

# PLAN OF SUBDIVISION

EDITION 1

# PS 803931Y/S3

## LOCATION OF LAND

PARISH: WOLLERT

TOWNSHIP: -

SECTION: -

CROWN ALLOTMENT: -

CROWN PORTION: 16 (PART)

TITLE REFERENCE: C/T VOL FOL

LAST PLAN REFERENCE: LOT S4 ON PS 803931Y/S2

POSTAL ADDRESS: 430 CRAIGIEBURN ROAD  
(at time of subdivision) WOLLERT 3750

MGA94 CO-ORDINATES: E: 322 470 ZONE: 55  
(of approx centre of land in plan) N: 5 836 970

Council Name: Whittlesea City Council

Council Reference Number: 609521  
Planning Permit Reference: 716630  
SPEAR Reference Number: S104546M

Certification

This plan is certified under section 6 of the Subdivision Act 1988

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

Digitally signed by: Courtney Sheridan Turner for Whittlesea City Council on 21/12/2017

## VESTING OF ROADS AND/OR RESERVES

## Notations

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R-1 RESERVE No.1	WHITTLESEA CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY. LTD.

This is a SPEAR plan.

Land being subdivided is enclosed within thick continuous lines.

Lots 1 to 300 and S1 to S4 (all inclusive) have been omitted from this plan.

None of the easements and rights mentioned in sub-section (2) of Section 12 of the Subdivision Act 1988 are implied over any of the land in this plan.

## NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

SURVEY:  
This plan is based on survey

STAGING:  
This is a staged subdivision  
Planning Permit No. 716630

This survey has been connected to permanent marks No(s). 38, 21, 40 & 52  
In Proclaimed Survey Area No. -

## 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	PS 803931Y/S1	WHITTLESEA CITY COUNCIL
E-1	SEWERAGE	SEE DIAG	PS 803931Y/S1	YARRA VALLEY WATER CORPORATION
E-2	DRAINAGE	SEE DIAG	PS 803931Y/S2	WHITTLESEA CITY COUNCIL
E-2	SEWERAGE	SEE DIAG	PS 803931Y/S2	YARRA VALLEY WATER SERVICES
E-3	DRAINAGE	SEE DIAG	THIS PLAN	WHITTLESEA CITY COUNCIL
E-3	SEWERAGE	SEE DIAG	THIS PLAN	YARRA VALLEY WATER CORPORATION

RATHDOWNE ESTATE - STAGE 3 (61 LOTS)

AREA OF STAGE - 3.437ha



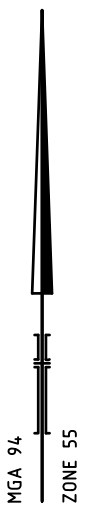
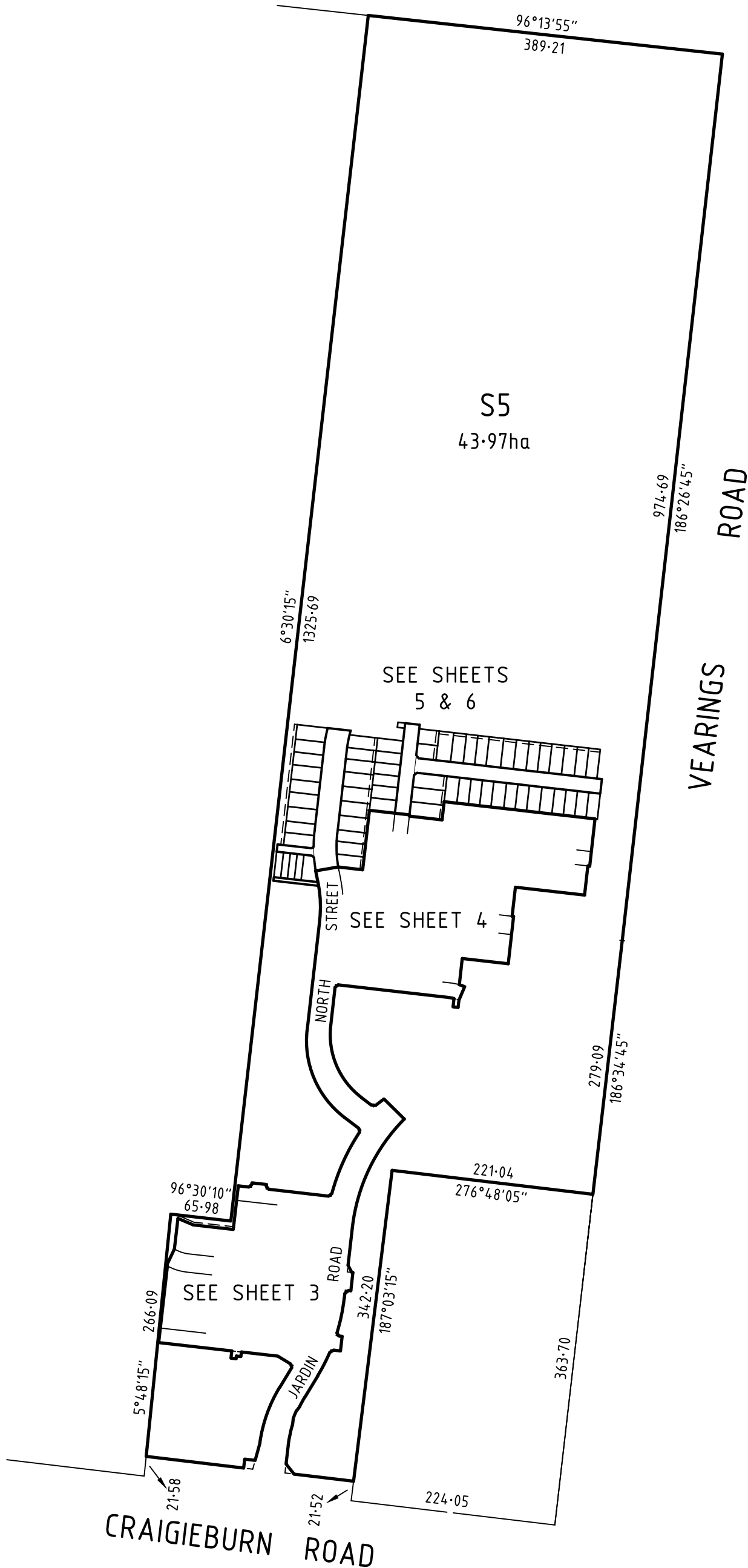
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SHEET 1 OF 8

