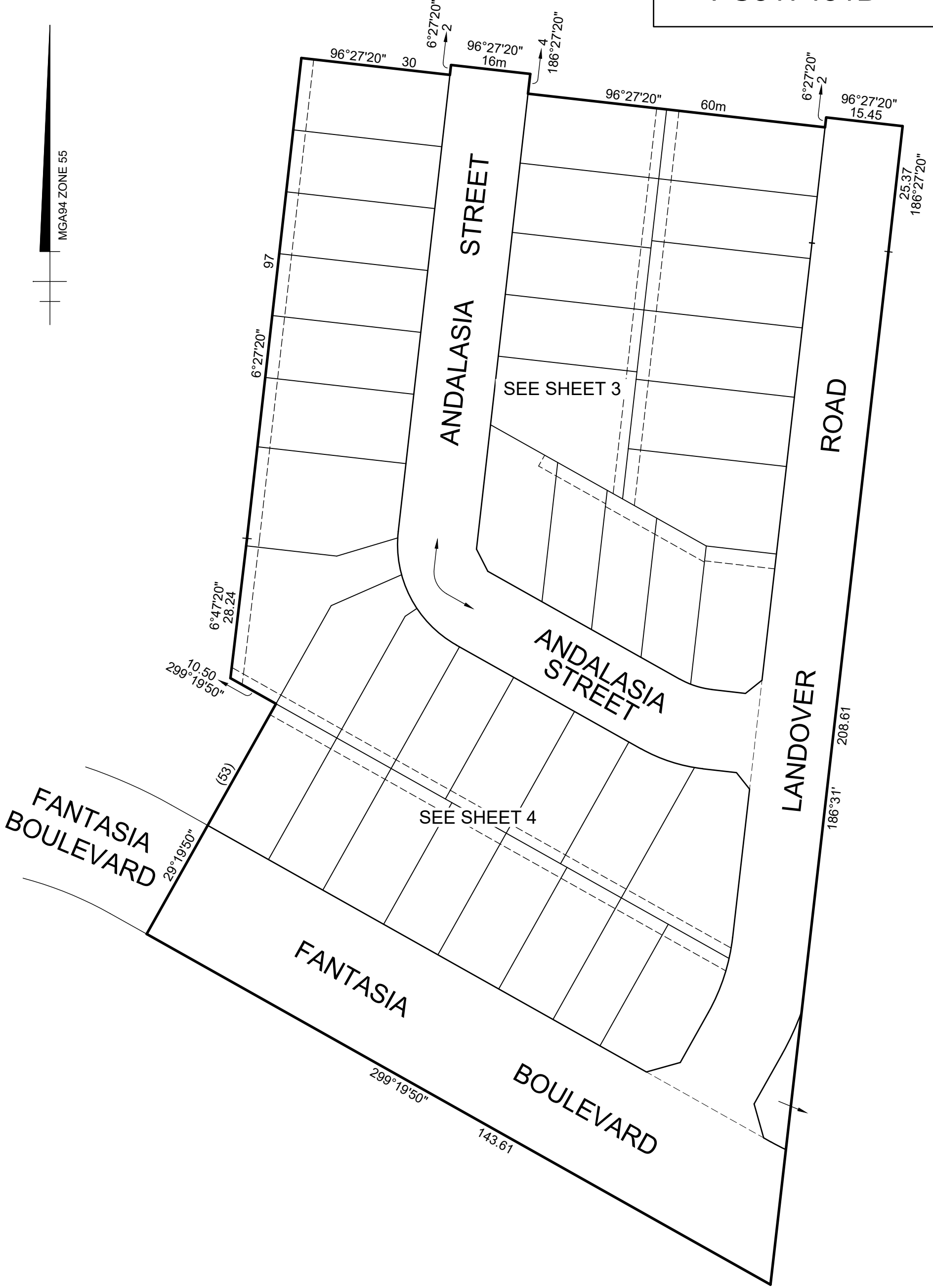


PLAN OF SUBDIVISION		EDITION 1	PS817481B	
LOCATION OF LAND PARISH: WOLLERT TOWNSHIP:		Council Name: Whittlesea City Council Council Reference Number: 609697 Planning Permit Reference: 716420 SPEAR Reference Number: S115481S Certification This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 21/08/2019 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification Digitally signed by: Carolyn Leatham for Whittlesea City Council on 02/02/2022		
SECTION: 18 CROWN ALLOTMENT: 2 (PART) CROWN PORTION: TITLE REFERENCE: Vol. Fol. LAST PLAN REFERENCE: Lot K on PS813241U POSTAL ADDRESS: 50 Craigieburn Road (at time of subdivision) WOLLERT 3750 MGA 94 CO-ORDINATES: E: 325 830 ZONE: 55 (of approx centre of land in plan) N: 5 836 580				
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON		Lots 801 to 839 on this plan may be affected by one or more restrictions. Refer to Creation of Restriction A, B, C & D on Sheets 5, 6 & 7 of this plan for details. OTHER PURPOSES OF PLAN 1. To remove easements E-3, E-4 and E-8 created on PS839304B in so far as it lies within Road R1 herein. 