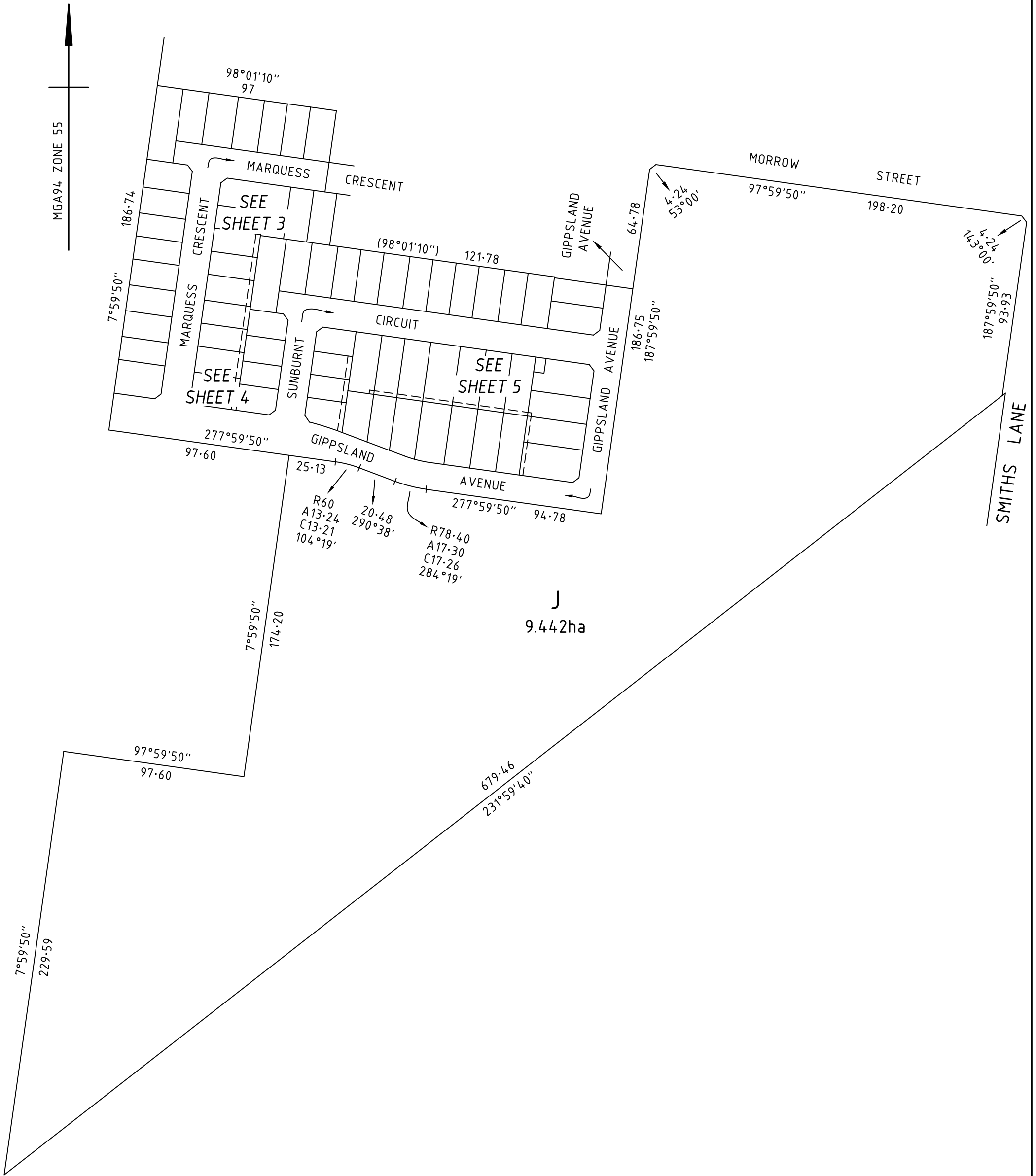