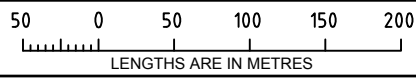


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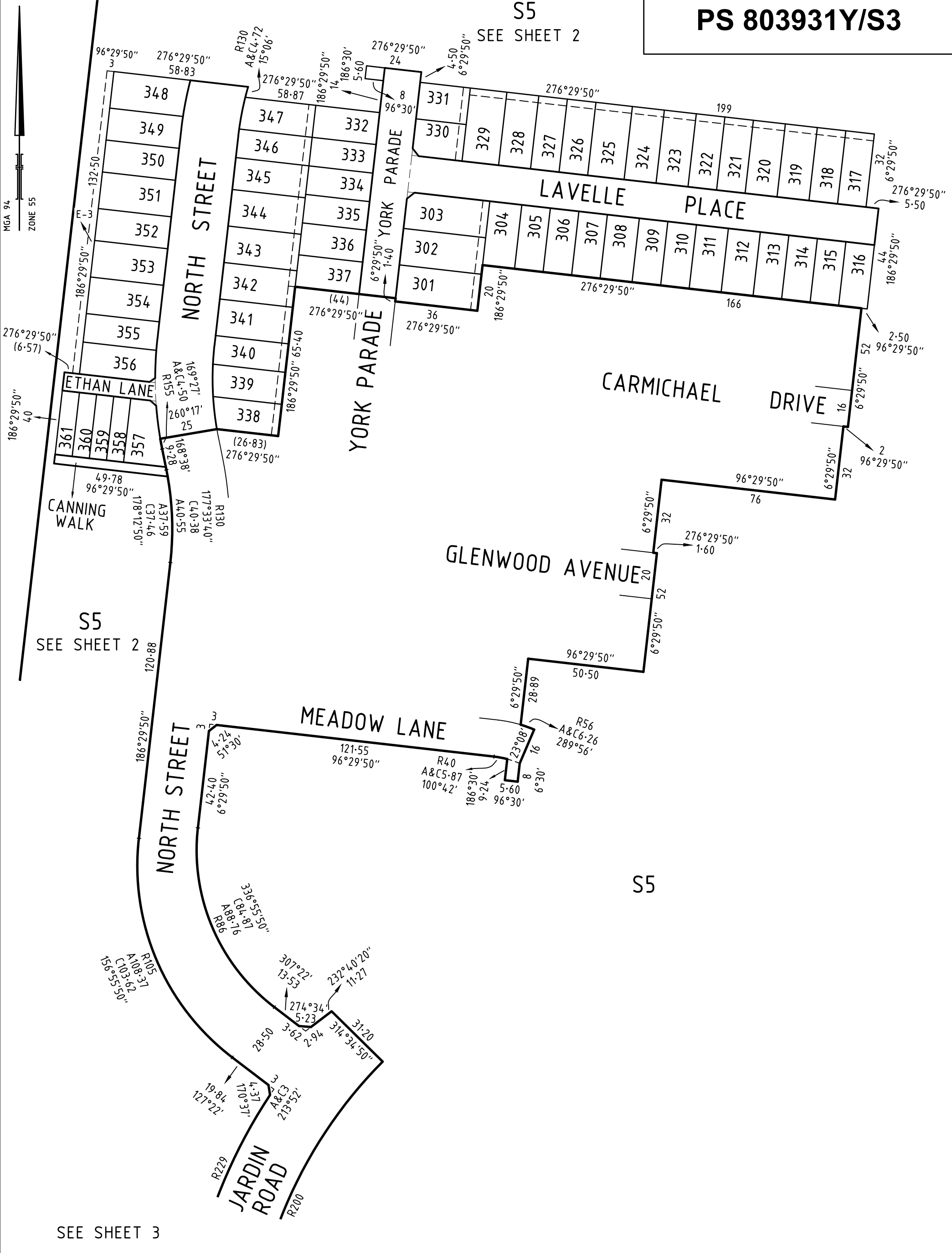


