

PLAN OF SUBDIVISION

EDITION 1

PS906529D

LOCATION OF LAND

PARISH: **WOLLERT**
 TOWNSHIP: ---
 SECTION: 18
 CROWN ALLOTMENT: 2 (PART)
 CROWN PORTION: ---
 TITLE REFERENCE: Vol. Fol.

LAST PLAN REFERENCE: Lot U on PS906500E

POSTAL ADDRESS: 45-55 Boundary Road
 (at time of subdivision) Wollert VIC 3750

MGA 94 CO-ORDINATES: E: 325 830 ZONE: 55
 (of approx centre of
 land in plan) N: 5 837 430

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
Road R1 Reserve No.'s 1 - 5	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. 719985

ELLERY - Release No. 17

Area of Release: 1.772ha
 No. of Lots: 10 Lots

NOTATIONS

Lots 1701 to 1710 on this plan may be affected by one or more restrictions.
 Refer to Creation of Restrictions A, B, C and E on Sheets 4 and 5 of this plan for details.

OTHER PURPOSE OF PLAN

To remove that part of easement E-5 created on PS906462K in so far as it lies within Road R1 herein.

GROUNDS FOR REMOVAL:

By agreement between all interested parties pursuant to 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.	PS906462K	Yarra Valley Water Corporation
E-2	Drainage	See Diag.	PS906462K	Whittlesea City Council
E-3	Sewerage	See Diag.	PS906462K	Yarra Valley Water Corporation
	Drainage		This Plan	Whittlesea City Council
E-4	Sewerage	See Diag.	This Plan	Yarra Valley Water Corporation
	Drainage			Whittlesea City Council
E-5	Sewerage	See Diag.	This Plan	Yarra Valley Water Corporation



Urban Development | Built Environments | Infrastructure
 8 / 270 Ferntree Gully Road, Notting Hill, Victoria, 3168
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SURVEYORS FILE REF: Ref. 20197-S17
 Ver. 9

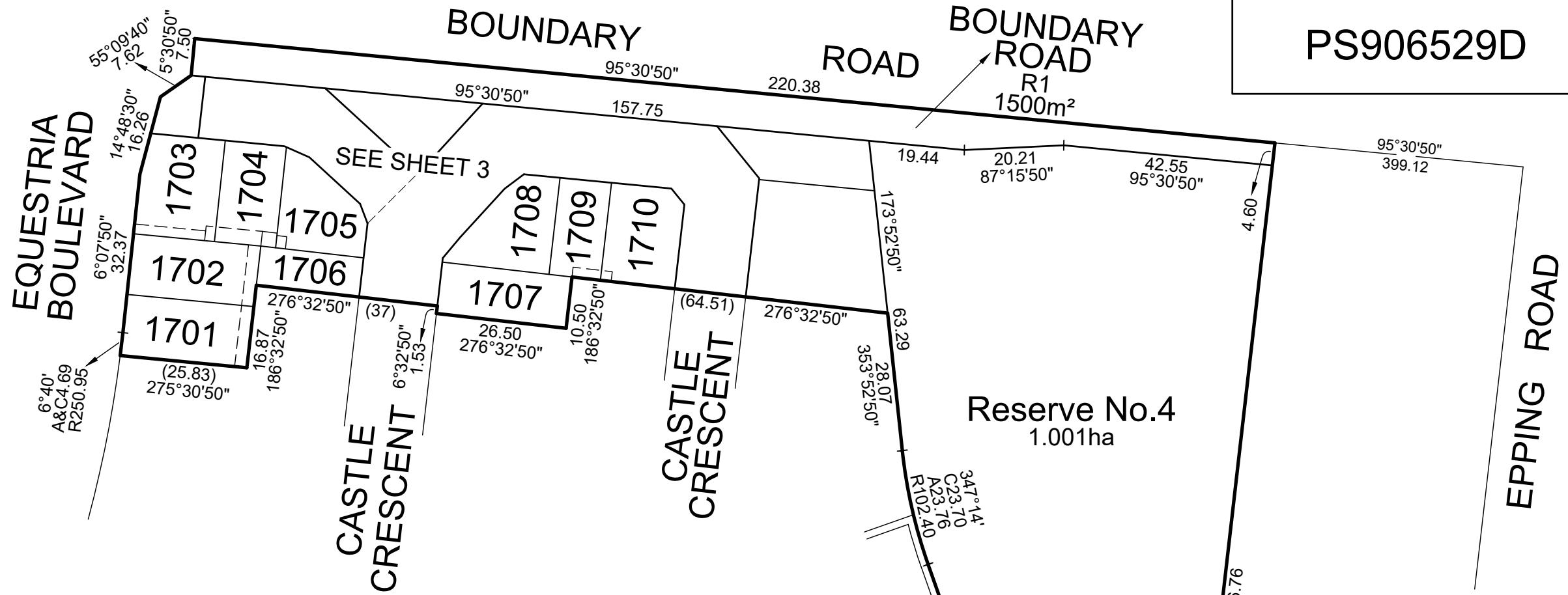
ORIGINAL SHEET
 SIZE: A3

SHEET 1 OF 5

Licensed Surveyor:

MARK PETER GREY / Version No. 9

PS906529D

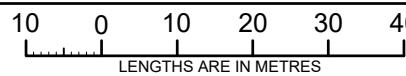


TAYLORS

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SCALE
1:1000



Licensed Surveyor:

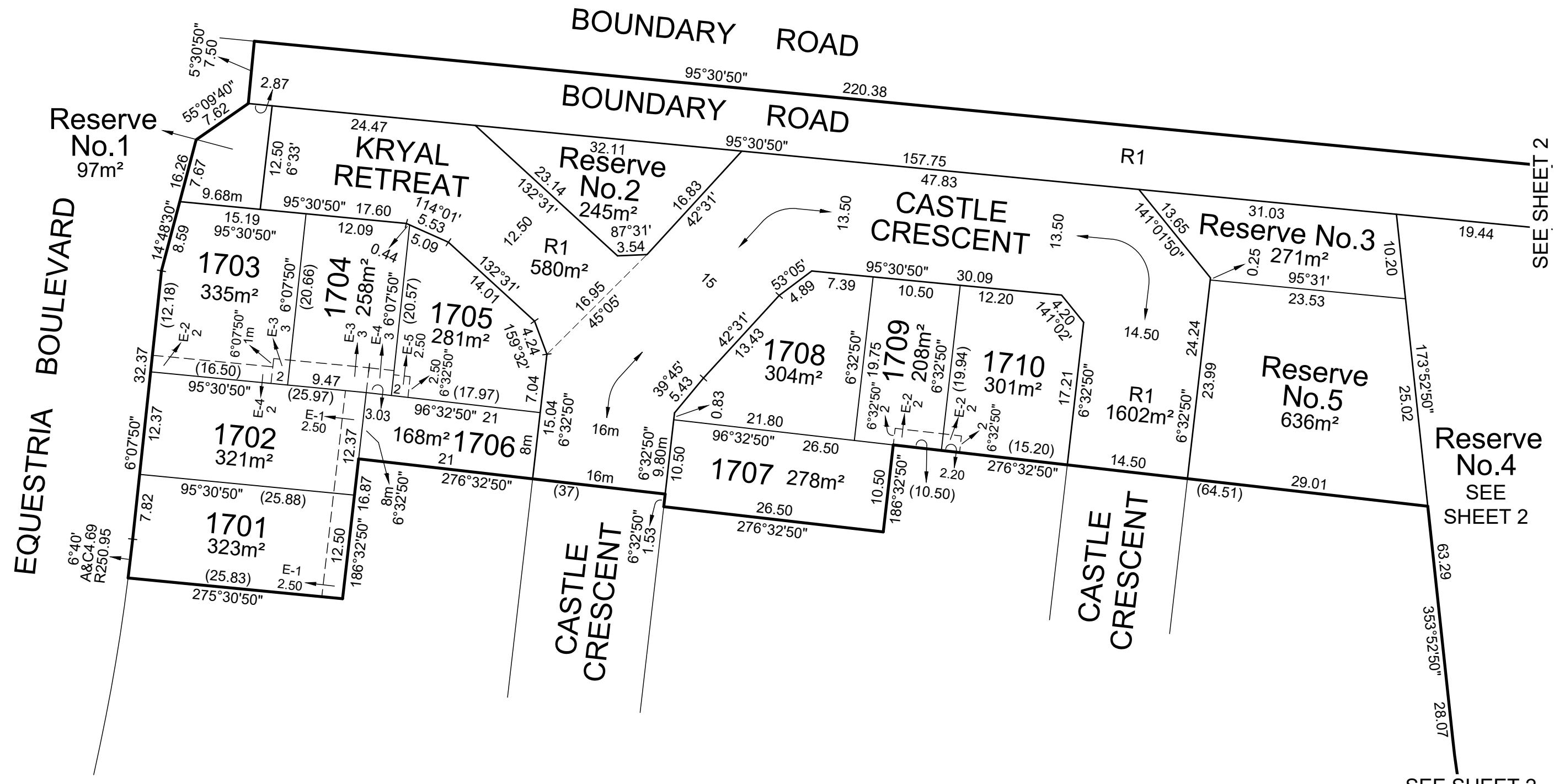
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ORIGINAL SHEET
SIZE: A3

Ref. 20197-S17
Ver. 9

SHEET 2

PS906529D



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.

BURDENED LAND: See table 1 below.
 BENEFITED LAND: See table 1 below.

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.

TABLE 1

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
1701	1702
1702	1701, 1703, 1704, 1706
1703	1702, 1704
1704	1702, 1703, 1705
1705	1704, 1706

TABLE 1 Continued

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
1706	1702, 1704, 1705
1707	1708, 1709
1708	1707, 1709
1709	1707, 1708, 1710
1710	1709

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.

For the purposes of this restriction:

- (a) A dwelling means a house.
- (b) A building means any structure except a fence.

BURDENED LAND: Lots 1701 - 1710 on this plan.
 BENEFITED LAND: Lots 1701 - 1710 on this plan.

RESTRICTION:

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

1. For lots 1701 to 1703, 1708 and 1710 (all inclusive) construct a building or part of a building unless the building or part of a building is set back a minimum of 1 metre from one side boundary.
2. Construct or allow to be constructed or remain on the lot or any part of it any dwelling or building which is not in accordance with the Ellery Estate Design Guidelines and subsequent approvals

Expiry Date : 30th December 2032.

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.

BURDENED LAND: See Table 2
 BENEFITED LAND: See Table 2

RESTRICTION:

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

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..

TABLE 2

BURDENED LOT No.	BENEFITING LOTS ON THIS PLAN
1704	1702, 1703, 1705, 1706
1705	1704, 1706
1706	1702, 1705
1707	1708, 1709
1709	1707, 1708, 1710

RESTRICTION 'D" HAS BEEN OMITTED FROM THIS PLAN

CREATION OF RESTRICTION 'E'

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
1701	1702
1702	1701, 1703, 1704, 1706
1703	1702, 1704