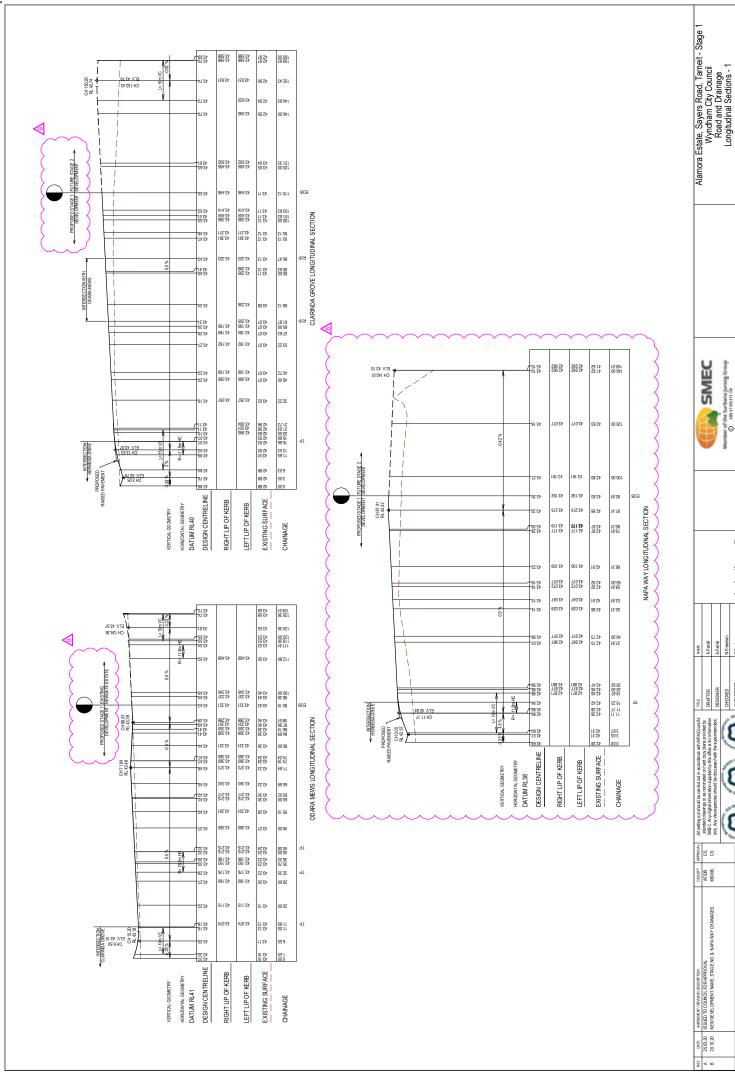
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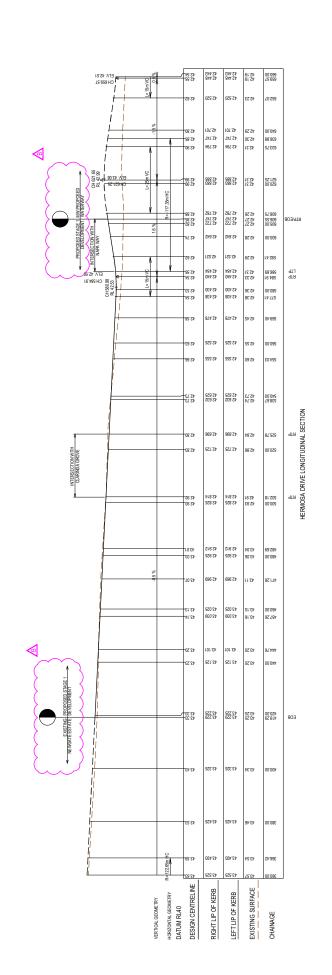


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Ph. 0359541530

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Alamora Estate, Sayers Road, Tarneit - Stage 1 Wyndham City Council Road and Drainage Longitudinal Sections - 2

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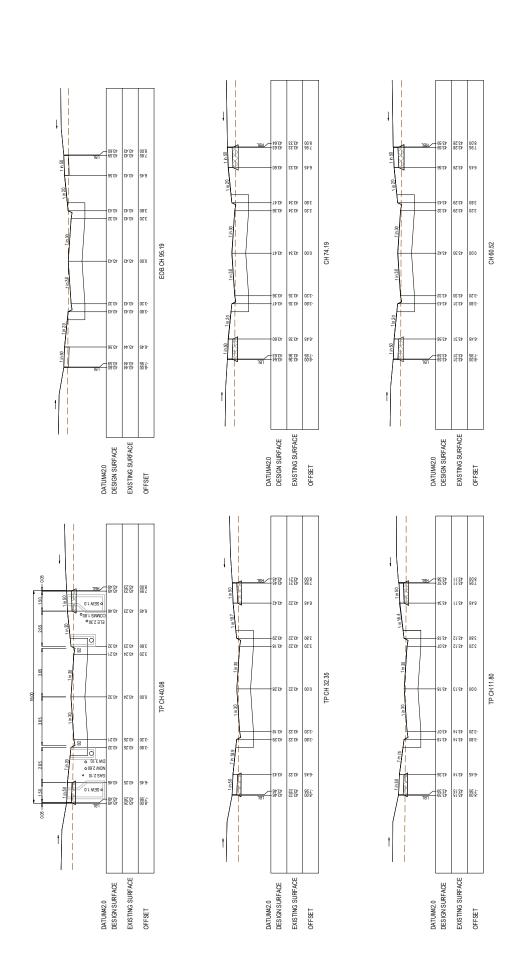
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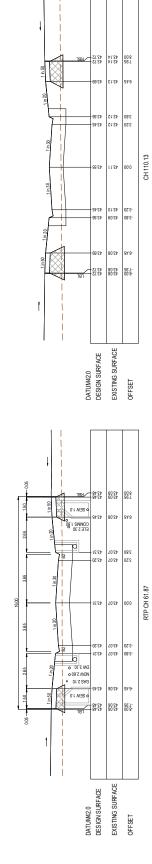
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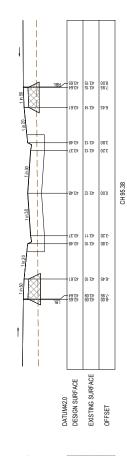
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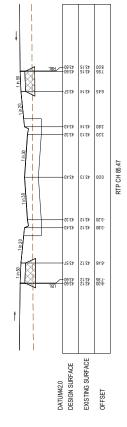
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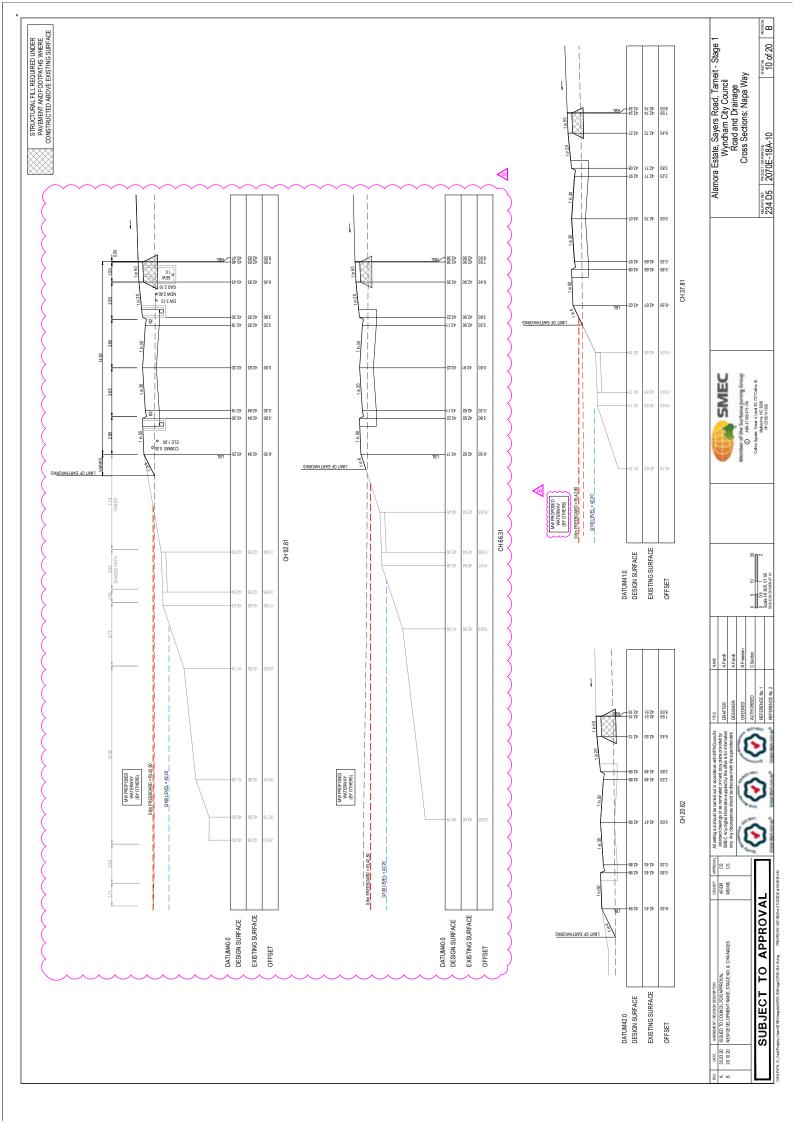
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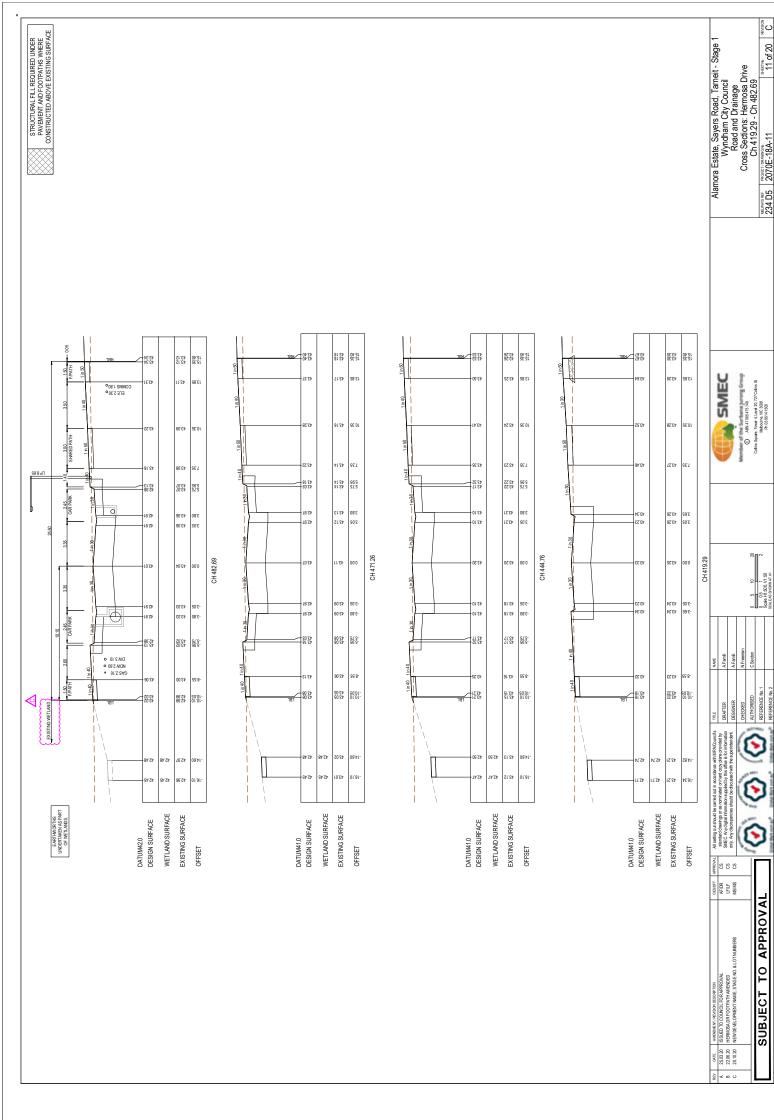
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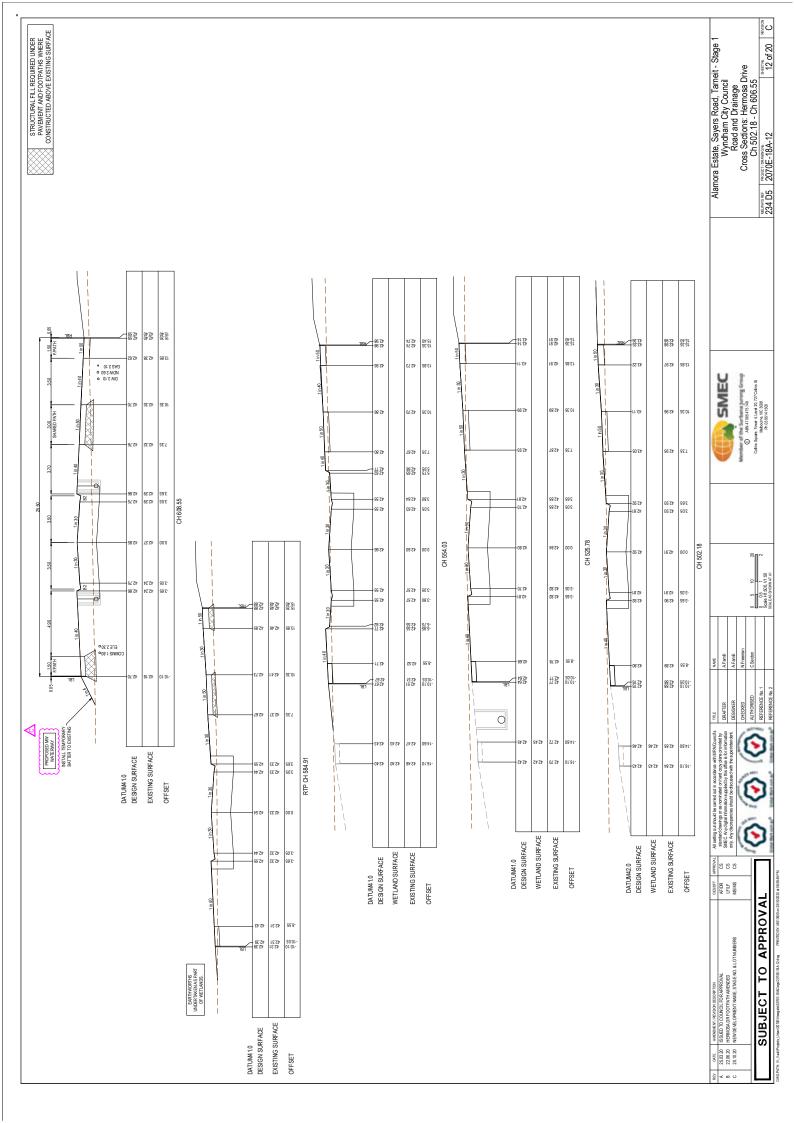
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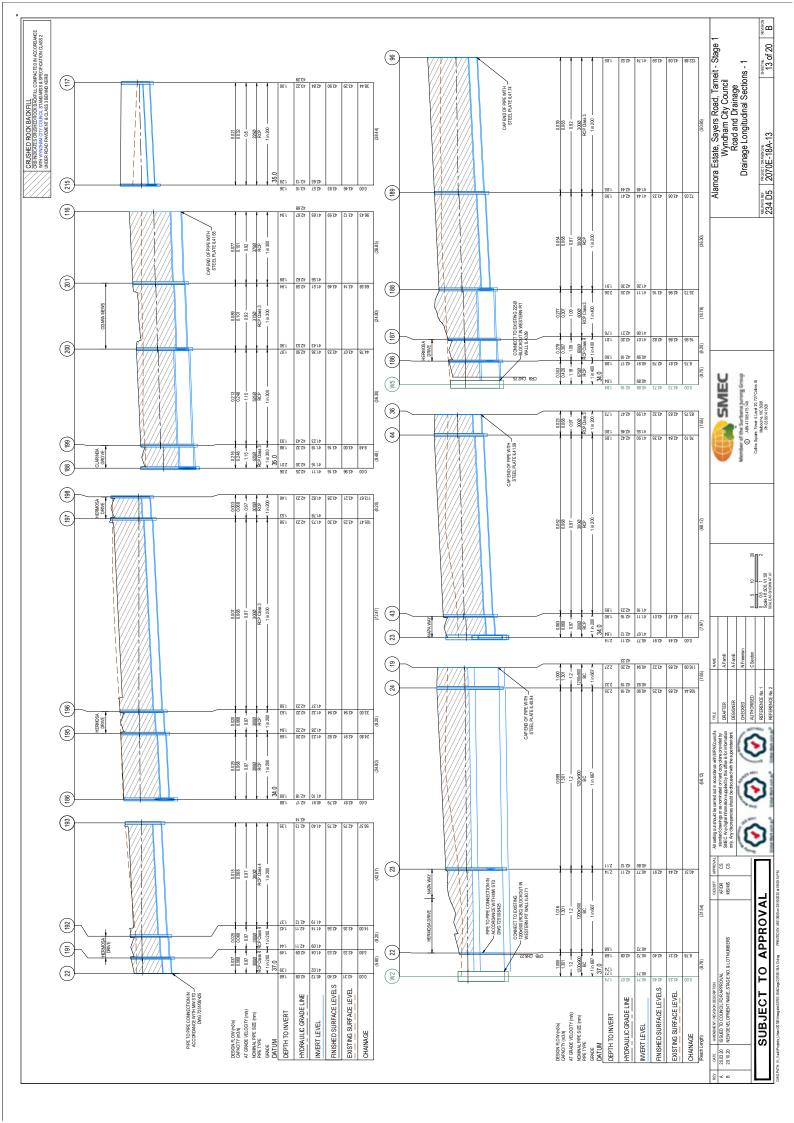
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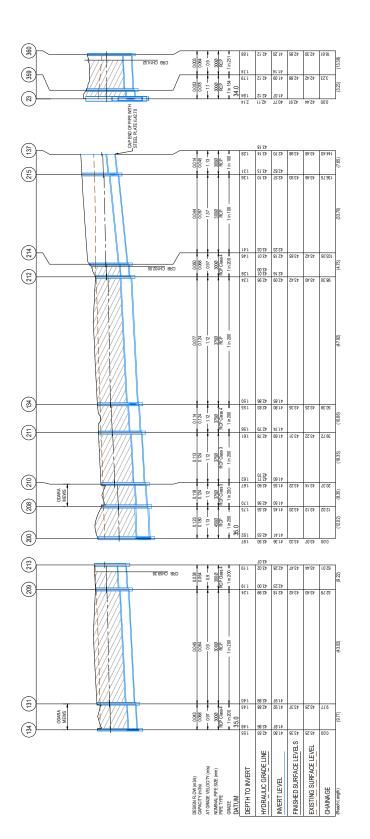








