

# PLAN OF SUBDIVISION

EDITION 1

PS738244F

## LOCATION OF LAND

**PARISH:** CRANBOURNE  
**TOWNSHIP:** —  
**SECTION:** PART OF CROWN SECTION KNOWN AS  
 CARDINIA CREEK PRE-EMPTIVE RIGHT  
**CROWN ALLOTMENT:** 73(PT)  
**TITLE REFERENCE:** VOL. FOL.  
**LAST PLAN REFERENCE:** PS833955P (LOT H)  
**POSTAL ADDRESS:** 70S SMITHS LANE  
 (at time of subdivision) CLYDE NORTH 3978  
**MGA CO-ORDINATES:** E: 358 000 ZONE: 55  
 (of approx centre of land N: 5 781 510 GDA 94  
 in plan)

COUNCIL NAME: CITY OF CASEY

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1	CITY OF CASEY
RESERVE No.1	MELBOURNE WATER CORPORATION
RESERVE No.2	MELBOURNE WATER CORPORATION
RESERVE No.3	CITY OF CASEY
RESERVE No.4	MELBOURNE WATER CORPORATION
RESERVE No.5	CITY OF CASEY
RESERVE No.6	AUSNET ELECTRICITY SERVICES PTY LTD
RESERVE No.7	AUSNET ELECTRICITY SERVICES PTY LTD
RESERVE No.8	CITY OF CASEY
RESERVE No.9	CITY OF CASEY
RESERVE No.10	MELBOURNE WATER CORPORATION

This is a SPEAR plan.

LOTS 1 TO 100 (BOTH INCLUSIVE) AND LOTS 151 & 152 HAVE BEEN OMITTED FROM THIS PLAN.  
 FOR RESTRICTION A AFFECTING LOTS 101 TO 150 (BOTH INCLUSIVE) AND LOTS 153 TO 192 (BOTH INCLUSIVE) SEE SHEET 6.

FOR RESTRICTION B AFFECTING LOTS 101, 105, 108, 125, 133, 170, 182 AND 186 SEE SHEET 6.

FOR RESTRICTION C AFFECTING LOT 162 SEE SHEET 6.

## NOTATIONS

**DEPTH LIMITATION: DOES NOT APPLY**

**STAGING:**  
 This is not a staged subdivision.  
 Planning Permit No. PlnA00038/19

**SURVEY:**  
 This plan is based on survey.  
 This survey has been connected to permanent marks No(s). 68, 77 & 176  
 In Proclaimed Survey Area No. 71

Estate: Smiths Lane  
 Phase No.: 1  
 No. of Lots: 90 + Lot F  
 PHASE AREA: 13.68ha

## OTHER PURPOSE OF PLAN:

TO REMOVE THAT PART OF CARRIAGEWAY EASEMENT E-9 CREATED ON PS824453R CONTAINED WITHIN OCONNOR AVENUE ON THIS PLAN.

**GROUND FOR REMOVAL OF EASEMENT:**  
 AGREEMENT FROM ALL INTERESTED PARTIES  
 (SECTION 6(1)K 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-3, E-6	ELECTRICITY TRANSMISSION	SEE DIAG.	SECTION 103 STATE ELECTRICITY COMMISSION ACT 1958 AND SECTION 49 LAND COMPENSATION ACT. L201627T	STATE ELECTRICITY COMMISSION OF VICTORIA
E-5, E-6	SUPPLY OF ELECTRICITY	SEE DIAG.	C/E AD17153H	TXU ELECTRICITY LIMITED
E-7, E-8, E-10	DRAINAGE	SEE DIAG.	THIS PLAN	CITY OF CASEY
E-8, E-10, E-11	SEWERAGE	SEE DIAG.	THIS PLAN	SOUTH EAST WATER CORPORATION
E-9, E-10	CARRIAGEWAY	SEE DIAG.	PS824453R	LOT C ON PS824453R

