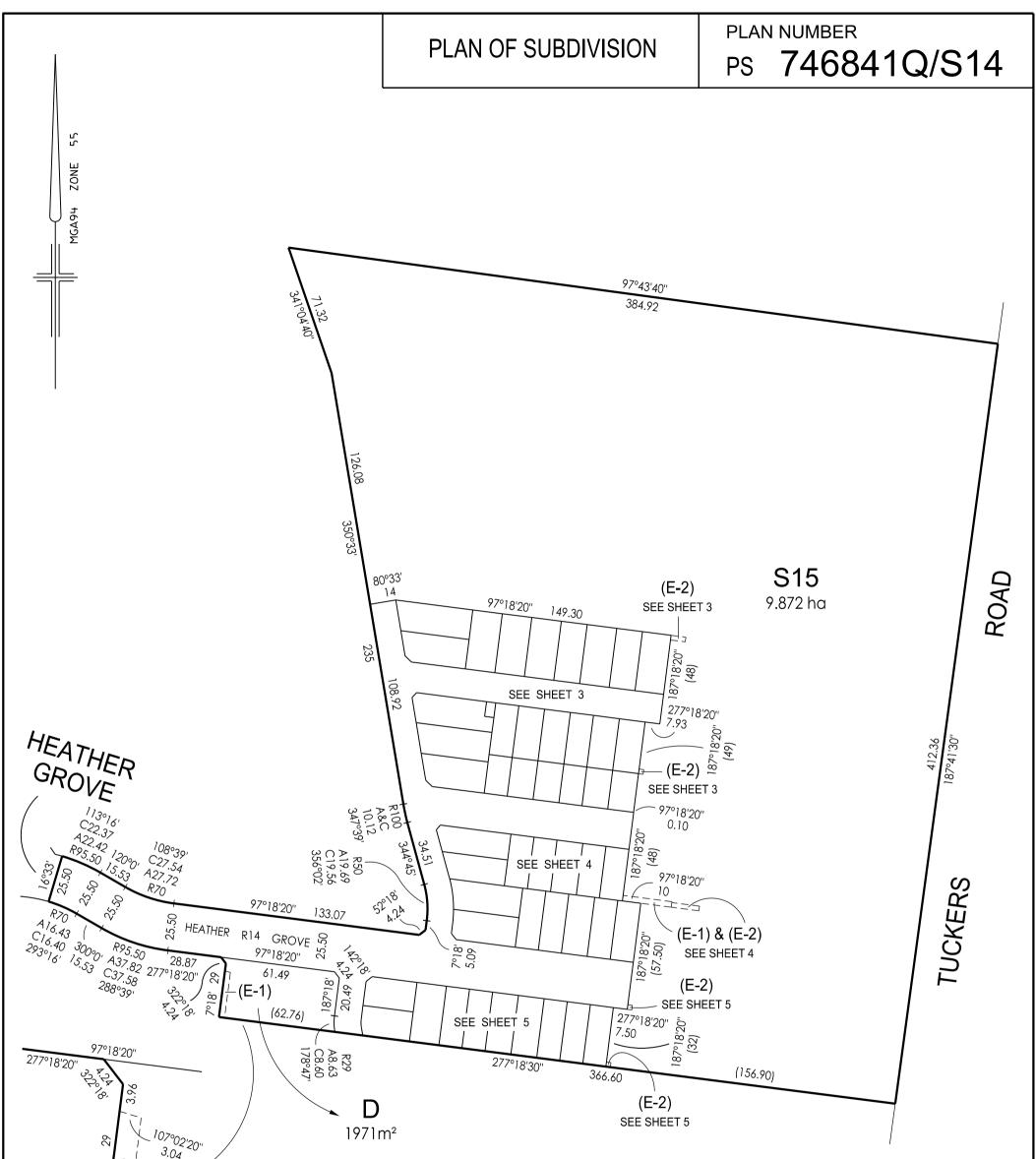
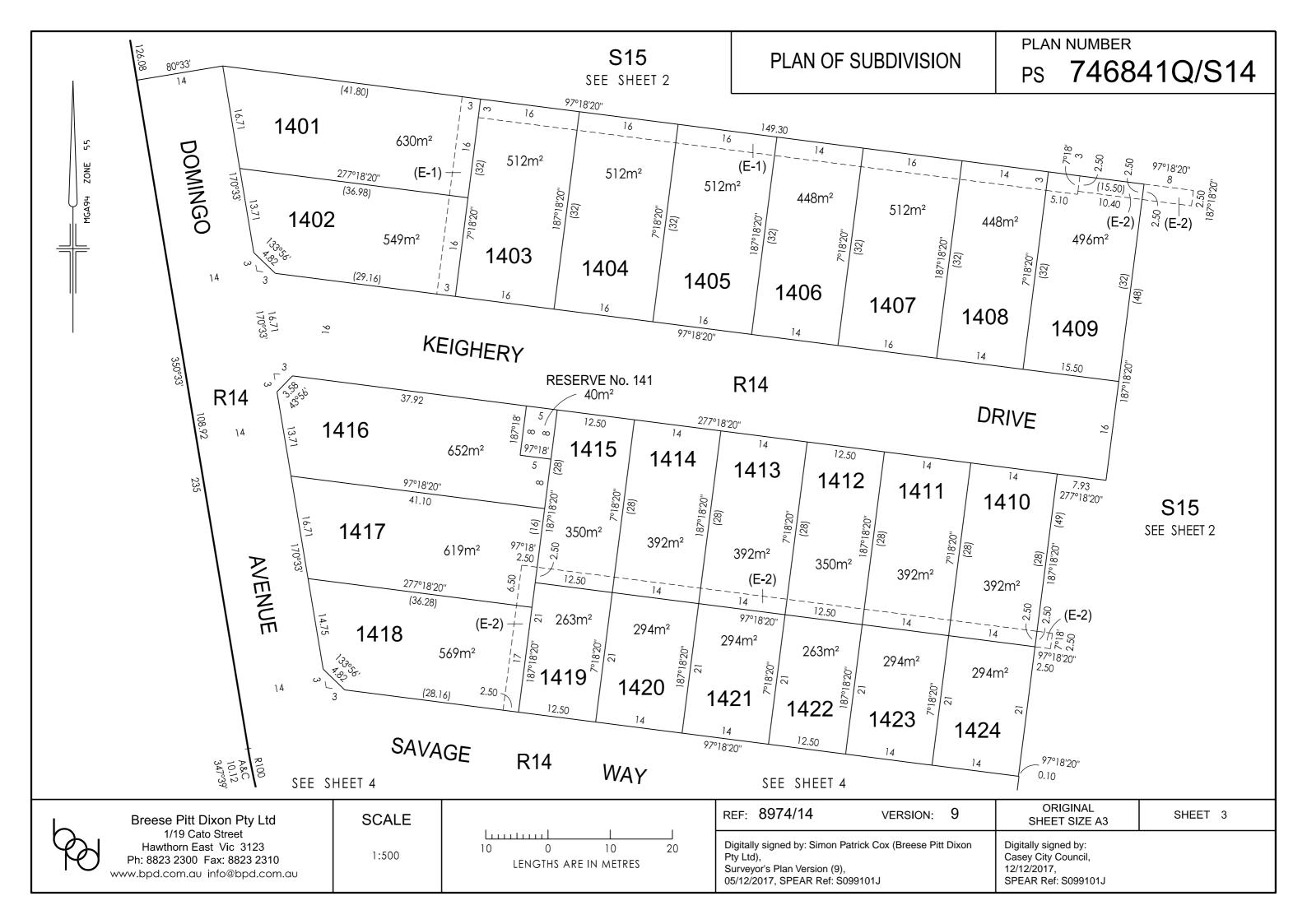
