

PLAN OF SUBDIVISION

PS 821036A

LOCATION OF LAND

PARISH: CARDIGAN
 TOWNSHIP:
 SECTION: 5
 CROWN ALLOTMENT: 3(PT) & 4(PT)
 CROWN PORTION:
 TITLE REFERENCE: VOL FOL
 LAST PLAN REFERENCE: LOT F ON PS821035C

POSTAL ADDRESS: TAIT STREET
 (at time of subdivision) BONSHAW 3352

MGA CO-ORDINATES: E: 748 650 ZONE:54
 (of approx centre of land in plan) N: 5 835 300

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

| IDENTIFIER | COUNCIL/BODY/PERSON |
|------------|---------------------|
| ROAD R1 | CITY OF BALLARAT |

LOTS 1 TO 700 AND A TO F (ALL INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN
 AREA OF LAND SUBDIVIDED (EXCLUDING BALANCE LOT G) - 2.992ha

NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

SURVEY:
 This plan is based on survey.

STAGING:
 This is not a staged subdivision.
 Planning Permit No. PLP/2015/713

ADDITIONAL PURPOSE OF THIS PLAN:
 TO REMOVE THE PART OF EASEMENT E-1 ON PS821035C NOW CONTAINED IN SIMMENTAL STREET ON THIS PLAN

GROUNDS FOR REMOVAL:
 AGREEMENT BY ALL INTERESTED PARTIES

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 | DRAINAGE | SEE DIAG. | THIS PLAN | CITY OF BALLARAT |

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43 LOTS AND BALANCE LOT G

LICENSED SURVEYOR: ANDREW J. REAY



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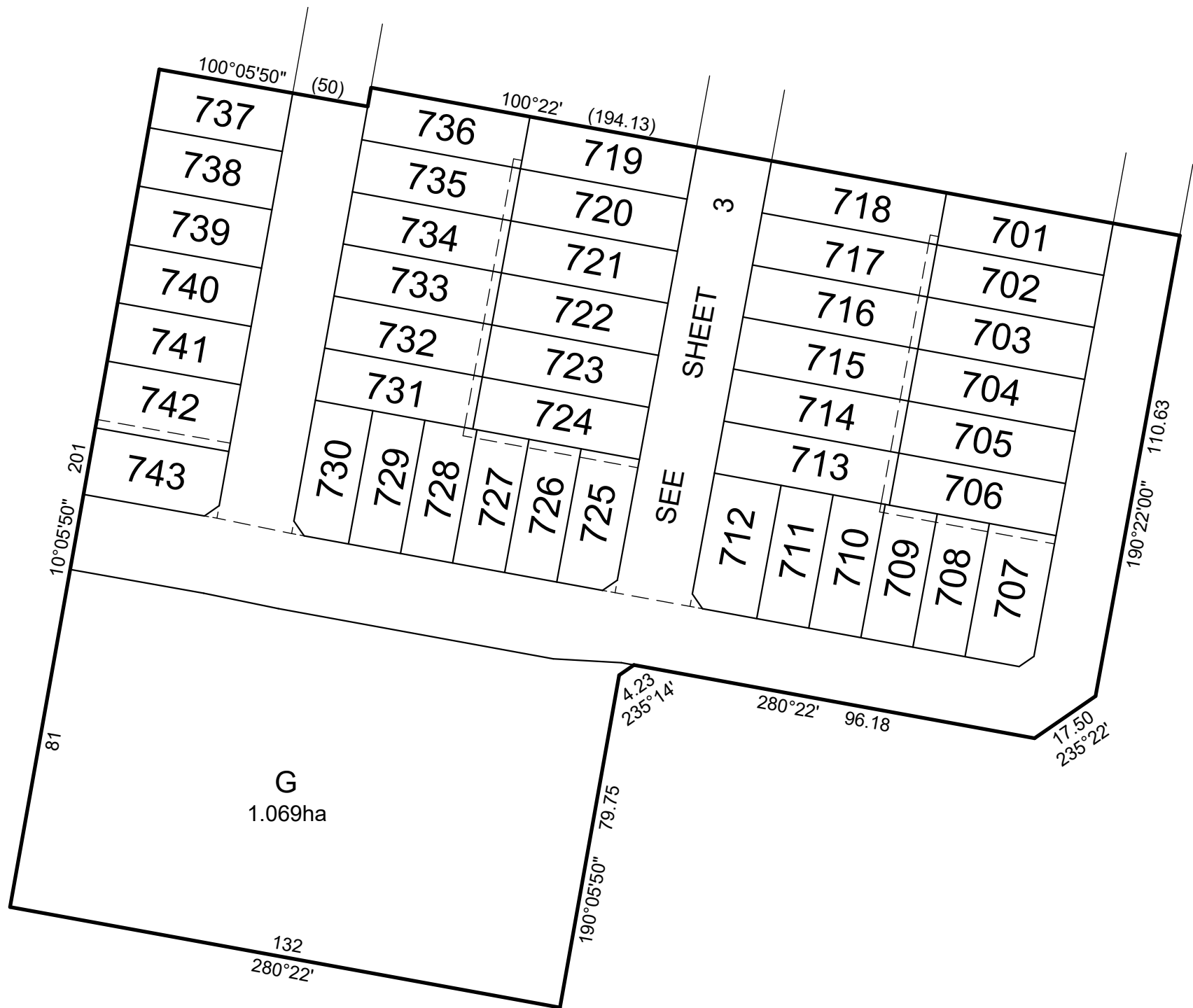
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 DRAWING: SU07AH DRAWN BY: BA