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Alamora Estate, Sayers Road, Tarneit - Stage 1 Wyndham City Council Road and Drainage Drainage Longitudinal Sections - 2

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| 0 | INV LEV | _ | 40.732 | | | 41.07 | 41.07 | 40.933 | 40.944 | 4116 | 41.551 | 41.589 | 40.892 | 40.892 | 40.989 | 41.102 | 41.06 | | _ | 41.488 | | + | 41.186 | + | 41.276 | 41.367 | 41.779 | | 41.235 | 41.431 | 41.406 | 41.563 | 41.653 | 42.646 | 42.621 | _ | + | 41.040 | + | .,, | 41.504 | | | 42.16 | 42.234 | 42.697 | 41.141 | | | DESIGNER | CHECKED |
| INLET | DIA | | 900 4 | | | | 300 | 900 | 900 4 | 300 4 | 300 4 | 300 4 | 675 4 | 1050 4 | 600 4 | 300 4 | 600 4 | | | 300 | | + | 300 4 | + | | 300 4 | 300 4 | | 525 4 | 375 4 | 450 4 | 375 4 | 375 4 | 225 4 | 300 4 | | | 300 4 | | | 375 4 | | | 300 4 | 300 4 | 300 4 | | | 1 | | CHEC |
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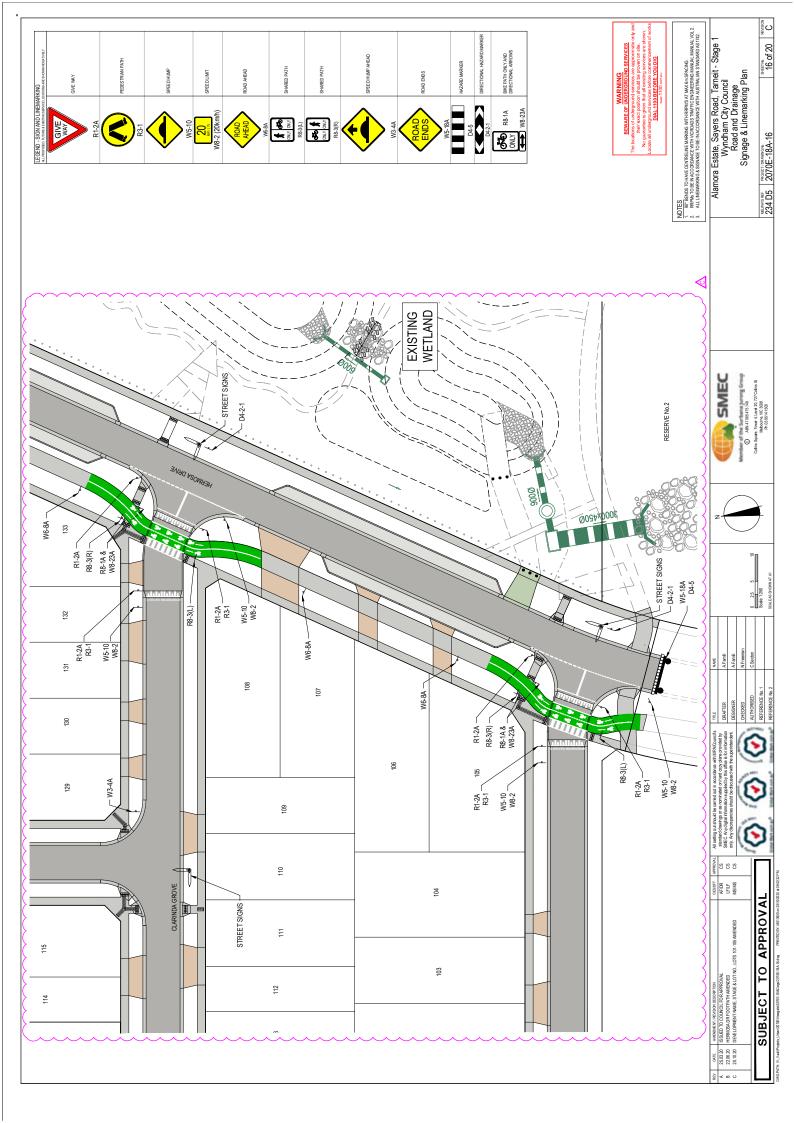
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15 of 20 B

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ory, Any decepancies should be deceased with the apprimendent PESSARE OFFICE OFFI

SUBJECT TO APPROVAL





SZE ZOCLASS 3 CEMENT TREATED CRUSHED ROCK (1002) 3% CEMENT COMPACTED TO A MANNAM DENSITY BATTO OF 98% (MODIFED) AST280, 5.2.1 SZEZ ZOLCLASS 3 CRUSHED ROCK COMPACTED TO A MANNAM DENSITY OF 98% (MODIFED) AST280, 5.2.1

00 19 150 8

RIPPED ROCK COMPACTED DEPTH. CAPPING (TYPE A MATERIAL, CBR >=8%, SWELL < 1.5% PERNEABLITY k < 1x10.*ms).

COMPACT TO AMINIMUM DENSITY OF RATIX 96% (STANDARD) AS1289, 5.1.1. WHERE SELECT FILL CAPPING IS ADOPTED.

MATERIAL
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ROCK 20mm NOM, SZE

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TO AMMAILINE INSTITY RATIO OF 98%
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LAYER THICKNESS (mm)

COMPACT TO A MINIMUM DENSITY OF RATIO 96% (STANDARD) AS1289, 5.1.1. WHERE SELECT FILL CAPPING IS ADOPTED.

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NOTE
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WARNING
BEWARE OF UNDERGROUND SERVICES DIAL 1100 BEFORE YOU DIG Alamora Estate, Sayers Road, Tameit - Stage 1 Wyndham City Council Road and Drainage Pavement Details

17 of 20 B

234 D5 2070E-18A-17

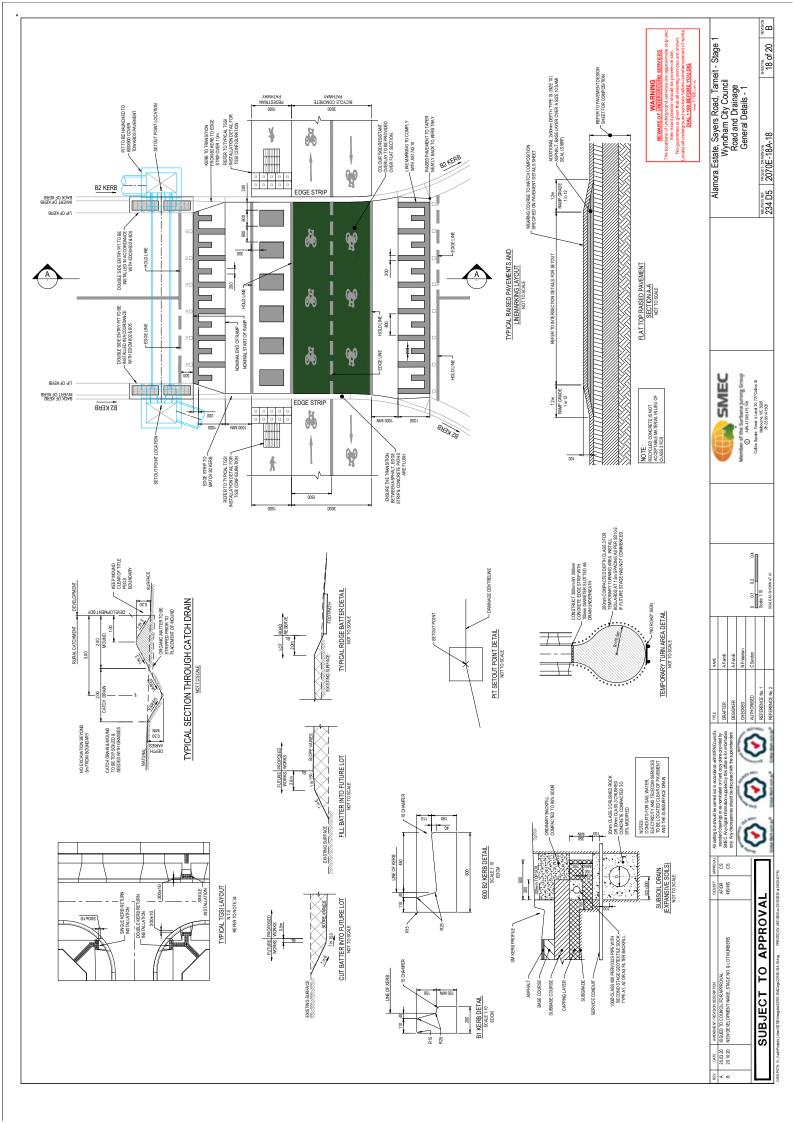
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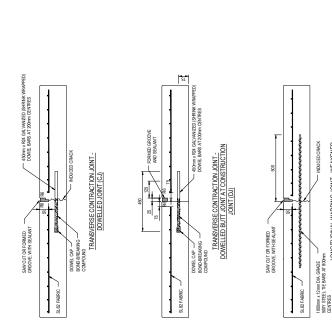
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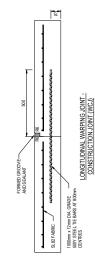
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SUBJECT TO APPROVAL



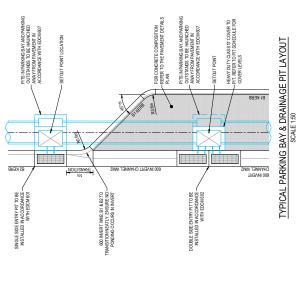


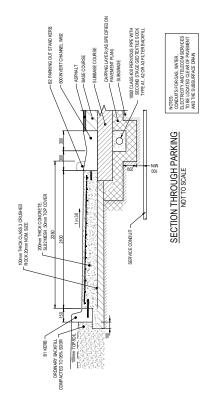


LONGITUDINAL WARPING JOINT - WEAKENED PLANE JOINT (WJ)

CONCRETE JOINTING DETAILS NOTIOSCALE

CONCRETE SHALL BE CURED IN ACCORDANCE WITH ASSSO AND NOT TO BE TRAFFICKED UNTIL AT LEAST SEVEN DAYS AFTER POURING.





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AFERR CS SEC Any older formation support by sed as build information CRAFTER
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Alamora Estate, Sayers Road, Tameit - Stage 1 Wyndham Ctly Council Road and Drainage General Details - 2

234 D5 2070E-18A-19

SUBJECT TO APPROVAL

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 DATE
 AMEDIAENT RENSOR DESCRPTION

