

# PLAN OF SUBDIVISION

LUV USE ONLY  
**EDITION**

PLAN NUMBER  
**PS817180R**

## LOCATION OF LAND

**PARISH:** SHERWOOD

**TOWNSHIP:**

**SECTION:**

**CROWN ALLOTMENT:** 27 (PART) & 28 (PART)

**CROWN PORTION:**

**TITLE REFERENCES:** Vol. 11639 Fol. 698  
Vol. 12027 Fol. 444

**LAST PLAN REFERENCE/S:** PS735175P (LOT B)  
PS811314E (LOT W)

**POSTAL ADDRESS:** 50S HUMMINGBIRD DRIVE  
**(At time of subdivision)** BOTANIC RIDGE 3977

**MGA94 Co-ordinates** **E** 349 750  
(of approx centre of **N** 5776 300  
land in plan) **ZONE** 55

Council Name: Casey City Council

Council Reference Number: SubA00026/18  
Planning Permit Reference: PlnA00799/11  
SPEAR Reference Number: S116239V

### Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988  
Date of original certification under section 6: 21/09/2018

Public Open Space

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

Digitally signed by: Vanessa Tarr for Casey City Council on 24/12/2018

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1 RESERVE No. 1	CASEY CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY LTD

LOTS 1 TO 900 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

FOR RESTRICTION A AFFECTING LOTS 901 TO 955 (BOTH INCLUSIVE) SEE SHEETS 7 TO 10.

FOR RESTRICTION B AFFECTING LOTS 919, 920, 923 TO 926 (BOTH INCLUSIVE), 934, 935, 937, 938 AND 948 SEE SHEET 11.

### OTHER PURPOSE OF THE PLAN:

- REMOVAL OF DRAINAGE & SEWERAGE EASEMENT E-9 ON PS811314E AS AFFECTS HUMMINGBIRD DRIVE ON THIS PLAN.
- REMOVAL OF CARRIAGEWAY EASEMENT E-1 ON PS811314E.

### GROUND FOR REMOVAL:

BY AGREEMENT OF ALL INTERESTED PARTIES UPON REGISTRATION OF THIS PLAN UNDER SECTION 6(1)(k).

## NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

STAGING This ~~is~~ is not a staged subdivision.  
Planning permit No.

SURVEY. THIS PLAN IS ~~IS NOT~~ BASED ON SURVEY.

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s):  
PM 46, PM 64 & PM 74 (SHERWOOD)

PROCLAIMED SURVEY AREA NO. 52

THIS IS A SPEAR PLAN.

**ACACIA - 9**  
**4.348ha**

**55 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	DRAINAGE	SEE PLAN	PS811314E	CASEY CITY COUNCIL
E-2	DRAINAGE SEWERAGE	SEE PLAN SEE PLAN	PS811314E PS811314E	CASEY CITY COUNCIL SOUTH EAST WATER CORPORATION
E-3	DRAINAGE	SEE PLAN	THIS PLAN	CASEY CITY COUNCIL
E-4	SEWERAGE	SEE PLAN	THIS PLAN	SOUTH EAST WATER CORPORATION
E-5	DRAINAGE SEWERAGE	SEE PLAN SEE PLAN	THIS PLAN THIS PLAN	CASEY CITY COUNCIL SOUTH EAST WATER CORPORATION

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SURVEYOR REF: 0359s-09

ORIGINAL SHEET  
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SHEET 1 OF 15

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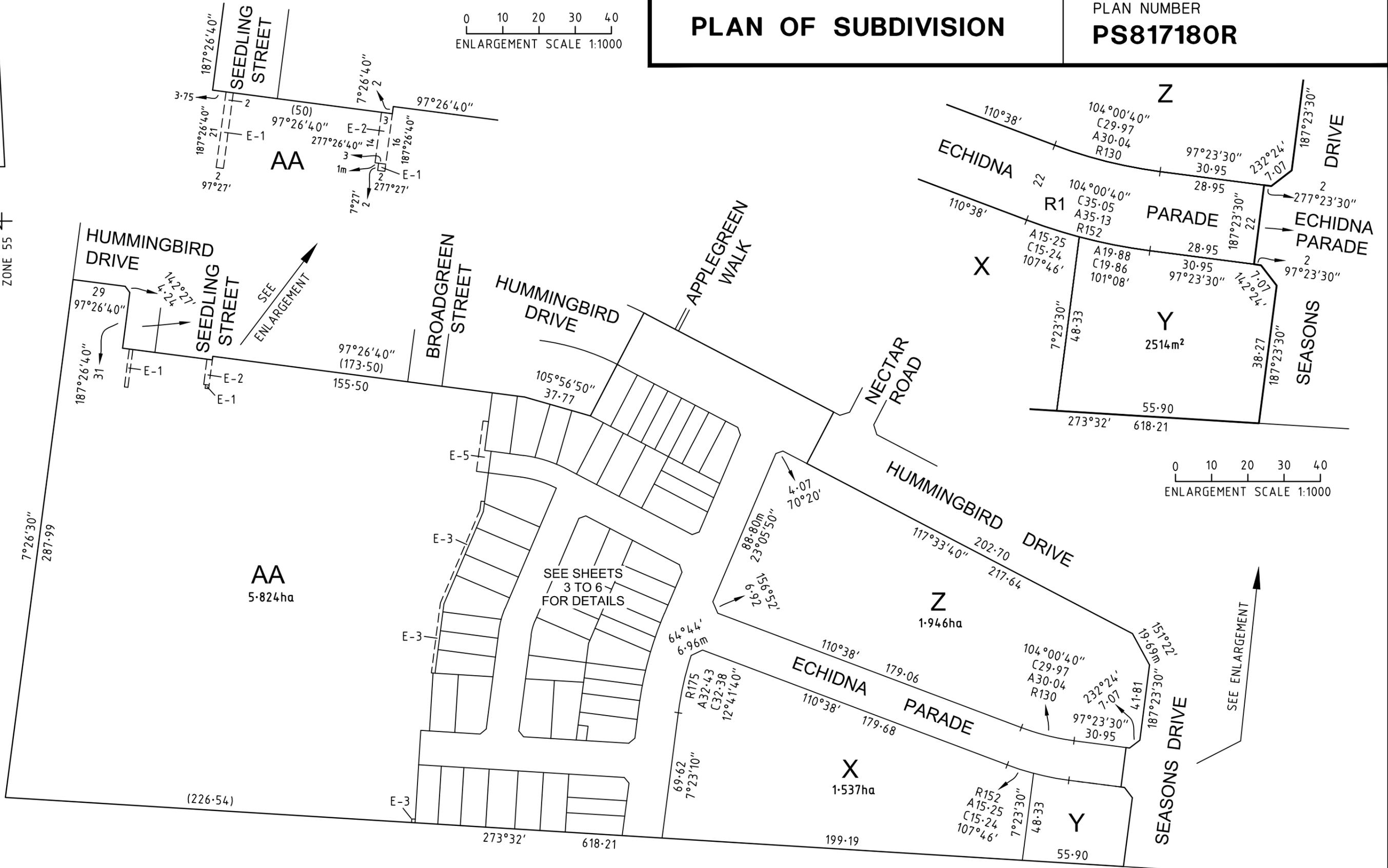
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0 10 20 30 40  
ENLARGEMENT SCALE 1:1000

