

PLAN OF SUBDIVISION

EDITION 1

PS 819166Y/S24

LOCATION OF LAND

PARISH: WOLLERT
TOWNSHIP: -
SECTION: -
CROWN ALLOTMENT: -
CROWN PORTION: 16 (PART)
TITLE REFERENCE: C/T VOL FOL ...

LAST PLAN REFERENCE: LOT S24 ON PS 819166Y/S23

POSTAL ADDRESS: 430-440 CRAIGIEBURN ROAD,
(at time of subdivision) WOLLERT, VIC. 3750
MGA94 CO-ORDINATES: E: 322 200 ZONE: 55
(of approx centre of land in plan) N: 5 837 750

VESTING OF ROADS AND/OR RESERVES

| IDENTIFIER | COUNCIL / BODY / PERSON |
|---------------|---------------------------------------|
| ROAD R-19 | WHITTLESEA CITY COUNCIL |
| RESERVE No.21 | MINISTER FOR ENVIRONMENT |
| RESERVE No.23 | AUSNET ELECTRICITY SERVICES PTY. LTD. |
| RESERVE No.24 | 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). 21, 38, 40 & 52
In Proclaimed Survey Area No. -

NOTATIONS

This is a SPEAR plan.

Land being subdivided is enclosed within thick continuous lines.

Lots 1 to 2200 and S1 to S27 (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.

Other Purpose of Plan

To remove by agreement that part of the Sewerage easement created in PS 819166Y/S21 that lies within Riverbed Drive on this plan via section 6(1)(k)(iv) of the Subdivision Act 1988.

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 | SEE DIAG | THIS PLAN | YARRA VALLEY WATER CORPORATION |
| E-2 | DRAINAGE | SEE DIAG | THIS PLAN | WHITTLESEA CITY COUNCIL |
| E-2 | SEWERAGE | SEE DIAG | THIS PLAN | YARRA VALLEY WATER CORPORATION |
| E-3 | WETLAND, FLOODWAY, DRAINAGE AND STORMWATER QUALITY MANAGEMENT AS SET OUT IN MEMORANDUM OF COMMON PROVISIONS No.AA2741 | SEE DIAG | THIS PLAN | MELBOURNE WATER CORPORATION |

RATHDOWNE ESTATE - STAGE 22 (43 LOTS)