 A
 25.03.20
 ISSUED TO COUNCIL FOR APPROVAL

 B
 20.10.20
 NEW DEVELOPMENT NAME, STAGE NO. 8 L OT NUMBERS







19 of 20 B

| Project Name: Alamora Stage 1 | Desi Date: 14/02/2020 | Design Package: 2070E-18A | | | | | | | | | | |
|----------------------------------|--------------------------|--|---|--------------------|--|--|--|-------------------------------------|---|--|-------------------------------|------------------------|
| PHASE | DISCIPLINE CODE | RISK REGISTER -Cons PO: | RBK REGISTER -Construction - Operations- Maintenance POTENTIAL RISK | RISK OWNER | POTENTIAL CONSEQUENCES | POTENTIAL ELIMNATION MEASURE, DESIGN NITATIVE or CONTROL (Identify any Sandard or Code of practice used) | HOW ISSUE ADDRESED IN DESIGN AND/OR CONSTRUCTION OF THE WORKS | IS THE RISK ELIMINATED YES/NO | Residual F Risk Likelihoo Co d (0-5) n | Residual Re Risk I Conseque R noe (0-5) | Residual Risk RE Rating | RESIDUAL RISK OWNER |
| | | Road Furniture / Roadside features | | | | | | | | | | |
| Construction | RD Roads | Canstruction close to live traffic | New works will be constructed adjacent to five traffic when abuiling existing stages. | Contractor | Disruptions to live traffic, construction incident involving live traffic. | Provide safe temporary traffic control (TCP) | TOP provided within contract | z | 2000 | 3000 | 15.000 | Constructor |
| Construction | US Utilities or Services | Utities become a hazard within clear zones | Vehicle conflict with utility/ pit | Contractor | Personal injury, vehide damage | Sequence works and protect with temp barrier or traffic control (TCP) | TCP provided within confract | z | 1,000 | 9009 | 2000 | Constructor |
| | RD Roads | Sight Lines | Inadequate divers response time. | Road Authority | Increased potential for accidents | Ensure design complies with relevant standard. Undertake thorough Safety Audit | As fines checked and discussed with approval authority as part of design approval process. | z | 1,000 | 4.000 | 4.000 | Road Authority |
| Operational | LS Lines and Signs | Signs and street lights | Potential for drivers / riders to strike signs and street lights | Road Authority | Increased potential for accidents | Ensure design complies with reterrant standard. Undertake thorough Safety Audit | Refer to appropriate standard for sign and lighting offsets | z | 1,000 | 4.000 | 4.000 | Road Authority |
| Operational | RD Roads | Culverts | Potential fall hazard during maintenance, by vechicles and pedestrians | Relevant Authority | Faling from a height | Barriers to be provided in accordance with road standards | Berriers to be provided and safe better slopes (>1:3) | z | 2000 | 9009 | 10.000 | Constructor |
| | | Drainage | | | | | | | | | | |
| Operational | DR Drainage | Graked Pits | Tripifal hazard with large spaced grate | Relevant Authority | Incre ased potential for accidents | Provide pedestrianbloyde friendly grates where applicable. Rafer to pit schedule | Design in accordance with authority and manufacturers standards | z | 3000 | 2000 | 0009 | Authority |
| Operational | DR Drainage | Non Standard Large Pits | Potential for pit failure | Relevant Authority | Increased risk to maintenance crews/ vehicles | Structural design in accordance with referent design principles. | Refer to structural drawings and calculations | z | 1,000 | 4.000 | 4.000 | Authority |
| Operational | DR Drainage | Culvert Endwals/Headwals | Potential for falling from height | Relevant Authority | increased potential for accidents | Fencing to be provided where culverts/headwalls are at height in accordance with referent authority standards | Albw for fending in Design Process | z | 1.000 | 4,000 | 4.000 | Authority |
| Operational | DR Drainage | Curvert Endwall/Headwall Outlets | Children playing in large pipes / watercourses and access for maintenance | Relevant Authority | strebibbe for acidents | Grete provided to euthority standards | Design in accordance with authority and manufacturers standards | N | 2000 | 9000 | 10.000 | Authority |
| Maintenance | DR Drainage | Access to Pits | Lack of safe access for maintenance | Relevant Authority | Increased risk to maintenance crews | Provide sale working conditions for maintenance. Provide sale landing access arrangements as per referrant authority standards | Where possible design pit in location for easy access and outside of permanent water bodies | z | 2000 | 9000 | 10.000 | Authority |
| Maintenance | DR Drainage | Deep P hs | Lack of safe entry for maintenance | Relevant Authority | strabice for forestation | Contractor to be certified for work in confined spaces, step irons to be provided to appropriate authority standards. Refer to pit schedule | Design in accordance with authority standands | N | 1,000 | 9000 | 9000 | Authority |
| Maintenance | DR Drainage | Access to drains / culverts | Lack of safe access for maintenance | Relevant Authority | Increased risk to maintenance crews | Provide safe working conditions for maintenance. Access as approved by sufrority | Design pit in location for easy access as agreed with authority | z | 2000 | 3000 | 0009 | |
| | | Sewer | | | | | | | | | | |
| Maintenance | SE Sewer | Deep Marholes | Lack of safe entry for maintenance | Relevant Authority | strebicos for accidents | Contractor to be certified for work in confined spaces, landings and step access provided as per authority standards and schedule | Design in accordance with authority standards. Refer pit schedule on drawings | N | 1,000 | 9000 | 9000 | Authority |
| Maintenance | SE Sewer | Access to Marrholes | Lack of safe access for maintenance | Relevant Authority | Increased risk to maintenance crews | Provide safe working conditions for maintenance. Manholes located in compliance with authority standards | Where possible design marrhole in location for easy access | N | 1.000 | 9700 | 2000 | Authority |
| | | Electricity | | | | | | | | | | |
| Operational | ES Electrical Services | Electrical Design | Location of assets within clear zones e.g pits/substations | Relevant Authority | Increased potential for accidents | Electrical designed by sub consultant with appropriate a correctation and in accordance with authority standards | Pits designed below ground. Where a bove ground adequate offset from vehicle clear zones has been provided or barrier protection provided. | z | 2000 | 3000 | 0009 | Authority |
| | | Telstra | | | | | | | | | | |
| Operational | TE Telstra | Telstra Design | Location of assets within clear zones e.g pits | Relevant Authority | Increased potential for accidents | Telecommunications designed by authority consultant with appropriate accreditation and in accordance with authority standards | Pits designed below ground. Where above ground adequate offset from vehicle clear zones has been provided or barrier protection provided | z | 2000 | 3.000 | 0009 | Authority |
| | | Water | | | | | | | | | | |
| Operational | WA Water | Water Design | Location of assets within clear zones e.g pits/substations | Relevant Authority | increased potential for accidents | N ater pits designed in a coordance with authority standards | Pits designed below ground. Where above ground adequate offset from vehicle clear zones has been provided or barrier protection provided | z | 2000 | 3.000 | 0009 | Authority |
| | | Gas | | | | | | | | | | |
| Operational | GA Gas | Gas Design | Location of assets within clear zones e.g. ptbl substations | Relevant Authority | Increased potential for accidents | Maker pits designed in accordance with authority standards | His designed below ground. Where allowe ground adoptuse the from vehicle clear zones has been provided on banier protection provided. | z | 1,000 | 1,000 | 0001 | Authority |
| | | | | | | | | | | | | |

234 D5 2070E-18A-85

Alamora Estate, Sayers Road, Tameit - Stage 1 Wyndham City Council Road and Drainage Safety In Design

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DESCRY APPROVAL All setting out should be certied out in accordance with MPA/Councils ITTLE
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 25.03.20
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 20.10.20
 NEW DEVELOPMENT NAME, STAGE NO. 8.L OT NUMBERS



Stage 2, Sayers Road, Tarneit Alamora Estate

| | | | ROAD | ROAD LAYOUT TABLE | | | | | | |
|----------------|------------|--------------|------------------|-----------------------|--------------|----------------|-------------------|-------------|---------|-----------------|
| | ROAL | ROAD RESERVE | | ROAD WIDTH (m) | | | KERB TYPE | YPE | VERGEY | VERGE WIDTH (m) |
| ROAD NAME | W | WIDTH (m) | LIP TO LIP | INV TO INV | BACK TO BACK | | NTH/MEST | STHEAST | NTHWEST | STHEAST |
| PIA STREET | | 16.00 | 6.40 | 7.30 | 7.60 | | B2 | B2 | 4.20 | 4.20 |
| AMMRASTREET | | 16.00 | 6.40 | 7.30 | 7.60 | | 82 | 82 | 420 | 4.20 |
| CLARINDA GROVE | | 16.00 | 6.40 | 7.30 | 7.60 | | B2 | B2 | 420 | 4.20 |
| NAPA WAY | | 14.50 | 6.40 | 7.30 | 7.60 | | B2 | B2 | 420 | 2.70 |
| | | | | | | | | | | |
| | | | SERVICES | SERVICES OFFSET TABLE | | | | | | |
| 2000 | | | GAS | W | WATER | RECYCLED WATER | WATER | ELECTRICITY | H | OPTIC FIBRE |
| NOND INMINE | | | OFFSET (m) | | OFFSET (m) | OFFSET(m) | (m) | OFFSET (m) | | OFFSET(m) |
| PIA STREET | | | 2.10E | | 3.10E | 2.60 E | | 230 W | | 1.80 W |
| AMA RA STREET | | | 2.10 W | | 3.10 W | 2.60 W | > | 230E | | 1.80 E |
| CLARINDA GROVE | | | 2.10 N | | 3.10N | 2.60 N | - | 2508 | | 1,808 |
| NAPA WAY | | | 2.10N | | 3.10N | 2.60 N | _ | 1.00\$ | | 0.50 S |
| | | | | | | | | } | } | } |
| | | TBM | IBM SETOUT TABLE | | | | | | | |
| POINT | EAST | N | NORTHING | ELEVATION | NO | SEG | DESCRIPTION | | | |
| C126SSPL | 292,019.27 | 6,8 | 5,808,710.17 | 44.76 | | STEEL | STEEL STAR PICKET | Œ | | |
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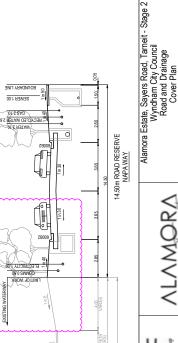
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AND SHARED PEDESTRANBOTYCE PATHS ARE TO BE CONSTRUCTED AS PER CITY OF WINIT
AND MAY STANDARD DRAWNINGS EDCM 401TO 403.

