

<b>PLAN OF SUBDIVISION</b>	<b>EDITION 1</b>	<b>PS837150N</b>
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<b>LOCATION OF LAND</b>	Council Name: Casey City Council SPEAR Reference Number: S168811B
<b>PARISH:</b> CRANBOURNE	
<b>TOWNSHIP:</b> —	
<b>SECTION:</b> PART OF CROWN SECTION KNOWN AS CARDINIA CREEK PRE-EMPTIVE RIGHT	
<b>CROWN ALLOTMENT:</b> 73(PT)	
<b>TITLE REFERENCE:</b> VOL. FOL.	
<b>LAST PLAN REFERENCE:</b> PS837152J (LOT K)	
<b>POSTAL ADDRESS:</b> 70S SMITHS LANE (at time of subdivision) CLYDE NORTH 3978	
<b>MGA CO-ORDINATES:</b> (of approx centre of land in plan)	E: 359 140 ZONE: 55 N: 5 781 450 GDA 94

<b>VESTING OF ROADS AND/OR RESERVES</b>	<b>NOTATIONS</b>
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IDENTIFIER	COUNCIL/BODY/PERSON	NOTATIONS
ROAD R1 RESERVE No.1 RESERVE No.2	CITY OF CASEY CITY OF CASEY AUSNET ELECTRICITY SERVICES PTY LTD	<p>LOTS 1 TO 1400 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN. LOT R IS COMPRISED OF TWO PARTS FOR RESTRICTION A AFFECTING LOTS 1401 TO 1440 (BOTH INCLUSIVE) SEE SHEET 5. FOR RESTRICTION B AFFECTING LOT 1440 SEE SHEET 5. FOR RESTRICTION C AFFECTING LOTS 1408 AND 1409 SEE SHEET 5.</p> <p><b>OTHER PURPOSE OF PLAN:</b></p> <p>1) TO REMOVE THAT PART OF THE SEWERAGE EASEMENT CREATED AS E-2 ON PS837152J CONTAINED WITHIN SPECTRUM CRESCENT, OPPORTUNITY CIRCUIT AND BURNBANK PARADE ON THIS PLAN.</p> <p>2) TO REMOVE THAT PART OF DRAINAGE EASEMENT CREATED AS E-2 ON PS837152J CONTAINED WITHIN SPECTRUM CRESCENT, OPPORTUNITY CIRCUIT AND BURNBANK PARADE ON THIS PLAN.</p> <p><b>GROUNDS FOR REMOVAL OF EASEMENT:</b> AGREEMENT FROM ALL INTERESTED PARTIES (SECTION 6(1)K SUBDIVISION ACT 1988)</p>


