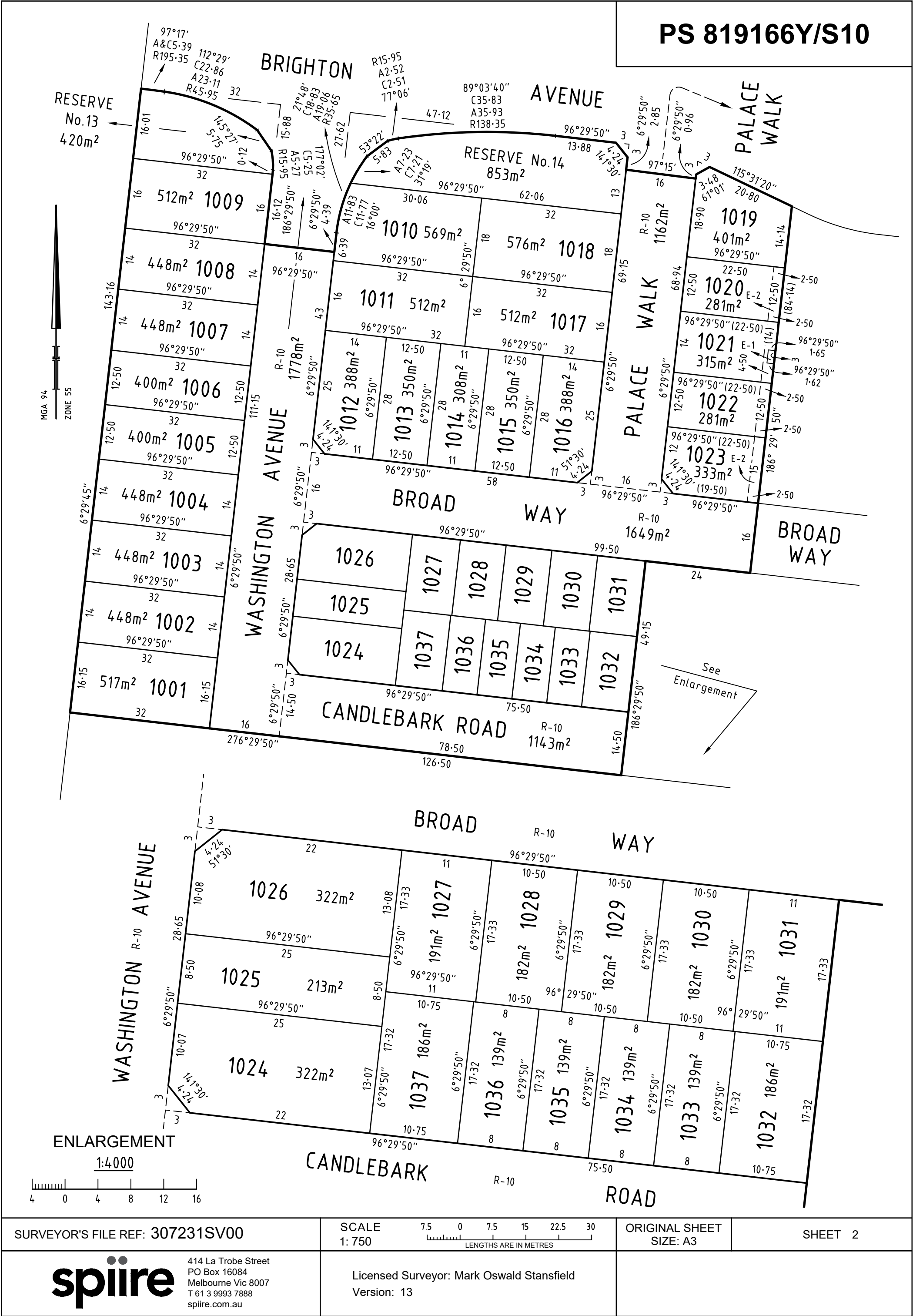


PLAN OF SUBDIVISION			EDITION 1		PS 819166Y/S10	
LOCATION OF LAND PARISH: WOLLERT TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 16 (PART) TITLE REFERENCE: C/T VOL FOL ... LAST PLAN REFERENCE: LOT S34 ON PS 819166Y/S34 POSTAL ADDRESS: 440 CRAIGIEBURN ROAD, (at time of subdivision) WOLLERT, VIC. 3750 MGA94 CO-ORDINATES: E: 322 090 ZONE: 55 (of approx centre of land in plan) N: 5836 380						
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER		COUNCIL / BODY / PERSON		This is a SPEAR plan. Land being subdivided is enclosed within thick continuous lines. Lots 1 to 1000 (both 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. LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS For details of Owners Corporation(s) including; Purpose, Responsibility and Entitlement and Liability see Owners Corporation Search Report, Owners Corporation Rules and Owners Corporation Additional Information.		
ROAD R-10 RESERVE Nos.13 & 14		WHITTLESEA CITY COUNCIL WHITTLESEA CITY COUNCIL				
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	WHITTLESEA CITY COUNCIL		
E-1	SEWERAGE	SEE DIAG	PS 803931Y	YARRA VALLEY WATER CORPORATION		
E-2	SEWERAGE	SEE DIAG	PS 819166Y	YARRA VALLEY WATER CORPORATION		
RATHDOWNNE ESTATE - STAGE 10 (37 LOTS)				AREA OF STAGE - 1.935ha		
 414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au			SURVEYORS FILE REF: 307231SV00		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 3
			Licensed Surveyor: Mark Oswald Stansfield Version: 13			



CREATION OF RESTRICTION No. 1

PS 819166Y/S10

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

Land to Benefit: Lots 1001 to 1037 (both inclusive)
Land to be Burdened: Lots 1001 to 1037 (both inclusive)

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 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, 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 the 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 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
- (iv) 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.
- (v) 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.
- (vi) Build or erect any dwelling or structure other than a dwelling or structure which is built in accordance with Memorandum of Common Provisions registered in dealing number

CREATION OF RESTRICTION No. 2

The following restriction is to be created upon registration of this plan for lots greater than 300m².

Land to Benefit: Lots 1001 to 1037 (both inclusive)
Land to be Burdened: Lots 1001 to 1019 (both inclusive), 1021, 1023, 1024 and 1026

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.
- (ii) 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 10 metres or less at the lot frontage.

CREATION OF RESTRICTION No. 3

The following restriction is to be created upon registration of this plan for lots less than 300m².

Land to Benefit: Lots 1001 to 1037 (both inclusive)
Land to be Burdened: Lots 1020, 1022, 1025 and 1027 to 1037 (both inclusive)

Description of Restriction:

The registered proprietor or proprietors for the time being of any burdened lot on this plan in this restriction is a lot subject to the 'Small Lot Housing Code, November 2019 (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, November 2019 (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.

SURVEYOR'S FILE REF: 307231SV00		ORIGINAL SHEET SIZE: A3	SHEET 3
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