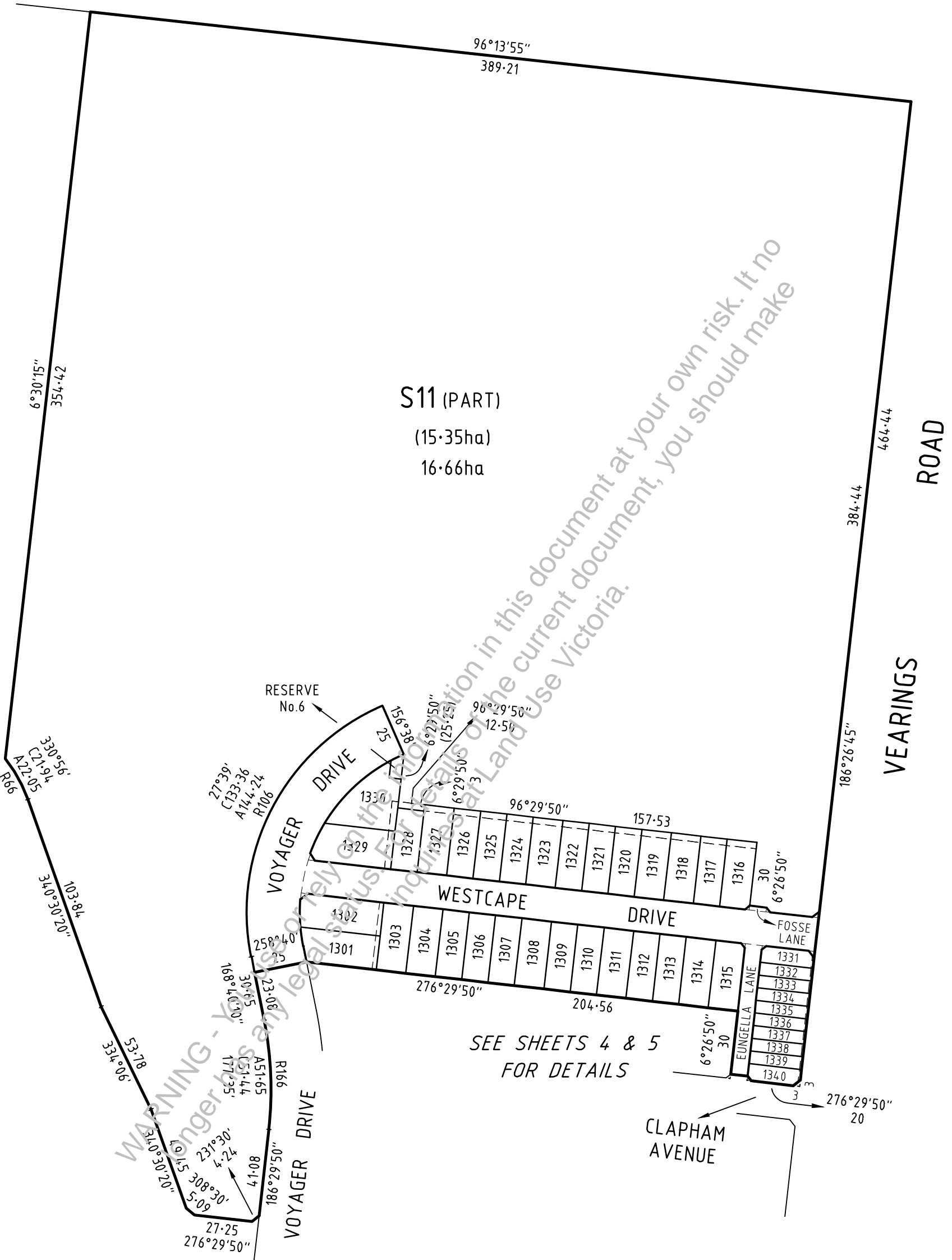


<b>PLAN OF SUBDIVISION</b>		EDITION 1	<b>PS 803931Y/S9</b>	
<b>LOCATION OF LAND</b> PARISH: WOLLERT TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 16 (PART) TITLE REFERENCE: C/T VOL .... FOL ...  LAST PLAN REFERENCE: LOT S10 ON PS 803931Y/S8  POSTAL ADDRESS: 430 CRAIGIEBURN ROAD, (at time of subdivision) WOLLERT, VIC. 3750  MGA94 CO-ORDINATES: E: 322 600 ZONE: 55 (of approx centre of land in plan) N: 5837 380		Council Name: Whittlesea City Council  Council Reference Number: PLN-37030 Planning Permit Reference: 716630 SPEAR Reference Number: S177376E  <b>Certification</b>  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: 08/12/2021  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 not been satisfied at Certification  Digitally signed by: Angela Cuschieri for Whittlesea City Council on 27/02/2023  <b>Statement of Compliance</b> issued: 16/05/2023  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 at Statement of Compliance		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