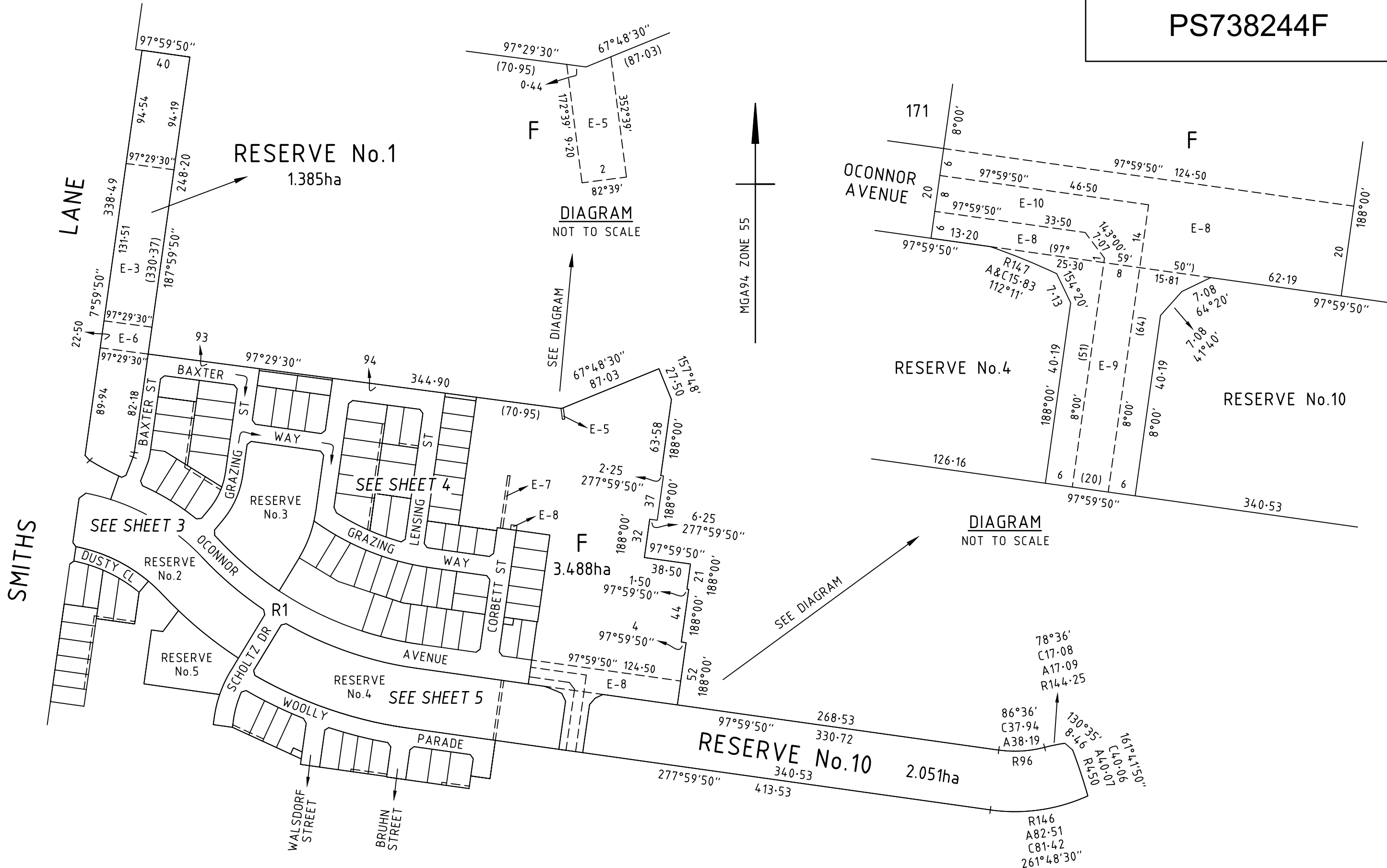
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 Melbourne ph : 03 9524 8888  
