

SUBDIVISION ACT 1988 CREATION OF RESTRICTION 'A'

Upon registration of this plan the following restriction is created

LAND TO BENEFIT: Lots 501 to 539 (Both Inclusive)

LAND TO BE BURDENED: Lots 501 to 507 (Both Inclusive), Lots 509 to 525 (Both Inclusive) and Lots 527 to 539 (Both Inclusive)

DESCRIPTION OF RESTRICTION:

The registered proprietor or proprietors for the time being of a lot on this plan of subdivision his 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-house (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-house or any other improvements, or carry out cause to be carried out or allow to be carried out any building or construction works on the lot prior to 1 January 2020 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 Pasadena DAP, PO Box 356, Mont Albert VIC 3127 or such other entity as may be nominated by the Design Assessment Panel from time to time;
 - (B) the plans comply with the Design Guidelines, a copy of which can be obtained from the website at www.pasadenaclyde.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 prior to the commencement of works;
- (iii) Build or cause to be built or allow to be built or allow to remain a dwelling house 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 purposes of calculating the floor area of a dwelling-house the area of the garages, terraces, pergolas or verandahs shall be excluded.
- (iv) Build or cause to be built or allow to be built or allow to remain a garage on lots between 250 square metres and 500 square metres;
 - (A) Which contains a garage door or doors of which the garage opening/s occupy more than 40% of the width of the lot frontage unless in the case of dwellings of two or more storeys on lots with a frontage width of less than 12 metres whereby the garage opening must not exceed 25% 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 street frontage than the dwelling-house or 5.5 metres which ever is the greater.
- (v) Build or cause to be built or allow to be built or allow to remain any fencing:
 - (A) Along a front street boundary; or
 - (B) Between the front street boundary and the building line; or
 - (C) Upon a side or rear boundary of a lot except a fence:
 - (a) Which is constructed of timber palings with exposed posts capped across the top of the palings; and
 - (b) Which does not exceed 1.8 metres in height excluding a screen erected to meet the requirements of Part 4 of the Building Regulations 2006 in relation to overlooking.
- (vi) Subdivide or cause to subdivide or allow to be subdivided the burdened land.
- (vii) Allow any of the above restrictions to be changed or amended unless otherwise approved in writing by the responsible authority and the Design Assessment Panel.

Sheet 5

ORIGINAL SHEET SIZE A3



Beveridge Williams
development & environment consultants

Melbourne ph : 03 9524 8888

www.beveridgewilliams.com.au

LICENSED SURVEYOR (PRINT) GRANT THOMAS NAPPER

SIGNATURE DIGITALLY SIGNED DATE

REF. **3830/5** VERSION 5

M3830-PS-STAGE 5-V5.DWG

SUBDIVISION ACT 1988 CREATION OF RESTRICTION 'B'

Upon registration of this plan the following restriction is created

LAND TO BENEFIT: Lots 501 to 539 (Both Inclusive)

LAND TO BE BURDENED: Lots 508A, 508B, 526A & 526B.

DESCRIPTION OF RESTRICTION:

The registered proprietor or proprietors for the time being of a lot on this plan of subdivision his 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-house (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-house or any other improvements, or carry out cause to be carried out or allow to be carried out any building or construction works on the lot prior to 1 January 2020 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 Pasadena DAP, PO Box 356, Mont Albert VIC 3127 or such other entity as may be nominated by the Design Assessment Panel from time to time;
 - (B) the plans comply with the Design Guidelines, a copy of which can be obtained from the website at www.pasadenaclyde.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 prior to the commencement of works;
- (iii) Build or cause to be built or allow to be built or allow to remain a dwelling house with a floor area of less than 110 square metres.

For the purposes of calculating the floor area of a dwelling-house the area of the garages, terraces, pergolas or verandahs shall be excluded.
- (iv) Build or cause to be built or allow to be built or allow to remain a dwelling house:
 - (A) With site coverage exceeding 70% of the overall site area.
 - (B) With a private open space area of less than 25 square metres and with a dimension of less than 3.0 metres.
 - (C) With front setback encroachments greater than 900mm.
- (v) 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 lot frontage unless in the case of dwellings of two or more storeys on lots with a frontage width of less than 12 metres whereby the garage opening must not exceed 25% 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 between 3.0 metres and 5.0 metres from the street frontage on Lot 508A and Lot 526A.
- (vi) Build or cause to be built or allow to be built or allow to remain any fencing:
 - (A) Along a front street boundary; or
 - (B) Between the front street boundary and the building line; or
 - (C) Upon a side (excluding side boundaries adjacent to a road) 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.
 - (D) Along the side street boundary of Lot 508B and Lot 526B except an alternative style of fencing approved by the Design Assessment Panel.
- (vii) Subdivide or cause to subdivide or allow to be subdivided the burdened land.
- (viii) Allow any of the above restrictions to be changed or amended unless otherwise approved in writing by the responsible authority and the Design Assessment Panel.