IDENTIFIER	COUNCIL / BODY / PERSON	This is a SPEAR Plan.  Land being subdivided is enclosed within thick continuous lines.  Lots 1 to 1300 and S1 to S10 (all inclusive) have been omitted from this plan.  Lot S11 consists of 2 parts.  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.  <b>LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS</b> 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-9 RESERVE No.6	WHITTLESEA CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY. LTD.			
<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). 21, 38, 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-1	DRAINAGE	SEE DIAG	THIS PLAN	WHITTLESEA CITY COUNCIL
E-1	SEWERAGE	SEE DIAG	THIS PLAN	YARRA VALLEY WATER CORPORATION
E-2	FOOTWAY	SEE DIAG	THIS PLAN	WHITTLESEA CITY COUNCIL
E-3	SEWERAGE	SEE DIAG	THIS PLAN	YARRA VALLEY WATER CORPORATION
RATHDOWNNE ESTATE - STAGE 13 (40 LOTS)			AREA OF STAGE - 2.284ha	
 414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au		SURVEYORS FILE REF: 308021SV00  Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor, Surveyor's Plan Version (4), 27/02/2023, SPEAR Ref: S177376E	ORIGINAL SHEET SIZE: A3  Land Use Victoria Plan Registered 10:02 AM 26/05/2023 Assistant Registrar of Titles	SHEET 1 OF 6