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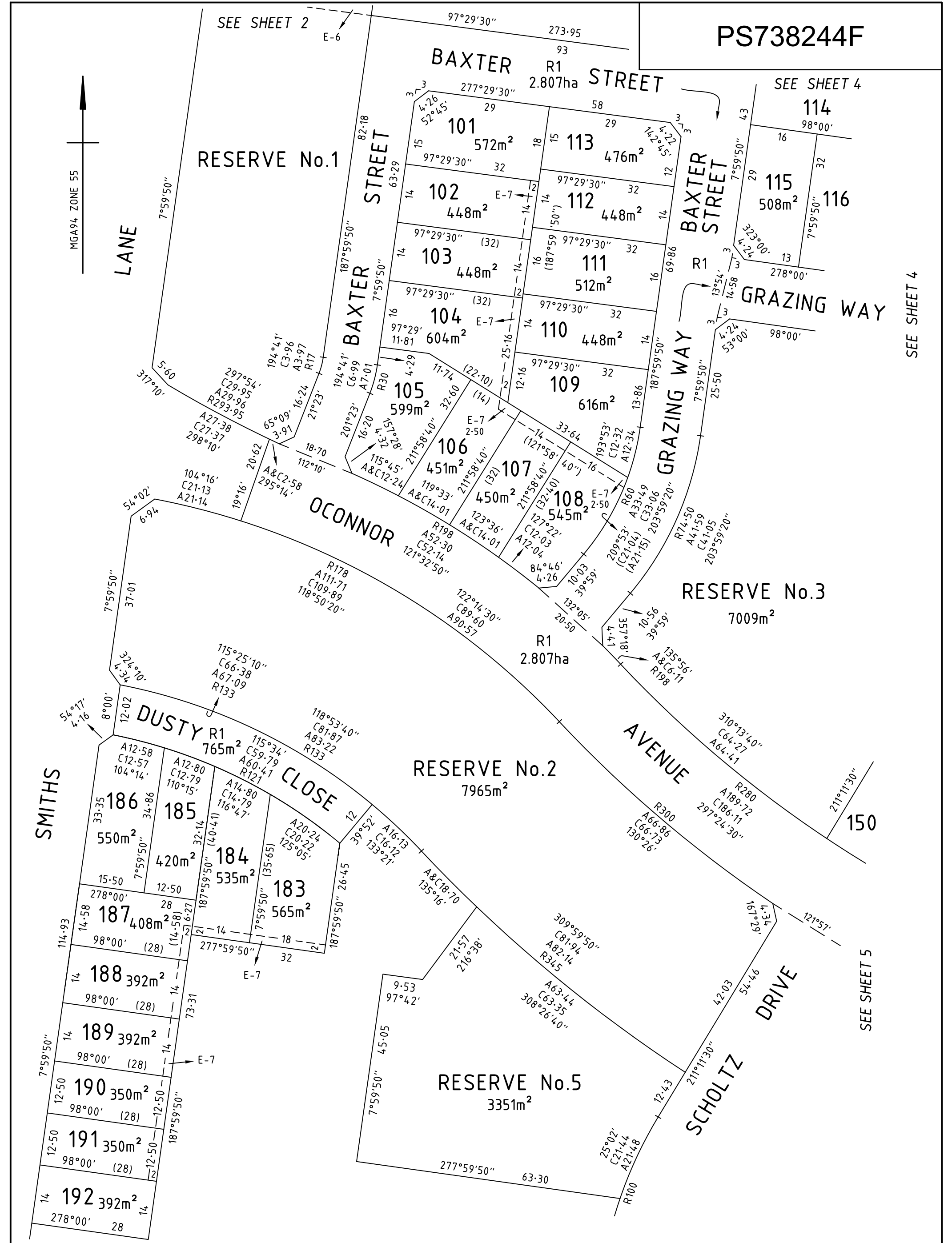
SURVEYORS FILE REF: 1101438/1  
 1101438-01-PS-V16.DWG