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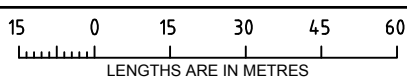
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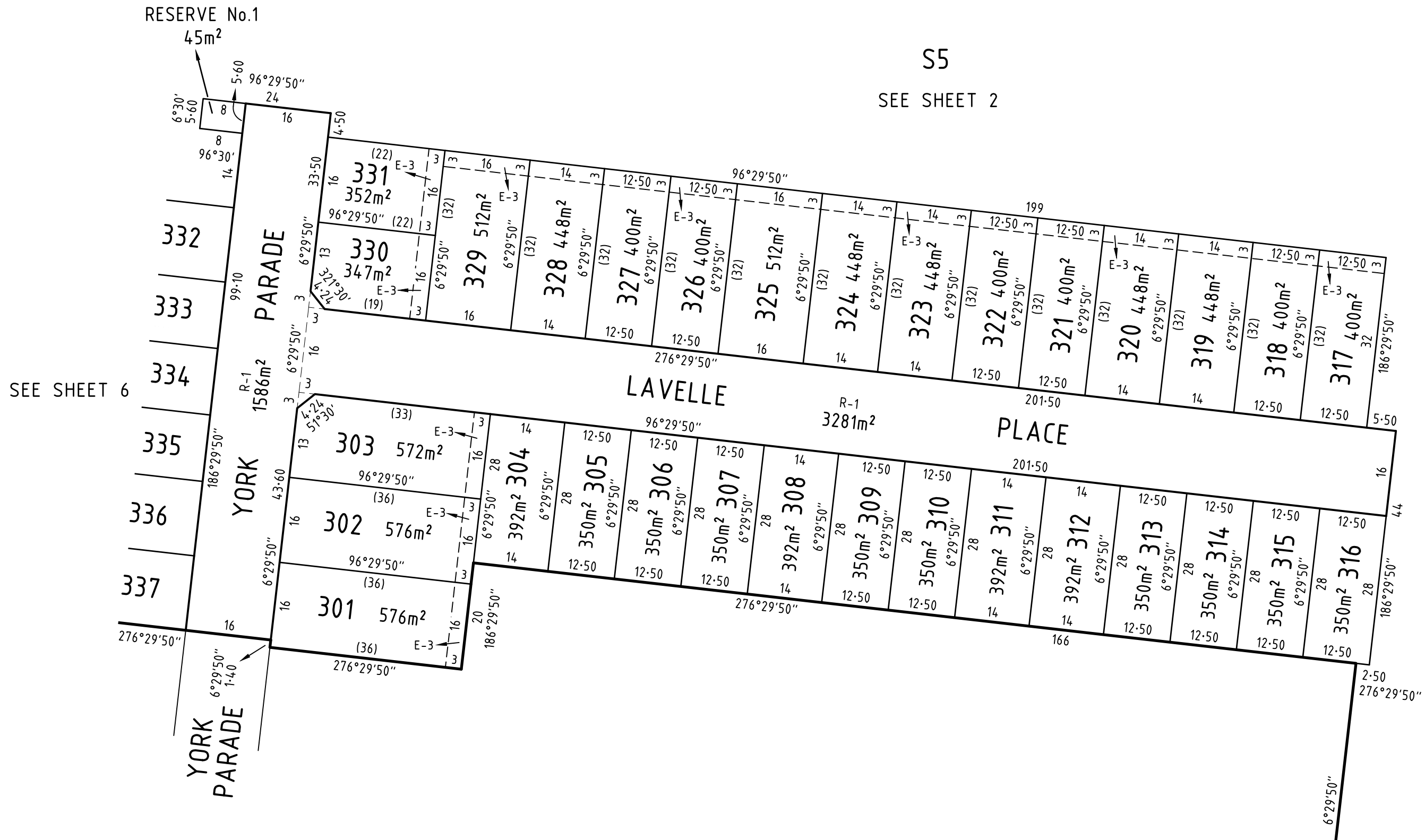
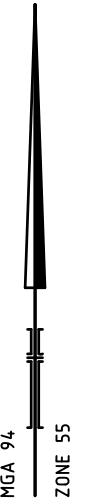