2. To remove easements E-1 and E-2 created on PS839306W in so far as it lies within Road R1 herein. GROUND FOR REMOVAL: By agreement between all interested parties pursuant to Section 6(1)(k)(iv) of the Subdivision Act 1988.	
ROAD R1 Reserve No. 1	Whittlesea City Council Whittlesea City Council			
NOTATIONS				
DEPTH LIMITATION: Does Not Apply				
SURVEY: This plan is based on survey.				
STAGING: This is not a staged subdivision. Planning Permit No. 716420				
ELLERY - RELEASE No. 8 Area of Release: 2.525ha No. of Lots: 39 Lots				
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.	This Plan	Whittlesea City Council
	Sewerage			Yarra Valley Water Corporation
E-2	Drainage	See Diag.	This Plan	Whittlesea City Council
E-3	Sewerage	See Diag.	This Plan	Yarra Valley Water Corporation
TAYLORS		SURVEYORS FILE REF: Ref. 20197-S8 Ver. 12		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 7
Urban Development Built Environments Infrastructure 8 / 270 Ferntree Gully Road, Notting Hill, Victoria, 3168 Tel: 61 3 9501 2800 Web: taylorstds.com.au		Digitally signed by: Mark Peter Grey, Licensed Surveyor, Surveyor's Plan Version (12), 08/12/2021, SPEAR Ref: S115481S		