ORIGINAL SHEET  
 SIZE: A3

SHEET 1 OF 6

LICENSED SURVEYOR: JAMES ARTHUR WIGGINS  
 VERSION 16, DATE: 5/10/2020





PS738244F

RESERVE No.1

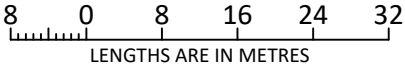
RESERVE No.2  
7965m<sup>2</sup>

RESERVE No.3  
7009m<sup>2</sup>

RESERVE No.5  
3351m<sup>2</sup>

SURVEYORS REF  
1101438/1

SCALE  
1 : 800



ORIGINAL SHEET  
SIZE: A3

SHEET 3

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RESERVE No.8  
91.4m<sup>2</sup>

RESERVE No.9  
78m<sup>2</sup>

BAXTER STREET

STREET

LENSING

STREET

LENSING

CORBETT STREET

GRAZING R1 WAY  
2.807ha

GRAZING WAY

GRAZING WAY

WAY

RESERVE No.3  
7009m<sup>2</sup>

GRAZING WAY

O'CONNOR AVENUE

AVENUE

F

MGA94 ZONE 55

SEE SHEET 3

SEE SHEET 5

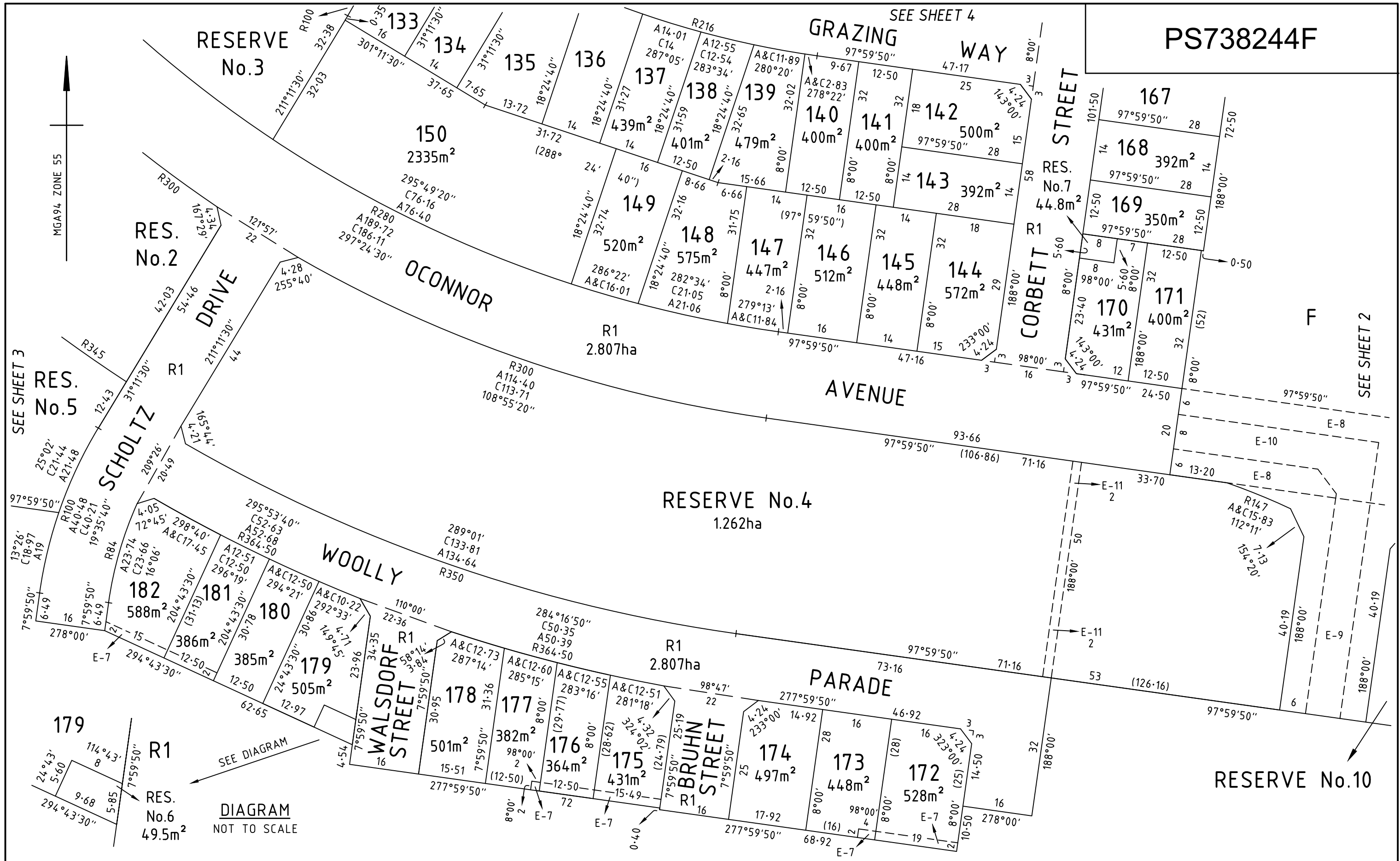
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SURVEYORS REFERENCE  
1101438/1

SCALE 1 : 800  
8 0 8 16 24 32  
LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3  
SHEET 4