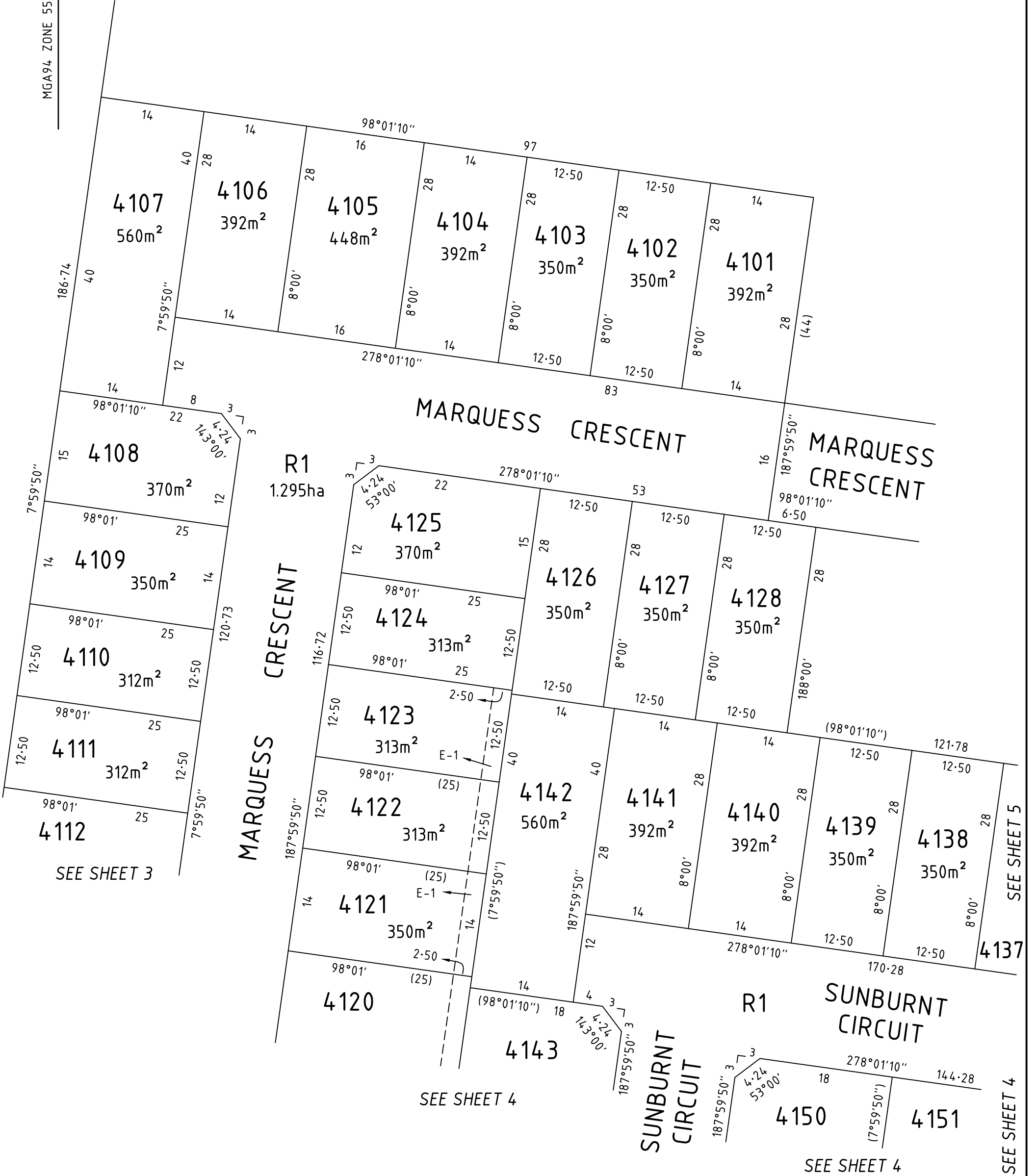