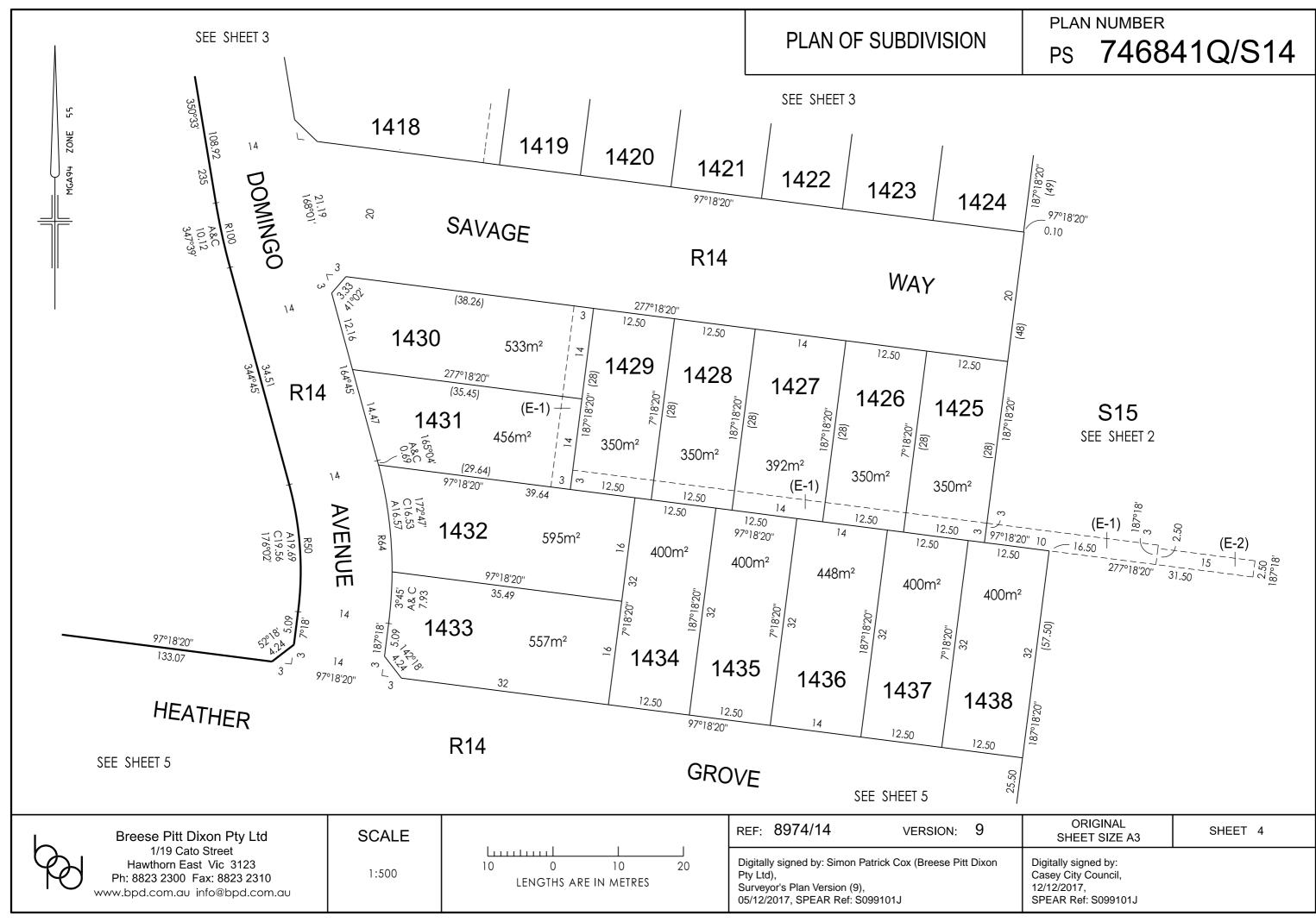