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SCALE 1 : 800	 LENGTHS ARE IN METRES
LICENSED SURVEYOR: JAMES ARTHUR WIGGINS VERSION 16, DATE: 5/10/2020	

ORIGINAL SHEET SIZE: A3	SHEET 5
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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:** LOTS 101 TO 149 (BOTH INCLUSIVE) AND LOTS 153 TO 192 (BOTH INCLUSIVE)

**LAND TO BE BENEFITED:** LOTS 101 TO 150 (BOTH INCLUSIVE) AND LOTS 153 TO 192 (BOTH INCLUSIVE)

### DESCRIPTION OF RESTRICTION

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THIS PLAN MUST NOT BUILD OR PERMIT ANY OTHER PERSON UNDER ITS CONTROL OR DIRECTION TO:

- 1) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING, STRUCTURE OR FENCE OTHER THAN A BUILDING, STRUCTURE OR FENCE IN ACCORDANCE WITH THE DESIGN GUIDELINES ENDORSED BY THE CITY OF CASEY UNDER PLANNING PERMIT No. PInA00038/19.

A COPY OF THE DESIGN GUIDELINES IS AVAILABLE UPON REQUEST AT WEBSITE <https://portal.smithslane.mirvac.com>

- 2) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE OUTSIDE THE BUILDING ENVELOPE APPLIED TO THE LOT ON THE BUILDING ENVELOPE PLAN ENDORSED UNDER PLANNING PERMIT No. PInA00038/19.

A COPY OF THE BUILDING ENVELOPE PLAN IS AVAILABLE UPON REQUEST AT WEBSITE <https://portal.smithslane.mirvac.com>

- 3) CONSOLIDATE OR SEEK TO CONSOLIDATE ANY BURDENED LOT WITH ANOTHER LOT OR PART OF A LOT.

- 4) SUBDIVIDE OR SEEK TO SUBDIVIDE ANY BURDENED LOT.

### VARIATION

ANY VARIATION TO BUILDING ENVELOPES OR CONSENT TO BUILD OUTSIDE ANY BUILDING ENVELOPE WILL REQUIRE APPROVAL FROM THE CITY OF CASEY.

### EXPIRY DATE

THIS RESTRICTION SHALL CEASE TO HAVE EFFECT TEN (10) YEARS AFTER THE DATE OF REGISTRATION OF THIS PLAN.

## 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 101, 105, 108, 133, 170, 182, 186 ON THIS PLAN

**LAND TO BE BENEFITED:** LOTS 101 TO 150 (BOTH INCLUSIVE) AND LOTS 153 TO 192 (BOTH INCLUSIVE)

### DESCRIPTION OF RESTRICTION

EXCEPT WITH THE WRITTEN CONSENT OF MIRVAC AND IN ALL OTHER INSTANCES THE WRITTEN CONSENT OF EACH AND EVERY REGISTERED PROPRIETOR OF A BENEFITING LOT ON THE PLAN OF SUBDIVISION THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THE PLAN OF SUBDIVISION SHALL NOT:

#### DOUBLE STOREY CONSTRUCTION

- 1) BUILD OR ALLOW TO BE BUILT ON THE LOT A DWELLING HOUSE UNLESS IT IS TWO (2) STOREYS.

### EXPIRY DATE

THIS RESTRICTION SHALL CEASE TO HAVE EFFECT TEN (10) YEARS AFTER THE DATE OF REGISTRATION OF THIS PLAN.

## 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 BURDENED LAND.

**LAND TO BE BURDENED:** LOT 162

**LAND TO BE BENEFITED:** LOTS 160, 161 AND 163

### DESCRIPTION OF RESTRICTION

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THIS PLAN SHALL NOT CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE OTHER THAN A BUILDING OR STRUCTURE THAT IS IN ACCORDANCE WITH A "TYPE A" LOT UNDER THE SMALL LOT HOUSING CODE PURSUANT TO CLAUSE 72.04 OF THE CASEY PLANNING SCHEME.

### EXPIRY DATE

THIS RESTRICTION SHALL CEASE TO HAVE EFFECT TEN (10) YEARS AFTER THE DATE OF REGISTRATION OF THIS PLAN.



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SIZE: A3

SHEET 6

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