<b>PLAN OF SUBDIVISION</b>			<b>EDITION 1</b>	<b>PS904412M</b>
<b>LOCATION OF LAND</b> <b>PARISH:</b> CRANBOURNE <b>TOWNSHIP:</b> — <b>SECTION:</b> — <b>CROWN ALLOTMENT:</b> 63 (PT) <b>CROWN PORTION:</b> — <b>TITLE REFERENCE:</b> VOL. FOL.  <b>LAST PLAN REFERENCE:</b> PS904414H (LOT L) <b>POSTAL ADDRESS:</b> 105 SMITHS LANE (at time of subdivision) CLYDE NORTH 3978  <b>MGA CO-ORDINATES:</b> E: 357 340 ZONE: 55 (of approx centre of land N: 5 781 270 GDA 94 in plan)			Council Name: Casey City Council SPEAR Reference Number: S191046T	
<b>VESTING OF ROADS AND/OR RESERVES</b>			<b>NOTATIONS</b>	
IDENTIFIER	COUNCIL/BODY/PERSON		LOTS 1 TO 4100 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN. FOR RESTRICTION A AFFECTING LOTS 4101 TO 4168 (BOTH INCLUSIVE) SEE SHEET 6. FOR RESTRICTION B AFFECTING LOTS 4130 & 4161 SEE SHEET 6. FOR RESTRICTION C AFFECTING LOTS 4143 TO 4150 (BOTH INCLUSIVE) SEE SHEET 6. <b>OTHER PURPOSE OF PLAN:</b> 1) TO REMOVE THAT PART OF THE DRAINAGE EASEMENT CREATED AS E-5 ON PS904411P CONTAINED WITHIN MARQUESS CRESCENT AND GIPPSLAND AVENUE ON THIS PLAN. 2) TO REMOVE THAT PART OF SEWERAGE EASEMENT CREATED AS E-5 AND E-6 ON PS904411P CONTAINED WITHIN MARQUESS CRESCENT AND GIPPSLAND AVENUE ON THIS PLAN 3) TO REMOVE THE CARRIAGEWAY EASEMENT CREATED AS E-1 ON PS904400U CONTAINED WITHIN GIPPSLAND AVENUE ON THIS PLAN.  <b>GROUND FOR REMOVAL OF EASEMENT:</b> 1) & 2) AGREEMENT FROM ALL INTERESTED PARTIES (SECTION 6(1)K SUBDIVISION ACT 1988) 3) CARRIAGEWAY EASEMENT NO LONGER AFFECTS VIDE SCHEDULE 5, SECTION 14 OF THE ROAD MANAGEMENT ACT 2004.	
ROAD R1 RESERVE No.1	CASEY CITY COUNCIL AUSNET ELECTRICITY SERVICES PTY LTD			
<b>NOTATIONS</b>			<b>DEPTH LIMITATION: DOES NOT APPLY</b> This is a SPEAR plan. <b>STAGING:</b> This is not a staged subdivision. Planning Permit No. PInA01159/16 <b>SURVEY:</b> This plan is based on survey.  This survey has been connected to permanent marks No(s). 12, 56, 66, 68, 77, 100, 176, DVA 69/62, DVA 69/86 in Proclaimed Survey Area No. 71  Estate: Smiths Lane Phase No.: 41 No. of Lots: 68 + Lot J PHASE AREA: 3.880ha	
<b>DEPTH LIMITATION: DOES NOT APPLY</b>				
This is a SPEAR plan. <b>STAGING:</b> This is not a staged subdivision. Planning Permit No. PInA01159/16 <b>SURVEY:</b> This plan is based on survey.  This survey has been connected to permanent marks No(s). 12, 56, 66, 68, 77, 100, 176, DVA 69/62, DVA 69/86 in Proclaimed Survey Area No. 71  Estate: Smiths Lane Phase No.: 41 No. of Lots: 68 + Lot J PHASE AREA: 3.880ha				
<b>EASEMENT INFORMATION</b>				
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	SEE DIAG.	THIS PLAN	CASEY CITY COUNCIL
 <b>Beveridge Williams</b> development & environment consultants Melbourne ph : 03 9524 8888 www.beveridgewilliams.com.au		SURVEYORS FILE REF: 1101438/41 1101438-41-PS-V3.DWG Digitally signed by: James Arthur Wiggins, Licensed Surveyor, Surveyor's Plan Version (3), 19/10/2023, SPEAR Ref: S191046T		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 6



