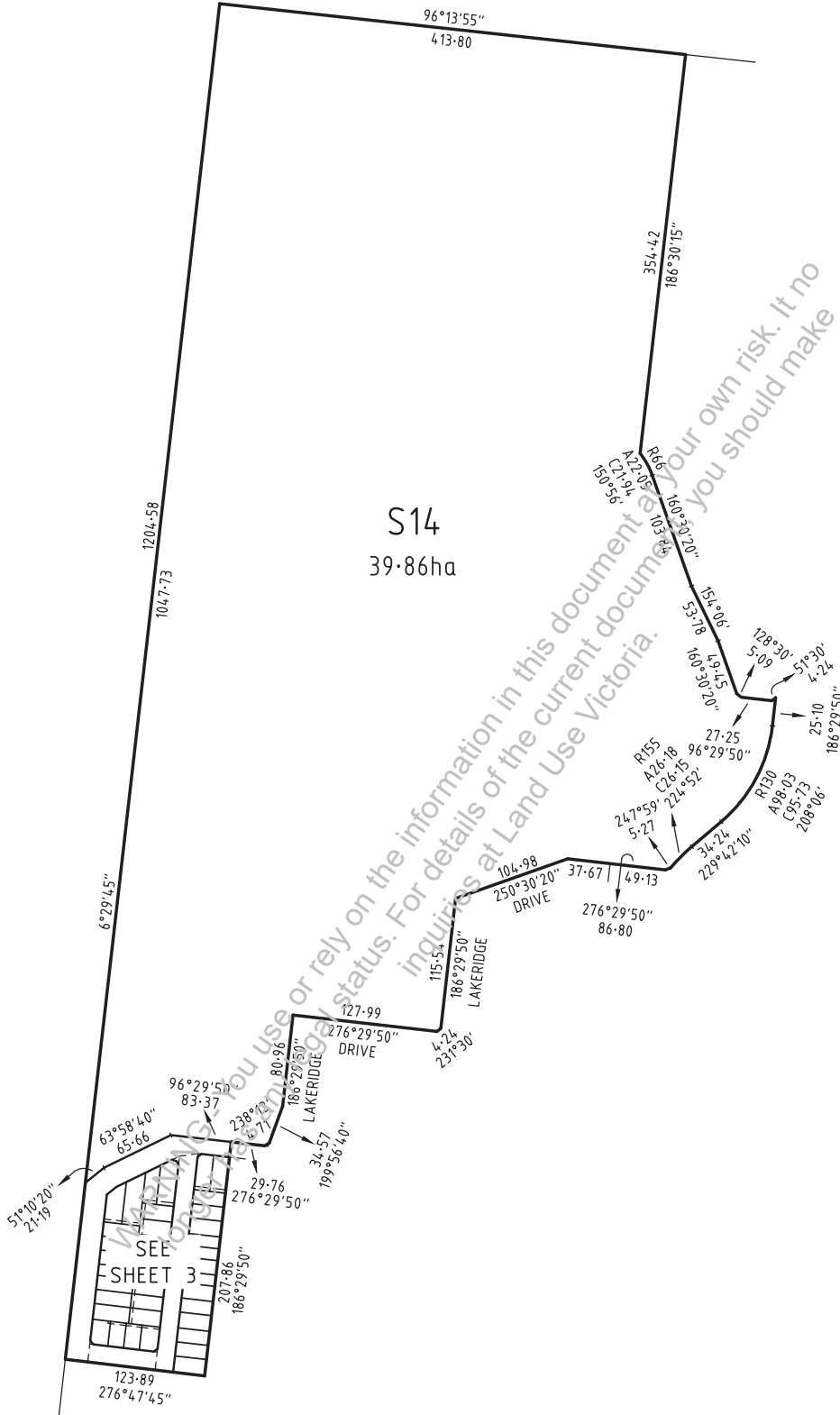


<b>PLAN OF SUBDIVISION</b>		EDITION 1	<b>PS 819166Y/S5</b>	
<b>LOCATION OF LAND</b> PARISH: WOLLERT TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 16 (PART) TITLE REFERENCE: C/T VOL ..... FOL .....  LAST PLAN REFERENCE: LOT S9 ON PS 819166Y/S3  POSTAL ADDRESS: 430 - 440 CRAIGIEBURN ROAD (at time of subdivision) WOLLERT 3750  MGA94 CO-ORDINATES: E: 322 990                      ZONE: 55 (of approx centre of land                              N: 5 836 750 in plan)		Council Name: Whittlesea City Council  Council Reference Number: 609974 Planning Permit Reference: 716630 SPEAR Reference Number: S135864C  <b>Certification</b>  This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 27/02/2020  Public Open Space  A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has been satisfied  Digitally signed by: Angela Cuschieri for Whittlesea City Council on 25/05/2021  <b>Statement of Compliance</b> issued: 25/05/2021		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>Notations</b>		
IDENTIFIER	COUNCIL/BODY/PERSON			
ROAD R-5 RESERVE Nos.9 & 10	WHITTLESEA CITY COUNCIL WHITTLESEA CITY COUNCIL			
<b>NOTATIONS</b>				
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. -				
<b>EASEMENT INFORMATION</b>				
LEGEND: A - Appurtenant Easement    E - Encumbering Easement    R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour of
E-2	DRAINAGE	SEE DIAG	THIS PLAN	WHITTLESEA CITY COUNCIL
E-2	SEWERAGE	SEE DIAG	THIS PLAN	YARRA VALLEY WATER CORPORATION
E-3	SEWERAGE	SEE DIAG	THIS PLAN	YARRA VALLEY WATER CORPORATION
<b>RATHDOWNE ESTATE - STAGE 6B (35 LOTS)</b>		<b>AREA OF STAGE - 2.409ha</b>		
414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au		SURVEYORS FILE REF: 305342SV01	ORIGINAL SHEET SIZE: A3	SHEET 1 OF 4
		Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor, Surveyor's Plan Version (7), 25/05/2021, SPEAR Ref: S135864C		Land Use Victoria Plan Registered 04:15 PM 03/06/2021 Assistant Registrar of Titles





S14  
SEE SHEET 2



## CREATION OF RESTRICTION No. 1

**PS 819166Y/S5**

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

Land to Benefit: Lots 601 to 621 and 624 to 637 (all inclusive)

Land to be Burdened: Lots 601 to 621 and 624 to 637 (all 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 AA7346.