MGA 94  
ZONE 55



0 10 20 30 40  
ENLARGEMENT SCALE 1:1000

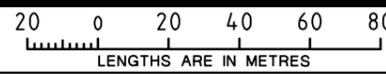
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SCALE 1:2000



20 0 20 40 60 80  
LENGTHS ARE IN METRES

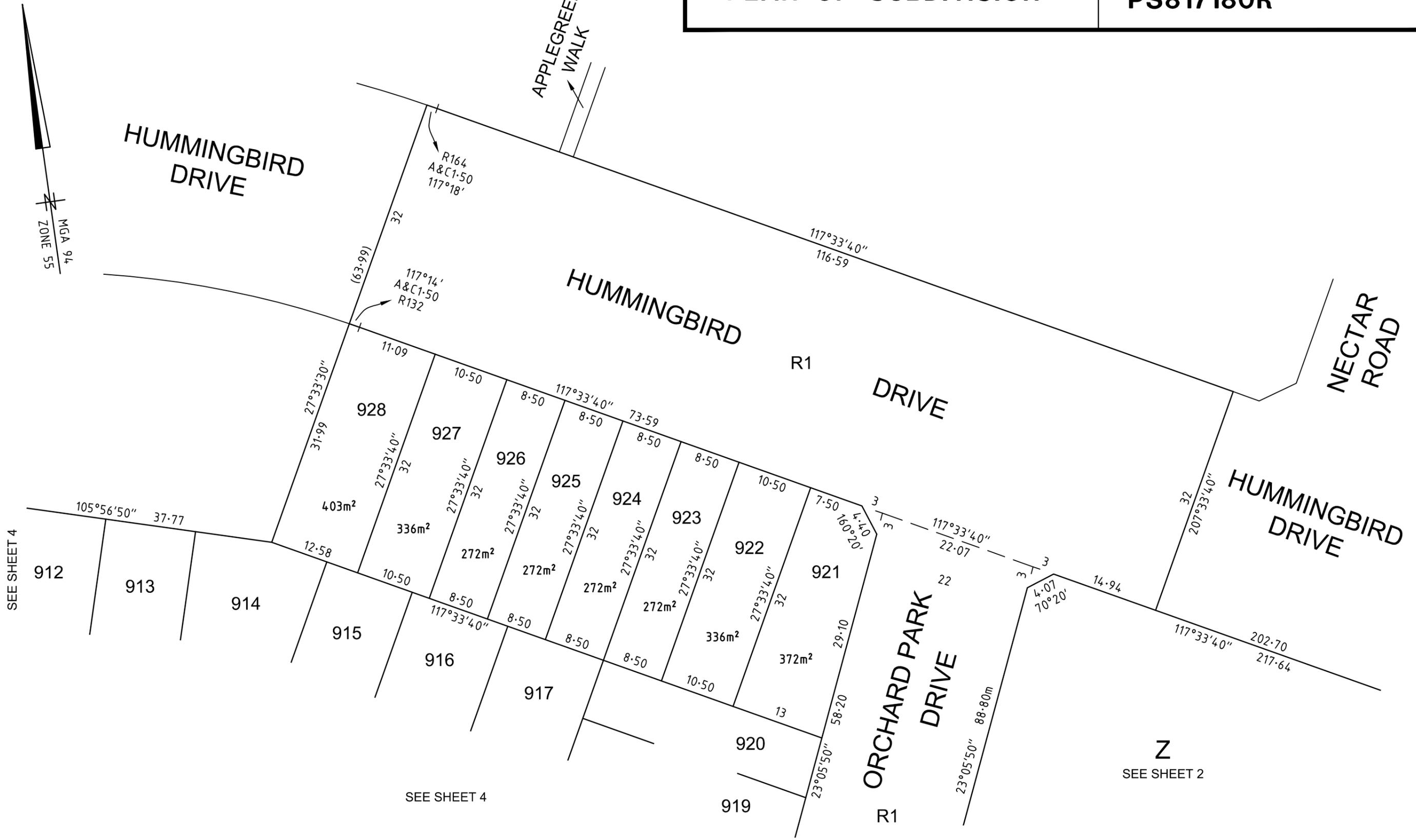
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# PLAN OF SUBDIVISION