SURVEYOR'S FILE REF: 308021SV00

SCALE 1: 2000

LENGTHS ARE IN METRES

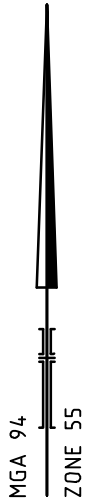
ORIGINAL SHEET SIZE: A3 SHEET 2



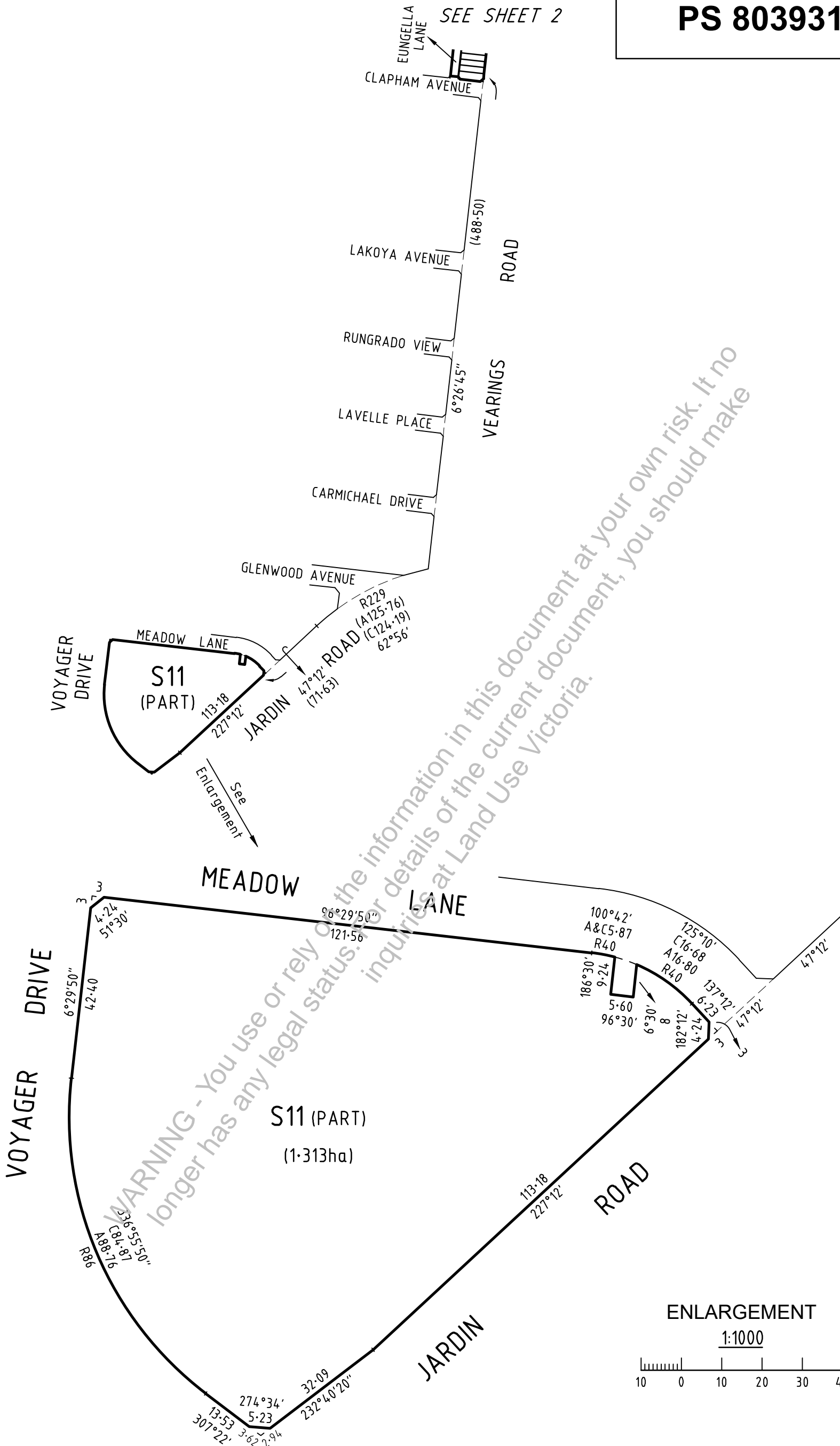
414 La Trobe Street  
PO Box 16084  
Melbourne Vic 8007  
T 61 3 9993 7888  
spiire.com.au

Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor,  
Surveyor's Plan Version (4),  
27/02/2023, SPEAR Ref: S177376E

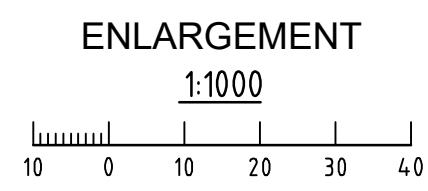
Digitally signed by:  
Whittlesea City Council,  
27/02/2023,  
SPEAR Ref: S177376E