16.0m ROAD RESERVE AMARA STREET, PIA STREET AND CLARINDA GROVE





SUBJECT TO APPROVAL DEVELOPMENT NAME, STAGE NO, LOT LAYOUT, LOT NOS. & SOT



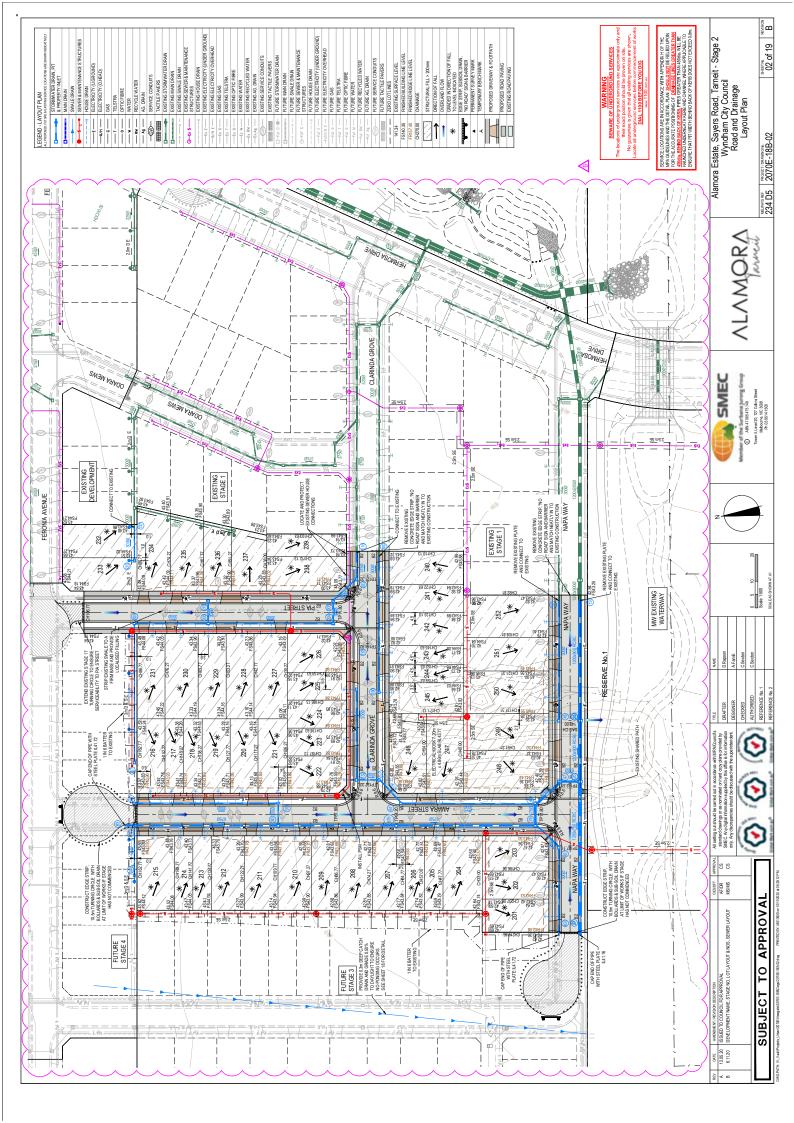


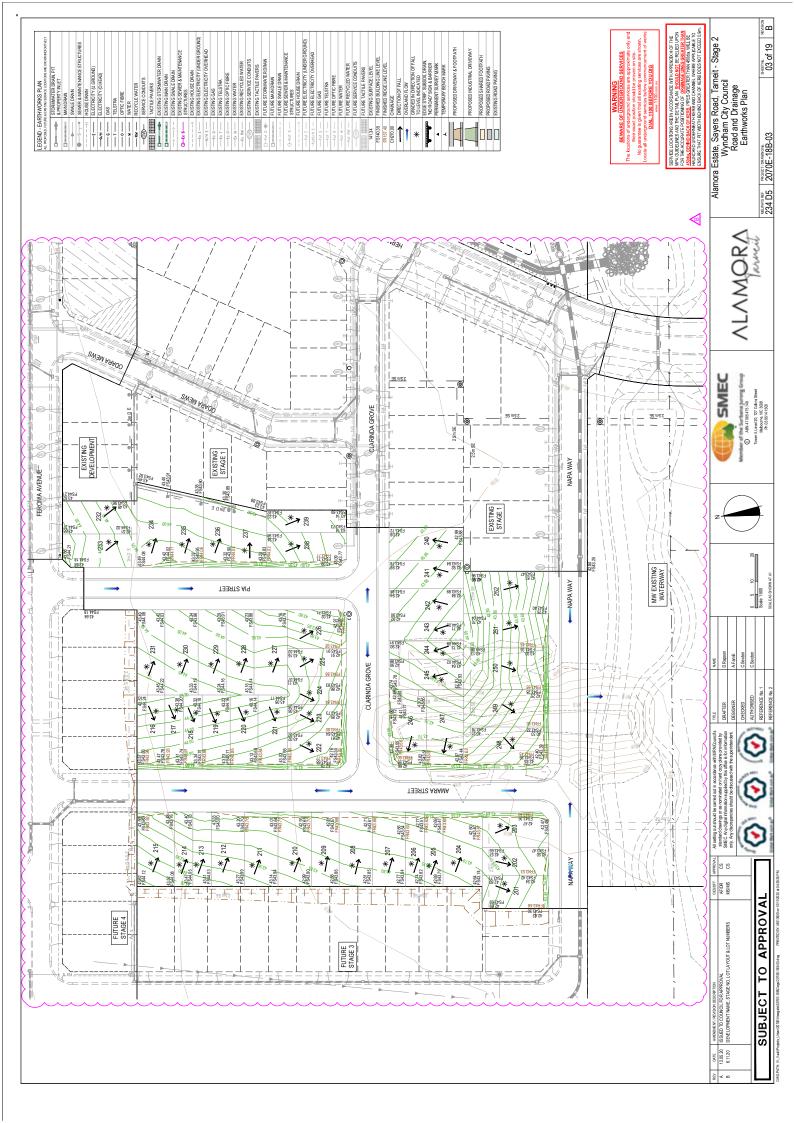


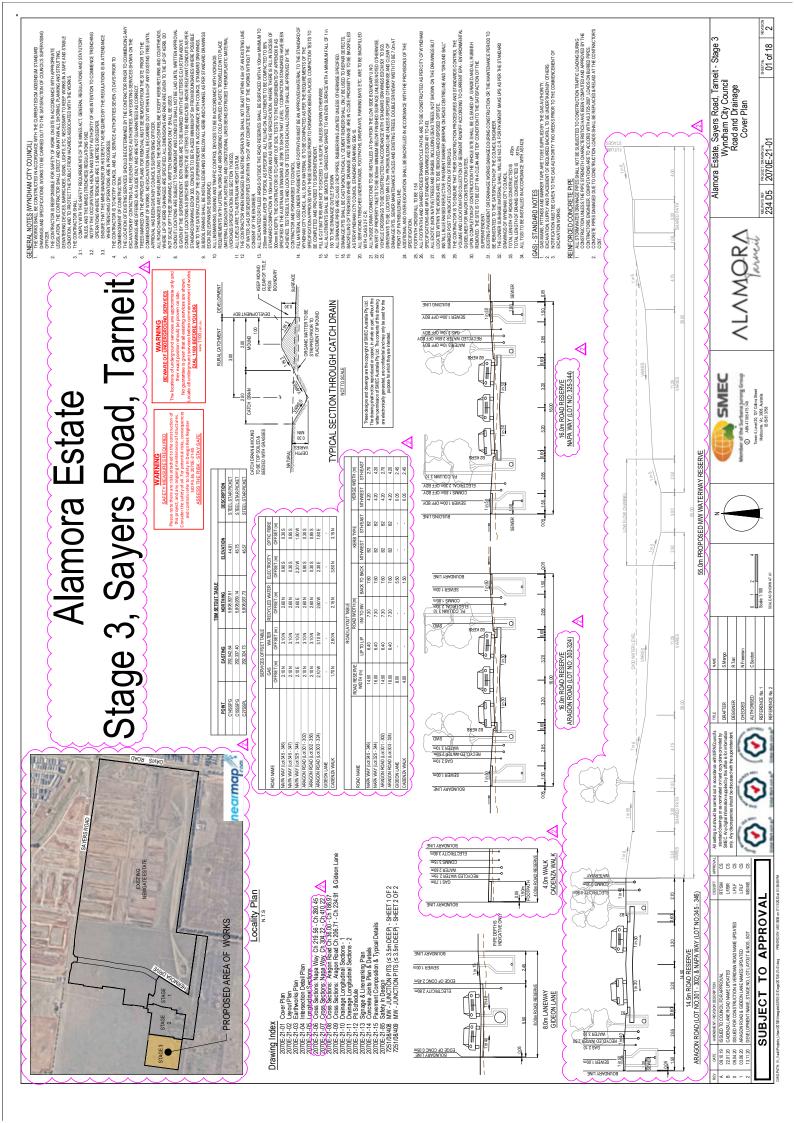
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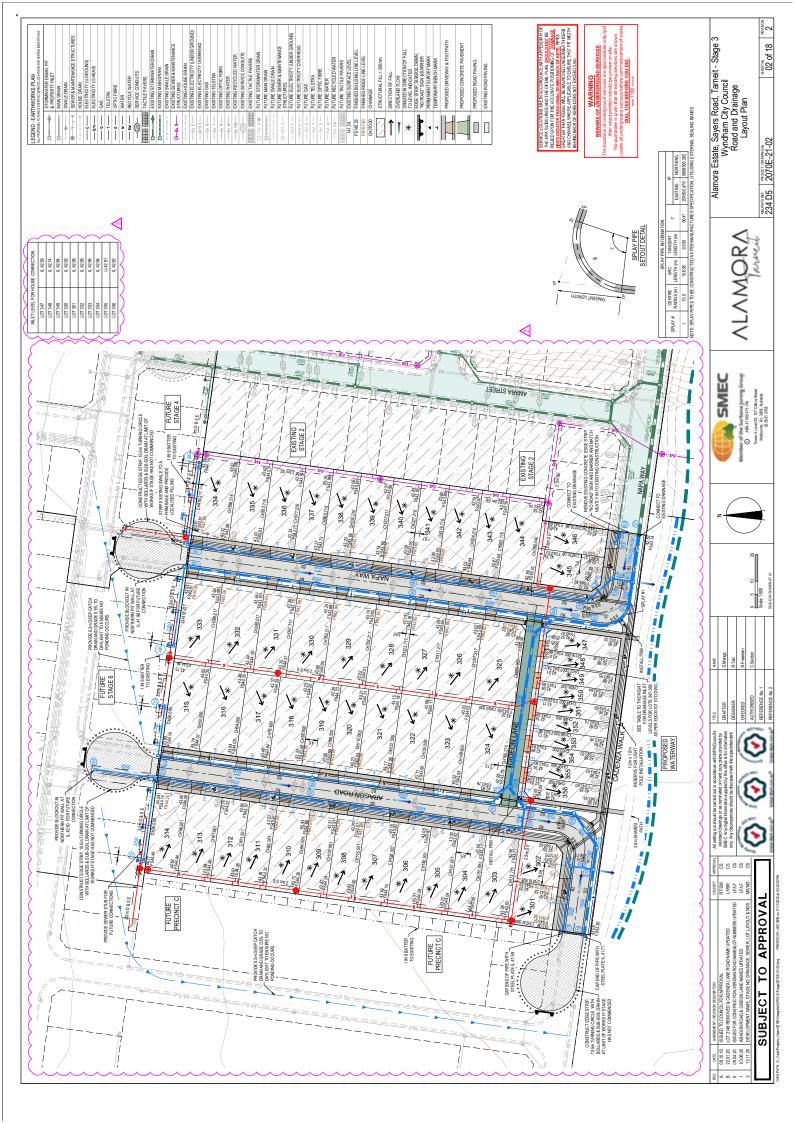
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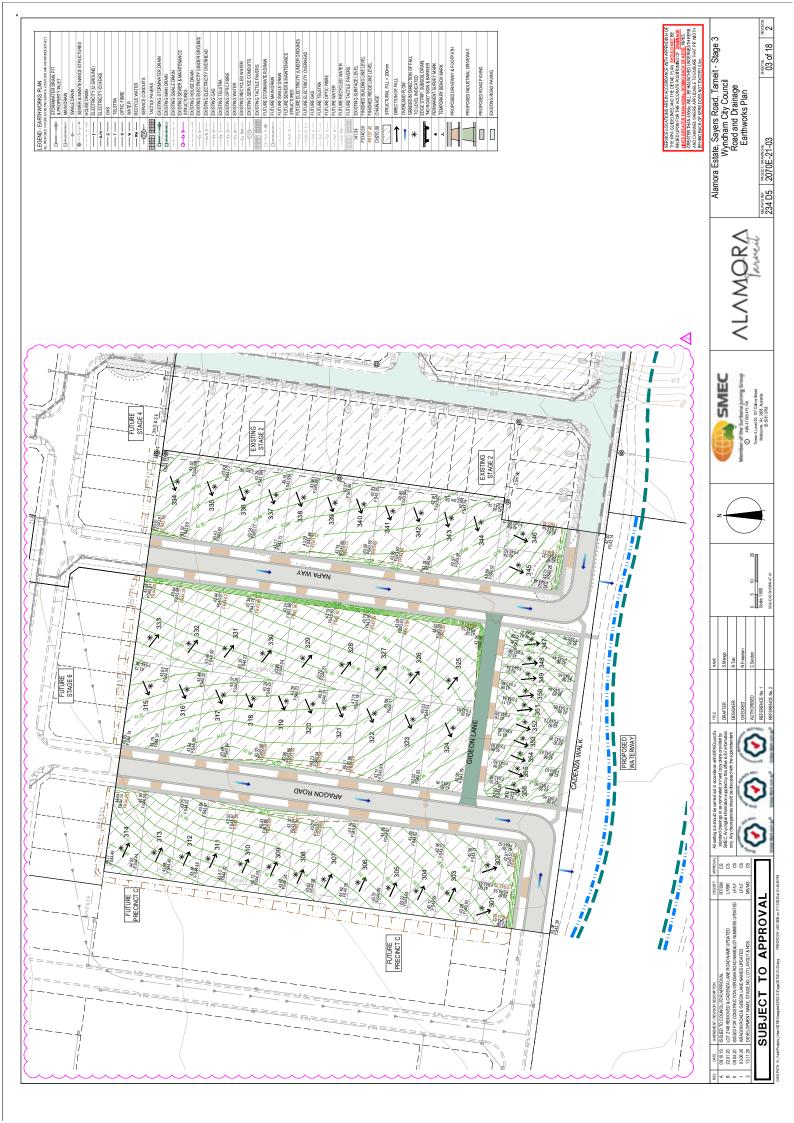
55.0m EXISITING WATERWAY RESERVE













45 Princes Highway, Werribee, Victoria 3030, Australia PO Box 197, Werribee, Victoria 3030, Australia

(03) 9742 0777 (03) 9741 6237

(03) 9742 0817

mail@wyndham.vic.gov.au www.wyndham.vic.gov.au

DX 30258 Werribee Vic ABN: 38 393 903 860

WYP10107/17.02

04 July 2018

Smec Australia Pty Ltd Level 10 71 Queens Road MELBOURNE VIC 3004

Dear Sir/Madam,

Planning Permit Application: WYP10107/17.02

Description: Section 72 Amendment - Increase permit area and subdivision

of Precinct B, amend stage sequencing (including new stages),

and alteration of lots within Stage 12, 16, 18, 23

Location: V 11863 F 168 L A PS 735353 Tarneit Parish

Sayers Road TARNEIT VIC 3029

I refer to your recent letter, requesting an amendment to the **endorsed plans**.

Your request for an amendment to the **endorsed plans** has now been granted by Council. Please find attached a copy of the **amended permit and plans**.

Please note that Melbourne Water has included condition (Condition 76) on the amended planning permit.

Should you have any further enquiries regarding the above matter, please contact me on 8734 5463.

Yours faithfully,

Nick Robinson

Senior Town Planner

Encl.

PLANNING PERMIT

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish

Land Address: Sayers Road TARNEIT VIC 3029

THE PERMIT ALLOWS:

Staged multi lot subdivision of land, subdivide land abutting a road zone, Category 1, creating/altering access to a road in road zone category, and creation of reserves

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

No subdivision layout alteration

1. The subdivision permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

Conditions 3 to 10 required under the Riverdale Precinct Structure Plan

Condition C1 – Small Lot Housing Code

- 2. Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.
- 3. The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Condition C2 – Land required for public open space

4. Land required for public open space as a local or district park, as set out in the Riverdale Precinct Structure Plan or the *Wyndham North Development Contributions Plan*, must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Wyndham North Development Contributions Plan*.

Date

Signature for the Responsible Authority

30 November 2017

Nick Robinson Senior Town Planner

PLANNING PERMIT

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

Condition C3 – Kangaroo Management

- 5. Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- 6. The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Condition C6 – Salvage and Translocation

7. The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment and Primary Industries.

Condition C8 – Conditions for subdivision or building and works permits where land is required for road widening

8. Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Wyndham North Development Contributions Plan.

Bushfire Management (Requirement 33 of the Riverdale PSP)

- 9. For the purpose of Clause 56.06-7, the requirements of the relevant fire authority are, unless otherwise approved by the CFA:
 - (a) Constructed roads must be a minimum of 7.3m trafficable width where cars park on both sides, or:
 - o A minimum of 5.4m in trafficable width where cars may park on one side only.

Date

Signature for the Responsible Authority

30 November 2017

Nick Robinson Senior Town Planner

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

- A minimum of 3.5m width no parking and 0.5m clearance to structures on either side, and if this width applies, there must be passing bays of at least 20m long, 6m wide and located not more than 200m apart.
- (b) Roads must be constructed so that they are capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- (c) The average grade of a road must be no more than 1 in 7 (14.4% or 8.1°).
- (d) The steepest grade on a road must be no more than 1 in 5 (20% or 11.3°) with this grade continuing for no more than 50 metres at any one point.
- (e) Dips on the road must have no more than 1 in 8 grade (12.5% or 7.1º) entry and exit angle.
- (f) Constructed dead end roads more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll over curbs if they are provided).

Bushfire Management (Requirement 34 of the Riverdale PSP)

- 10. Before the commencement of works for a stage of subdivision, a Construction Management Plan that addresses Bushfire Risk Management must be submitted to and approved by the responsible authority and the CFA. The Construction Management Plan must specify, amongst other things:
 - (a) Measures to reduce the risk from fire within the surrounding rural landscape and protect residents from the threat of fire.
 - (b) A separation buffer, consistent with the separation distances specified in AS3959-2009, between the edge of development and non-urban areas.
 - (c) How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

Waterway crossing prior to SOC (Requirement 45 of the Riverdale PSP)

11. The connector street bridge must be constructed prior to the issue of statement of compliance for the first stage of residential subdivision on the south side of the waterway to be developed, whether or not that residential subdivision directly abuts the waterway.

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30 November 2017

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Subdivision works by Developers (Requirement 68 of the Riverdale PSP)

- 12. Subdivision of land within the precinct must provide and meet the total cost of delivering the following infrastructure:
 - (a) Connector streets and local streets.
 - (b) Local bus stop infrastructure (where locations have been agreed in writing by Public Transport Victoria).
 - (c) Landscaping of all existing and future roads and local streets.
 - (d) Intersection works and traffic management measures along arterial roads, connector streets, and local streets.
 - (e) Council approved fencing and landscaping (where required) along arterial roads.
 - (f) Local shared, pedestrian and bicycle paths along local arterial roads, connector roads, local streets, waterways and within local parks including bridges, intersections, and barrier crossing points (except those included in the DCP).
 - (g) Bicycle parking as required in this document.
 - (h) Appropriately scaled lighting along all roads, major shared and pedestrian paths, and traversing public open space.
 - (i) Basic improvements to local parks and open space (refer open space delivery below).
 - (j) Local drainage system.
 - (k) Local street or pedestrian path crossings of waterways unless included in the DCP or outlined as the responsibility of another agency in the Precinct Infrastructure Plan.
 - (I) Infrastructure as required by utility services providers including water, sewerage, drainage (except where the item is funded through a Development Services Scheme), electricity, gas, and telecommunications.

Open space delivery (Requirement 69 of the Riverdale PSP)

- 13. All public open space (where not otherwise provided via a Development Contributions Plan) must be finished to a standard to the satisfaction of the Responsible Authority, prior to the transfer of the space to Council including but not limited to:
 - (a) Removal of all existing disused structures, foundations, pipelines or stockpiles.

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- (b) Cleared of rubbish and environmental weeds and rocks, levelled, topsoiled and grassed with warm climate grass (unless conservation reserve requirements dictate otherwise).
- (c) Provision of water tapping, potable and recycled water connection points.
- (d) Sewer, gas and electricity connection points to land identified as a sports reserve or district level local park.
- (e) Trees and other plantings (drought tolerant unless otherwise approved by Council).
- (f) Vehicle exclusion devices (fence, bollards or other suitable method) and maintenance access points.
- (g) Construction of minimum 1.5m wide pedestrian paths around the perimeter of the reserve, connecting and linking into any other surrounding paths or points of interest, except where shown as a shared path on Plan 7.
- (h) Installation of park furniture, consistent with the type of public open space listed in the open space delivery guide (Appendix F).

Open space delivery (Requirement 70 of the Riverdale PSP)

- 14. Local sports reserves identified by a Development Contributions Plan must be vested in the relevant authority in a condition that enables:
 - (a) Safe mowing using standard Council machinery.
 - (b) Safe public use / access.

Generally this may include:

- (i) Removal of loose surface / protruding rocks and built structures.
- (ii) Targeted topsoiling of holes left by rocks and / or minor grading to create a safe and reasonably regular surface.
- (iii) Bare, patchy and newly graded areas being seeded, top-dressed with drought resistant grass.

Consistent with the Wyndham North DCP, where these works are not considered to be temporary works, these works are eligible for a works in kind credit against a landowner / developers DCP obligation. Works associated with adjacent road construction (e.g. earthworks for a road embankment) are not eligible for works in kind credit.

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Any embankments as a result of abutting road construction should have a maximum 1:6 gradient.

Creation of restriction - Design Guidelines

15. Prior to the certification of a Plan of Subdivision for Stage 12 a restriction must be included on the plan of the subdivision for the lots backing onto the pedestrian link north of the feature street. The restriction must require that development must be constructed in accordance with the approved design guidelines.

The above mentioned design guidelines must be submitted to and approved by the Responsible Authority. Once approved the Design Guidelines will form part of this permit. The guidelines must include the following requirements:

- (a) Fencing must be at least 30% permeable where it backs on to the pedestrian link;
- (b) Fencing must be capped and provide a height tapering towards one (1) metre at the front:
- (c) No solid fencing within the front setback of the building;
- (d) The design of buildings must have the dwelling to positively address the pedestrian link;
- (e) The design of buildings/fencing must allow for passive surveillance (windows or doors) of the pedestrian link;
- (f) Buildings must be designed with articulation to provide visual interest;

Substation Locations

16. The plan of subdivision submitted for certification must show the location of any reserves to be used to accommodate electrical substations to the satisfaction of the Responsible Authority. Utility reserves adjoining any open spaces reserves will not be permitted except with the prior written consent of the Responsible Authority.

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Payment of Development Infrastructure Contribution

- 17. A development infrastructure levy must be paid to the Collecting Agency in accordance with the provisions of the approved Development Contributions Plan applying to the land. Unless otherwise agreed in accordance with the Wyndham North Development Contributions Plan, the Development Infrastructure Levy must be paid to the Collecting Agency within the times specified in the Development Contributions Plan or if no time is specified then after certification of the relevant plan of subdivision but not more than 21 days before a Statement of Compliance is issued in respect of that plan under the Subdivision Act 1988.
- 18. Unless otherwise agreed in accordance with the Wyndham North Development Contributions Plan, a Schedule of Development Contributions must be submitted with each stage of the plan of subdivision. This Schedule of Development Contributions must show the amount of development contributions likely to be payable for each subsequent stage and the value of the development contributions in respect of prior stages to the satisfaction of the Collecting Agency.

Public Open Space Contribution

19. Before the Statement of Compliance for any stage is issued under the Subdivision Act 1988, a public open space contribution as specified for the land in the Schedule to Clause 52.01 of the Wyndham Planning Scheme must be made to the Council in a manner which is consistent with the Precinct Structure Plan applying to the land.

Creation of Restriction (Building envelopes)

20. Before certification of a Plan of Subdivision for each stage of the subdivision under the *Subdivision Act* 1988, where building envelopes are proposed, a plan/document showing building envelopes for each lot of 300sqm in area or greater to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the building envelope plan/document will be endorsed under this permit.

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- 21. Before certification of a Plan of Subdivision for each stage of the subdivision under the *Subdivision Act* 1988, where building envelopes are proposed, a restriction must be added to the relevant Plan of Subdivision to give effect to the building envelopes. The restriction must include the following to the satisfaction of the Responsible Authority:
 - (a) Building envelopes in accordance with plans endorsed under this permit shown for each relevant lot;
 - (b) Any buildings constructed on a lot containing a building envelope to conform to the relevant building envelope;
 - (c) The construction of a building outside a building envelope may only occur with the written consent of the Responsible Authority.

Agreement with relevant authorities for utility services

22. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with that authority's requirements and relevant legislation at the time.

Serviced Lots

23. Prior to its use for any purpose, each lot created by the subdivision permitted by this permit must be provided with reticulated water, sewerage and electricity, roads and drainage to the satisfaction of the Responsible Authority.