PLAN NUMBER  
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SEE SHEET 4

SEE SHEET 4

**Z**  
SEE SHEET 2

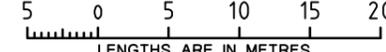
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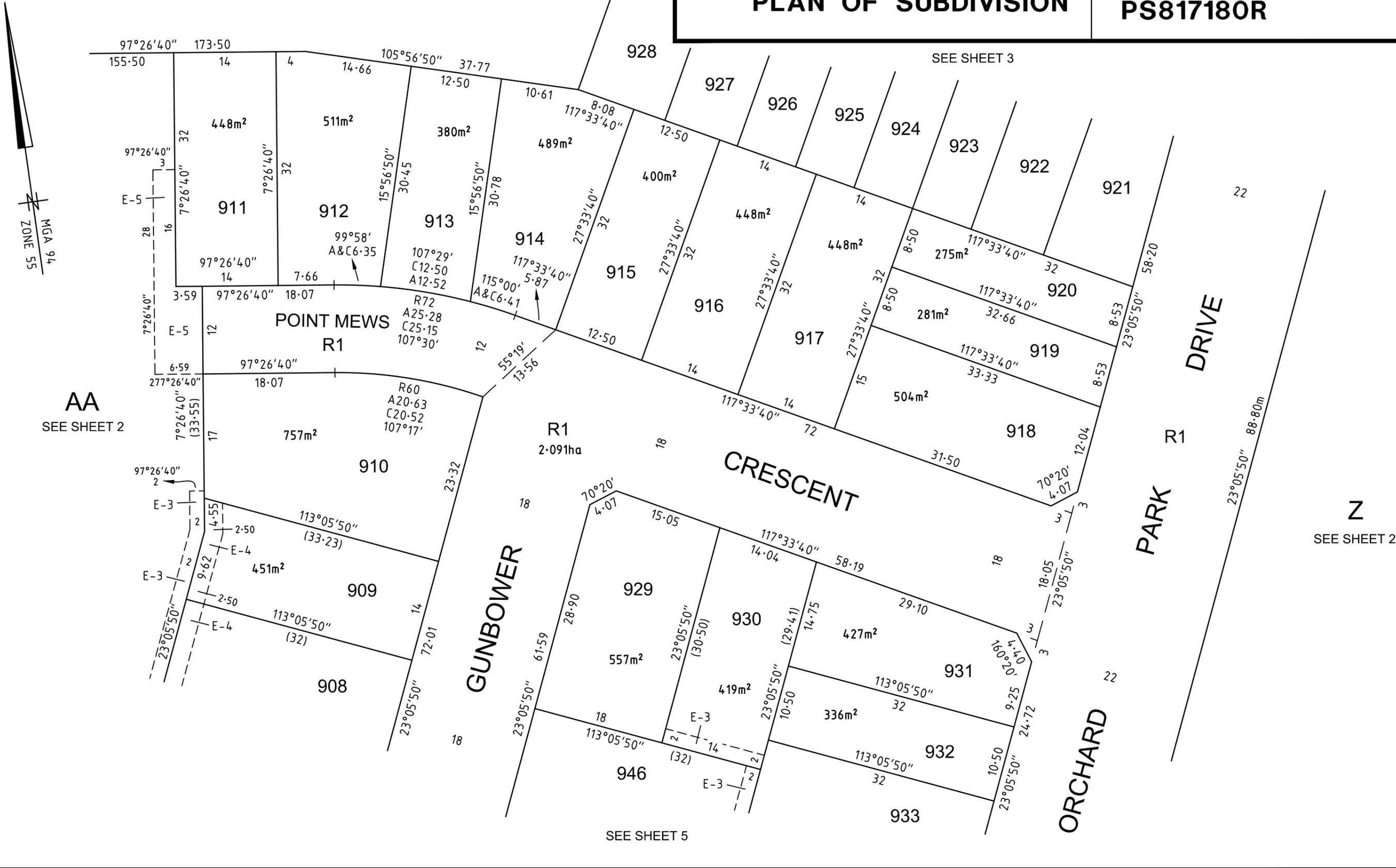
SHEET 3

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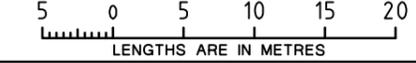
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LENGTHS ARE IN METRES

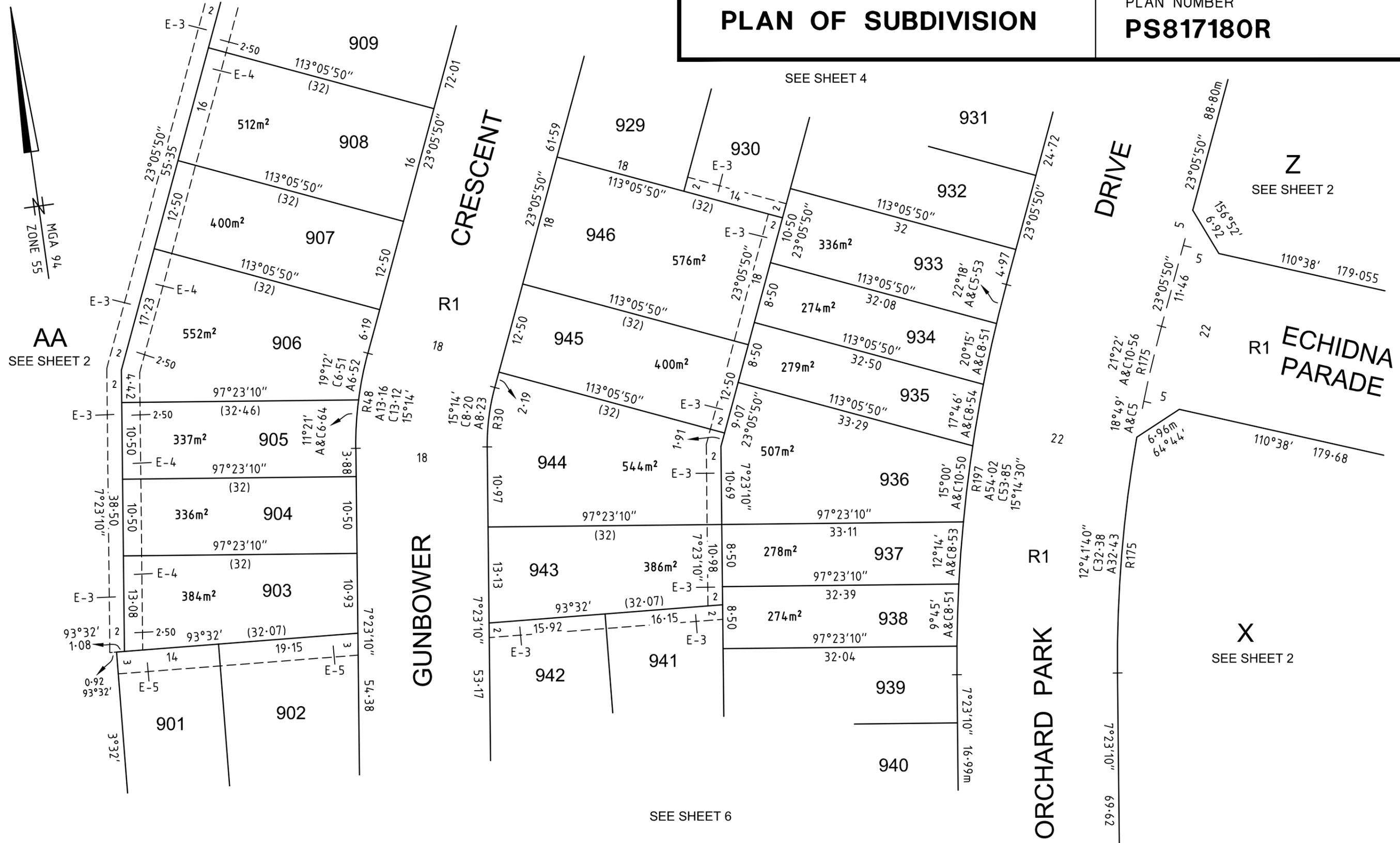
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**AA**  
SEE SHEET 2

