

## 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 2001 TO 2034 (BOTH INCLUSIVE)

**LAND TO BE BENEFITED:** LOTS 2001 TO 2034 (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:** LOTS 2001 AND 2012

**LAND TO BE BENEFITED:** LOTS 2001 TO 2034 (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.



**Beveridge Williams**  
development & environment consultants

Melbourne ph : 03 9524 8888

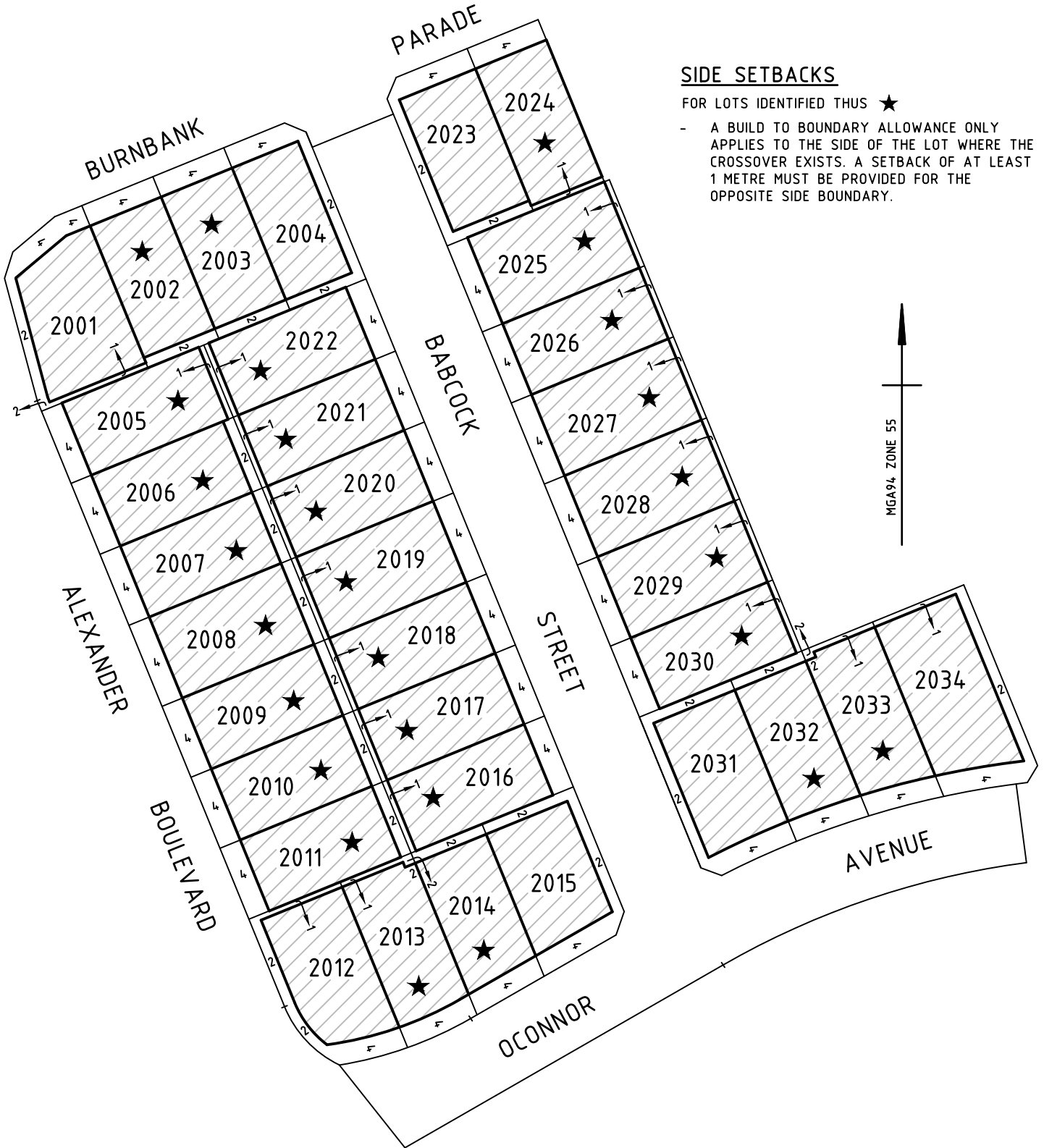
SURVEYORS REF  
1101438/20

ORIGINAL SHEET  
SIZE: A3

SHEET 4

LICENSED SURVEYOR: JAMES ARTHUR WIGGINS  
VERSION 2, DATE: 16/06/2022

# SMITHS LANE - MIRVAC BUILDING ENVELOPES



## SIDE SETBACKS

FOR LOTS IDENTIFIED THUS ★

- A BUILD TO BOUNDARY ALLOWANCE ONLY APPLIES TO THE SIDE OF THE LOT WHERE THE CROSSOVER EXISTS. A SETBACK OF AT LEAST 1 METRE MUST BE PROVIDED FOR THE OPPOSITE SIDE BOUNDARY.



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