MGA94 ZONE 55



**Beveridge Williams**

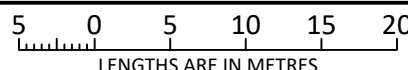
development & environment consultants

Melbourne ph : 03 9524 8888

www.beveridgewilliams.com.au

SURVEYORS REF  
1101438/41

SCALE  
1 : 500



ORIGINAL SHEET  
SIZE: A3

SHEET 3

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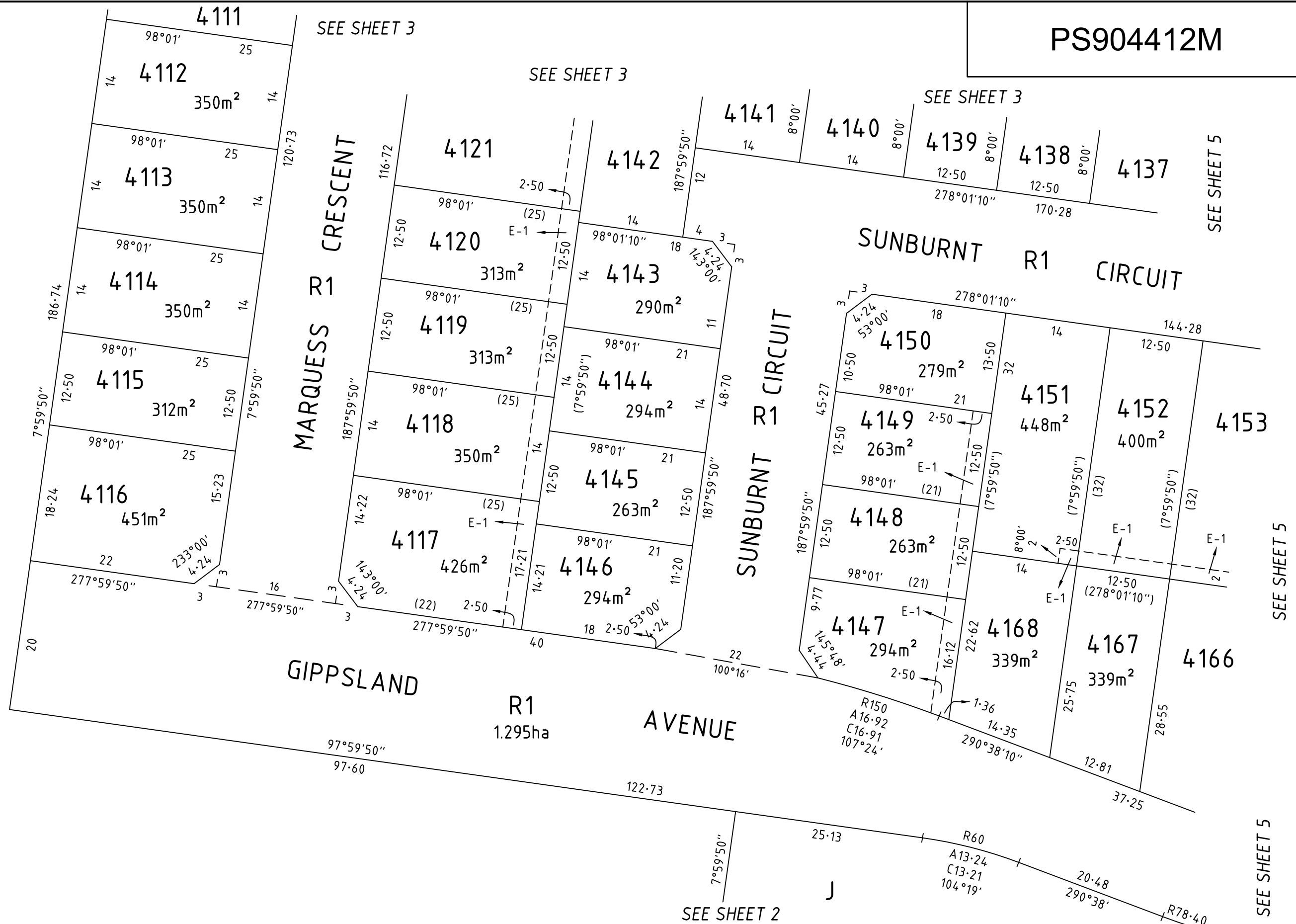
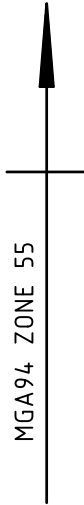
SEE SHEET 5