**Z**  
SEE SHEET 2

**R1 ECHIDNA PARADE**

**X**  
SEE SHEET 2

SEE SHEET 6

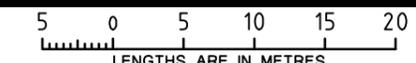
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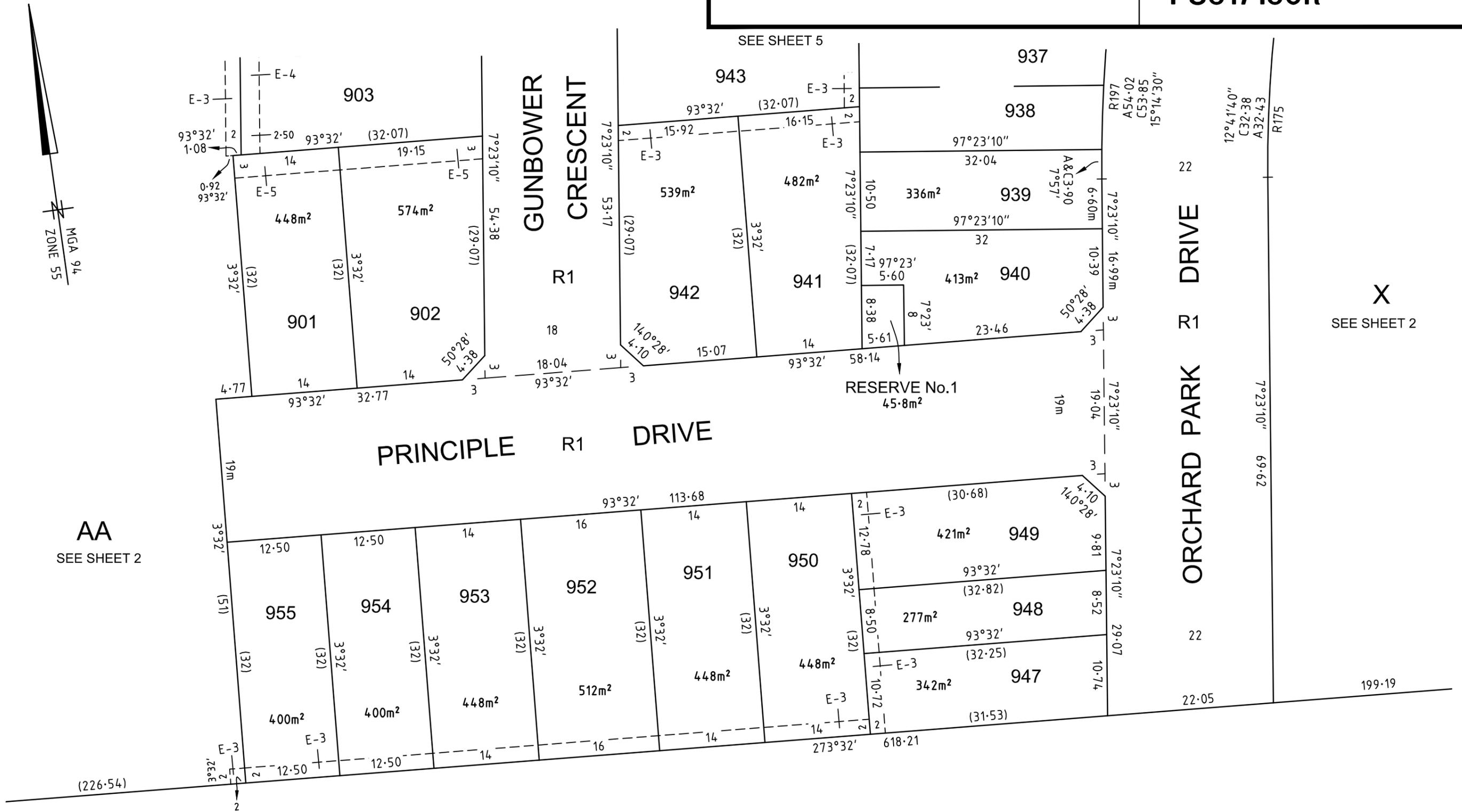
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PLAN NUMBER  
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AA  
SEE SHEET 2

X  
SEE SHEET 2

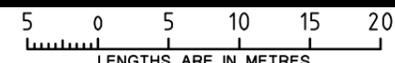
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SHEET 6

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**CREATION OF RESTRICTION A**

The following restriction is to be created upon registration of Plan of Subdivision No. PS 817180R by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.

**Land to be benefited:** Lots 901-955 (both inclusive) on the Plan of Subdivision

**Land to be burdened:** Lots 901-955 (both inclusive) on the Plan of Subdivision

**DESCRIPTION OF RESTRICTION**

Except with the written consent of the City of Casey the registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not construct any structure that does not comply with the residential design controls in the Botanic Ridge Precinct Structure Plan.

Except in respect of burdened lots 919, 920, 923 to 926 (both inclusive), 934, 935, 937, 938 and 948 on the Plan of Subdivision where a restriction contradicts the 'Small Lot Housing Code (Type A)' and construction on such burdened lots complies with the 'Small Lot Housing Code (Type A)', then except with the written consent of the City of Casey in the instance a restriction is enforced by the Botanic Ridge Precinct Structure Plan and in all other instances with the written consent of Peet Botanic Village Syndicate Ltd the registered proprietor or proprietors for the time being of any burdened Lot on the Plan of Subdivision shall not:

- (a) subdivide or allow a lot to be subdivided except corner lots;\*
- (b) consolidate or allow a lot to be consolidated;\*
- (c) build or allow to be built more than one dwelling on a lot except corner lots.\*