<b>NOTATIONS</b>	
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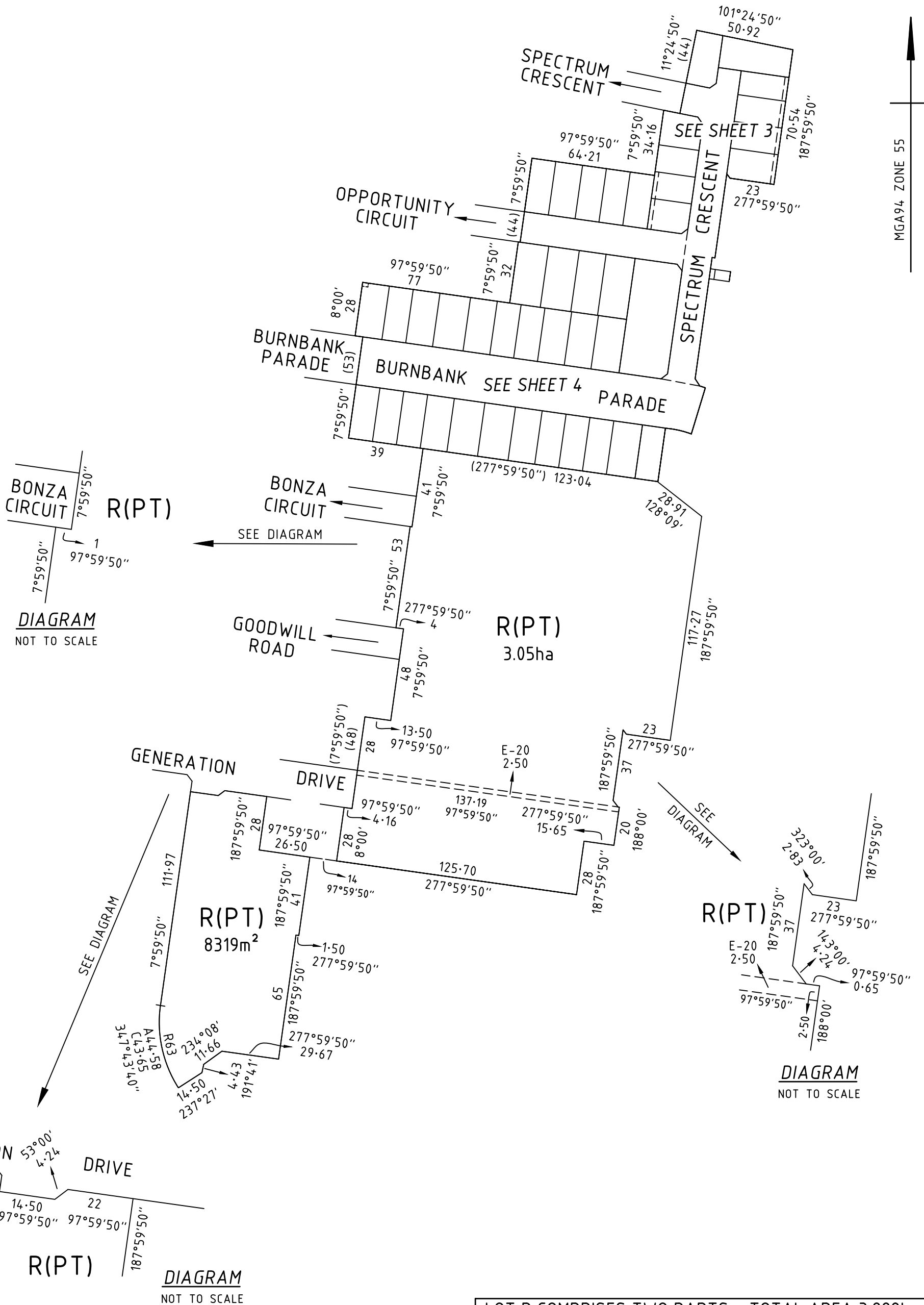
<b>DEPTH LIMITATION: DOES NOT APPLY</b>	
<p>This is a SPEAR plan.</p> <p><b>STAGING:</b> This is not a staged subdivision. Planning Permit No. PInA00824/19</p> <p><b>SURVEY:</b> This plan is based on survey. This survey has been connected to permanent marks No(s). 68, 77 &amp; 176 In Proclaimed Survey Area No. 71</p>	
<p>Estate: Smiths Lane Phase No.: 14 No. of Lots: 40 + LOT Q, R &amp; X PHASE AREA: 2.438ha</p>	

<b>EASEMENT INFORMATION</b>
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LEGEND: A - Appurtenant Easement E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE	2	PS837152J	CITY OF CASEY
E-2	DRAINAGE	SEE DIAG.	THIS PLAN	CITY OF CASEY
E-3	POWERLINE	SEE DIAG.	THIS PLAN	AUSNET ELECTRICITY SERVICES PTY LTD
E-17	DRAINAGE	SEE DIAG.	SECTION 88 ELECTRICITY INDUSTRY ACT 2000	CITY OF CASEY
E-20	SEWERAGE	2.50	PS837142M PS837148Y	SOUTH EAST WATER CORPORATION

 <p><b>Beveridge Williams</b> development &amp; environment consultants Melbourne ph : 03 9524 8888 www.beveridgewilliams.com.au</p>	<p>SURVEYORS FILE REF: 1101438/14 1101438-14-PS-V5.DWG</p>	<p>ORIGINAL SHEET SIZE: A3</p>	<p>SHEET 1 OF 5</p>
	<p>Digitally signed by: James Arthur Wiggins, Licensed Surveyor, Surveyor's Plan Version (5), 09/07/2021, SPEAR Ref: S168811B</p>		



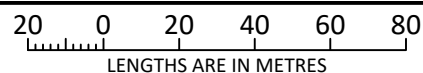
LOT R COMPRISES TWO PARTS - TOTAL AREA 3.882ha



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SURVEYORS REF  
 1101438/14

SCALE  
 1 : 2000



ORIGINAL SHEET  
 SIZE: A3

SHEET 2

Digitally signed by: James Arthur Wiggins, Licensed Surveyor,  
 Surveyor's Plan Version (5),  
 09/07/2021, SPEAR Ref: S168811B





## 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 1401 TO 1440 (BOTH INCLUSIVE)

**LAND TO BE BENEFITED:** LOTS 1401 TO 1440 (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. PlnA00824/19.

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. PlnA00824/19.

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:** 1440

**LAND TO BE BENEFITED:** LOTS 1401 TO 1440 (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:** LOTS 1408 AND 1409

**LAND TO BE BENEFITED:** LOTS 1401 TO 1440 (BOTH INCLUSIVE)

### 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.



**Beveridge Williams**  
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Melbourne ph : 03 9524 8888

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SHEET 5