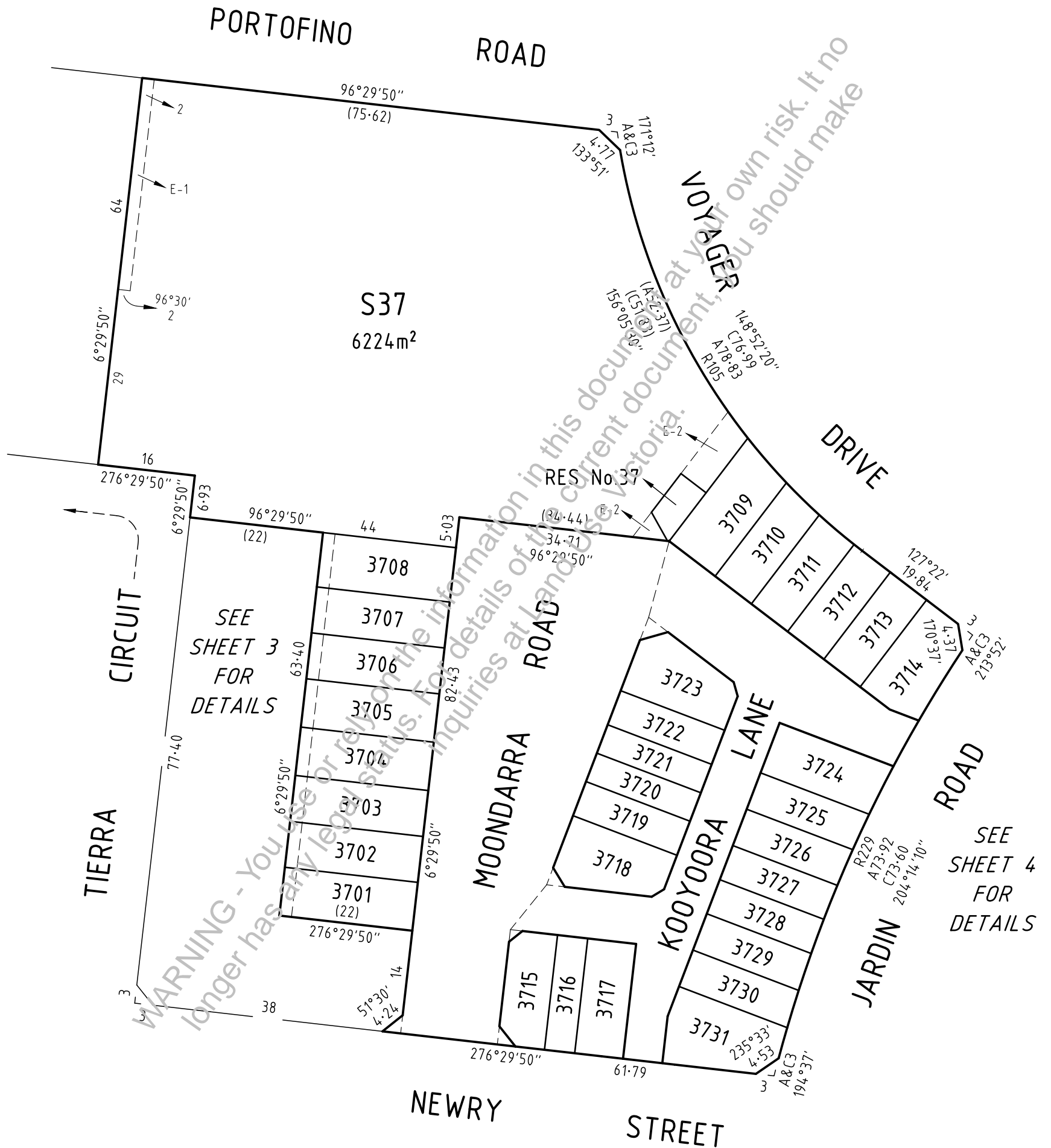
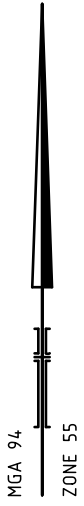