**Building Setbacks**

- (d) construct, erect or allow construction or erection of any dwelling or garage or any part of any dwelling or garage encroaching in whole or in part into the area indicated by the Building Exclusion Zones a shown on the Building Envelope Plan on this Plan of Subdivision unless it is:
  - i. An encroachment by eaves, balconies, bay windows, open verandas, porticos or pergolas by no more than 2.5 metres into the front setback where that setback is 4 metres or greater;
  - ii. An encroachment by eaves, balconies, bay windows, open verandas, porticos or pergolas by no more than 0.6 metres into the side setback;
- (e) build or allow to be built on the Lot any dwelling:
  - i. where one side of the dwelling is not setback a minimum of 1 metre from the side boundary;
  - ii. The other side wall of the dwelling must be setback either 0-200mm or at least 1 metre from a side lot boundary;
  - iii. whose height is greater than 8.5 metres from the natural surface level;

**Building Materials**

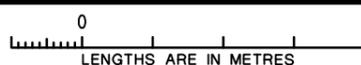
- (f) build or allow to be built on the Lot any dwelling:
  - i. using contrasting but complementary base, accent, face brick and roof tile colours;\*
  - ii. whose primary frontage does not face and address the road or a laneway or open space;\*
  - iii. without a front veranda, portico, porch or other integral entrance feature which is clearly visible from the street and consistent with the design of the dwelling;\*
  - iv. where the facade is fully constructed in brick;\*
  - v. with less than 2 material finishes on the front facade, each of which must cover a minimum of 30% of the facade;\*
  - vi. where materials incorporated into the front facade do not return a minimum of 1 metre to the sides of the dwelling on non-corner allotments (excluding parapet construction);\*
  - vii. with window frames and glazing that contrast and do not complement the facade colour and the overall colour palette of the dwelling;\*

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SHEET 7

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**CREATION OF RESTRICTION A (CONTINUED)**

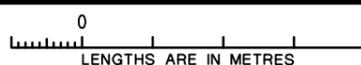
- viii. containing any leadlight or stained glass features;\*
- ix. without fittings and connections which allow toilets and gardens to be flushed and/or serviced by recycled water;\*
- x. without being cabled and equipped with fibre cabling in accordance with the specifications nominated by NBN Co from time to time;\*
- xi. with an identical facade to another dwelling house, unless such dwelling house is separated by a minimum of three dwelling houses in each direction including the opposite side of the street;\*
- (g) 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 verandas, detailing, feature windows & materials) used on the primary frontage must continue on that part of the secondary frontage visible from the public realm.
- (h) 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 1 metre from the main building line of the dwelling;
  - ii. setback a minimum of 5.5 metres from the front boundary;
  - iii. where the opening of the garage occupies 40% or less of the width of the lot frontage;
  - iv. with a door that is sectional overhead or tilt panel type;
  - v. in the same colour scheme as that of the dwelling, or finished with a wood grain or timber panel;\*
- (i) 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 50 square metres in area;
  - ii. exceed 3.6 metres in height;
  - iii. are constructed from any materials or finishes or in any style or colours which are inconsistent with the main dwelling\*
- (j) build or allow to be built any dwelling with a roof:
  - i. of any material other than non-reflective corrugated metal sheeting (Colorbond) or roof tiles (terracotta, concrete, clay or slate);
  - ii. of any colour other than muted tones of grey, blue-grey, charcoal or green;
  - iii. if pitched, at a pitch of less than 22 degrees;\*
- (k) build or allow to be built a dwelling house without an eave overhang of at least 450 millimetres from the wall to the outer edge of the eave where the frontage and secondary street frontage is visible to the public realm;
- (l) 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. that is constructed from wooden palings;
  - iv. which is inconsistent with the dwelling on the Lot in relation to style, materials and colours;\*
  - v. of materials other than timber slats or masonry pillars with metal infill panels;\*
  - vi. with mock Victorian, Edwardian or other heritage detailing;\*

**CONTINUED ON NEXT SHEET**



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SHEET 8

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**CREATION OF RESTRICTION A (CONTINUED)**

**Fencing**

- (m) build or allow to be built any side or rear fencing:
  - i. other than 1.89 metres in height (except where there is a front fence);
  - ii. that is not capped with any material other than exposed timber;
  - iii. with posts and rails of any material other than exposed timber;\*
  - iv. with infill panels of any material other than Colorbond Neetascreen standard sheeting infill panels;\*
  - v. with infill panels of any colour other than Grey Ridge;\*
  - vi. that does not return a minimum of 1 metre behind the main building line;\*
- (n) build or allow to be built any side fencing which extends in front of the return fencing unless a front fence has been installed, which additional side fencing must be 1.2 metres in height;\*
- (o) 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. that is not capped with any material other than exposed timber;
  - iii. with posts and rails of any material other than exposed timber;\*
  - iv. with infill panels of any material other than Colorbond Lysaght MINISCREEN infill panels;\*
  - v. with infill panels of any colour other than Grey Ridge;\*
  - vi. other than 1.89 metres in height (except where there is a front fence).

**Crossovers**

- (p) build or allow to be built:
  - i. more than one vehicle crossover to the Lot, unless it is a corner lot in which case a second cross-over is allowable on the secondary street frontage subject to Council approval;
  - ii. driveway exceeding 4 metres in width except where they form part of a turning or reserving area required for access / egress from a garage;
  - iii. a driveway set less than 300mm off any side boundary;\*
  - iv. a driveway that is constructed of stampcrete or plain concrete. Coloured concrete, pavers and exposed aggregate are permitted driveway materials;\*
  - v. a driveway in a colour that does not compliment the overall colour palette of the dwelling.\*

**Earthworks and retaining**

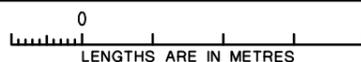
- (q) build or allow to be built:
  - i. any retaining structures greater than 1 metre in height between a dwelling and a street or public space;
  - ii. any cut and fill deeper than 1 metre without utilization of planted and landscaped embankments with a maximum 1:3 gradient or a combination of a series of retaining structures with a maximum of 1 metre high steps and planted embankments or terracing;
- (r) modify:
  - i. the existing slope of a lot in a way which affects the structural integrity of an adjoining lot(s);\*
  - ii. the existing batters and retaining walls or install additional retaining walls that will structurally affect the existing walls, building platforms and associated batters without first obtaining professional advice and seeking the required approvals;\*

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SHEET 9

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**CREATION OF RESTRICTION A (CONTINUED)**

**Lot Maintenance**

- (s) build or allow to be built a letterbox which is not:
  - i. located and constructed to Australia Post standards in a purpose built low structure;\*
  - ii. complementary to the design of the dwelling house in respect of its materials, colour and style;\*
- (t) 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;\*
- (u) allow any rubbish to accumulate or remain unsecured on the Lot unless stored in an appropriately sized skip or bin;\*
- (v) allow any grass or weeds on the Lot to grow excessively;\*
- (w) during construction:
  - i. allow construction rubbish or other rubbish to move from the Lot to other lots;\*
  - 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;\*
  - iii. 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;\*
- (x) 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;\*
- (y) 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.\*
- (z) do anything in respect of the Lot in contravention of the planning requirements set out in the Botanic Ridge Precinct Structure Plan forming part of the Casey Planning Scheme.