Provision of Telecommunications services

- 24. The owner of the land must enter into an agreement with:
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media

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Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Telecommunications services prior to SoC

- 25. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Easements to be set aside

26. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created. Easements will not be permitted on areas set aside as unencumbered open space. Where there is no alternative available, compensation will be payable at a valuation determined by the Responsible Authority.

Vesting of land associated with Precinct C

27. Unless otherwise agreed, prior to Statement of Compliance of Stage 16, the road widening for DCP intersection IN-91-05 must be set aside and be vested in Wyndham City Council to the satisfaction of the Responsible Authority.

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Conditions requested by Council's Landscape Subdivisions Department

General Landscaping

- 28. Landscape plans are required to be submitted to and approved by Council's Landscape Subdivisions Department prior to the issue of a Statement of Compliance. These plans will show the development of reserves to include playgrounds, paths and shared trails, park furniture, landscaping and recreation facilities as appropriate to the size and proposed use of the reserve, and in accordance with the endorsed plans. The following is also required to be shown on the plans:
 - (a) All surface treatments.
 - (b) The location, type and height of all fencing.
 - (c) The botanical name, height and width at maturity, and location of all vegetation to be used.
 - (d) A works specification, and the method of preparing, draining watering and maintaining the landscape area.
 - (e) A barrier, where necessary, to prevent vehicles causing damage to garden areas.

Landscape Plan Request (including along waterways)

29. Prior to a Statement of Compliance being issued for each stage, detailed landscaping plans (including landscaping along the waterway corridor as shown on the endorsed plan) must be submitted to the satisfaction of the Responsible Authority. These landscaping plans must show street trees, understorey and ground planting, estate entries and plantings in other then public areas to soften built form and enable transition between riparian and other indigenous areas to exotic or groomed landscapes.

Date Signature for the Responsible Authority

30 November 2017 Nick Robinson

Senior Town Planner

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Landscaping of Reserves including Rubbish/Weed Removal

30. The reserve(s) shown on the endorsed plan(s) must be cleared of all rubbish, noxious weeds, debris and spoil and must be levelled, graded and developed to the satisfaction of the Responsible Authority, specifically Council's Landscape Subdivisions Department, to allow for future maintenance by Council. Such landscaping must be in accordance with a plan approved by the Responsible Authority prior to certification of the Plan of Subdivision.

Landscaping Bonds

31. Landscaping bonds to a value agreed to be the Responsible Authority, must be paid prior to the issue of Statement of Compliance. These bonds are to comprise 150% of the total value of the landscaping works to cover the outstanding works and a further 35% of the total landscaping cost to cover the maintenance Period.

Street Trees

Date

32. The owner or developer of the subject land must plant street trees within the subdivision permitted by this permit to the satisfaction of the Responsible Authority. Such street tree planting must be in accordance with the plan approved by the Responsible Authority.

Landscape Handover

33. The landscaping maintenance period will be for a minimum two (2) summers prior to Handover to the Responsible Authority. During this period, the developer must maintain the landscaping works to the satisfaction of, and at no cost to, the Responsible Authority. Detailed 'as constructed' plans, in a format agreed with Council, must be provided prior to the issue of the Practical Completion Certificate.

Signature for the Responsible Authority

30 November 2017 Nick Robinson

Senior Town Planner

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Servicing of Reserves

- 34. Those reserves shown on the endorsed plan(s) and nominated by the Responsible Authority must be provided with the following services and facilities to the satisfaction of and at no cost to the Responsible Authority. Utilities including power and water are required for neighbourhood parks and power, water, gas and sewer as required for active recreation reserves and district open space.
 - (a) City West Water approved water tapping;
 - (b) Powercor approved power pillar box to provide the necessary power supply for the reserve;
 - (c) A sewer point for the entire reserve;
 - (d) An industrial type vehicle crossing and security gate; and
 - (e) Security lighting.

The provision of the above services and facilities must include payment of all associated fees and charges.

Weed Control

35. Weed control of the identified serious threat environmental weeds and all noxious weed species must occur prior to any development and removal/relocation of soils. Such weeds (and any colonies in the event of soil disturbance or importation of soils and other actions) as well as any regrowth of previously controlled weeds are to be controlled throughout the development process and maintenance period. Weed control must be at no cost to and to the satisfaction of the Responsible Authority before the site is transferred to Council for future management/maintenance.

O-Spec Drawing Requirement

36. Prior to the issue of a Practical Completion of landscaping works for any stage of the subdivision, the following must be submitted to the satisfaction of the responsible authority:

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- (a) An electronic copy of all 'as constructed' landscape drawings, and relevant files in both Autocad DWG and Adobe PDF file formats. The minimum resolution of the PDF required is 300dpi.
- (b) 'As-constructed' open space/landscape asset information for open space/landscape and related assets in digital format in accordance with O-Spec (the Consultant/Developer Specifications for the delivery of the digital data to Local Government).

Conditions requested by Council's Engineering Subdivisions Department

Stage Plan

37. A sequential staging plan must be submitted to and approved by the responsible authority. When approved, the staging plan will be endorsed and will then form part of the permit. The subdivision of the land must proceed in the order of stages shown on the endorsed plan except with prior written consent of the responsible authority.

Servicing Strategy

- 38. Prior to the submission and approval of functional layout plans, a servicing strategy for the subdivision must be submitted to and approved by the responsible authority. The strategy must include a servicing plan which is drawn to scale. The servicing plan must show:
 - (a) The subdivision layout;
 - (b) Subdivision staging; and
 - (c) The locality of trunk utility services required to service the subdivision, including the distribution of water, recycled water, gas, sewer, power, telecommunications and preliminary location of reserves for electrical kiosks.

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Functional layout plan

39. Prior to the submission and approval of construction plans (engineering plans) and the certification of the relevant plan of subdivision for each stage, a functional layout plan for the subdivision or stage of subdivision, must be submitted to and approved by the responsible authority. This plan must be in accordance with the endorsed Subdivision Permit Plan.

When approved, the functional layout plan will be endorsed and will then form part of the permit. The functional layout plan must be drawn to scale, with dimensions, and must show:

- (a) the subdivision layout, including preliminary street names, lot areas, lot numbers and the width of each road reserve;
- (b) topography and existing features, including contours for the subject land and any affected adjacent land;
- (c) the location of all trees or groups of trees existing on the site, including dead trees and those that overhang the site from adjoining land;
- (d) details of tree protection zones for all trees to be retained on site;
- (e) any trees proposed for removal from the site clearly designated;
- (f) typical cross sections for each road, demonstrating service offsets and street trees;
- (g) a table of utility services and street trees;
- (h) location and alignment of kerbs, indented parking bays, , footpaths, shared paths, bus stops, bicycle crossings and traffic control devices (signals, roundabouts, splitter islands, etc.) including critical swept path diagrams and turning templates;
- (i) the proposed minor drainage network and any land required for maintenance purposes;
- (j) the major drainage system, including outfall drains, wetlands and/or waterways and any land required for maintenance purposes;
- (k) overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination;

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- (I) the drainage outfall system indicating a legal point of discharge for all allotments and any access requirements for construction and/or maintenance;
- (m) preliminary location of reserves for electrical kiosks;
- (n) works external to the subdivision, including both interim and ultimate access requirements;
- (o) provision of notional on-street parking for all lots at a rate of one car space per dwelling; and
- (p) intersections with Sayers Road and Davis Road showing interim and ultimate treatments.

Vehicle Access - Sayers Road and Davis Road

40. Vehicle access to and egress from the subdivision permitted by this permit must be designed and constructed to the satisfaction of the Responsible Authority and must include provision of passing and deceleration lanes on Sayers Road and Davis Road. Such roadworks must be designed and constructed at no cost to Council.

Construction Plans

- 41. Before any road and/or drainage works associated with the subdivision commence, detailed construction plans must be submitted to and approved by the responsible authority. The construction plans will not be considered until the functional layout plan(s) for the relevant stage has been approved and the plan of subdivision has been lodged for certification with the responsible authority. When approved, the construction plans will be endorsed and will then form part of the permit. The construction plans must be drawn to scale, with dimensions, and must include:
 - (a) Engineering plans, computations, reports and specifications of the proposed works that are to become public assets such as roads, intersections, drains, bridges, culvert structures and the like (ie. traffic assessment reports, geotechnichal reports, pavement design, etc...);
 - (b) all details of works consistent with the approved Functional Layout Plan and lodged plan of subdivision;

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- (c) design for full construction of pavements with kerb and channel in accordance with the approved Functional Layout Plan;
- (d) concrete footpaths/shared paths in all streets and reserves in accordance with the approved Functional Layout Plan/Precinct Structure Plan;
- (e) underground drainage;
- (f) all aspects of the stormwater drainage system including drainage reserves, retarding basins, wetlands, stormwater connections, outfalls and any Water Sensitive Urban Design measures (where applicable);
- (g) A drainage asset management and maintenance schedule (where applicable);.
- (h) indented car parking bays where appropriate;
- (i) temporary turn around areas for waste collection vehicles at the temporary end of any road that services more than two (2) lots;
- (j) provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan. Each lot created by the subdivision permitted by this permit must be provided with all services to the satisfaction of the Responsible Authority;
- (k) a vehicle crossing to each lot in accordance with Council standards;
- (I) location of public lighting and underground electricity supply within all streets;
- (m) details of any traffic control measures;
- (n) details in relation to any cut and/or fill on the site;
- (o) details of any tree protection zones;
- (p) splays (min 3m x 3m) which must be provided at all intersections of the local road networks;
- (q) splays of 2m x 2m which must be provided at the intersection with any laneway
- (r) street signs in accordance with Council's standard design;
- (s) details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves;
- (t) appropriate methods for protecting environmental and heritage assets during the construction phase of the subdivision;
- (u) high stability permanent survey marks;
- (v) appropriate signage;
- (w) school crossing(s) where appropriate;

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Works must not commence prior to the issue of a certified plan of subdivision and approval of engineering construction plans. All works shown on the endorsed plans must be constructed in accordance with the approved plans, guidelines and specifications prior to Council issuing a Statement of Compliance for the relevant stage

Site Environmental Management Plan Condition

42. Prior to the commencement of any works for each stage, including works required by other authorities, a Site Environmental Management Plan must be submitted to and approved by the responsible authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit.

The SEMP must be in accordance with Council's SEMP template and guidelines. The approved SEMP must be implemented at all times to the satisfaction of the Responsible Authority. Any non-compliance may be enforced under the Planning and Environment Act and other related legislation.

Access to the site must be available at all times for Council representatives to monitor implementation of the SEMP.

The SEMP applies for all works approved in this Permit up to where public land is handed over (and accepted) by the relevant authority and the remainder is completely in private ownership.

- a) Prior to commencement of works, contractors must be inducted into the SEMP and all flora and fauna conservation requirements.
- b) Prior to certification, the works zone must be enclosed by secure and obvious temporary fencing. Fencing abutting the windrow on adjoining land must be signposted as 'vegetation protection zone no work permitted'. The work zone fence must remain in place until works are completed. Fill, machinery and building materials must not be placed outside of the works zone.

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c) All litter and building waste must be contained on the site and must not be allowed to leave the site until the time it is correctly disposed of.

- d) All earthworks must be undertaken in a manner that will minimise soil erosion and adhere to Construction Techniques for Sediment Pollution Control (EPA 1991) or updated version.
- e) Any construction stockpiles, fill and machinery must be placed away from areas supporting native vegetation and drainage lines to the satisfaction of the responsible authority.
- f) Noxious weeds and serious threat environmental weeds must be controlled. Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material used in the construction process must be controlled. Weed control must be at no cost to and to the satisfaction of the Responsible Authority.
- g) Prior to felling, trees identified for removal must be examined by a qualified zoologist for the presence of fauna, including those using external nests (e.g. Common Ringtail Possums, bird nests) and tree hollows. If native fauna species are located, they are to be salvaged and relocated in accordance with all relevant legislation and approvals, further to consultation with the Department of Environment, Land, Water and Planning.

Residential Stormwater Drainage

43. Provision must be made for the drainage of each allotment shown on the endorsed plan(s) to the requirements and satisfaction of the responsible drainage authority. Drainage of the subject land for residential purposes must be provided by underground drainage systems catering for up to 1 in 5 year storm return periods. Flows in excess of 1 in 5 year storm return periods, up to and including 1 in 100 year storm return periods must be accommodated in separate channels and/or within the road reserves and/or within the provided drainage system

All urban storm water systems must incorporate measures to satisfy the objectives of "Best Practice Environmental Management Guidelines" (CSIRO 1999) to reduce or retain in total:-

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- (a) 80% of suspended solids;
- (b) 45% phosphorus;
- (c) 45% nitrogen; and
- (d) 70% litter/gross pollutants larger than 5mm.

Before any drainage works associated with the subdivision commence, detailed construction plans must be submitted to and approved by the responsible authority. The construction plans will not be considered until the functional layout plan(s) for the relevant works have been approved and the plan of subdivision has been lodged for certification with the responsible authority. The construction plans must be drawn to scale, with dimensions, and must include all aspects of the stormwater drainage in accordance with the approved Stormwater Management Strategy.

Filling of land

44. Before the issue of a Statement of Compliance all filling on the site must be carried out, supervised, completed and recorded in accordance with AS 3798 (Guidelines on earthworks for commercial and residential developments) Test Results must be produced and reported to the satisfaction of the responsible authority.

The owner or developer of the subject land must ensure that wherever the approved construction plans for roadworks and drainage show filling exceeding 300mm compacted depth (finished surface level) within any lot created by the subdivision, the existence of such filling must be made known to any prospective purchaser of such lot. Information on the construction plans relating to the filling of any lot must be referred to when completing a statement pursuant to Section 32 of the Sale of Land Act.

Construction vehicle Access

45. During construction works under this permit, access to and egress from the subject land must be via a route approved by the responsible authority.

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Fences abutting open space reserves

46. Where lots shown on the endorsed plan(s) have a common boundary with any Reserve for Municipal Purposes, Tree Reserve, Floodway Reserve, etc. such boundary must be fenced to the satisfaction of and at no cost to the Responsible Authority prior to the issue of a Statement of Compliance under the Subdivision Act.

As Constructed Plans

- 47. Prior to the issue of a Statement of Compliance for any stage of the subdivision, the following must be submitted to the satisfaction of the responsible authority:
 - (a) An electronic copy of all 'as constructed' drawings, and relevant files in both AutoCAD DWG and Adobe PDF file formats. The minimum resolution of PDF required is 300dpi;
 - (b) An electronic copy of the 1 in 5 and 1 in 100 year catchment plans and relevant computations in Adobe PDF file formats
 - (c) 'As-constructed' asset information for drainage and related assets in digital format in accordance with D-Spec (the Consultant/Developer Specifications for the delivery of digital data to Local Government);
 - (d) 'As-constructed' asset information for assets within the road reserve in digital format in accordance with R-Spec (the Consultant/Developer Specifications for the delivery of digital data to Local Government). Street tree data is to be supplied in accordance with R-Spec prior to the issue of the Certificate of Practical Completion for landscape works; and
 - (e) A Certificate of Compliance for Design and a Certificate of Compliance for Construction for the following infrastructure items constructed as part of the subdivision development:
 - i. Retaining walls;
 - ii. Entrance structures;
 - iii. Bridges;
 - iv. Culvert structures; and/or
 - v. Other structures as applicable

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

Reticulated Services

48. Prior to the issue of a Statement of Compliance, reticulated water, drainage, sewerage and electricity reticulation underground must be available to each lot, including reserves, shown on the endorsed plan.

Fire Hydrant Requirements

49. Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29 (Clause 56 - ResCode), fire hydrants must be provided to the satisfaction of the relevant fire authority.

Removal of excavated material

50. Approval for the removal and disposal of any excavated material or top soil from the subject land is required from the Council.

Dust from material stockpiles

51. Adequate measures must be undertaken to ensure dust from materials stockpiled does not affect adjoining properties or surrounding area, to the satisfaction of the Responsible Authority. Adequate measures to control dust must be in place at all times whilst works are being undertaken to the satisfaction of the Responsible Authority.