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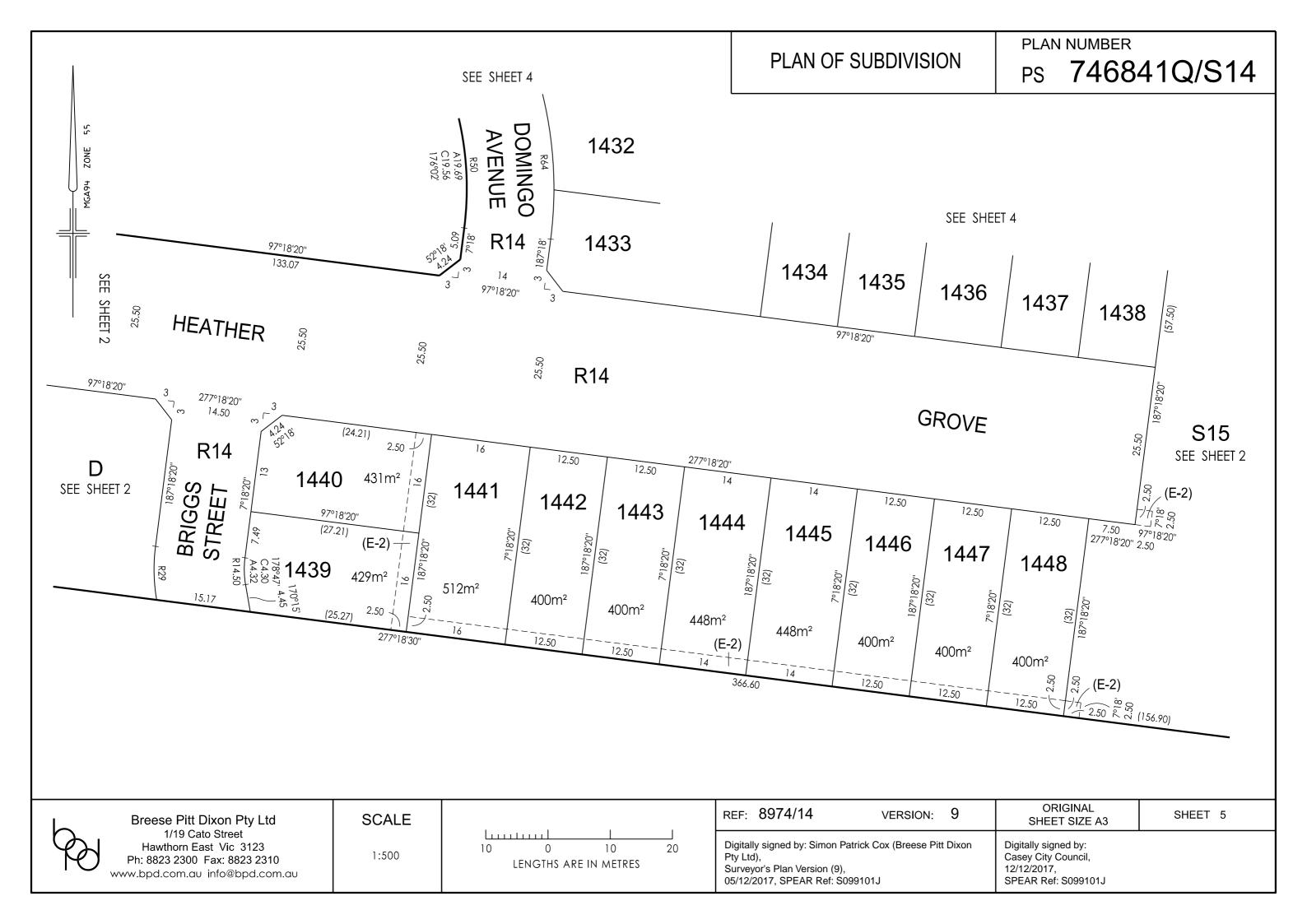