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PS817481B

MGA94 ZONE 55



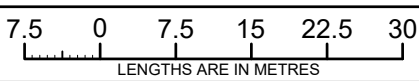
SEE SHEET 3

SEE SHEET 4

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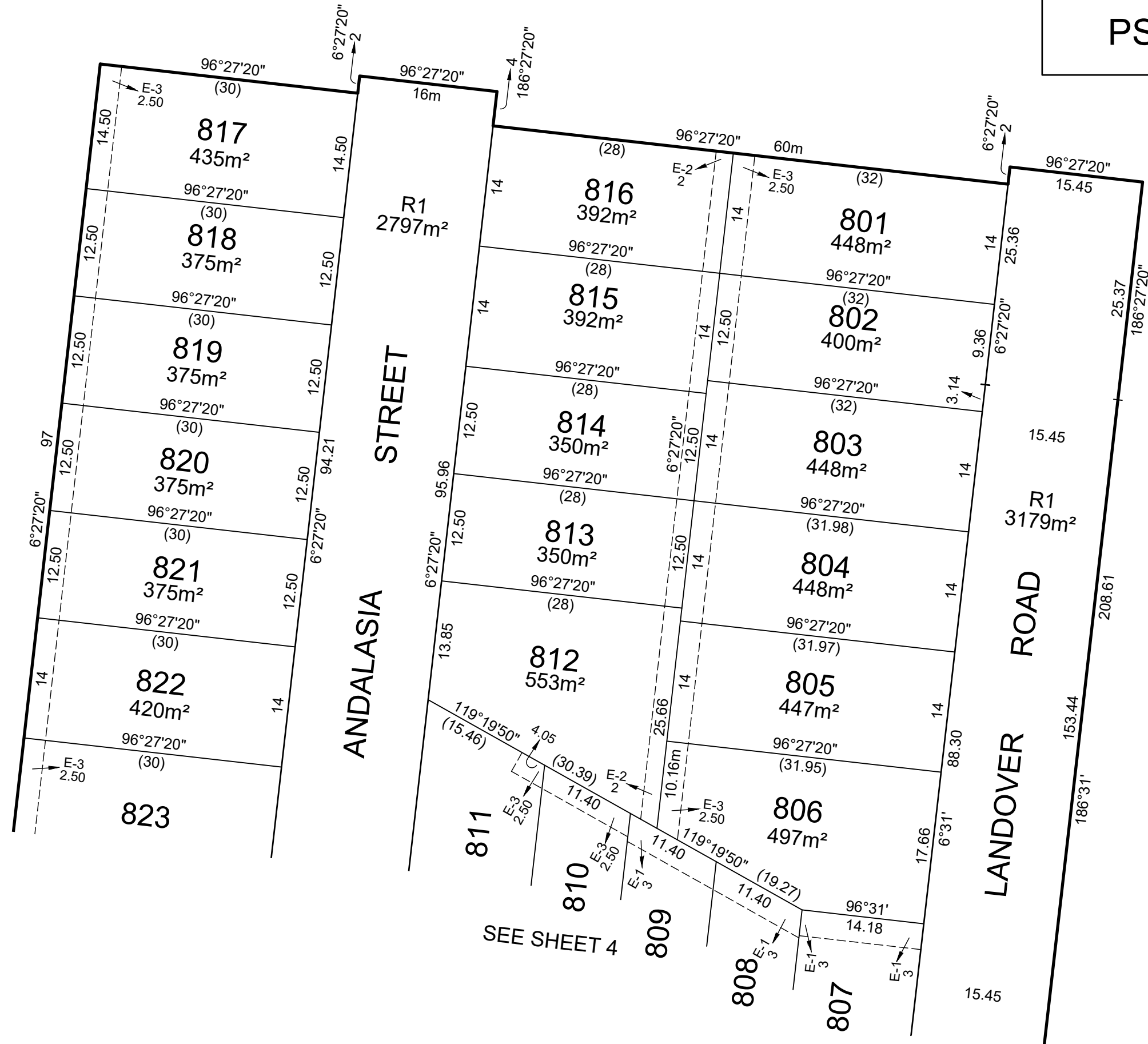
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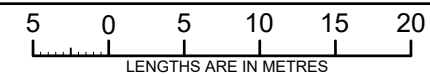
MGA94 ZONE 55