PLAN OF SUBDIVISION		EDITION 1	PS 819166Y/S37	
LOCATION OF LAND PARISH: WOLLERT TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 16 (PART) TITLE REFERENCE: C/T VOL 12283 FOL 841 LAST PLAN REFERENCE: LOT S36 ON PS819166Y/S36 POSTAL ADDRESS: 2 NEWRY STREET, (at time of subdivision) WOLLERT, VIC. 3750 MGA94 CO-ORDINATES: E: 322 330 ZONE: 55 (of approx centre of land in plan) N: 5836 570		Council Name: Whittlesea City Council Council Reference Number: 610479 Planning Permit Reference: 718235 SPEAR Reference Number: S168719A Certification This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6 of the Subdivision Act 1988: 08/06/2021 Public Open Space A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied Digitally signed by: Angela Cuschieri for Whittlesea City Council on 08/08/2022 Statement of Compliance issued: 12/12/2022		
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 3700 and lots S1 to S36 (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. 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-37 RESERVE No.37	WHITTLESEA CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY. LTD.			
NOTATIONS				
DEPTH LIMITATION: DOES NOT APPLY				
SURVEY: This plan is based on survey STAGING: This is a staged subdivision Planning Permit No. 718235 This survey has been connected to permanent marks No(s). 21, 38, 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	SEWERAGE	2	PS819166Y	YARRA VALLEY WATER CORPORATION
E-2	POWERLINE	SEE DIAG	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	AUSNET ELECTRICITY SERVICES PTY. LTD.
E-3	DRAINAGE	2	THIS PLAN	WHITTLESEA CITY COUNCIL
RATHDOWNNE ESTATE - STAGE 37 (31 LOTS)			AREA OF STAGE - 0.786ha	
414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au		SURVEYORS FILE REF: 306998SV00		ORIGINAL SHEET SIZE: A3
		Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor, Surveyor's Plan Version (6), 28/07/2022, SPEAR Ref: S168719A		Land Use Victoria Plan Registered 03:55 PM 19/01/2023 Assistant Registrar of Titles



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SCALE 1: 750

LENGTHS ARE IN METRES

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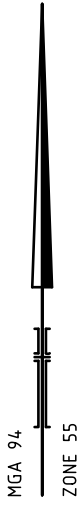
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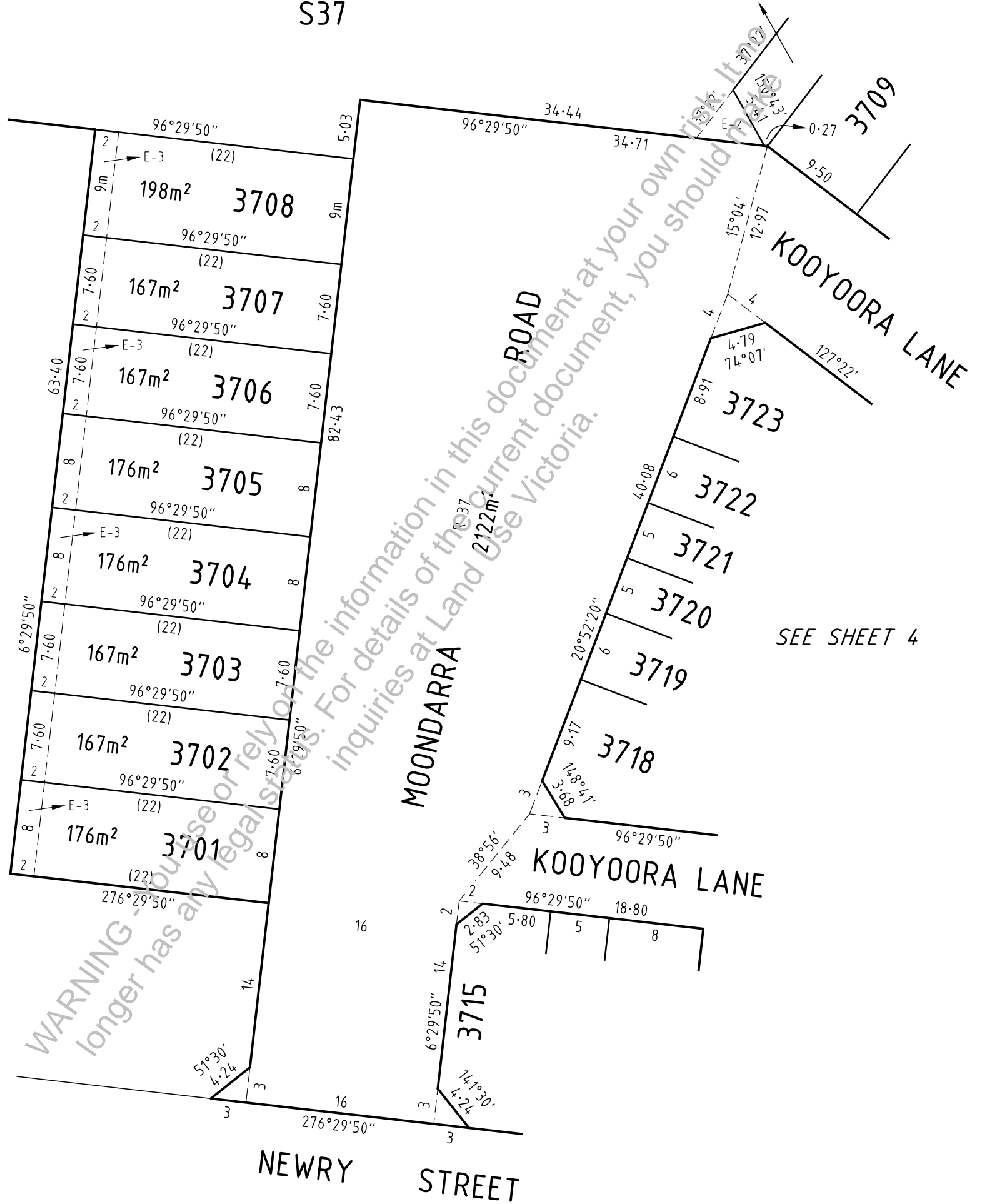
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S37