ORIGINAL SHEET SIZE: A3
 SHEET 1 OF 5

PLAN OF SUBDIVISION

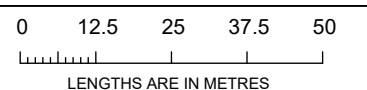
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SCALE
1:1250



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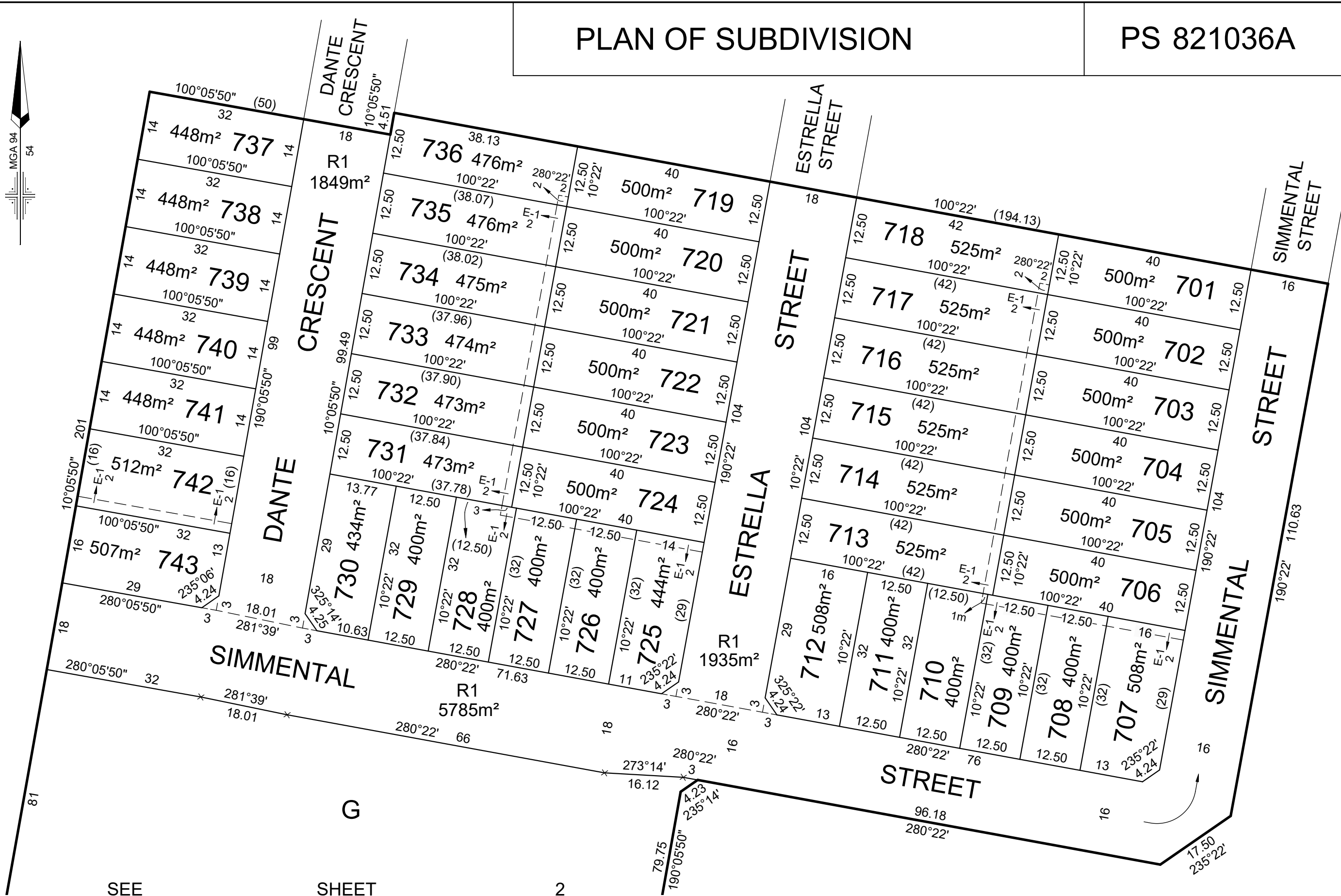
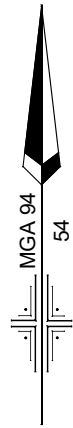
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 SHEET 2