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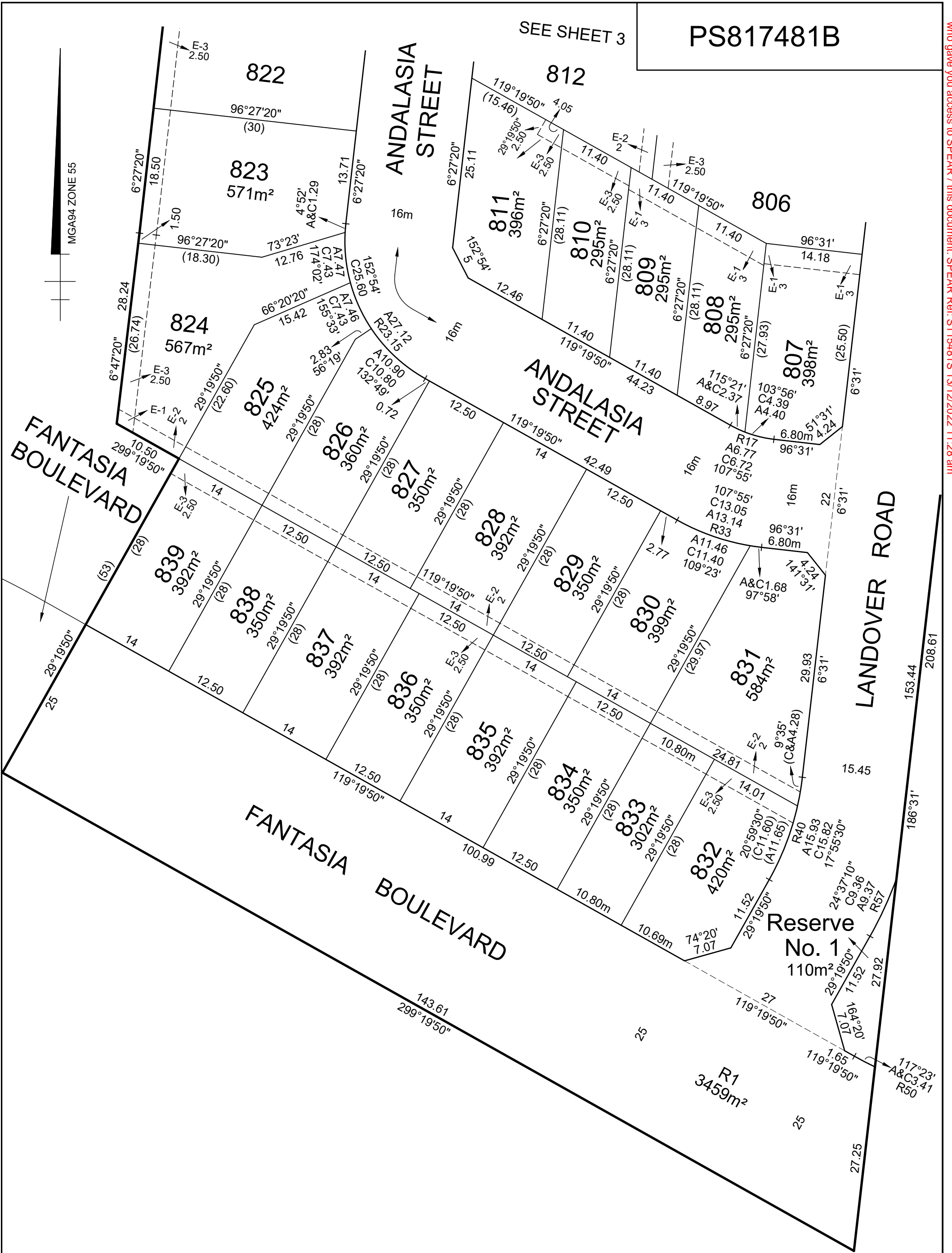
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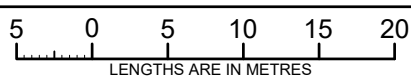


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SHEET 4

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CREATION OF RESTRICTION 'A'

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.

LAND TO BE BURDENED: See Table 1 below.
 LAND TO BENEFIT: See Table 1 below.

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot to which this restriction applies must not:

1. Construct or allow to be constructed or remain on the lot or any part of it, any garage with a setback less than 5 metres from the front boundary of the lot.
2. Construct or allow to be constructed or remain on the lot or any part of it, any garage on the lot other than a single car garage where the width of the lot is 10 metres or less when measured at the front wall of the dwelling, where access is proposed from the lot frontage.
3. Construct or allow to be constructed or remain on the lot or any part of it, any dwelling house or commercial building other than any dwelling house or commercial building which incorporates dual plumbing for the use of recycled water in toilet flushing and garden watering.
4. Construct or allow to be constructed or remain on a corner lot or any part of it, any dwelling with the side wall of the first level which is constructed:
 - (i) less than 900mm from the ground level wall that faces a side street; or
 - (ii) with less than 30% glazing for the area of the wall and the remainder of the wall must be constructed in contrasting material finishes.