RESERVE
No.37

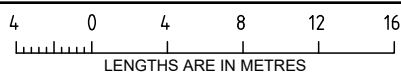
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SEE SHEET 4

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SHEET 3

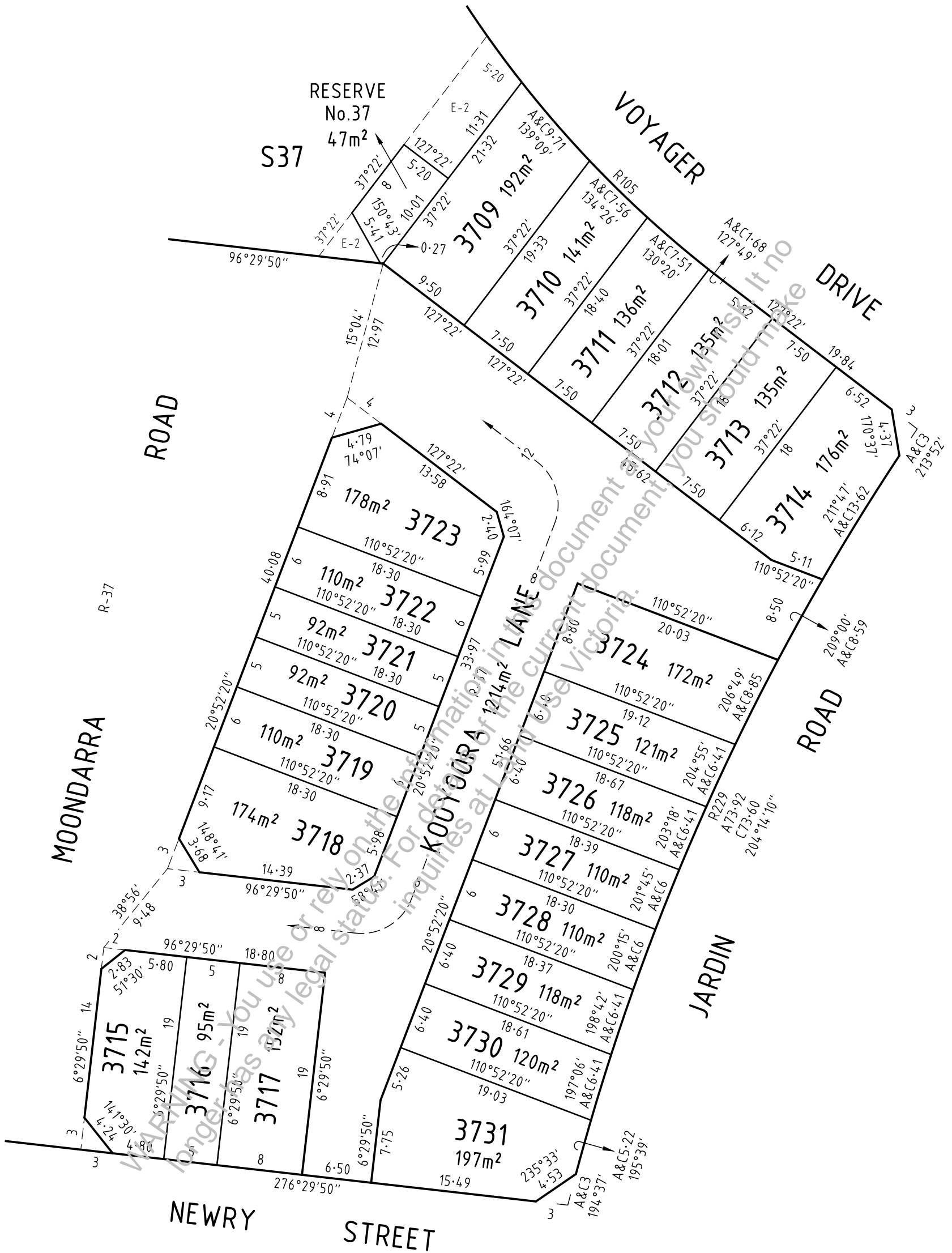
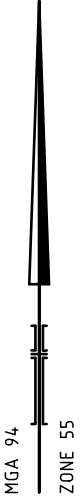