SEE SHEET 2  
EUNGELLA LANE  
CLAPHAM AVENUE

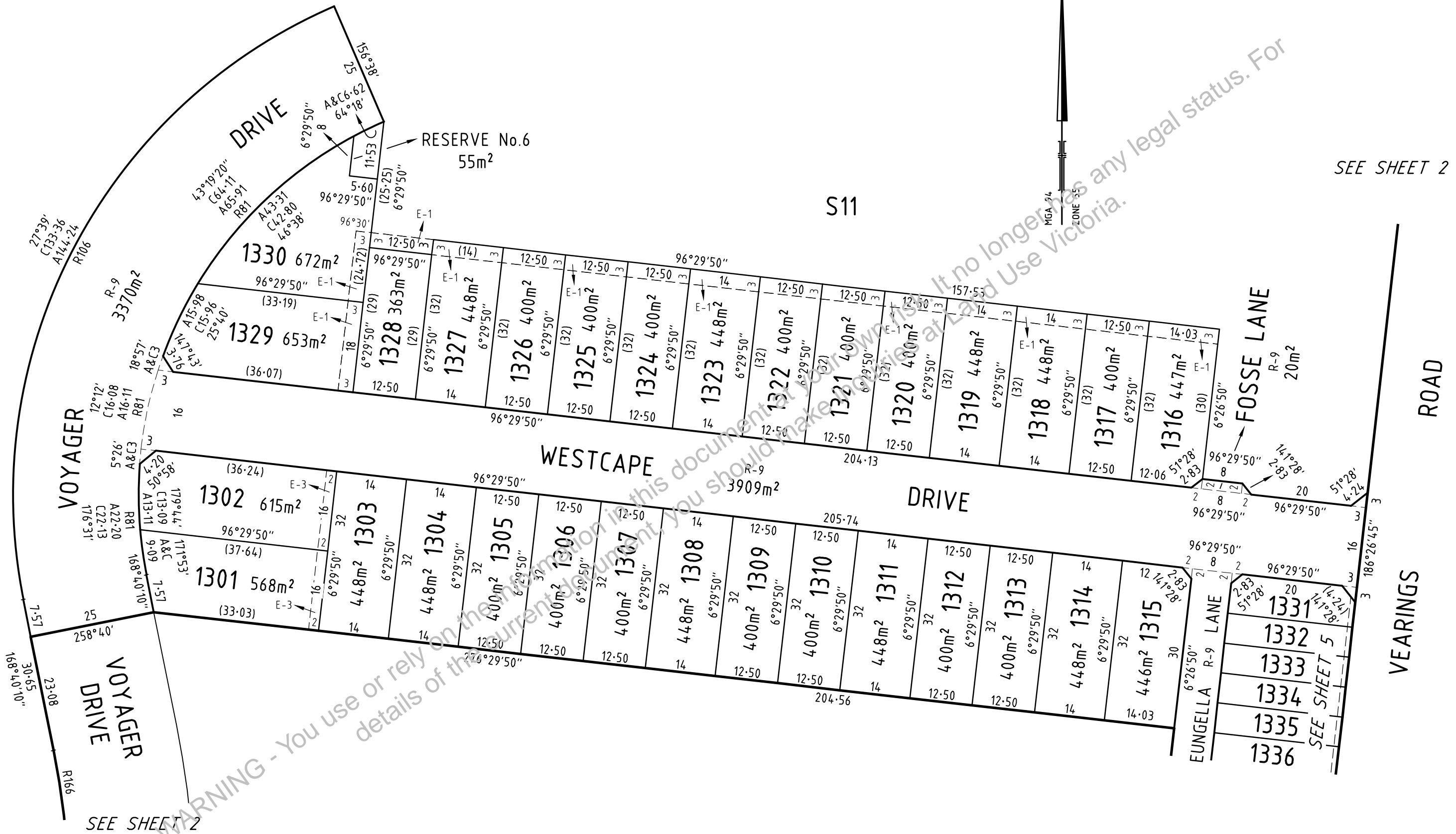


WARNING - You use or rely on the information in this document at your own risk. It no longer has any legal status. For details of the current document, you should make inquiries at Land Use Victoria.



SURVEYOR'S FILE REF: 308021SV00	SCALE 1: 4000 40 0 40 80 120 160 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 3
 <p>414 La Trobe Street PO Box 16084 Melbourne Vic 8007 T 61 3 9993 7888 spiire.com.au</p>	Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor, Surveyor's Plan Version (4), 27/02/2023, SPEAR Ref: S177376E	Digitally signed by: Whittlesea City Council, 27/02/2023, SPEAR Ref: S177376E	