PLAN OF SUBDIVISION

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SEE SHEET 2



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SCALE
 1:750

 LENGTHS ARE IN METRES

ORIGINAL SHEET
 SIZE: A3
 SHEET 3

CREATION OF RESTRICTION "A"

The following restriction is to be created upon registration of this Plan:

DESCRIPTION OF RESTRICTION

Table of land burdened and land benefited

| BURDENED LOT No. | BENEFITING LOTS ON THIS PLAN |
|------------------|------------------------------|
| 701 | 702, 718 |
| 702 | 701, 703, 717 |
| 703 | 702, 704, 716 |
| 704 | 703, 705, 715 |
| 705 | 704, 706, 714 |
| 706 | 705, 707, 708, 709, 713 |
| 707 | 706, 708 |
| 708 | 706, 707, 709 |
| 709 | 706, 708, 710, 713 |
| 710 | 709, 711, 713 |
| 711 | 710, 712, 713 |
| 712 | 711, 713 |
| 713 | 706, 709, 710, 711, 712, 714 |
| 714 | 705, 713, 715 |
| 715 | 704, 714, 716 |
| 716 | 703, 715, 717 |
| 717 | 702, 716, 718 |
| 718 | 701, 717 |
| 719 | 720, 736 |
| 720 | 719, 721, 735 |
| 721 | 720, 722, 734 |
| 722 | 721, 723, 733 |

| BURDENED LOT No. | BENEFITING LOTS ON THIS PLAN |
|------------------|------------------------------|
| 723 | 722, 724, 732 |
| 724 | 723, 725, 726, 727, 728, 731 |
| 725 | 724, 726 |
| 726 | 724, 725, 727 |
| 727 | 724, 726, 728 |
| 728 | 724, 727, 729, 731 |
| 729 | 728, 730, 731 |
| 730 | 729, 731 |
| 731 | 724, 728, 729, 730, 732 |
| 732 | 723, 731, 733 |
| 733 | 722, 732, 734 |
| 734 | 721, 733, 735 |
| 735 | 720, 734, 736 |
| 736 | 719, 735 |
| 737 | 738 |
| 738 | 737, 739 |
| 739 | 738, 740 |
| 740 | 739, 741 |
| 741 | 740, 742 |
| 742 | 741, 743 |
| 743 | 742 |

Except with the written consent of the Transferor and in all other instances with the written consent of each and every registered proprietor of a benefiting Lot on the Plan of Subdivision the registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not:

- (a) consolidate or allow a lot to be consolidated;
- (b) build or allow to be built on the Lot any dwelling:
 - i. whose primary frontage does not face and address the road or a laneway or open space;
 - ii. without a front verandah, portico, porch or other integral entrance feature which is clearly visible from the street and consistent with the design of the dwelling;
 - iii. without 450mm eaves to the front facade that return a minimum of 3 metres to the sides of the dwelling (where possible);
 - iv. with contrasting base, accent, face brick and roof tile colours;
 - v. with window frames and glazing that contrast and do not complement the facade colour and the overall colour palette of the dwelling;
 - vi. containing any leadlight or stained glass features;
 - vii. whose height is greater than 8.5 metres from the natural surface level;
 - viii. without being cabled and equipped with fibre cabling in accordance with the specifications nominated by NBN Co from time to time;
 - ix. with an identical facade to another dwelling house, unless such dwelling house is separated by a minimum of two dwelling houses in each direction or directly opposite.
- (c) build or allow to be built a dwelling house which does not, prior to occupation, have constructed a roofed and fully enclosed garage:
 - i. setback a minimum of 840mm from the main building line of the dwelling;
 - ii. where the opening occupies 40% or less of the width of the lot; and
 - iii. with sectional or tilt panels in the same colour scheme as that of the dwelling, or finished with a wood grain or timber panel;
- (d) build or allow to be built on the Land any outbuildings (including any garage, workshop, garden shed, storage shed, heating and cooling systems, antennae and satellite dishes, washing lines, solar units and hot water services or other outbuilding) which:
 - i. exceed 20 square metres in area;
 - ii. exceed 3.6m in height;
 - iii. are visible from any street or the private open space of any other Lot on the Plan of Subdivision or public open space; or
 - iv. are constructed from any materials or finishes or in any style or colours which are inconsistent with the main dwelling;
- (e) build or allow to be built any dwelling with a roof:
 - i. if pitched, a pitch of less than 22 degrees;
 - ii. of any material other than metal-sheet roofing or roof tiles; or
 - iii. of any other colour other than from the Colorbond contemporary range or a similar colour;

