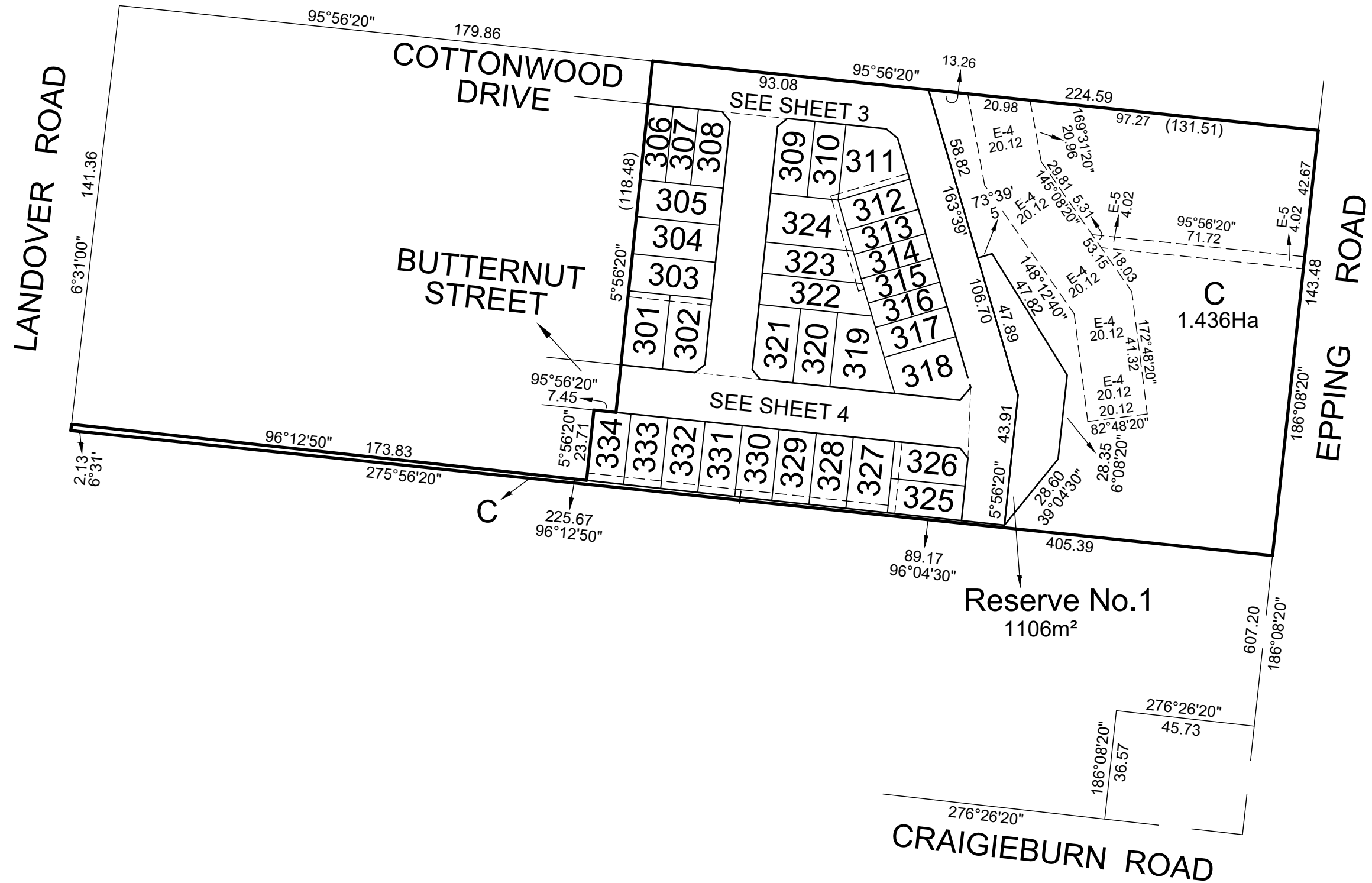


| | | | | |
|---|--|--|---|---|
| PLAN OF SUBDIVISION | | | EDITION 1 | PS833331F |
| LOCATION OF LAND PARISH: WOLLERT TOWNSHIP: --- SECTION: 19 CROWN ALLOTMENT: --- CROWN PORTION: 1 (PART) TITLE REFERENCE: Vol. Fol. LAST PLAN REFERENCE: Lot B on PS833330H POSTAL ADDRESS: 405 Epping Road (at time of subdivision) WOLLERT VIC 3750 MGA2020 CO-ORDINATES: E: 326 100 ZONE: 55 (of approx centre of land in plan) N: 5 836 550 | | | Council Name: Whittlesea City Council Council Reference Number: 610100 Planning Permit Reference: 718154 SPEAR Reference Number: S143145J Certification This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 26/03/2020 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification Digitally signed by: Angela Cuschieri for Whittlesea City Council on 13/10/2021 | |
| VESTING OF ROADS AND/OR RESERVES | | | NOTATIONS | |
| IDENTIFIER | COUNCIL/BODY/PERSON | | Lots 301 to 333 (both inclusive) on this plan may be affected by one or more restrictions. Refer to Creation of Restriction A, B, C & D on Sheets 5, 6 and 7 of this plan for details. | |
| 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. 718154 This survey has been connected to permanent marks no(s) PM42 and PM43 In Proclaimed Survey Area no .74 | | | | |
| ACACIA VILLAGE - Stage 3 Area of Release: 1.831ha No. of Lots: 34 Lots and Balance Lot C | | | | |
| 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. | PS833330H | Yarra Valley Water Corporation |
| E-2 | Drainage | 2 | PS833330H | Whittlesea City Council |
| E-3 | Drainage | 2 | This Plan | Whittlesea City Council |
| E-4 | Drainage | 20.12 | LP81972 | Land in LP81972 |
| E-5 | Drainage | 4.02 | LP81972 | Land in LP81972 |
| | | | | |
| | | SURVEYORS FILE REF: Ref. 21408-S3 Ver. 10 | | 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 (10), 16/09/2021, SPEAR Ref: S143145J | | |