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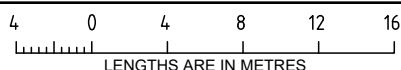
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SPEAR Ref: S168719A

CREATION OF RESTRICTION No. 1

PS 819166Y/S37

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

Land to Benefit: Lots 3701 to 3731 (both inclusive)
Land to be Burdened: Lots 3701 to 3731 (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.

CREATION OF RESTRICTION No. 2

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

Land to Benefit: Lots 3701 to 3731 (both inclusive)
Land to be Burdened: Lots 3701 to 3731 (both inclusive)

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.

CREATION OF RESTRICTION No. 3

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

Land to Benefit: Lots 3701 to 3731 (both inclusive)
Land to be Burdened: Lots 3701 to 3731 (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; or
- (ii) Construct the side wall of the first level of any dwelling on a corner lot with less than 20 percent glazing for the area of walls of habitable rooms (measured from finished floor level to upper floor), and the remainder of the wall must be constructed in contrasting material finishes.
- (iii) Construct any dwelling on lots abutting the laneway unless provided with a minimum of 20 percent glazing for the area of the walls of habitable rooms (measured from finished floor level to upper roof), facing the laneway at first floor level, to the satisfaction of the Responsible Authority.

CREATION OF RESTRICTION No. 4

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

Land to Benefit: Lots 3701 to 3731 (both inclusive)
Land to be Burdened: Lots 3701 to 3708 (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 any garage on a burdened lot less than 5 metres from the road alignment at the front of the lot.

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OWNERS CORPORATION SCHEDULE

PS819166Y/S37

Owners Corporation No. 1

Plan No. PS819166Y

Land affected by Owners Corporation: All of the Lots in the table below and Common Property No 1

Common Property No.: 1

Limitations of Owners Corporation: Unlimited

Notations

Totals		
	Entitlement	Liability
This schedule	510	311
Balance of existing OC	0	0
Overall Total	510	311

Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
3701	10	10									
3702	10	10									
3703	10	10									
3704	10	10									
3705	10	10									
3706	10	10									
3707	10	10									
3708	10	10									
3709	10	10									
3710	10	10									
3711	10	10									
3712	10	10									
3713	10	10									
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3715	10	10									
3716	10	10									
3717	10	10									
3718	10	10									
3719	10	10									
3720	10	10									
3721	10	10									
3722	10	10									
3723	10	10									
3724	10	10									
3725	10	10									
3726	10	10									
3727	10	10									
3728	10	10									
3729	10	10									
3730	10	10									
3731	10	10									
S37	200	1									

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