## CREATION OF RESTRICTION No. 2

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

Land to Benefit: Lots 601 to 621 and 624 to 637 (all inclusive)

Land to be Burdened: Lots 601 to 621, 624 to 630 and 633 to 637 (all 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.
- (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 300m<sup>2</sup>.

Land to Benefit: Lots 601 to 621 and 624 to 637 (all inclusive)

Land to be Burdened: Lots 631 and 632

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 (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.



414 La Trobe Street  
PO Box 16084  
Melbourne Vic 8007  
T 61 3 9993 7888  
spiire.com.au

Digitally signed by: Mark Oswald Stansfield, Licensed  
Surveyor,  
Surveyor's Plan Version (7),  
25/05/2021, SPEAR Ref: S135864C

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SIZE: A3

SHEET 4

Digitally signed by:  
Whittlesea City Council,  
25/05/2021,  
SPEAR Ref: S135864C

# OWNERS CORPORATION SCHEDULE

PS819166Y/S5

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. All existing Lots in Owners Corporation No 1 not affected by this plan.

Common Property No.: 1

Limitations of Owners Corporation: Unlimited

Notations

Totals		
	Entitlement	Liability
This schedule	1350	351
Balance of existing OC	12270	2275
Overall Total	13620	2626

### Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
601	10	10									
602	10	10									
603	10	10									
604	10	10									
605	10	10									
606	10	10									
607	10	10									
608	10	10									
609	10	10									
610	10	10									
611	10	10									
612	10	10									
613	10	10									
614	10	10									
615	10	10									
616	10	10									
617	10	10									
618	10	10									
619	10	10									
620	10	10									
621	10	10									
624	10	10									
625	10	10									
626	10	10									
627	10	10									
628	10	10									
629	10	10									
630	10	10									
631	10	10									
632	10	10									
633	10	10									
634	10	10									
635	10	10									
636	10	10									
637	10	10									
S14	1000	1									

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SURVEYORS FILE REFERENCE: 305342SV01

SHEET 1

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Surveyor's Plan Version (7),  
25/05/2021, SPEAR Ref: S135864C

Digitally signed by:  
Whittlesea City Council,  
25/05/2021,  
SPEAR Ref: S135864C