Continued on sheet 5

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 SHEET 4

DESCRIPTION OF RESTRICTION "A" (CONTINUED)

- (f) build or allow to be built any front fence:
 - i. more than 1.2 metres in height;
 - ii. with less than 50 percent transparency unless the front fence is less than 0.7 metres in height then it may be solid;
 - iii. which is inconsistent with the dwelling on the Lot in relation to style, materials and colours;
 - iv. of materials other than timber slats or masonry pillars with metal infill panels;
 - v. with mock Victorian, Edwardian or other heritage detailing;
- (g) build or allow to be built any side or rear fencing:
 - i. of materials other than timber paling;
 - ii. other than 1.8 metres in height (except where there is a front fence);
- (h) build or allow to be built any side fencing which extends in front of the building line unless a front fence has been installed, which additional side fencing must be 1.2 metres in height;
- (i) on a corner lot, build or allow to be built any fence to a secondary boundary which is a street or public space:
 - i. which does not return a minimum of 2 metres behind the front building line;
 - ii. of materials other than timber paling feature fencing;
 - iii. other than 1.8 metres in height;
- (j) on a corner lot, build or allow to be built any dwelling where the home design does not address both the primary and secondary street frontages and be of a consistent architectural design. Design elements (such as verandahs, detailing, feature windows & materials) used on the primary frontage must continue on that part of the secondary frontage visible from the public realm;
- (k) build or allow to be built:
 - i. more than one vehicle crossover to the Lot;
 - ii. a driveway exceeding 3.5 metres in width;
 - iii. a dwelling which is occupied before completion of the driveway;
 - iv. a driveway constructed of stampcrete or plain concrete;
 - v. a driveway of a color which is inconsistent with the materials and finishes of the dwelling;
- (l) build or allow to be built:
 - i. any retaining structures greater than 1.2 metres in height between a dwelling and a street or public space;
 - ii. a retaining structure visible by the public that is not a material that complements the character of the dwelling. The material may include natural or hewn stone or rendered masonry;
 - iii. a retaining structure utilising timber or gabion (rock filled) mesh.
- (m) allow the front yard of a Lot not to be landscaped within 3 months of the date of issue of the occupancy permit for a dwelling house;
- (n) build or allow to be built a letterbox which is not located and constructed to Australia Post standards, and which does not complement the dwelling house in terms of character, materials, colour, style and design;
- (o) do anything in respect of the Lot in contravention of the planning requirements set out in the precinct structure plan forming part of the Ballarat Planning Scheme;
- (p) allow any rubbish to accumulate or remain unsecured on the Lot unless stored in an appropriately sized skip or bin;
- (q) allow any grass or weeds on the Lot to grow excessively;
- (r) allow any building materials to be delivered or stored on the nature strip or anywhere else outside the title boundary of the Lot upon which the dwelling house is being constructed;
- (s) during construction:
 - i. allow construction rubbish or other rubbish to move from the Lot to other lots; or
 - ii. allow any trade or delivery vehicles to be parked on footpaths, verges, nature strips or park reserves or in any location which hinders overall development construction.
- (t) erect, permit or allow to be erected or to remain erected on the Lot any advertisement, hoarding, sign or similar structure and will not permit the Lot or any building or buildings constructed thereon to be used for the display of any advertisement, sign or notice provided that this restriction shall not prevent the erection of a signboard that the Lot is for sale and shall not prevent the display of the nameplate or light of any medical practitioner, dentist, legal practitioner or other such professional trade or business nameplate.
- (u) allow any plant or machinery or any recreation vehicle or commercial vehicle, (including without limitation a caravan, boat, box trailer, boat trailer, and car trailer but excluding any motor cycle, motor car, motor station wagon or utility or four wheel drive car registered for use on a highway) to be left or parked on the street or on the Lot between the building line and the front boundary (unless either of those occurs during the normal course of business by a visiting trades person) or on the nature strip or footpath.
- (v) construct or allow to be constructed on the land any building unless:
 - i. it has a rainwater tank that is 2kl or larger;
 - ii. at least 80% of the roof area on the Land drains to the rainwater tank;
 - iii. rainwater from the tank is the primary supply to all toilet, cold laundry and outdoor taps provided however that a mains water system can be used when rainwater is unavailable.

The restriction shall expire ten years after the date of registration of this plan.

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