NOTE:

Restrictions A(1, 2 & 4) satisfy Planning Permit No. 716420 Condition 7
 Restriction A(3) satisfies Planning Permit No. 716420 Condition 6(b)

TABLE 1

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
801	802, 816
802	801, 803, 815
803	802, 804, 814, 815
804	803, 805, 812, 813
805	804, 806, 812
806	805, 807, 808, 809, 812
807	806, 808
811	810, 812
812	804, 805, 806, 809, 810, 811, 813
813	804, 812, 814
814	803, 813, 815
815	802, 803, 814, 816
816	801, 815
817	818
818	817, 819
819	818, 820
820	819, 821
821	820, 822

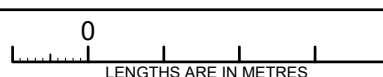
TABLE 1 continued

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
822	821, 823
823	822, 824
824	823, 825
825	824, 826, 839
826	825, 827, 838
827	826, 828, 837
828	827, 829, 836, 837
829	828, 830, 835
830	829, 831, 834, 835
831	830, 832, 833
832	831, 833
833	831, 832, 834
834	830, 833, 835
835	829, 830, 834, 836
836	828, 835, 837
837	827, 828, 836, 838
838	826, 837, 839
839	825, 838



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SHEET 5

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CREATION OF RESTRICTION 'B'

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.

LAND TO BE BURDENED: Lots 801 to 839 on this plan.
LAND TO BENEFIT: Lots 801 to 839 on this plan.

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot to which this restriction applies must not :-

1. Construct or allow to be constructed or remain on the lot or any part of it, any building other than one private dwelling house with usual outbuildings without prior written consent from Peet No.123 Pty Ltd and further development approval from Whittlesea City Council, unless such development is exempt from the Whittlesea Planning Scheme.
2. Construct or allow to be constructed or remain on the lot or any part of it any dwelling house or outbuilding without applicable plans and specifications first being submitted to and approved by Peet No.123 Pty Ltd and prepared in accordance with the Ellery Estate Design Guidelines and then only in compliance with any condition imposed by Peet No.123 Pty Ltd in respect of that approval.

Expiry Date : 11th September 2027.

CREATION OF RESTRICTION 'C'

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.

LAND TO BE BURDENED: See Table 2 below.
LAND TO BENEFIT: See Table 2 below.

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot to which this restriction applies must not :-

1. Construct or allow to be constructed or remain on the lot or any part of it, any dwelling house or garage other than a dwelling house or garage which has been built in accordance with the Small Lot Housing Code Type A incorporated into the Whittlesea Planning Scheme unless a planning permit is granted by the responsible authority for a dwelling house or garage that does not conform with the Small Lot Housing Code.
2. Construct or allow to be constructed or remain on the lot or any part of it, any dwelling house or commercial building other than any dwelling house or commercial building which incorporates dual plumbing for the use of recycled water in toilet flushing and garden watering.

NOTE:

Restriction C(1) satisfies Planning Permit No. 716420 Condition 9
Restriction C(2) satisfies Planning Permit No. 716420 Condition 6(b)

TABLE 2

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
808	806, 807, 809
809	806, 808, 810, 812
810	809, 811, 812

CREATION OF RESTRICTION 'D'

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.

BURDENED LAND: See Table 3
 BENEFITED LAND: See Table 3

RESTRICTION:

The registered proprietor or proprietors for the time being of any lot on this plan to which the following restriction applies must not :-

Build or permit to be built or remain on the lot any building or garage on a side boundary of a lot unless the building or garage is set back a minimum of one metre from the other side boundary of that lot in order to provide the required reasonable access for maintenance of any sewer assets at the rear of the lot, by the relevant authority.

TABLE 3

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
801	802, 816
802	801, 803, 815
803	802, 804, 814, 815
804	803, 805, 812, 813
805	804, 806, 812
806	805, 807, 808, 809, 812
809	806, 808, 810, 812
811	810, 812
817	818
818	817, 819
819	818, 820
820	819, 821

TABLE 3 continued

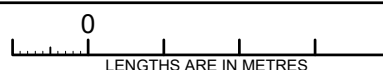
BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
821	820, 822
822	821, 823
823	822, 824
824	823, 825
833	831, 832, 834
834	830, 833, 835
835	829, 830, 834, 836
836	828, 835, 837
837	827, 828, 836, 838
838	826, 837, 839
839	825, 838

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