\* denotes a restriction that is enforced by Peet Botanic Village Syndicate Ltd. These restrictions shall cease and be of no effect from 31 December 2021.

**All other restrictions are included within the Botanic Ridge Precinct Structure Plan, forming part of the Casey Planning Scheme.**

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 <p>0359S-09 VER F.DWG MV/MV <b>SMEC</b> Melbourne Survey T 9869 0813 REF 0359s-09</p>	SCALE	 <p>0 LENGTHS ARE IN METRES</p>	ORIGINAL SHEET SIZE: A3	SHEET 10
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# PLAN OF SUBDIVISION

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**PS817180R**

## CREATION OF RESTRICTION B

Upon registration of this plan the following restriction is created.

## DESCRIPTION OF RESTRICTION

Table of burdened and land benefited

BURDENED LOTS SUBJECT TO THE SMALL LOT HOUSING CODE	BENEFITING LOTS ON THIS PLAN
919	917, 918, 920
920	917, 919, 921, 922, 923
923	920, 922, 924
924	917, 923, 925
925	916, 917, 924, 926
926	916, 925, 927
934	933, 935, 946
935	934, 936, 945, 946
937	936, 938, 943
938	937, 939, 941, 943
948	947, 949, 950

The registered proprietor or proprietors for the time being for any burdened lot on this plan in the table as a lot subject to the 'Small Lot Housing Code (Type A)' must not build or permit to be built or remain on the lot any building or structure that has not been constructed in accordance with the 'Small Lot Housing Code (Type A)' unless in accordance with a planning permit granted to construct a dwelling on the lot.

This restriction shall cease to have effect after the issue of certificate of occupancy for the whole of the dwelling on the lot.

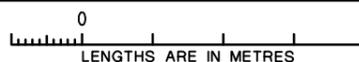


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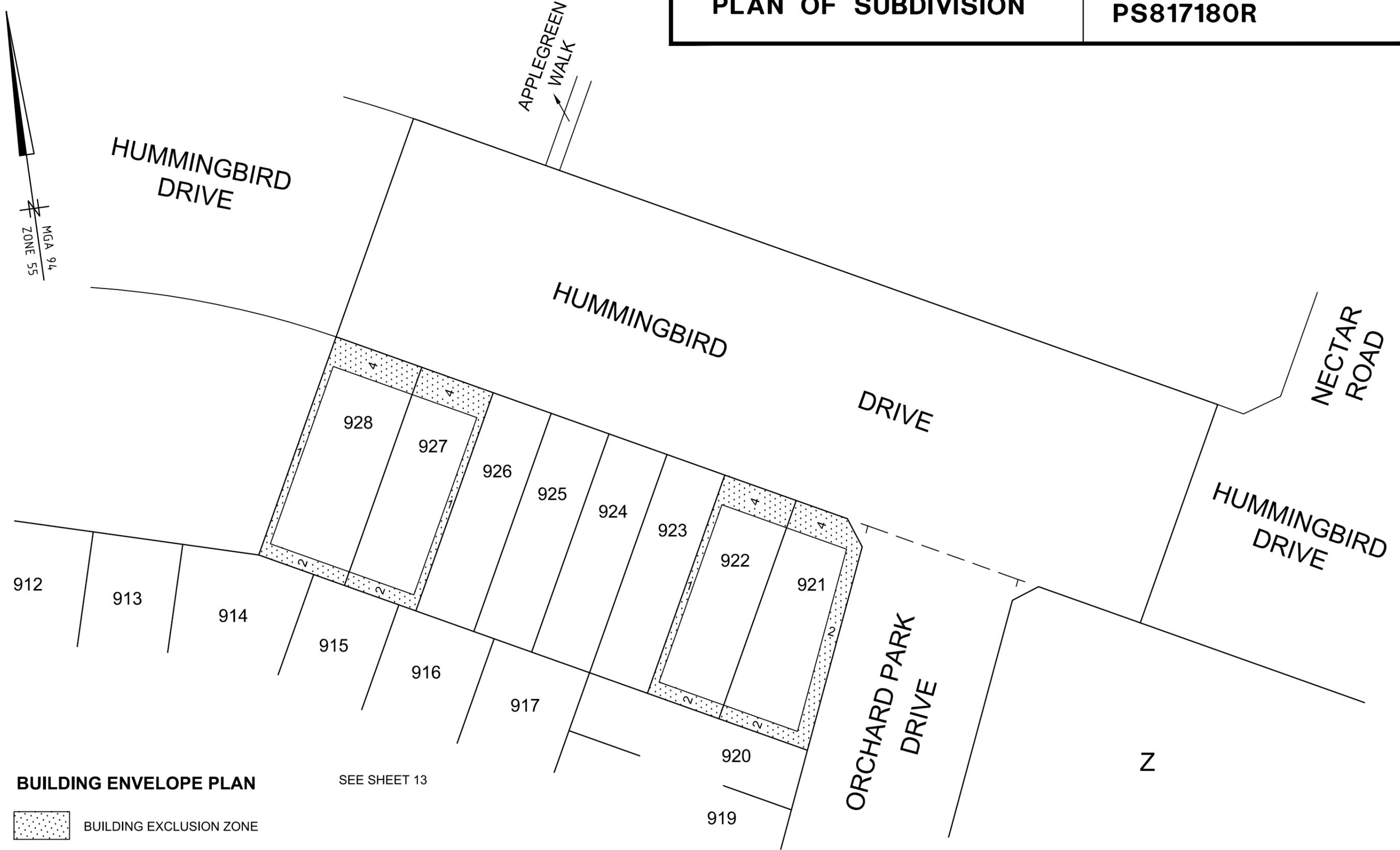
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Casey City Council,  
24/12/2018,  
SPEAR Ref: S116239V

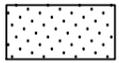
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# PLAN OF SUBDIVISION