AREA OF STAGE - 14.76ha



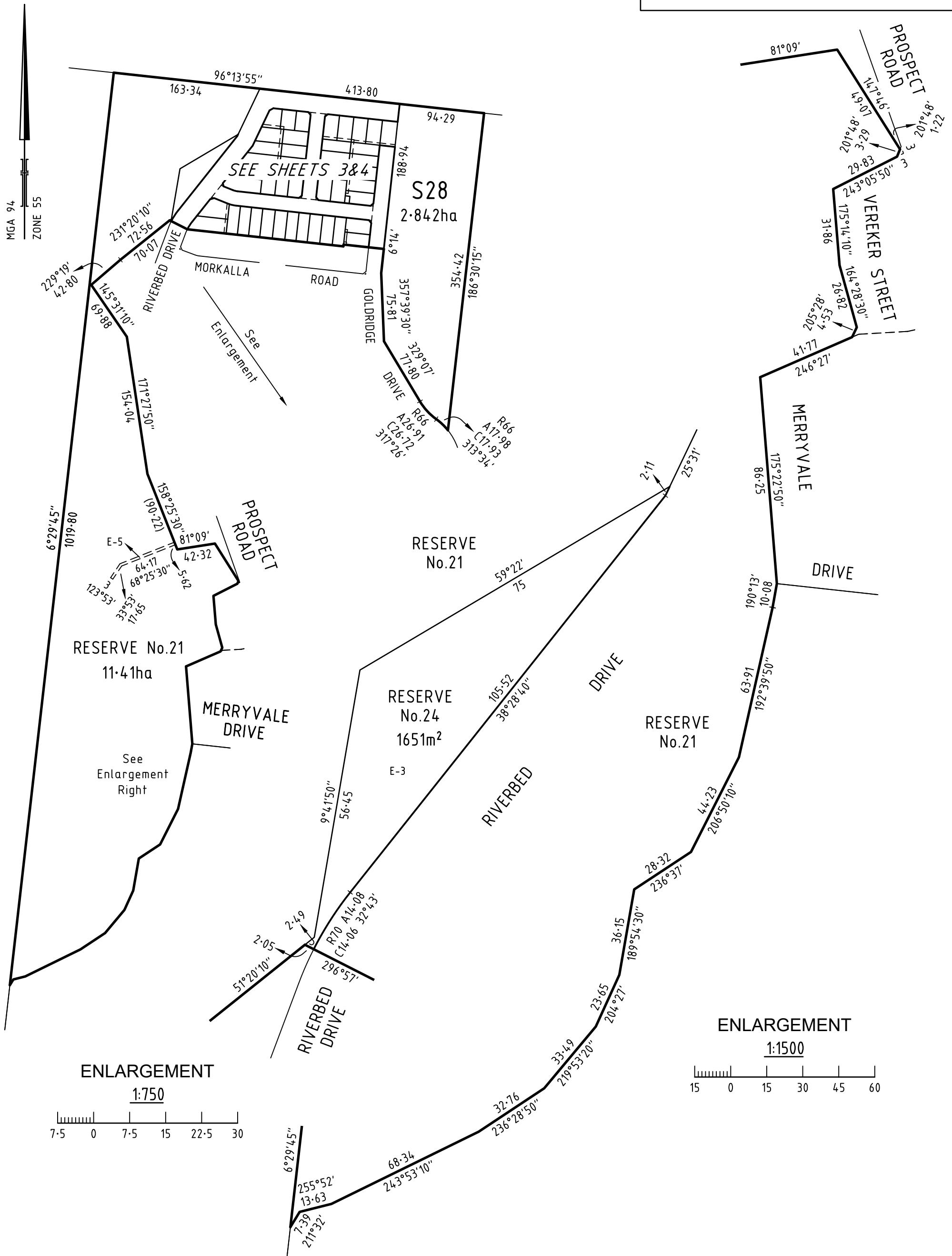
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ORIGINAL SHEET
SIZE: A3

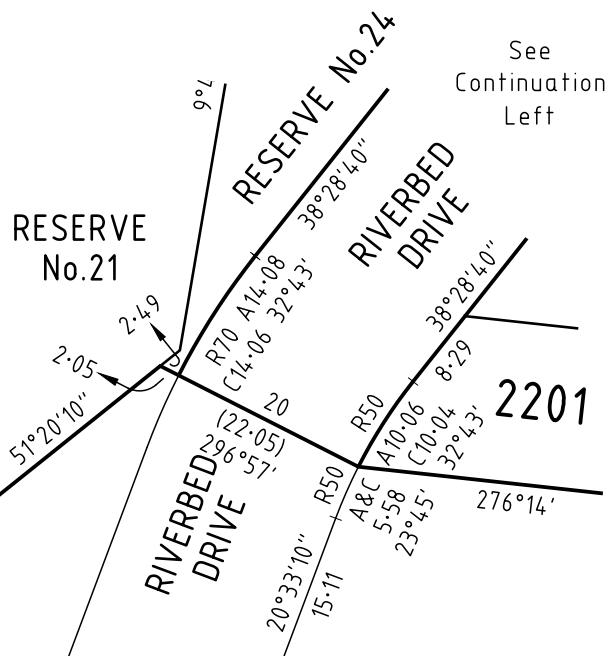
SHEET 1 OF 4

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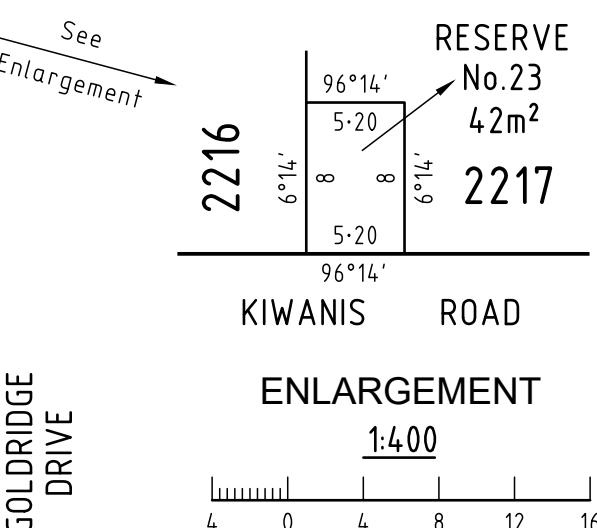