MGA2020 ZONE 55

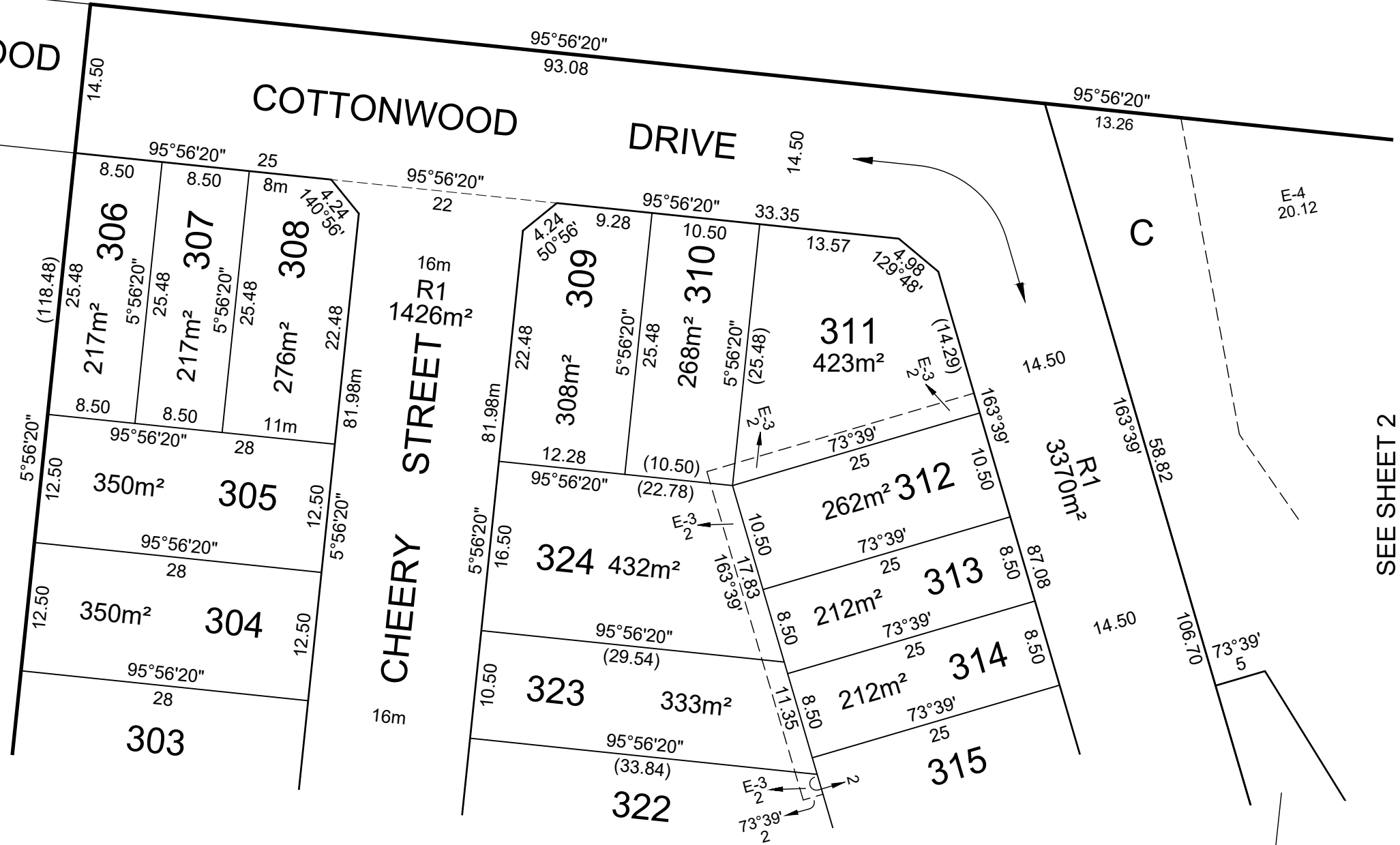
COTTONWOOD DRIVE

COTTONWOOD DRIVE

CHEERY STREET

SEE SHEET 2

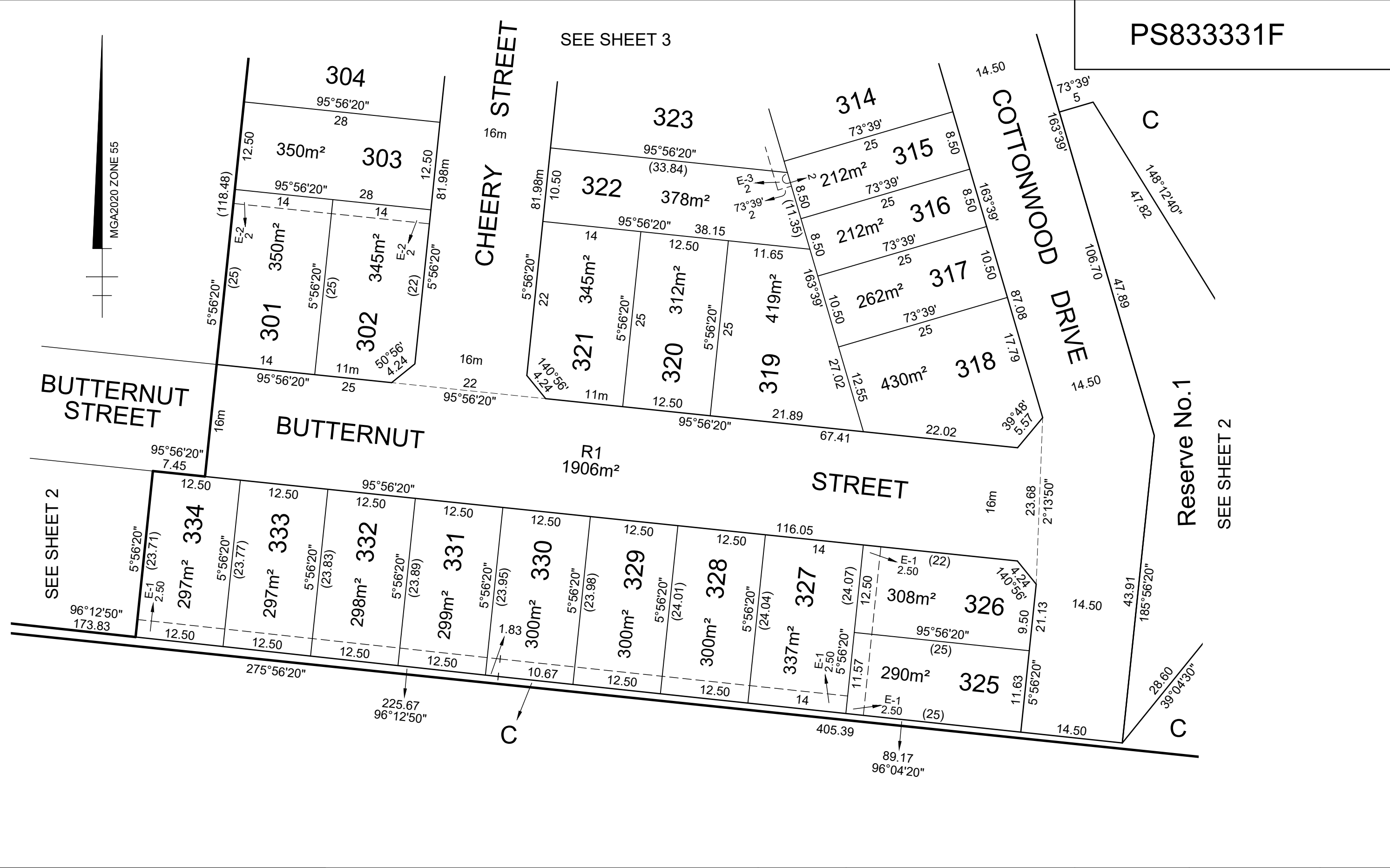
SEE SHEET 2



SEE SHEET 4

Reserve No.1

SEE SHEET 3



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 dwelling house with a setback of less than 4m or greater than 6m from the front boundary of the lot, except with the written consent of Wollert Epping Developments Pty Ltd.
2. 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.
3. 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.
4. 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.
5. 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.

Restriction A (1) Expiry Date: 24/08/2029

NOTE:

Restrictions A(2, 3, 4 & 5) satisfy Planning Permit No. 718154 Condition 5

TABLE 1

| BURDENED LOT No. | BENEFITING LOTS ON THIS PLAN |
|------------------|------------------------------|
| 301 | 302, 303 |
| 302 | 301, 303 |
| 303 | 301, 302, 304 |
| 304 | 303, 305 |
| 305 | 304, 306, 307, 308 |
| 309 | 310, 324 |
| 311 | 310, 312 |
| 318 | 317, 319 |
| 319 | 316, 317, 318, 320, 322 |
| 320 | 319, 321, 322 |

TABLE 1 continued

| BURDENED LOT No. | BENEFITING LOTS ON THIS PLAN |
|------------------|------------------------------|
| 321 | 320, 322 |