PLAN NUMBER  
**PS817180R**

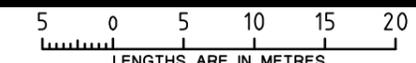


## BUILDING ENVELOPE PLAN

 BUILDING EXCLUSION ZONE

SEE SHEET 13

0359S-09 VER F.DWG MV/MV  
 **SMEC**  
Melbourne Survey T 9869 0813 REF 0359s-09

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LENGTHS ARE IN METRES

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Surveyor's Plan Version (F),  
21/12/2018, SPEAR Ref: S116239V

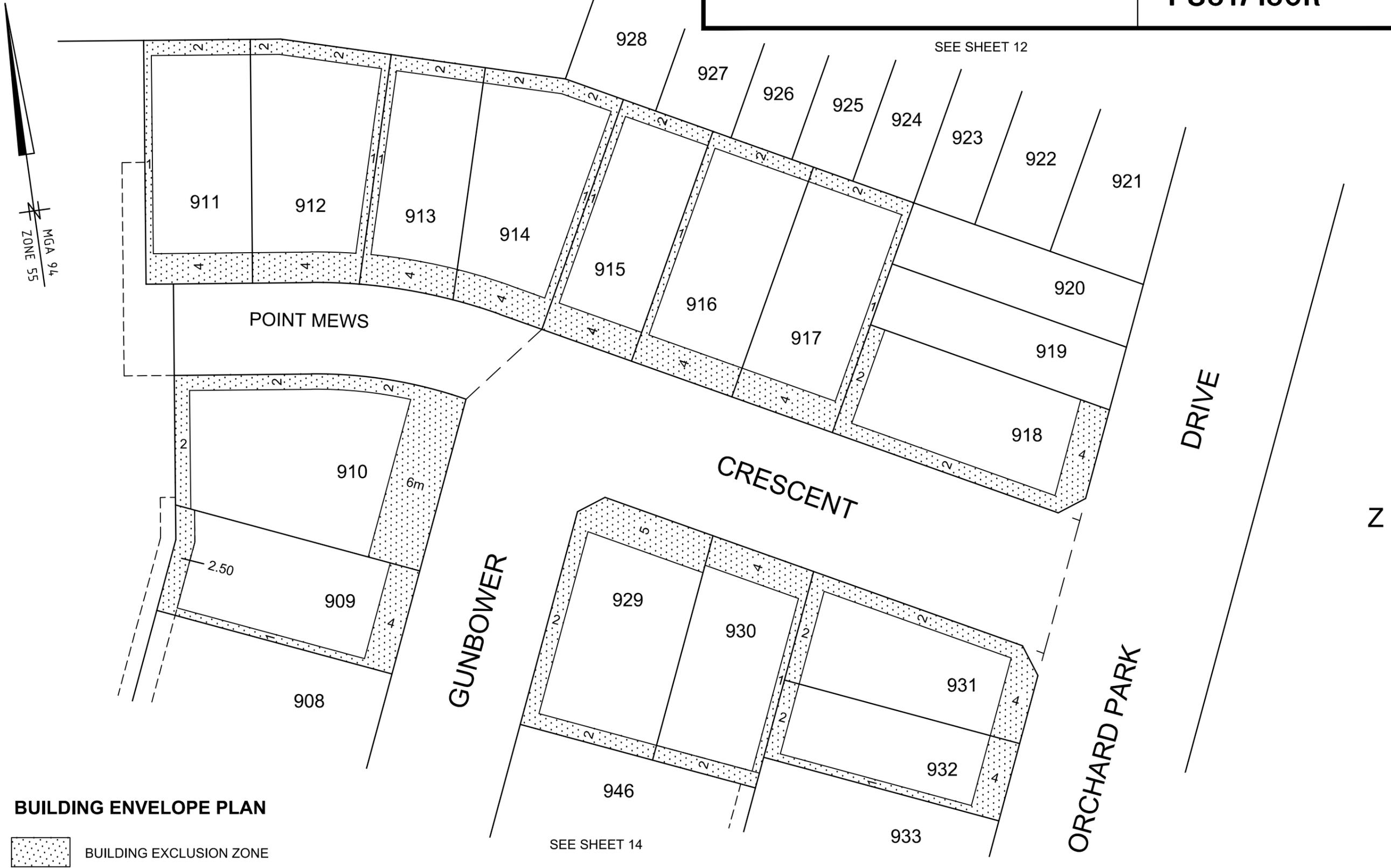
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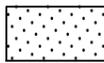
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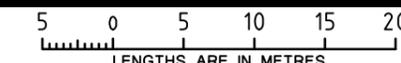
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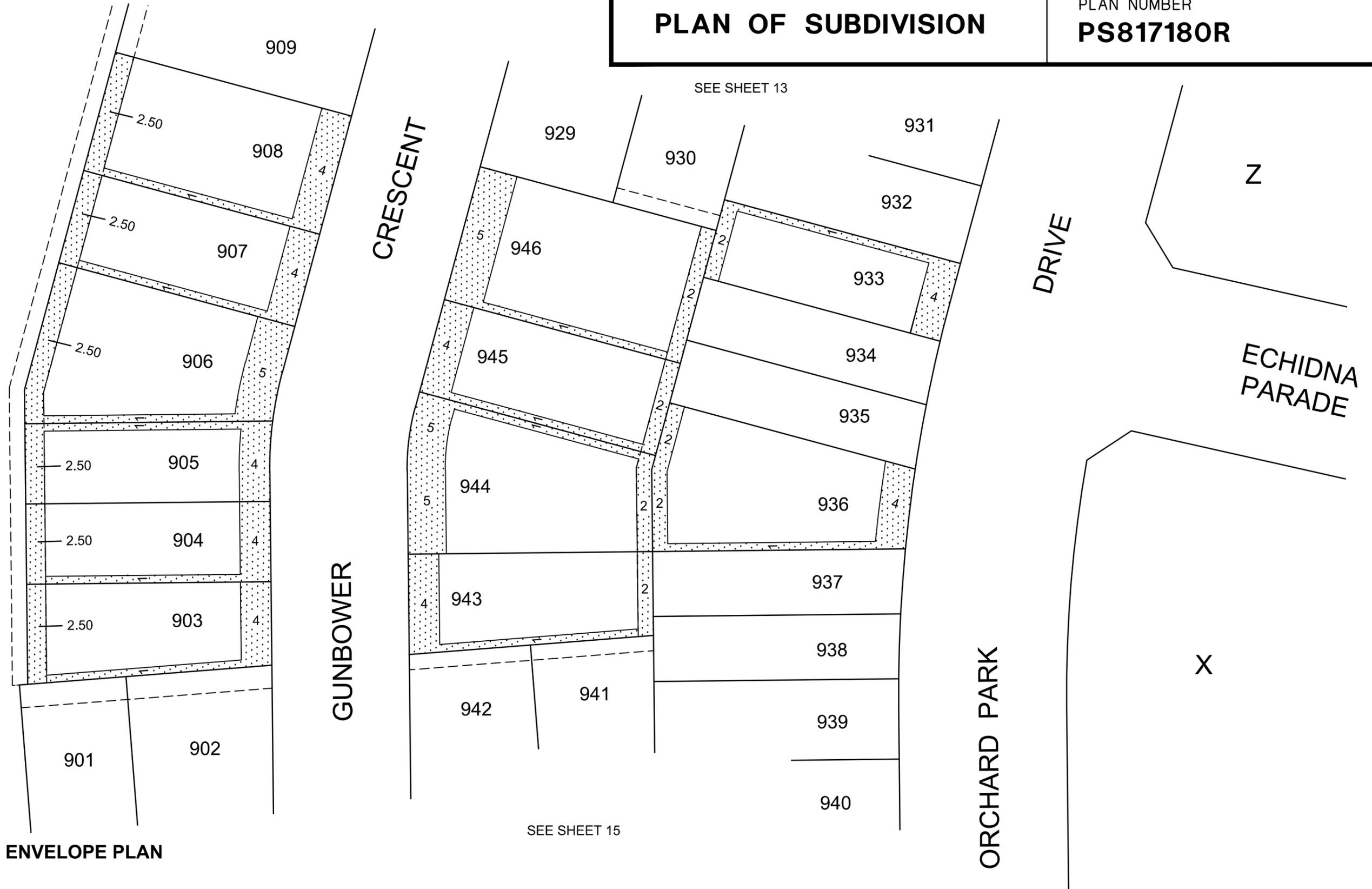
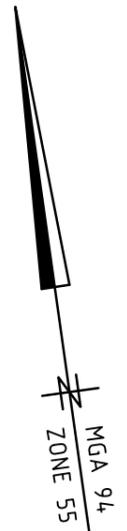
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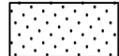
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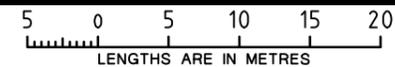
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SHEET 14