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SEE SHEET 2



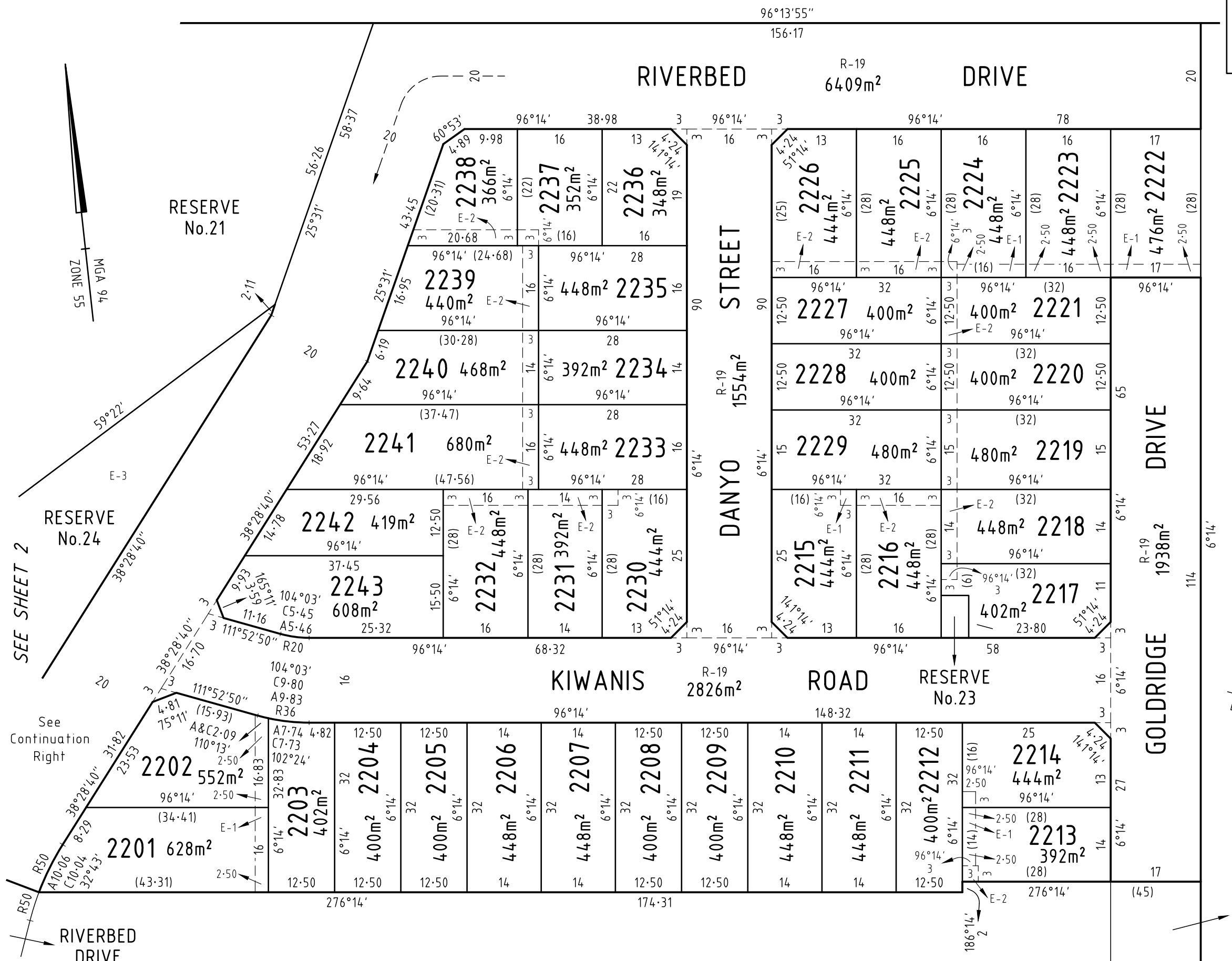
S28



ENLARGEMENT 1:400

4 0 4 8 12 16

SEE SHEET 2



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SCALE 1: 750 7.5 0 7.5 15 22.5 30
LENGTHS ARE IN METRES

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SHEET 3

The registered proprietors of the burdened land covenant with the registered proprietors of the benefited land as set out in the restriction with the intent that the burden of the restriction runs with and binds the burdened land and the benefit of the restriction is annexed to and runs with the benefited land.