SEE SHEET 2



SURVEYOR'S FILE REF: 308021SV00



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

SCALE 1: 750

7.5 0 7.5 15 22.5 30

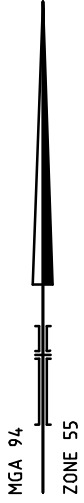
LENGTHS ARE IN METRES

Digitally signed by: Mark Oswald Stansfield, Licensed Surveyor,  
Surveyor's Plan Version (4),  
27/02/2023, SPEAR Ref: S177376E

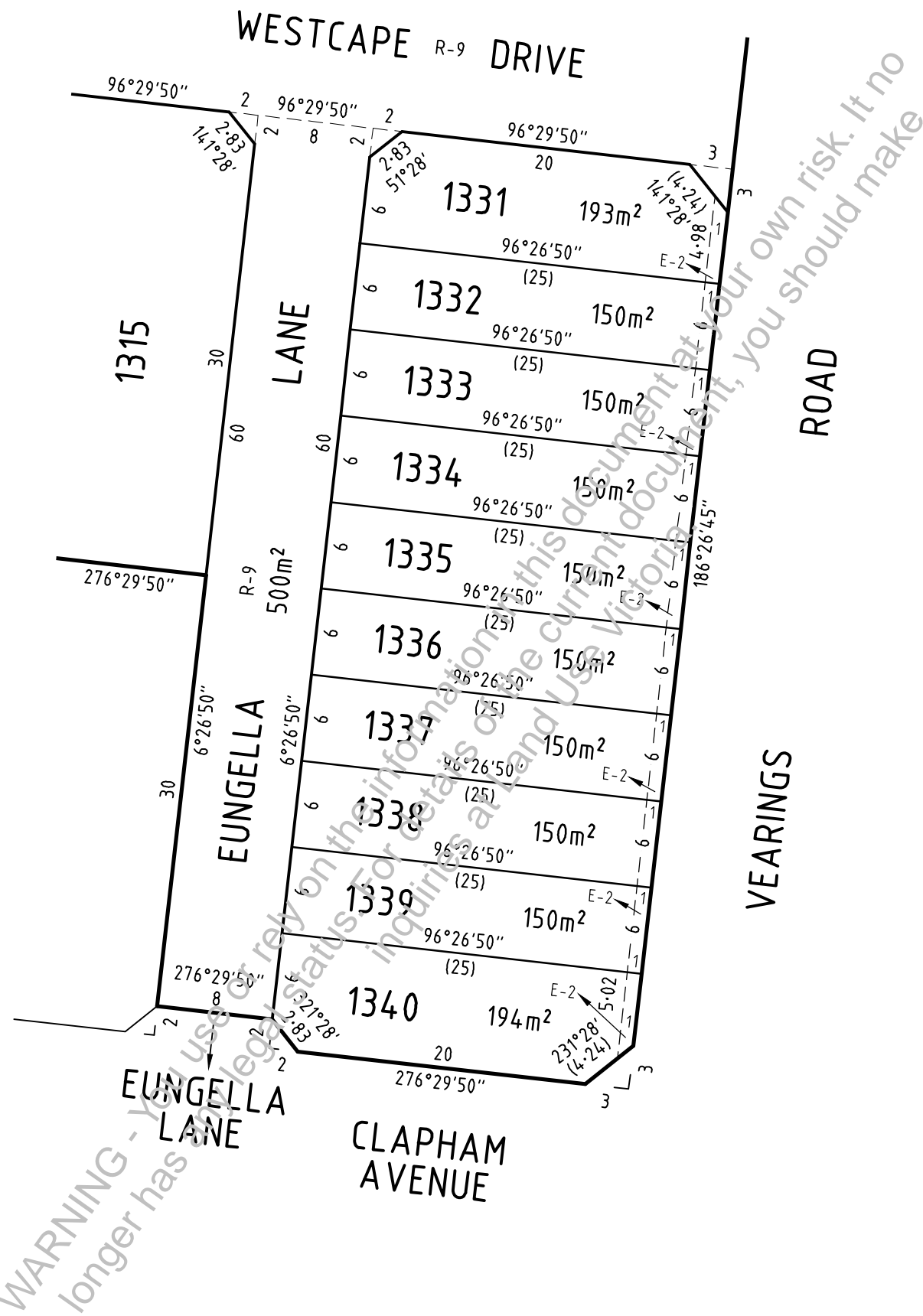
ORIGINAL SHEET SIZE: A3

SHEET 4

Digitally signed by:  
Whittlesea City Council,  
27/02/2023,  
SPEAR Ref: S177376E