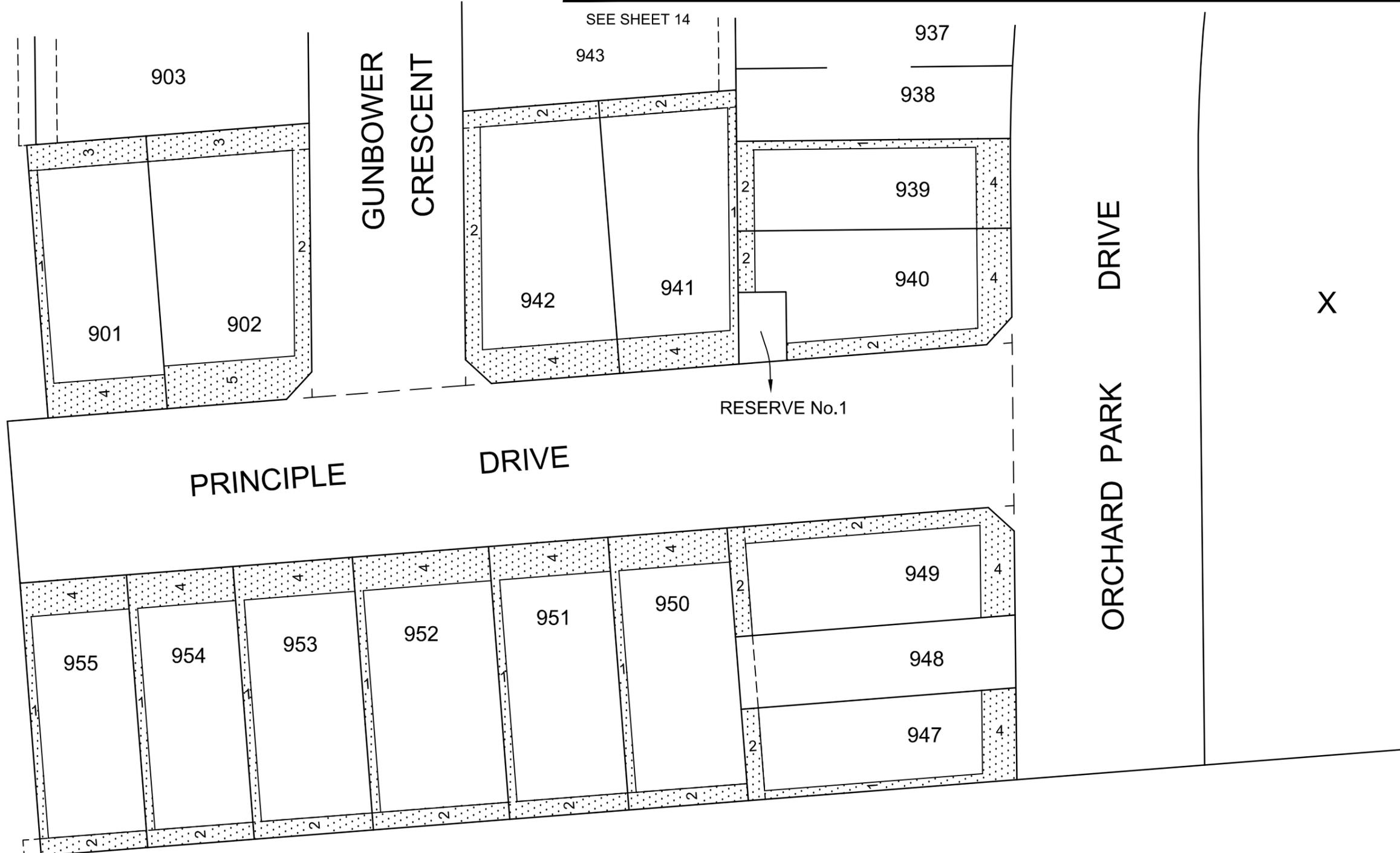
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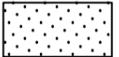
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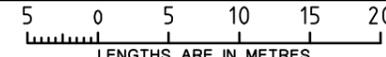
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