SEE SHEET 4

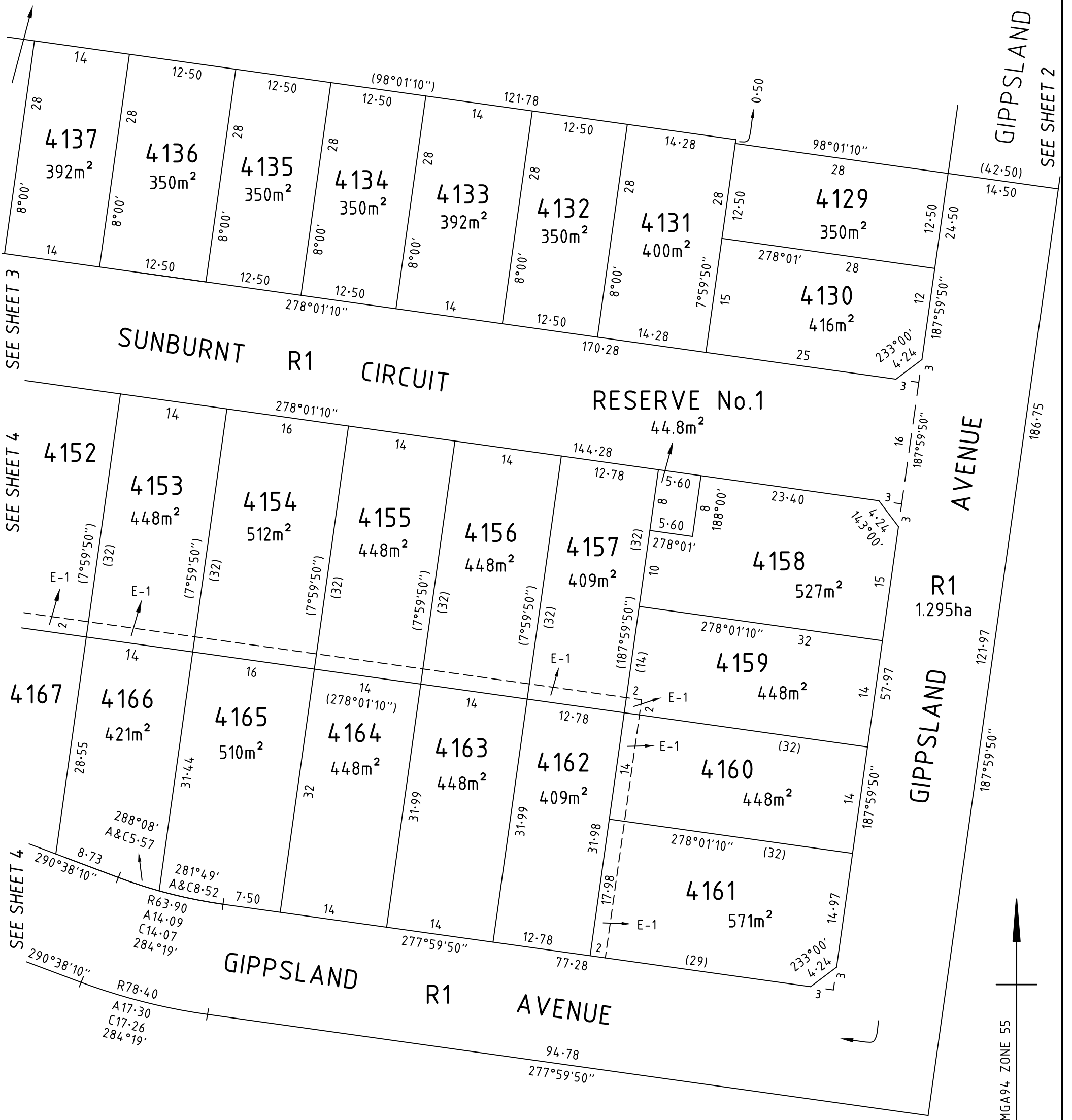
SEE SHEET 3

SEE SHEET 4

SEE SHEET 4



4138



GIPPSLAND AVENUE  
SEE SHEET 2

SUNBURNT R1 CIRCUIT

RESERVE No.1

AVENUE

R1  
1.295ha

GIPPSLAND

GIPPSLAND R1 AVENUE

MGA94 ZONE 55

J



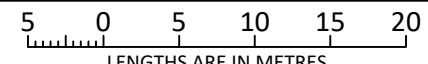
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SURVEYORS REF  
1101438/41

SCALE  
1 : 500



ORIGINAL SHEET  
SIZE: A3

SHEET 5

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19/10/2023, SPEAR Ref: S191046T

## 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 4101 TO 4168 (BOTH INCLUSIVE)

**LAND TO BE BENEFITED:** LOTS 4101 TO 4168 (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 CASEY CITY COUNCIL UNDER PLANNING PERMIT No. PInA01159/16.  
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. PInA01159/16.  
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 CASEY CITY COUNCIL.

### 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 4130 & 4161

**LAND TO BE BENEFITED:** LOTS 4101 TO 4168 (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 4143 TO 4150 (BOTH INCLUSIVE)

**LAND TO BE BENEFITED:** LOTS 4101 TO 4168 (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.



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ORIGINAL SHEET  
SIZE: A3

SHEET 6