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A A	Hawthorn East Vic 3123 Ph: 8823 2300 Fax: 8823 2310 www.bpd.com.au info@bpd.com.au	Digitally signed by Pty Ltd), Surveyor's Plan Ve 05/12/2017, SPEA		Digitally signe Casey City Co 12/12/2017, SPEAR Ref: \$	ouncil,	









SUBDIVISION ACT 1988 CREATION OF RESTRICTION

Upon registration of this plan, the following restriction is to be created.

Land to benefit:Lots 1401 to 1448 (both inclusive).Land to be burdened:Lots 1401 to 1448 (both inclusive).

For the purpose of description:

- (i) Primary frontage means
 - (A) In the case of a lot where only one boundary of that lot abuts a road, the boundary that abuts the road.
 - (B) In the case of a corner lot where two boundaries of a lot abut a road, the boundary with the greater offset on the building envelopes within the Delaray Building Design Guidelines.

Description of Restriction:

The registered proprietor or proprietors for the time being of a lot on this plan of subdivision his/her heirs, executors, administrators and transferees shall not at any time on the said lot or any part or parts thereof;

- (i) Build or cause to be built or allow to be built or allow to remain more than one private dwelling (which expression shall include a house, apartment, unit or flat);
- (ii) Build or cause to be built or allow to be built or allow to remain a dwelling or any other improvements, or carry out cause to be carried out or allow to be carried out any building or construction works on the lot prior to 1 January 2025 unless:
 - (A) copies of building plans, elevations, roof plan, site plan (incorporating setback from all boundaries, building envelope, existing contour, proposed finished floor levels and site levels, all proposed driveways and paths, details of fences and outbuildings and landscaping) and schedule of external colours and materials ("plans") have been submitted to the Design Assessment Panel care of Stephan P Kosa & Associates Pty Ltd 27 Church Street, Hawthorn. Vic 3122 (email dap@kosaarchitects.com.au) or such other entity as may be nominated by the Design Assessment Panel from time to time;
 - (B) the plans comply with the Delaray Building Design Guidelines, a copy of which can be obtained from website at www.delaray.com.au/guidelines.htm
 - (C) the Design Assessment Panel or such other entity as may be nominated by the Design Assessment Panel from time to time has given its written approval to the plans as being in accordance with the "Delaray Building Design Guidelines" prior to the commencement of works;