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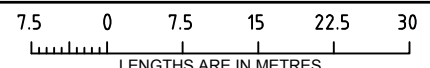


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**CREATION OF RESTRICTION No.1**

The following restriction is to be created upon registration of this plan.

Land to Benefit: Lots 301 to 361 (both inclusive)  
Land to be Burdened: Lots 301 to 361 (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 Rathdowne 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 10 years from the date of registration of this plan:
  - (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, at the address in the Design Guidelines (as amended from time to time) or such other entity as may be nominated by the Design Assessment Panel from time to time;
  - (B) The plans comply with the Rathdowne Building Design Guidelines, a copy of which can be obtained from Design Assessment Panel, at the address in the Design Guidelines (as amended from time to time);
  - (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 "Rathdowne Building Design Guidelines" prior to the commencement of works;
- (iii) 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.
- (iv) Build or cause 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
- (v) Use the said lot in any way that is not in accordance with the "Rathdowne Building Design Guidelines"

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**CREATION OF RESTRICTION No. 2**

The following restriction is to be created upon registration of this plan.

Land to Benefit: Lots 301 to 361 (both inclusive)  
Land to be Burdened: Lots 301 to 361 (both inclusive)

Description of Restriction:

The registered proprietor or proprietors for the time being of any burdened lot on this Plan shall not:

- (i) Construct a dwelling on a lot presenting sideage adjoining any form of open space unless:
  - (A) The development consists of a double storey dwelling;
  - (B) The development includes passive surveillance features such as large windows and balconies at the first storey level overlooking the adjoining open space; and
  - (C) Any fencing of the front yard adjoining the open space is feature style, with a minimum 25% transparency and has a maximum height of 1.50 metres.
- (iii) Construct a dwelling or commercial building on any lot unless the building incorporates dual plumbing for the use of recycled water in toilet flushing and garden watering.

**CREATION OF RESTRICTION No. 3**

The following restriction is to be created upon registration of this plan.

Land to Benefit: Lots 301 to 361 (both inclusive)  
Land to be Burdened: Lots 301 to 361 (both inclusive)

Description of Restriction:

The registered proprietor or proprietors for the time being of any burdened lot on this Plan shall not:

- (i) Construct the side wall of the first level of any dwelling on a corner lot less than 900 millimetres from the ground level wall that faces a side street.
- (iii) Construct any garage on a lot between 2.20 metres and 5 metres from the title boundary alignment at the front of the lot.
- (iii) Construct any garage other than a single garage where access is proposed from the lot frontage on a lot with a width of a 10 metres or less at the lot frontage.


**CREATION OF RESTRICTION No. 4**

The following restriction is to be created upon registration of this plan for lots less than 300m<sup>2</sup>.

Land to Benefit: Lots 301 to 361 (both inclusive)  
Land to be Burdened: Lots 358 to 361 (both inclusive)

The registered proprietor or proprietors for the time being of any burdened lot on this plan in this restriction 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 permit granted to construct a dwelling on the lot. This restriction shall cease after the issue of Certificate of Occupancy for the whole of the dwelling on the lot.

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# OWNERS CORPORATION SCHEDULE

PS803931Y/S3

Owners Corporation No. 1

Plan No. PS803931Y

Land affected by Owners Corporation: All of the Lots in the table below

Limitations of Owners Corporation: Unlimited

Notations

Totals		
	Entitlement	Liability
This schedule	1610	611
Balance of existing OC	1060	1001
Overall Total	2670	1612

### Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
301	10	10	351	10	10						
302	10	10	352	10	10						
303	10	10	353	10	10						
304	10	10	354	10	10						
305	10	10	355	10	10						
306	10	10	356	10	10						
307	10	10	357	10	10						
308	10	10	358	10	10						
309	10	10	359	10	10						
310	10	10	360	10	10						
311	10	10	361	10	10						
312	10	10	S5	1000	1						
313	10	10									
314	10	10									
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