During Construction

52. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours as defined by the Public Health and Wellbeing Act 2008. Construction and/or demolition works must comply with the requirements specified in the Environment Protection Authorities, Noise Control Guidelines Publication 1254, October 2008.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

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Certified Plans to be referred under S8 of Subdivision Act

53. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Native vegetation removal

- 54. Only the native vegetation which is identified for removal in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors 2013 (BCS) may be removed, destroyed or lopped unless this permit also authorises the removal of native vegetation.
- 55. No earthworks, compaction or modification of existing drainage patterns may be undertaken which present a risk to any remnant trees, understorey, or revegetation areas unless a permit allows removal of the affected vegetation.
- 56. Prior to certification, habitat compensation offsets consistent with the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (BCS), must be paid to the Department of Environment, Land, Water and Planning (DELWP), and proof of payment received by the Responsible Authority.

Foreign Resident Capital Gains withholding Clearance Certificate

57. Before a Statement of Compliance is issued, a Foreign Resident Capital Gains Withholding Clearance Certificate in accordance with Section 14-220(1) of the *Tax Administration Act* 1953 must be provided to Council unless otherwise agreed by the Responsible Authority. On the day that a Statement of Compliance is requested to be issued, where a Clearance Certificate is required, a copy of title for the land in the relevant stage of the subdivision must be provided to Council and must have been produced not be more than three days prior. The owner of the land as listed on the title must match the vendor name and address listed on the Clearance Certificate to the satisfaction of the Responsible Authority.

Date Signature for the Responsible Authority

30 November 2017 Nick Robinson

Senior Town Planner

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

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Conditions required by City West Water

Water

58. It is essential the owner of the land enters into an agreement with City West Water for the provision of water supply.

Sewer

- 59. It is essential the owner of the land enters into an agreement with City West Water for the provision of sewerage.
- 60. Prior to certification, the Plan of Subdivision must be referred to City West Water in accordance with Section 8 of the Subdivision Act 1988.

Standard conditions on Powercor

- 61. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
- 62. The applicant shall:-
 - Provide an electricity supply to all lots in the subdivision in accordance with
 Powercor's requirements and standards, including the extension, augmentation or
 re-arrangement of any existing electricity supply system, as required by Powercor (A
 payment to cover the cost of such work will be required). In the event that a supply is
 not provided the applicant shall provide a written undertaking to Powercor Australia
 Ltd that prospective purchasers will be so informed.
 - Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
 - Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
 - Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

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• Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.

- Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and
 for easements for associated powerlines, cables and access ways shall be provided.
 Such a lease shall be for a period of 30 years at a nominal rental with a right to
 extend the lease for a further 30 years. Powercor Australia Ltd will register such
 leases on the title by way of a caveat prior to the registration of the plan of
 subdivision.
- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
- Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

Conditions required by Melbourne Water

63. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

- 64. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
- 65. Prior to Certification of any Plan of Subdivision associated with the application, a stormwater management strategy including associated modelling must be accepted by Melbourne Water and Wyndham City Council.
- 66. Prior to the issue of a Statement of Compliance for the subdivision, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
- 67. All new lots are to be filled to a minimum of either; 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
- 68. Prior to the issue of a Statement of Compliance for the subdivision, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
- 69. The development is to make provision for overland flows from the upstream catchment utilising roads and/or reserve. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
- 70. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria either as outlined in Melbourne Water's Land Development Manual, or where appropriate to Council's requirements and standards.
- 71. All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning

Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

- 72. Local drainage must be to the satisfaction of Council.
- 73. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
- 74. Prior to the commencement of works, a free draining outfall and any temporary assets are to be arranged to the satisfaction of Council, Melbourne Water and the affected downstream property owner(s). Written acceptance from downstream landowners and Council is to be forwarded to Melbourne Water for our records.
- 75. Prior to the commencement of works, a separate application, direct to Melbourne Water, must be made for any works on or around our mains, drains and waterways. Applications shall be made online via the Melbourne Water website. Prior to the issue of a Statement of Compliance, copies of all relevant signed practical completion forms from Asset Services must be submitted.
- 76. Water Sensitive Urban Design measure must be implemented in accordance with the agreed Stormwater Management Strategy.

Conditions required by Downer Utilities (AusNet Gas Services)

77. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

Conditions required by Public Transport Victoria

- 78. Unless otherwise agreed in writing with PTV, prior to the issue of a Statement of Compliance for any subdivision stage which contains a portion of road nominated as a bus capable road, concrete hard stand pads must be constructed:
 - (a) on both sides of the roads identified as a 'Bus Capable Road' on 'Plan 7: Public Transport and Path Network' of the Riverdale Precinct Structure Plan in locations nominated by PTV as shown on the attached plan (Indicative Bus Stop Location);
 - (b) with shelters and/or associated infrastructure where required by PTV;

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

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- (c) compliant with the Disability Discrimination Act Disability Standards for Accessible Public Transport 2002;
- (d) with direct and safe pedestrian access to a shared/pedestrian path;
- (e) at the full cost to the permit holder and;
- (f) to the satisfaction of PTV.
- 79. Any roundabouts constructed on roads designated a future public transport route within the subdivision, must be designed to accommodate ultra-low floor buses, to the satisfaction of the PTV.
- 80. Pursuant to Section 8(1)(a) of the Subdivision Act 1988 only Plans of Subdivision which contain a bus stop identified on the attached plan (Indicative Bus Stop Locations) must be referred to PTV.

Satisfactory Continuation of Subdivision

81. The subdivision permitted by this permit must be carried out to the satisfaction of the Responsible Authority.

Completion of Subdivision

- 82. This permit will expire if (any of the following apply):
 - The Plan of Subdivision for the first stage is not certified within two (2) years of the date of this permit; or
 - The Plan of Subdivision for the last stage of the subdivision is not certified within five (5) years of the date of this permit; or
 - The registration of the last stage of the subdivision is not completed within five (5) years of the certification of that Plan of Subdivision.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

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The Responsible Authority may extend the periods referred to if a request is made in writing whereby either of the following instances apply:

- (a) before or within six (6) months after the permit expiry date, where the use or development allowed by the permit has not yet started; or
- (b) within twelve (12) months after the permit expiry date, where the proposal allowed by the permit has lawfully started before the permit expires.

Expiry of Permit

FOOTNOTE: In the event that this permit expires or the subject land is proposed to be used or developed for purposes different from those for which this permit is granted, there is no guarantee that a new permit will be granted. If a new permit is granted then the permit conditions may vary from those included on this permit having regard to changes that might occur to circumstances, the planning scheme or policy.

Protection of Aboriginal Heritage Places

FOOTNOTE: All Aboriginal places and objects in Victoria are protected under the Aboriginal Heritage Act 2006. It is an offence to wilfully or negligently disturb or destroy an Aboriginal place or object under the Aboriginal Heritage Act 2006.

Cultural Heritage Assessment

FOOTNOTE: Where it is suspected that works may impact on Aboriginal cultural heritage places or objects and areas of sensitivity, the applicant should fund a cultural heritage assessment. The assessment should be undertaken by a suitably qualified cultural heritage advisor in conjunction with representatives of the Registered Aboriginal Party or applicant. A heritage assessment may inform the need for a cultural heritage management plan to be completed or a cultural heritage permit to be sought.

Date Signature for the Responsible Authority

30 November 2017 Nick Robinson

Senior Town Planner

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

Land Title: V 11863 F 168 L A PS 735353 Tarneit Parish Land Address: Sayers Road TARNEIT VIC 3029

AAV Contact Details

FOOTNOTE: Information on Aboriginal cultural heritage relating to the project area may be obtained from the Aboriginal Affairs Victoria web site at http://www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage. Contact lists of Registered Aboriginal Parties, cultural heritage advisors, maps and information for landowners are located on the website. Further, if the proposal includes Crown land, it may be necessary to consult with any parties who hold Native Title interests in the area.

Road Opening / Crossovers

FOOTNOTE: Any new or modified crossovers require separate approval from Council's Assets & Roads Department. Town Planning stamped approved plans must be presented when applying for a Consent for Works approval. Refer https://www.wyndham.vic.gov.au/services/consent-works-road-reserves. The location, design and construction of the crossover(s) is to be in accordance with Council's standard drawings. Refer https://www.wyndham.vic.gov.au/services/roads-parking-transport/plans-policies-drawings/standard-drawings. Any proposed crossover(s) must maintain a 1.0m clearance from any service provider infrastructure, 3.0m clearance from any street tree and 10.0m clearance from any intersection. If these clearance requirements cannot be maintained, service provider infrastructure may need to be upgraded/modified and street tree compensation fees may be applicable at the permit holder's cost and to the satisfaction of the Council.

Owners and Developers

FOOTNOTE: Notwithstanding the issue of this Planning Permit, Wyndham City Council has not granted its consent to the carrying out of any infrastructure project under the Wyndham North Development Contributions Plan as Works In Kind and or in return for a credit as against development contribution liabilities. Consent to undertake an infrastructure project under the Wyndham North Development Contributions Plan as Works In Kind and or in return for a credit as against development contribution liabilities must be obtained specifically and in writing from Wyndham City Council.

Date

Signature for the Responsible Authority

30 November 2017

Application No.: WYP10107/17.02 (Amended)

Planning Scheme: Wyndham Planning Responsible Authority: Wyndham City Council

ADDRESS OF LAND:

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Environment Team - indigenous tree removal

FOOTNOTE: It is recommended all indigenous trees permitted to be removed are taken into a Conservation Reserve for inclusion as large logs. These logs must be placed into the remnant patch under the direction of a suitably qualified ecologist.

Public Transport Victoria

FOOTNOTE: Cross sections for roads identified as potential bus routes must be in accordance with the approved cross sections within the Riverdale Precinct Structure Plan. Any alteration to the approved cross sections in the Riverdale Precinct Structure Plan must be referred to PTV for approval.

Department of Environment, Land, Water and Planning

FOOTNOTE: On 5 September 2013 and 11 September 2014, approvals under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) were granted. The approvals apply to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approvals have effect until 31 December 2060. The approvals are subject to conditions specified at Annexure 1 of the approvals. Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required

Date Signature for the Responsible Authority

30 November 2017 Nick Robinson

Senior Town Planner

Application No.: WYP10107/17.02 (Amended)

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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

| Date of amendment | Brief Description of amendment | | |
|-------------------|---|--|--|
| 04 July 2018 | WYP10107/17.02 - Section 72 Amendment - Increase permit area and subdivision of Precinct B, amend stage sequencing (including new stages), and alteration of lots within Stage 12, 16, 18, 23. Inclusion of new Melbourne Water condition 76 and associated renumbering of the planning permit. | | |

Signature for the Responsible Authority

30 November 2017

Date

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. NOTE: This is not a permit granted under Division 5 or 6 of Part 4 of the Planning and Environment Act 1987.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from-
- (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
- (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

- 1. A permit for the development of land expires if—
- the development or any stage of it does not start within the time specified in the permit; or
- the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
- the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act* 1988.
- 2. A permit for the use of land expires if-
- the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
- the use is discontinued for a period of two years.
- 3. A permit for the development and use of land expires if-
- the development or any stage of it does not start within the time specified in the permit; or
- the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
- the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
- the use is discontinued for a period of two years.
- 4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision—
- the use or development of any stage is to be taken to have started when the plan is certified; and
- the permit expires if the plan is not certified within two years of the issue of the permit.
- 5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it
 was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of
 review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- An application for review must also be served on the Responsible Authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.



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Civic Centre Postal

> Telephone Facsimile Email

45 Princes Highway, Werribee, Victoria 3030, Australia PO Box 197, Werribee, Victoria 3030, Australia

(03) 9742 0777 (03) 9741 6237

mail@wyndham.vic.gov.au www.wyndham.vic.gov.au

DX 30258 Werribee Vic ABN: 38 393 903 860

Your Ref: 367277

Our Ref: wLIC00048/21

Date: 05/01/2021

Landata
DX 250639
MELBOURNE VIC

LAND INFORMATION CERTIFICATE

Year Ending :30/06/2021 Assessment No: 230596 Certificate No: wLIC00048/21

All Enquiries and Updates to 03 9742 0777



Property Description: V 11863 F 169 L B PS 735353 Tarneit Parish V 12195 F 215 L R1 PS 817188

Tarneit Parish V 12226 F 448 L Q PS 820473 Tarneit Parish

AVPCC Code: 102 - Vacant Englobo Residential Subdivisional Land

Property Situated: 1071 Sayers Road

TARNEIT VIC 3029

| Site Value | \$78750000 | CIV | \$78750000 | NAV | \$3937500 |
|------------|------------|-----|------------|-----|-----------|
|------------|------------|-----|------------|-----|-----------|

The level of valuation is 01/01/2020.

The Date Valuation was adopted for rating purposes is 14/12/2020.

| Credit Brought Forward | (\$55698.90) |
|----------------------------------|---------------|
| Current Year's Rates | |
| Englobo Land Rates | \$285448.24 |
| Municipal Charge | \$62.20 |
| Fire Services Levy | \$3653.24 |
| Current Rates Levied \$289163.68 | |
| Less Payments | (\$161126.48) |
| Balance Outstanding | \$72338.30 |

| TOTAL OUTSTANDING | \$72338.30 |
|-------------------|------------|
|-------------------|------------|

Council strongly recommends that an updated certificate be sought prior to any settlement of land or other reliance on this certificate. A written update will be provided free of charge for up to 3 months after the date of issue.

LAND NOT SEPARATELY RATED

Lot S PS 822740 has not yet been separately assessed for the purpose of rates and charges. This lot forms part of the above parent property, an update of this certificate will be provided, free of charge, for a period of three months, if required.

The current portion of the rates raised and any rates payments will not be allocated to the child properties.

This certificate provides information regarding valuation, rates, charges, other moneys owing and any orders and notices made under the Local Government Act 1958, the Local Government Act 1989 or under a local law of the Council and the specified flood level by the Council (if any).

This Certificate is not required to include information regarding planning, building, health, land fill, land slip, flooding information or service easements. Information regarding these matters may be available from Council or the relevant authority. A fee may be charged for such information.

OTHER INFORMATION NOTICES AND ORDERS;

There is no potential Liability for Rates under the Cultural and Recreational Lands Act 1974.

There is no potential Liability for the Land to become Rateable under Section 173 or 174A of the Local Government Act 1989.

There is no Outstanding Amount to be paid for Recreational Purposes or any transfer of Land required to be made to Council for Recreational Purposes under the Local Government Act 1958.

LAND CLEARANCE CHARGES;

Directions to maintain vacant land to Council requirements all year round are in place under the Local Law.

Although there may be no charges shown on the Certificate, it is possible that a Charge OR a Notice to Comply to maintain the vacant land as required may exist by settlement date.

Please contact Council's City Resilience Department via email at mail@wyndham.vic.gov.au to check if there are any pending Charges that are not listed but which may transfer with the property to the new owner.

NOTE: Whilst all efforts have been made to ensure that the information contained in this Certificate is accurate and reflects the current records of the City as at the date of the Certificates issue, information contained in the Certificate is subject to regular update and it is strongly recommended that an updated Certificate be sought immediately prior to any settlement of land or other reliance on this Certificate.

I hereby certify that as at the Date of Issue the information given in this Certificate is a true and correct disclosure of Rates and other Monies payable to the Wyndham City Council, together with any Notice or Orders referred to in this Certificate

APPLICANT:Landata

RECEIVED THE SUM OF \$26.60 BEING FOR THE FEE FOR THE CERTIFICATE

REFERENCE:wLIC00048/21

Mary-Jane Moala/Coordinator Finance Operations

Stellowse

Payment Options

B

BPAY (Rates payments only)

Biller Code: 76869

Customer Reference Number: 2142282

Online via Credit Card

Visit <u>www.wyndham.vic.gov.au</u>
Rates Payment

Bank Reference Number: 2142282

Land Clearance Charge (if applicable) See Reference Number above

Cheque Payment

Send cheque made payable to Wyndham City Council and a copy of this LIC to PO Box 197, Werribee, VIC 3030



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO. 1254 0093 5108

DATE OF ISSUE - 6/01/2021

APPLICATION NO. 914543

LANDATA COUNTER SERVICES

YOUR REF. 44137548-033-0

SOURCE NO. 99904685210

PROPERTY: LOT S/LAYLA CRESCENT TARNEIT VIC 3029

Statement & Certificate as to Waterways & Drainage, Parks Service and City West Water Charges

The sum of Zero dollars is payable in respect of the property listed above to the end of the financial year.

| Service Charge Type | Annual charge | Billing Frequency | Date Billed To | Year to Date Billed Amount | Outstanding Amount |
|--|---|---|----------------|-------------------------------|-----------------------|
| TOTAL | 0.00 | | | 0.00 | 0.00 |
| | Service charges or | wing to 30/06/2020 | | | 0.00 |
| | Service charges owing for this financial year | | | 0.00 | |
| | Adjustments | | | | 0.00 |
| | Current amount outstanding | | | | 0.00 |
| | Plus rema | Plus remainder service charges to be billed | | | 0.00 |
| BALANCE including unbilled service charges | | | s | 0.00 | |

City West Water property settlement payments can be made via BPAY. If using BPAY please use the BPAY Biller code and reference below.