CONTINUED
SEE SHEET 7

Broose Ditt Diven Dty Ltd	SCALE		ORIGINAL SHEET SIZE A3	SHEET 6	
1h	Breese Pitt Dixon Pty Ltd 1/19 Cato Street Hawthorn East Vic 3123 Ph: 8823 2300 Fax: 8823 2310 www.bpd.com.au info@bpd.com.au			REF: 8974/14	VERSION: 9
R		Digitally signed by Pty Ltd), Surveyor's Plan Ve 05/12/2017, SPEA	Digitally signe Casey City Co 12/12/2017, SPEAR Ref: S	buncil,	

CREATION OF RESTRICTION (CONTINUED)

(iii) Build or cause to be built or allow to be built or allow to remain a dwelling with a floor area of less than:

- (A) 150 square metres in the case of a lot having an area of 500 square metres or greater; or
- (B) 110 square metres in the case of a lot having an area of less than 500 square metres, excluding terrace allotments.
- (C) 85 square metres in the case of terrace allotments as defined in the Design Guidelines. For the purpose of calculating the floor area of a dwelling-house the area of the garages, terraces, pergolas or verandahs shall be excluded.
- (iv) Build or cause to be built or allow to be built or allow to remain a garage;
 - (A) Which contains a garage door or doors of which the garage opening/s occupy more than 40% of the width of the primary frontage unless in the case of dwellings of two or more storeys on lots between 250 square metres and 300 square metres whereby the garage opening must not exceed 30% of the area of the front facade of the dwelling, with the area of the front facade measured from a two dimensional elevation plan excluding any roof area of the dwelling.
 - (B) Which is sited closer to the primary frontage than the dwelling-house or 5.5 metres which ever is the greater, except in the case of lots 1419 to 1424 (both inclusive) where the garage must not be setback between 3.0 metres and 5.0 metres from primary frontage.
- (v) Build or cause to be built or allow to be built or allow to remain any fencing:
 - (A) Along a front street boundary; and
 - (B) Between the front street boundary and the building line; and
 - (C) Upon a side or rear boundary of a lot except a fence:
 - (a) Which is constructed of timber palings with exposed posts capped across the top of the palings; and
 - (b) Which does not exceed 1.8 metres in height excluding a screen erected to meet the requirements of Part 4 of the Building Regulations 2006 in relation to overlooking.
- (vi) In the case of lots less than 250 square metres any dwelling unless in accordance with the small lot housing code or unless a specific planning permit for the said dwelling has been obtained from Casey City Council.
- (vii) Use the said lot in any way that is not in accordance with the "Delaray Building Design Guidelines."

Deces D'II D'ess District	SCALE		ORIGINAL SHEET SIZE A3	SHEET 7	
Breese Pitt Dixon 1/19 Cato Stree	•			REF: 8974/14	version: 9
Hawthorn East Via Ph: 8823 2300 Fax: 8 www.bpd.com.au info@	3823 2310 9bpd.com.au	Digitally signed by Pty Ltd), Surveyor's Plan Ve 05/12/2017, SPEA	Digitally signe Casey City Co 12/12/2017, SPEAR Ref: S	buncil,	

OWN	NERS	CORF	PO	RAT	ION S	CHED	OULE		PS	674684	1Q/S	14
Owners Corp	oration No.				1				Plan No.	PS746841Q/	S14	
Land affecte	ed by Owners (Corporation			Lots: Common Pro	ALL OF THE LC	OTS IN THE TAB	LE BELOW				
L imitations of	f Owners Corpor	ation:			UNLIMITED							
Notations												
S - LOT ENT	ITLEMENT AND	LIABILITIES SI	HOWN	I ON PREV	IOUS STAGE P	LANS ARE NOT	INCLUDED IN 1	ABLE RIGHT.		Totals		
											Entitlement	Liability
										This schedule	4110	481
										Previous stages	580	580
										Overall Total	4690	1061
						Lot Entitlement	and Lot Liphilit	V				
Lot	Entitlement	Liability		Lot	Entitlement	Liability		y Entitlement	Liability	Lot	Entitlement	Liability
1401	10	10										
1402	10	10										
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PO	Hawth Ph: 8823	orn East Vic 2300 Fax: 88 om.au info@bp	3123 23 2310	Pty Ltd), Surveyor's	gned by: Simon Plan Version (9) 7, SPEAR Ref: S		se Pitt Dixon	Digitally sigr Casey City (12/12/2017, SPEAR Ref:	Council,		
h.		e Pitt Dixon P /19 Cato Street									AL SHEET E: A3
				SURVEYOR	S FILE REFERE	NCE: 8974/14				SHEET	8
S15	3630	1									
1448	10	10									
1447	10	10									
1446	10	10									
1445	10	10									
1444	10	10									
1443	10	10									
1442	10	10									
1440 1441	10 10	10 10									
	10										