

Memorandum of common provisions

Restrictive covenants in a plan

Section 91A Transfer of Land Act 1958

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This memorandum contains provisions which are intended for inclusion in plans under the Subdivision Act 1988 to be subsequently lodged for registration.

Operative words including words to bind the burdened land and words of annexation must not be included.

Provisions to apply to the plan:

Burdened land: Lots 1401 to 1417 (Both Inclusive).

Benefited land: Lots 1401 to 1417 (Both Inclusive).

Covenants: The burdened land cannot be used except in accordance with the provisions recorded in this MCP. Unless with the written consent of the Responsible Authority and the Design Assessment Panel.

Expiry: 31 December 2030

35402012

V2

1. The provisions are to be numbered consecutively from number 1.
2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in plans.

91ATLA

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THE BACK OF THIS FORM MUST NOT BE USED

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Provisions:

Preliminary

All Provisions not addressed in this Memorandum of Common Provisions (MCP) are as required in the current Building Regulations.

Lot easements are not shown on the diagram in the MCP, refer to relevant Plan of Subdivision.

Building Envelopes

Any building must be sited within the Building Envelopes defined in section 2.4 Diagrams showing Building Envelopes and accord with the associated setback profiles and written notes contained therein, unless the written consent of the Responsible Authority and the Design Assessment Panel is obtained.

1. Text of restrictions

The matters which are restricted by the building envelopes are:

1.1 General Notations

The front and side setbacks are measured to the outermost walls of the buildings.

Garages must be setback a minimum of 5.0m from the front street boundary unless otherwise noted.

Walls less than 1.0m from the boundary must be within 150mm of the boundary.

The setback to the side street boundary for a corner lot is 2m unless noted otherwise.

Where the minimum front setback is 3.0m or more, Porches, balconies, eaves, gutters, verandahs, and architectural features can encroach into the front setback by up to 1.5m at heights of up to 4.5m for a single storey home and heights of up to 9m for a two-storey home.

Where the minimum front setback is less than 3.0m, Porches, balconies, eaves, gutters, verandahs, and architectural features can encroach into the front setback by up to 1.0m at heights of up to 4.5m for a single storey home and heights of up to 9m for a two-storey home.

1.2 Additional Notations for Lots Marked with ★

With the exception of garages with access from a laneway, garages must be located or setback behind the front façade of the home.

Garages may be setback either 5.0m or more or 3.9m or less behind the front street boundary.

Garages setback between 5.0m and 3.9m behind the front street boundary are not permitted.

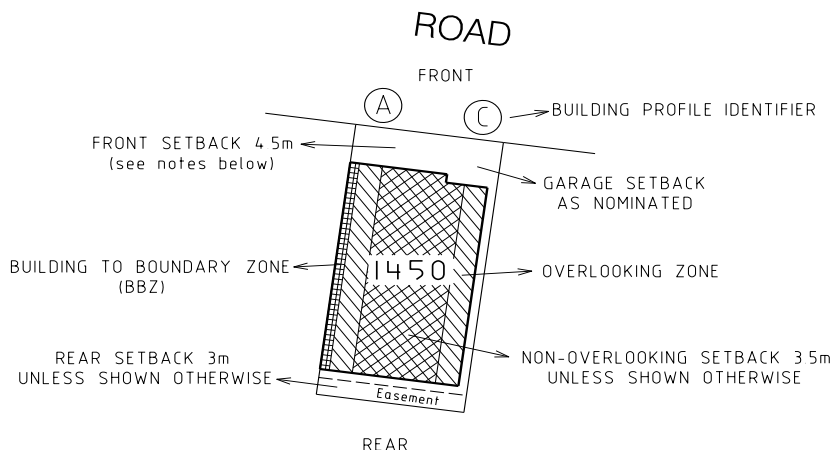
Minimum open space required is 25 square metres with a 3 metre minimum width.

Maximum building site coverage of 70% is permitted.

2. Building Envelope Diagrams

2.1 Interpretation of Building Envelope.

Diagram illustrating the interpretation of the building envelope.



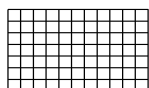
- Refer to Profiles for details of overlooking zones.

2.2 Explanation of symbols and terms in profile diagrams.

The following symbols have been used in the templates: -

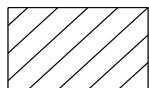
Refer "Diagrams and Plans" in this document for further definitions

Single Storey Building Envelope hatch types



Building to Boundary Zone

Double Storey Building Envelope hatch types



Overlooking Zone - Habitable room windows or raised open spaces are a source of overlooking.



Non Overlooking Zone - Habitable room windows or raised open spaces are not a source of overlooking

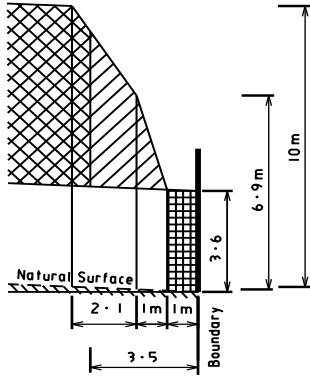
The registered proprietor or proprietors of the lot are required to build in accordance with the approved building envelopes shown hereon and in the "Profile Diagrams" in this document.