CREATION OF RESTRICTION No. 1

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

Land to Benefit: Lots 2201 to 2243 (both inclusive)

Land to be Burdened: Lots 2201 to 2243 (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 .

Expiry Date:

The restriction shall expire on 31st October 2034.

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 2201 to 2243 (both inclusive)

Land to be Burdened: Lots 2201 to 2243 (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.
- (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.

Expiry Date:

The restriction shall expire on 31st October 2034.

| | | | |
|---|--|-------------------------|---------|
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OWNERS CORPORATION SCHEDULE

PS819166Y/S24

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 | 530 | 431 |
| Balance of existing OC | 0 | 0 |
| Overall Total | 530 | 431 |

Lot Entitlement and Lot Liability

| Lot | Entitlement | Liability | Lot | Entitlement | Liability | Lot | Entitlement | Liability | Lot | Entitlement | Liability |
|------|-------------|-----------|-----|-------------|-----------|-----|-------------|-----------|-----|-------------|-----------|
| 2201 | 10 | 10 | | | | | | | | | |
| 2202 | 10 | 10 | | | | | | | | | |
| 2203 | 10 | 10 | | | | | | | | | |
| 2204 | 10 | 10 | | | | | | | | | |
| 2205 | 10 | 10 | | | | | | | | | |
| 2206 | 10 | 10 | | | | | | | | | |
| 2207 | 10 | 10 | | | | | | | | | |
| 2208 | 10 | 10 | | | | | | | | | |
| 2209 | 10 | 10 | | | | | | | | | |
| 2210 | 10 | 10 | | | | | | | | | |
| 2211 | 10 | 10 | | | | | | | | | |
| 2212 | 10 | 10 | | | | | | | | | |
| 2213 | 10 | 10 | | | | | | | | | |
| 2214 | 10 | 10 | | | | | | | | | |
| 2215 | 10 | 10 | | | | | | | | | |
| 2216 | 10 | 10 | | | | | | | | | |
| 2217 | 10 | 10 | | | | | | | | | |
| 2218 | 10 | 10 | | | | | | | | | |
| 2219 | 10 | 10 | | | | | | | | | |
| 2220 | 10 | 10 | | | | | | | | | |
| 2221 | 10 | 10 | | | | | | | | | |
| 2222 | 10 | 10 | | | | | | | | | |
| 2223 | 10 | 10 | | | | | | | | | |
| 2224 | 10 | 10 | | | | | | | | | |
| 2225 | 10 | 10 | | | | | | | | | |
| 2226 | 10 | 10 | | | | | | | | | |
| 2227 | 10 | 10 | | | | | | | | | |
| 2228 | 10 | 10 | | | | | | | | | |
| 2229 | 10 | 10 | | | | | | | | | |
| 2230 | 10 | 10 | | | | | | | | | |
| 2231 | 10 | 10 | | | | | | | | | |
| 2232 | 10 | 10 | | | | | | | | | |
| 2233 | 10 | 10 | | | | | | | | | |
| 2234 | 10 | 10 | | | | | | | | | |
| 2235 | 10 | 10 | | | | | | | | | |
| 2236 | 10 | 10 | | | | | | | | | |
| 2237 | 10 | 10 | | | | | | | | | |
| 2238 | 10 | 10 | | | | | | | | | |
| 2239 | 10 | 10 | | | | | | | | | |
| 2240 | 10 | 10 | | | | | | | | | |
| 2241 | 10 | 10 | | | | | | | | | |
| 2242 | 10 | 10 | | | | | | | | | |
| 2243 | 10 | 10 | | | | | | | | | |
| S28 | 100 | 1 | | | | | | | | | |

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