Biller Code: 8789

Reference: 1254 0093 5108



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO.

1254 0093 5108

DATE OF ISSUE - 6/01/2021

| APPLICATION NO. | |
|-----------------|--|
| 914543 | |

This property is currently not liable for Parks and/or Waterway and Drainage charges however may be liable for these charges from date of sale.

Where applicable, this statement gives particulars of City West Water service charges as well as Parks Service and Waterways & Drainage service charges are levied and collected on behalf of Parks Victoria and Melbourne Water Corporation respectively.

Section 274(4A) of the Water Act 1989 provides that all amounts in relation to this property that are owed by the owner are a charge on this property.

Section 275 of the Water Act 1989 provides that a person who becomes the owner of a property must pay to the Authority at the time the person becomes the owner of the property any amount that is, under Section 274(4A), a charge on the property.

This installation is not supplied with water through a City West Water meter.



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO.

1254 0093 5108

DATE OF ISSUE - 6/01/2021

APPLICATION NO. 914543

Information given pursuant to section 158 of the Water Act 1989

Please note that the property is in an area designated by City West Water for the provision of a recycled water supply in addition to drinking water and sewerage services. The conditions of connection for recycled water are available on our web site at www.citywestwater.com.au. Should you require further information, please contact City West Water on 13 16 91 or by emailing to enquiries@citywestwater.com.au.

Portion of the land could be subject to inundation at times of high storm flow. Therefore any proposed development on the property is to be referred to Melbourne Water, Land Development Team (Postal Address: GPO Box 4342, Melbourne 3001) - Telephone: 9679-7517.

Sewer & or Water Assets if available are shown on the attached Plan. Should this plan not display all of the requested property please contact City West Water on 131691.

AUTHORISED OFFICER:

ROHAN CHARRETT GENERAL MANAGER CUSTOMER EXPERIENCE

CITY WEST WATER CORPORATION

Unless prior consent has been obtained from both CITY WEST WATER and MELBOURNE WATER (Section 148 Water Act 1989), the erection and/or replacement of any structure or filling over or under any easement, sewer or drain, any interference with, any sewer, drain or watercourse, or any connection to any sewer drain or watercourse is PROHIBITED.

City West Water provides information in this statement relating to waterways and drainage pursuant to Section 158 of the Water Act 1989, as an agent for Melbourne Water.

Please contact City West Water prior to settlement for an update on these charges and remit payment to City West Water immediately following settlement. Updates of rates and other charges will only be provided for up to three months from the date of this statement.



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO.

1253 2209 8119

DATE OF ISSUE - 6/01/2021

APPLICATION NO. 914543

LANDATA COUNTER SERVICES

YOUR REF. 44137548-033-0

SOURCE NO. 99904685210

PROPERTY: PREV/1071 SAYERS ROAD TARNEIT VIC 3029

Statement & Certificate as to Waterways & Drainage, Parks Service and City West Water Charges

The sum of two thousand one hundred dollars and eighty five cents is payable in respect of the property listed above to the end of the financial year.

| Service Charge Type | Annual charge | Billing Frequency | Date Billed To | Year to Date Billed Amount | Outstanding Amount |
|---|---|-------------------|----------------|-------------------------------|-----------------------|
| WATERWAYS AND DRAINAGE CHARGE - RES | 104.32 | Quarterly | 31/12/2020 | 52.16 | 52.16 |
| PARKS SERVICE CHARGES | 2,065.31 | Annually | 30/06/2021 | 2,065.31 | 1,996.53 |
| TOTAL | 2,169.63 | | | 2,117.47 | 2,048.69 |
| | Service charges owing to 30/06/2020 | | | | 0.00 |
| | Service charges owing for this financial year Adjustments | | | | 2,048.69 |
| | | | | | 0.00 |
| Current amount outstanding Plus remainder service charges to be billed BALANCE including unbilled service charges | | | | | 2,048.69 |
| | | | | | 52.16 |
| | | | | | 2,100.85 |

City West Water property settlement payments can be made via BPAY. If using BPAY please use the BPAY Biller code and reference below.

Biller Code: 8789

Reference: 1253 2209 8119



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO.

1253 2209 8119

DATE OF ISSUE - 6/01/2021

APPLICATION NO. 914543

For the purpose of levying Parks and/or Waterways and Drainage charges Property no: 125400935 is not yet separately rated by City West Water and is part only of the property for which this certificate is issued. Property 125400935 may be separately rated from the date of sale and may attract these charges.

Where applicable, this statement gives particulars of City West Water service charges as well as Parks Service and Waterways & Drainage service charges. Parks Service and Waterways & Drainage service charges are levied and collected on behalf of Parks Victoria and Melbourne Water Corporation respectively.

Section 274(4A) of the Water Act 1989 provides that all amounts in relation to this property that are owed by the owner are a charge on this property.

Section 275 of the Water Act 1989 provides that a person who becomes the owner of a property must pay to the Authority at the time the person becomes the owner of the property any amount that is, under Section 274(4A), a charge on the property.

This installation is not supplied with water through a City West Water meter.



ABN 70 066 902 467

Information Statement & Certificate

SECTION 158 WATER ACT 1989

ENQUIRIES 131691

REFERENCE NO.

1253 2209 8119

DATE OF ISSUE - 6/01/2021

APPLICATION NO. 914543

Information given pursuant to section 158 of the Water Act 1989

Please note that the property is in an area designated by City West Water for the provision of a recycled water supply in addition to drinking water and sewerage services. The conditions of connection for recycled water are available on our web site at www.citywestwater.com.au. Should you require further information, please contact City West Water on 13 16 91 or by emailing to enquiries@citywestwater.com.au.

The property is subject to flooding. For further information contact Melbourne Water on 9679-7517.

Sewer & or Water Assets if available are shown on the attached Plan. Should this plan not display all of the requested property please contact City West Water on 131691.

AUTHORISED OFFICER:

ROHAN CHARRETT GENERAL MANAGER CUSTOMER EXPERIENCE

CITY WEST WATER CORPORATION

Unless prior consent has been obtained from both CITY WEST WATER and MELBOURNE WATER (Section 148 Water Act 1989), the erection and/or replacement of any structure or filling over or under any easement, sewer or drain, any interference with, any sewer, drain or watercourse, or any connection to any sewer drain or watercourse is PROHIBITED.

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Please contact City West Water prior to settlement for an update on these charges and remit payment to City West Water immediately following settlement. Updates of rates and other charges will only be provided for up to three months from the date of this statement.



Encumbrance Plan LOT B/ SEWELLS ROAD TARNEIT 3029 Application No. 914543

LEGEND



Circular Manhole Inspection Shaft Sewer Main

Abandoned Sewer Main

Water Main Abandoned Water Main

Recycled Water Main MW Channel

MW Abandoned Channel MW Natural Waterway MW Underground Drain

MW Abandoned Underground Drain

MW Sewer Main

MW Abandoned Sewer Main MW Water Main

MW Abandoned Water Main

MW Manhole MW Abandoned Manhole



Disclaimer: The location of assets must be proved in the field prior to the commencement of work. A separate plan showing asset labels should be obtained for any proposed works. These plans do not indicate private services. City West Water Corporation does not guarantee and makes no representation or warranty as to the accuracy or scale of this plan. This corporation accepts no liability for any loss, damage or injury by any person as a result of any inaccuracy in this plan.

Property Clearance Certificate

Taxation Administration Act 1997



INFOTRACK / ROBERTSON HYETTS SOLICITORS

Your Reference: 611671-2

Certificate No: 40984351

Issue Date: 11 JAN 2021

Enquiries: JXO7

Land Address: 1071 SAYERS ROAD TARNEIT VIC 3029

 Land Id
 Lot
 Plan
 Volume
 Folio
 Tax Payable

 47660322
 \$ 822740
 12239
 715
 \$0.00

Vendor: SAYERS ROAD DEVELOPMENTS PTY LTD

Purchaser: FOR INFORMATION PURPOSES

Current Land TaxYearTaxable ValueProportional TaxPenalty/InterestTotalTARNEIT ESTATE PTY LTD2021\$0\$0.00\$0.00\$0.00

Comments:

Current Vacant Residential Land Tax Year Taxable Value Proportional Tax Penalty/Interest Total

Comments:

Arrears of Land Tax Year Proportional Tax Penalty/Interest Total

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick

Commissioner of State Revenue

CAPITAL IMP VALUE: \$0

SITE VALUE: \$0

AMOUNT PAYABLE: \$0.00



Notes to Certificates Under Section 95AA of the *Taxation Administration Act* 1997

Certificate No: 40984351

Power to issue Certificate

 The Commissioner of State Revenue can issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

- The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
 - Land tax that has been assessed but is not yet due,
 - Land tax for the current tax year that has not yet been assessed, and
 - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. If a purchaser of the land described in the Certificate has applied for and obtained a Certificate, the amount recoverable from the purchaser cannot exceed the 'amount payable' shown. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

General information

- A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
- An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP Land Tax = \$0.00

Taxable Value = \$0

Calculated as \$0 plus (\$0 - \$0) multiplied by 0.000 cents.

Property Clearance Certificate - Payment Options

BPAY

Biller Code: 5249 Ref: 40984351

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD



Ref: 40984351

Visa or Mastercard

Pay via our website or phone 13 21 61. A card payment fee applies.

sro.vic.gov.au/paylandtax

PLANNING CERTIFICATE

Official certificate issued under Section 199 Planning & Environment Act 1987 and the Planning and Environment Regulations 2005

CERTIFICATE REFERENCE NUMBER

707204

APPLICANT'S NAME & ADDRESS

ROBERTSON HYETTS SOLICITORS C/- INFOTRACK (INFINITYLAW) C/- LANDATA

MELBOURNE

VENDOR

SAYERS ROAD DEVELOPMENTS PTY

PURCHASER

N/A, N/A

REFERENCE

367277

This certificate is issued for:

LOT S PLAN PS822740 ALSO KNOWN AS 1071 SAYERS ROAD TARNEIT WYNDHAM CITY

The land is covered by the:

WYNDHAM PLANNING SCHEME

The Minister for Planning is the responsible authority issuing the Certificate.

The land:

- is included in a

URBAN GROWTH ZONE - SCHEDULE 11

- is within a

- and

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 13

MAY BE SUBJECT TO A GROWTH AREAS INFRASTRUCTURE CONTRIBUTION - FOR MORE INFORMATION GO TO THE WEBSITE

(https://www.planning.vic.gov.au/legislation-regulations-and-fees/planning-legislation/growth-areas-infrastructure-contribution)

A detailed definition of the applicable Planning Scheme is available at : (http://planningschemes.dpcd.vic.gov.au/schemes/wyndham)

Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian Heritage Register at:

(http://vhd.heritage.vic.gov.au/)

Additional site-specific controls may apply. The Planning Scheme Ordinance should be checked carefully.

The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

Copies of Planning Schemes and Amendments can be inspected at the relevant municipal offices.

LANDATA®
2 Lonsdale Street
Melbourne VIC 3000
Tel: (03) 9194 0606

04 January 2021

Hon. Richard Wynne MP Minister for Planning

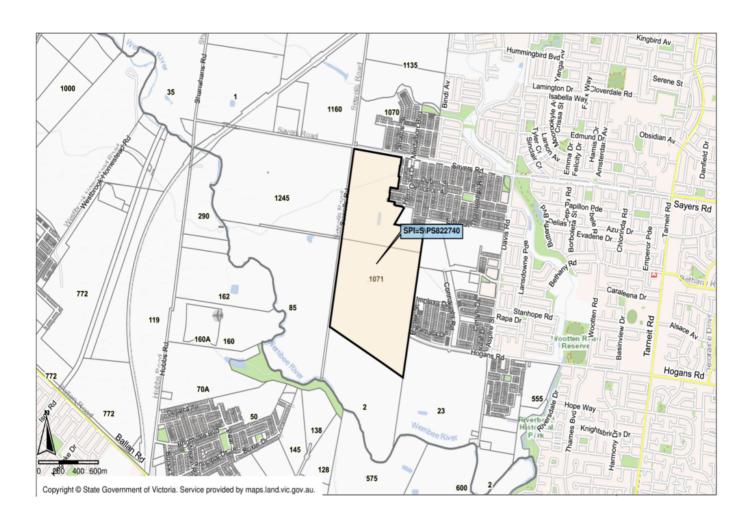


The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

The document has been issued based on the property information you provided. You should check the map below - it highlights the property identified from your information.

If this property is different to the one expected, you can phone (03) 9194 0606 or email landata.enquiries@delwp.vic.gov.au.

Please note: The map is for reference purposes only and does not form part of the certificate.



Choose the authoritative Planning Certificate

Why rely on anything less?

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.

Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour. Next business day delivery, if further information is required from you.

Privacy Statement





From www.planning.vic.gov.au at 15 January 2021 04:55 AM

PROPERTY DETAILS

Lot and Plan Number: Lot S PS822740

Address: 1071 SAYERS ROAD TARNEIT 3029

Standard Parcel Identifier (SPI): S\PS822740

Local Government Area (Council): WYNDHAM www.wyndham.vic.gov.au

Council Property Number: 230596 (Part)

Planning Scheme: Wyndham Planning Scheme - Wyndham

Directory Reference: Melway 234 C7

This parcel is one of 2 parcels comprising the property. For full parcel details get the free Property report at Property Reports

UTILITIES STATE ELECTORATES

Rural Water Corporation: Legislative Council: **WESTERN METROPOLITAN Southern Rural Water**

Melbourne Water Retailer: City West Water Legislative Assembly: TARNEIT

Melbourne Water: Inside drainage boundary

Power Distributor: **POWERCOR**

View location in VicPlan

Note

This land is in an area added to the Urban Growth Boundary after 2005. It may be subject to the Growth Area Infrastructure Contribution.