| 322 | 315, 316, 319, 320, 321, 323 |
| 323 | 313, 314, 315, 322, 324 |
| 324 | 309, 310, 312, 313, 323 |
| 326 | 325, 327 |
| 327 | 325, 326, 328 |
| 328 | 327, 329 |
| 329 | 328, 330 |
| 330 | 329, 331 |

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: 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 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 garage with a setback less than 5 metres from the front boundary of the lot.
3. 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.
4. 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.
5. 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 B(1) satisfy Planning Permit No. 718154 Condition 6

Restrictions B(2, 3, 4 & 5) satisfy Planning Permit No. 718154 Condition 5

TABLE 2

| BURDENED LOT No. | SLHC TYPE | BENEFITING LOTS ON THIS PLAN |
|------------------|-----------|------------------------------|
| 306 | A | 305, 307 |
| 307 | A | 305, 306, 308 |
| 308 | A | 305, 307 |
| 310 | A | 309, 311, 324 |
| 312 | A | 311, 313, 324 |
| 313 | A | 312, 314, 323, 324 |
| 314 | A | 313, 315, 323 |
| 315 | A | 314, 316, 322, 323 |
| 316 | A | 315, 317, 319, 322 |
| 317 | A | 316, 318, 319 |
| 325 | A | 326, 327 |
| 331 | A | 330, 332 |
| 332 | A | 331, 333 |
| 333 | A | 332, 334 |
| 334 | A | 333 |

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: Lots 301 to 334 on this plan.
LAND TO BENEFIT: Lots 301 to 334 on this plan.

DESCRIPTION OF RESTRICTION

The registered proprietor or proprietors for the time being of any burdened lot to which this restriction 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 Wollert Epping Developments Pty Ltd and further development approval from Whittlesea City Council.
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 Wollert Epping Developments Pty Ltd and prepared in accordance with the Acacia Village Estate Design Guidelines and then only in compliance with any condition imposed by Wollert Epping Developments Pty Ltd in respect of that approval.

Expiry Date : 24/08/2029

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.

LAND TO BE BURDENED: See Table 3 below.
LAND TO BENEFIT: See Table 3 below.

DESCRIPTION OF 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 other than a dwelling house with at least one side of the dwelling with a minimum clearance of 1.0m from the side boundary.

TABLE 3

| BURDENED LOT No. | BENEFITING LOTS ON THIS PLAN |
|------------------|------------------------------|
| 327 | 325, 326, 328 |
| 328 | 327, 329 |
| 329 | 328, 330 |
| 330 | 329, 331 |
| 331 | 330, 332 |
| 332 | 331, 333 |
| 333 | 332, 334 |
| 334 | 333 |