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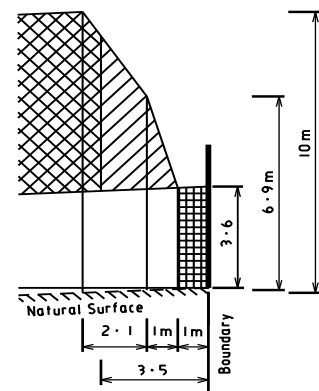
2.3 Profiles referenced in building envelope diagrams

PROFILE DIAGRAMS

(A) Profile

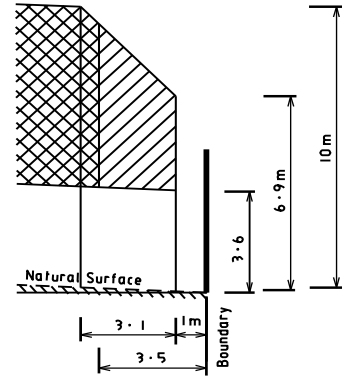


Natural surface rising from boundary



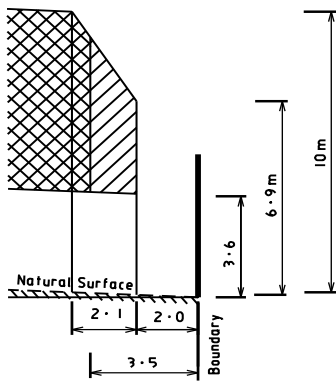
Natural surface falling from boundary

(C) Profile

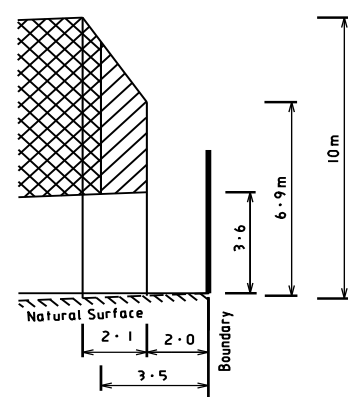


Natural surface rising from boundary

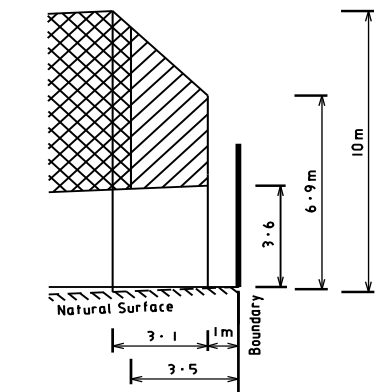
(B) Profile



Natural surface rising from boundary

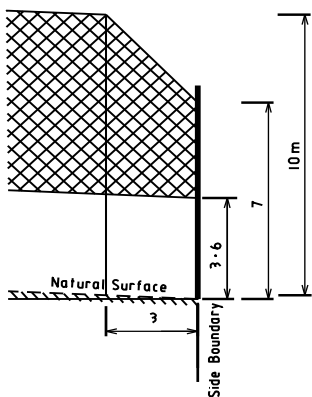


Natural surface falling from boundary

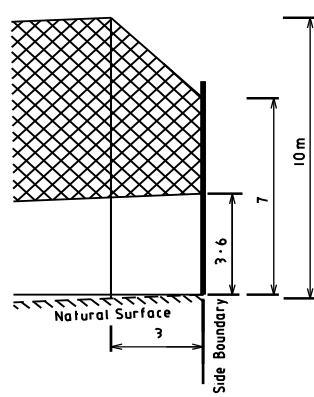


Natural surface falling from boundary

(T) Profile

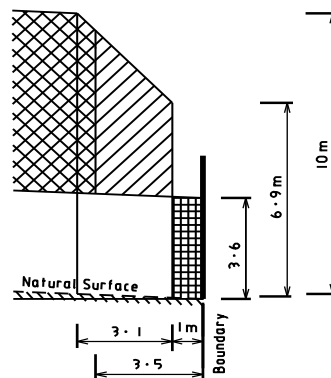


Natural surface rising from side boundary

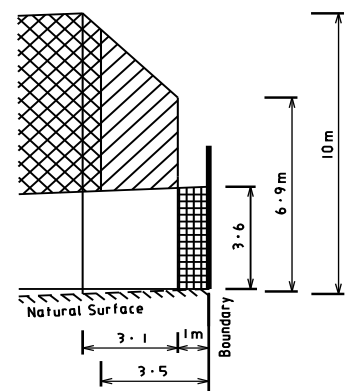


Natural surface falling from side boundary

(D) Profile



Natural surface rising from boundary



Natural surface falling from boundary

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2.4 Diagrams showing Building Envelopes

Notations

- The building envelopes below are shown enclosed by continuous thick lines.
- Building Envelopes shown below are not necessarily drawn to scale. Refer to plan of subdivision for title dimensions.
- Easements are not shown on this diagram, refer to Plan of Subdivision for easement locations.

Diagrams – See over page

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Diagram