SEE SHEET 4



SURVEYOR'S FILE REF: 308021SV00

SCALE 1: 400

LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3

SHEET 5



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 (4),  
27/02/2023, SPEAR Ref: S177376E

Digitally signed by:  
Whittlesea City Council,  
27/02/2023,  
SPEAR Ref: S177376E

## CREATION OF RESTRICTION No. 1

PS 803931Y/S9

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

Land to Benefit: Lots 1301 to 1340 (both inclusive)  
Land to be Burdened: Lots 1301 to 1340 (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 AA8022.

## 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 1301 to 1340 (both inclusive)  
Land to be Burdened: Lots 1301 to 1330 (both inclusive)

Description of Restriction:

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

- (vii) 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 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 1301 to 1340 (both inclusive)  
Land to be Burdened: Lots 1331 to 1340 (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 a Certificate of Occupancy for the whole of the dwelling on the lot.

## CREATION OF RESTRICTION No. 4

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

Land to Benefit: Lots 1301 to 1340 (both inclusive)  
Land to be Burdened: Lots 1331 to 1340 (both inclusive)

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

1. Remove, deface or modify the Drystone Wall along the eastern boundary of the lots.
2. Deny access to representatives of Whittlesea City Council to effect maintenance or repairs on the Drystone Wall along the eastern boundary of the lots.
3. Construct any fence within the footway easement designated E-2 on this plan.
4. Place any object that cannot be removed safely by a single person within the footway easement designated E-2 on this plan.
5. Plant or allow to grow any vegetation containing any spikes, thorns, barbs or similar parts, or which is more than 0.50 metres in height within the footway easement designated E-2 on this plan.

SURVEYOR'S FILE REF: 308021SV00

ORIGINAL SHEET  
SIZE: A3

SHEET 6



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 (4),  
27/02/2023, SPEAR Ref: S177376E

Digitally signed by:  
Whittlesea City Council,  
27/02/2023,  
SPEAR Ref: S177376E

# OWNERS CORPORATION SCHEDULE

PS803931Y/S9

Owners Corporation No. 1

Plan No. PS803931Y

Land affected by Owners Corporation: All of the Lots in the table below. All existing Lots in Owners Corporation No 1 not affected by this plan.

Common Property No.:

Limitations of Owners Corporation: Unlimited

Notations

Totals		
	Entitlement	Liability
This schedule	1400	401
Balance of existing OC	0	0
Overall Total	1400	401

## Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
1301	10	10									
1302	10	10									
1303	10	10									
1304	10	10									
1305	10	10									
1306	10	10									
1307	10	10									
1308	10	10									
1309	10	10									
1310	10	10									
1311	10	10									
1312	10	10									
1313	10	10									
1314	10	10									
1315	10	10									
1316	10	10									
1317	10	10									
1318	10	10									
1319	10	10									
1320	10	10									
1321	10	10									
1322	10	10									
1323	10	10									
1324	10	10									
1325	10	10									
1326	10	10									
1327	10	10									
1328	10	10									
1329	10	10									
1330	10	10									
1331	10	10									
1332	10	10									
1333	10	10									
1334	10	10									
1335	10	10									
1336	10	10									
1337	10	10									
1338	10	10									
1339	10	10									
1340	10	10									
S11	1000	1									

WARNING - You use or rely on the information in this document at your own risk. It no longer has any legal status. For details of the current document, you should make inquiries at Land Use Victoria.

SURVEYORS FILE REFERENCE: 307730

SHEET 1

ORIGINAL SHEET  
SIZE: A3



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 (4), 27/02/2023, SPEAR Ref: S177376E

Digitally signed by: Whittlesea City Council, 27/02/2023, SPEAR Ref: S177376E