For more information about this project go to Victorian Planning Authority

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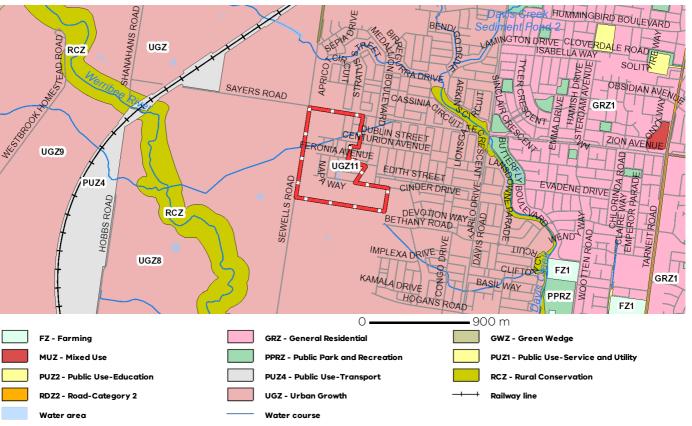
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Planning Zones

URBAN GROWTH ZONE (UGZ)

URBAN GROWTH ZONE - SCHEDULE 11 (UGZ11)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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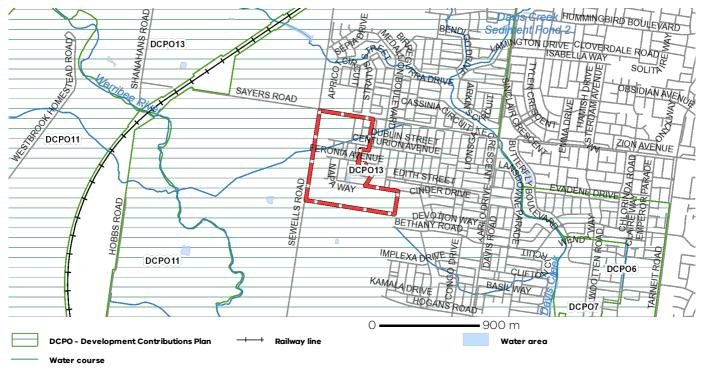
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Planning Overlays

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 13 (DCPO13)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DEVELOPMENT PLAN OVERLAY (DPO)

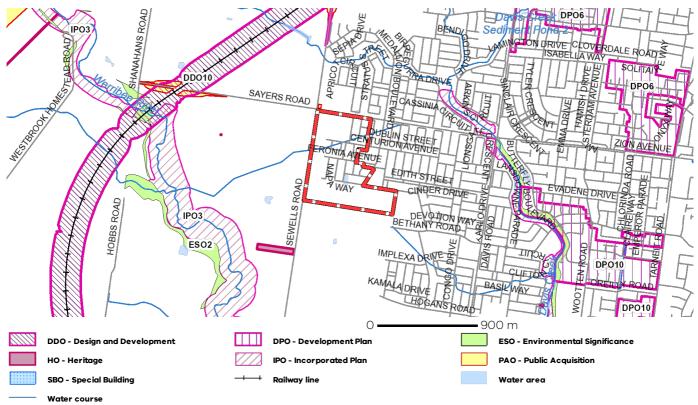
ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

HERITAGE OVERLAY (HO)

INCORPORATED PLAN OVERLAY (IPO)

PUBLIC ACQUISITION OVERLAY (PAO)

SPECIAL BUILDING OVERLAY (SBO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

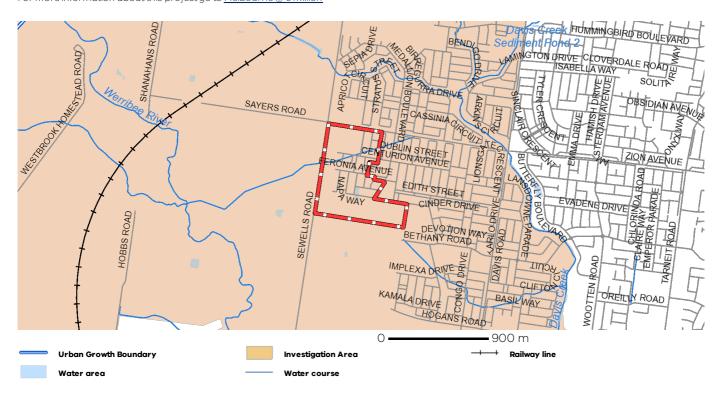
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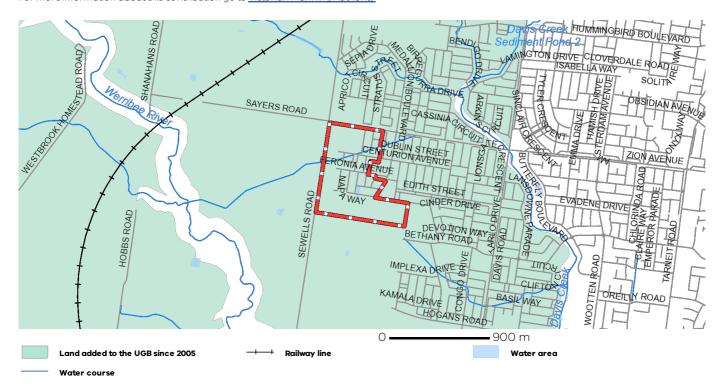
Investigation Area

This parcel was included in an Investigation Area designated in 'Melbourne 2030: a planning update Melbourne @ 5 million'. For more information about this project go to Melbourne @ 5 million



Growth Area Infrastructure Contribution

This parcel is in an area added to the Urban Growth Boundary after 2005. It may be subject to the Growth Area Infrastructure Contribution. For more information about this contribution go to Victorian Planning Authority



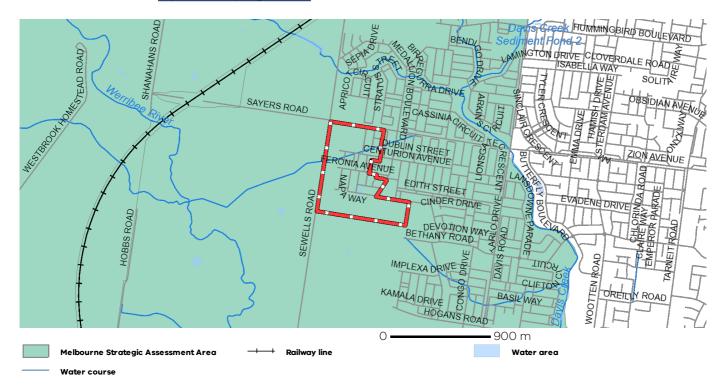
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Melbourne Strategic Assessment

This parcel may be located within the Melbourne Strategic Assessment program area. Actions associated with urban development are subject to requirements of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Follow the link for more details: https://nvim.delwp.vic.gov.au/BCS



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Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this reauirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to http://www.aav.nrms.net.au/aavQuestion1.aspx

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, and the Aboriginal Heritage Regulatiocan also be found here - https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation



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Further Planning Information

Planning scheme data last updated on 13 January 2021.

A planning scheme sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a Planning Certificate issued pursuant to Section 199 of the Planning and Environment Act 1987. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit https://mapshare.maps.vic.gov.au/vicplan

For other information about planning in Victoria visit https://www.planning.vic.gov.au

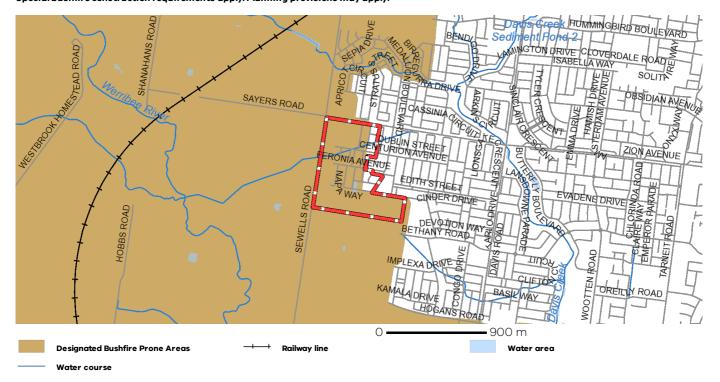
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Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas

Designated bushfire prone areas maps can be viewed on VicPlan at https://mapshare.maps.vic.gov.au/vicplan or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit https://www.planning.vic.gov.au

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Civic Centre Postal 45 Princes Highway, Werribee, Victoria 3030, Australia PO Box 197, Werribee, Victoria 3030, Australia

Telephone Email (03) 9742 0777 mail@wyndham.vic.gov.au www.wyndham.vic.gov.au

ABN: 38 393 903 860

OurRef: w2021C18046

Your Ref: 367277

04 January 2021

Landata DX 250639 MELBOURNE VIC

PROPERTY DETAILS

Property No: 230596

1071 Sayers Road

TARNEIT VIC 3029

V 11863 F 168 L A PS 735353 Tarneit Parish, V 11863 F 169 L B PS 735353 Tarneit Parish, V 12039 F 032 L A PS 800993 Tarneit Parish, V 12040 F 001 L B PS 800994 Tarneit Parish, V 12045 F 877 L C PS 801017 Tarneit Parish, V 12045 F 938 L D PS 801018 Tarneit Parish, V 12082 F 402 L E PS 811322 Tarneit Parish, V 12084 F 081 L F PS 811327 Tarneit Parish, V 12141 F 312 L G PS 811328 Tarneit Parish, V 12147 F 308 L H PS 811336 Tarneit Parish, V 12147 F 361 L J PS 813555 Tarneit Parish, V 12157 F 883 L K PS 813556 Tarneit Parish, V 12180 F 510 L L PS 817173 Tarneit Parish, V 12194 F 233 L M PS 817174 Tarneit Parish, V 12195 F 215 L R1 PS 817188 Tarneit Parish, V 12195 F 216 L N PS 817188 Tarneit Parish, V 12195 F 459 L P PS 820463 Tarneit Parish, V 12226 F 448 L Q PS 820473 Tarneit Parish, V 12233 F 374 L R PS 822737 Tarneit Parish, V 12239 F 715 L S PS 822740 Tarneit Parish

PROPERTY INFORMATION REQUEST: Building Regulations 2018 – Regulation 51

| Liable to flooding (Reg 153) | NO |
|---|-----|
| Designated as subject to attack by termites (Reg 150) | YES |
| Subject to significant snow falls (Reg 152) | NO |
| Designated land or works under Part 10 of the Water Act 1989 (Reg 154) | NO |
| Bushfire Attack Level specified in Planning Scheme (Reg 156) | NO |
| Community Infrastructure Levy Section 24(5) of the Building Act 1993 | NO. |

NOTE: Melbourne Water became responsible for waterway management, floodplain management and regional drainage on 18 November 2005. Melbourne Water is undertaking an ongoing process of investigation within this area, which may provide additional information applicable to this property. For information on flood levels please visit the Landata or Anstat websites. Where City West Water is the relevant water authority this information can be obtained by purchasing a property information statement from this authority. For information on drainage assets please contact Melbourne Water on 9235 2265.

PHILIP WILSON

CO ORDINATOR BUILDING SERVICES

ROADS PROPERTY CERTIFICATE

The search results are as follows:

Robertson Hyetts Solicitors C/- InfoTrack (InfinityLaw) 135 King Street SYDNEY 2000 AUSTRALIA

Client Reference: 367277

NO PROPOSALS. As at the 4th January 2021, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

1071 SAYERS ROAD, TARNEIT 3029 CITY OF WYNDHAM

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 4th January 2021

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 44137548 - 44137548133937 '367277'

VicRoads Page 1 of 1



Extract of EPA Priority Site Register

Page 1 of 2

**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

PROPERTY INQUIRY DETAILS:

STREET ADDRESS: 1071 SAYERS ROAD

SUBURB: TARNEIT

MUNICIPALITY: WYNDHAM

MAP REFERENCES: Melways 40th Edition, Street Directory, Map 234 Reference D4 Melways 40th Edition, Street Directory, Map 234 Reference C4 Melways 40th Edition, Street Directory, Map 234 Reference E8 Melways 40th Edition, Street Directory, Map 234 Reference E7 Melways 40th Edition, Street Directory, Map 234 Reference D9 Melways 40th Edition, Street Directory, Map 234 Reference E6 Melways 40th Edition, Street Directory, Map 234 Reference D8 Melways 40th Edition, Street Directory, Map 234 Reference D7 Melways 40th Edition, Street Directory, Map 234 Reference D6 Melways 40th Edition, Street Directory, Map 234 Reference C8 Melways 40th Edition, Street Directory, Map 234 Reference D5 Melways 40th Edition, Street Directory, Map 234 Reference C7 Melways 40th Edition, Street Directory, Map 234 Reference C6 Melways 40th Edition, Street Directory, Map 234 Reference C5

DATE OF SEARCH: 4th January 2021

PRIORITY SITES REGISTER REPORT:

A search of the Priority Sites Register for the above map references, corresponding to the address given above, has indicated that this site is not listed on, and is not in the vicinity of a site listed on the Priority Sites Register at the above date.

IMPORTANT INFORMATION ABOUT THE PRIORITY SITES REGISTER:

You should be aware that the Priority Sites Register lists only those sites for which:

- EPA has requirements for active management of land and groundwater contamination; or
- where EPA believes it is in the community interest to be notified of a potential contaminated site and this cannot be communicated by any other legislative means.

Where EPA has requirements for active management of land and/or groundwater, appropriate clean up and management of these sites is an EPA priority, and as such, EPA has issued either a: Clean Up Notice pursuant to section 62A, or a Pollution Abatement Notice (related to land and groundwater) pursuant to section 31A or 31B of the Environment Protection Act 1970 on the occupier of the site to require active management of these sites.

The Priority Sites Register does not list all sites known to be contaminated in Victoria. A site should not be presumed to be free of contamination just because it does not appear on the Priority Sites Register.

Persons intending to enter into property transactions should be aware that many properties may have been contaminated by past land uses and EPA may not be aware of the presence of contamination. EPA has published information advising of potential contaminating land uses. Municipal planning authorities hold information about

[Extract of Priority Sites Register] # 44137548 - 44137548133937 '367277'



Extract of EPA Priority Site Register

**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

previous land uses, and it is advisable that such sources of information also be consulted.

For sites listed on the Priority Sites Register, a copy of the relevant Notice, detailing the reasons for issue of the Notice, and management requirements, is available on request from EPA for \$8 per Notice.

For more information relating to the Priority Sites Register, refer to EPA contaminated site information bulletin: Priority Sites Register Contaminated Land Audit Site Listing (EPA Publication 735). For a copy of this publication, copies of relevant Notices, or for more information relating to sites listed on the Priority Sites Register, please contact EPA as given below:

Environment Protection Authority Victoria GPO Box 4395 Melbourne Victoria 3001 Tel: 1300 372 842



CERTIFICATE

Pursuant to Section 58 of the Heritage Act 2017

Robertson Hyetts Solicitors

CERTIFICATE NO:

44137548

PROPERTY ADDRESS:

1071 SAYERS ROAD TARNEIT

PARCEL DESCRIPTION:

Lot S PS822740Y

- 1. The place or object is not included in the Heritage Register.
- 2. The place is not in a World Heritage Environs Area.
- 3. The place or object is not subject to an interim protection order.
- 4. A nomination has not been made for inclusion of the place or object in the Heritage Register.
- 5. The place or object is not being considered for inclusion in the Heritage Register.
- 6. The site is not included in the Heritage Inventory.
- 7. A repair order is not in force in respect of the place or object.
- 8. There is not an order of the Supreme Court under Division 3 of Part 10 in force in respect of the place or object.
- 9. There is not a Governor in Council declaration made under section 227 in force against the owner of the place or object.
- 10. There is not a court order made under section 229 in force against a person in respect of the place or object.
- 11. There are no current proceedings for a contravention of this Act in respect of the place or object.
- 12. There has not been a rectification order issued in respect of the place or object.

Ainsley Thompson

Heritage Officer (Registry)

(as delegate for Steven Avery, Executive Director, Heritage Victoria, pursuant to the instrument of delegation)

DATED: 6 January 2021

Note: This Certificate is valid at the date of issue.

4 January 2021



6 Parliament Place East Melbourne VIC 3002

Email: conservation@nattrust.com.au Web: www.nationaltrust.org.au

T 03 9656 9818

Robertson Hyetts Solicitors C/- InfoTrack (InfinityLaw) c/- Landata
GPO BOX 527
MELBOURNE VIC 3001

Re: VOL 12239 FOLIO 715; 1071 SAYERS ROAD TARNEIT 3029

Reference: 44137548-038-5

Dear Sir/Madam,

With reference to your recent enquiry, I write to advise that as of this date the above property is **not classified** by the National Trust.

Please note that the property may have been identified on the following statutory registers:

- Victorian Heritage Register—Heritage Victoria, Department of Environment, Land, Water and Planning https://www.heritage.vic.gov.au/ or 03 9938 6894
- Victorian Aboriginal Heritage Register—Department of Premier and Cabinet vahr@dpc.vic.gov.au or 1800 762 003
- Municipal planning controls—contact the Statutory Planning department of the City of Wyndham
- World, National and Commonwealth Heritage Lists—Department of the Environment http://www.environment.gov.au/topics/heritage/heritage-places

For further information about classification on the National Trust Register visit: https://www.nationaltrust.org.au/services/heritage-register-vic/

For enquiries, please contact the National Trust Advocacy Team on 03 9656 9818.

Yours faithfully,

Felicity Watson

Executive Manager - Advocacy

National Trust of Australia (Victoria)



Contact Name Brett McKenzie
Telephone 03 9628 0049
Facsimile 03 9628 6853
Your Ref: 44137548-013-2

12 January 2021

Robertson Hyetts Solicitors c/- Landata GPO Box 527 MELBOURNE VIC 3001

Dear Sir/Madam,

Growth Areas Infrastructure Contribution (GAIC)

1071 Sayers Road, Tarneit (Volume 12239 Folio 715) - (the land)

Thank you for your Application for a Growth Areas Infrastructure Contribution (GAIC) Certificate dated 4 January 2020 in respect of the land.

Although the land is currently within the urban growth boundary and a Growth Area, the GAIC liability in respect of the land has been fully discharged and the GAIC notification on the land has been removed.

For further details regarding GAIC, please visit the State Revenue Office website or telephone 03 9628 0049.

If you have any queries in relation to this matter please contact me.

Yours sincerely

Brett McKenzieCustomer Service Officer

Land Revenue

