

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: As set out in the plan.

Benefited land: As set out in the plan.

Covenants:

1. Preliminary

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

This MCP cannot be changed or amended unless with the written consent of the Responsible Authority.

2. Approved Building Envelopes

Any building on Lot 401 to Lot 434 (inclusive) within subdivision plan PS901644F must be contained within the building envelopes shown on the attached plan and defined by the associated setbacks and written notes contained therein.

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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.

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THE BACK OF THIS FORM MUST NOT BE USED

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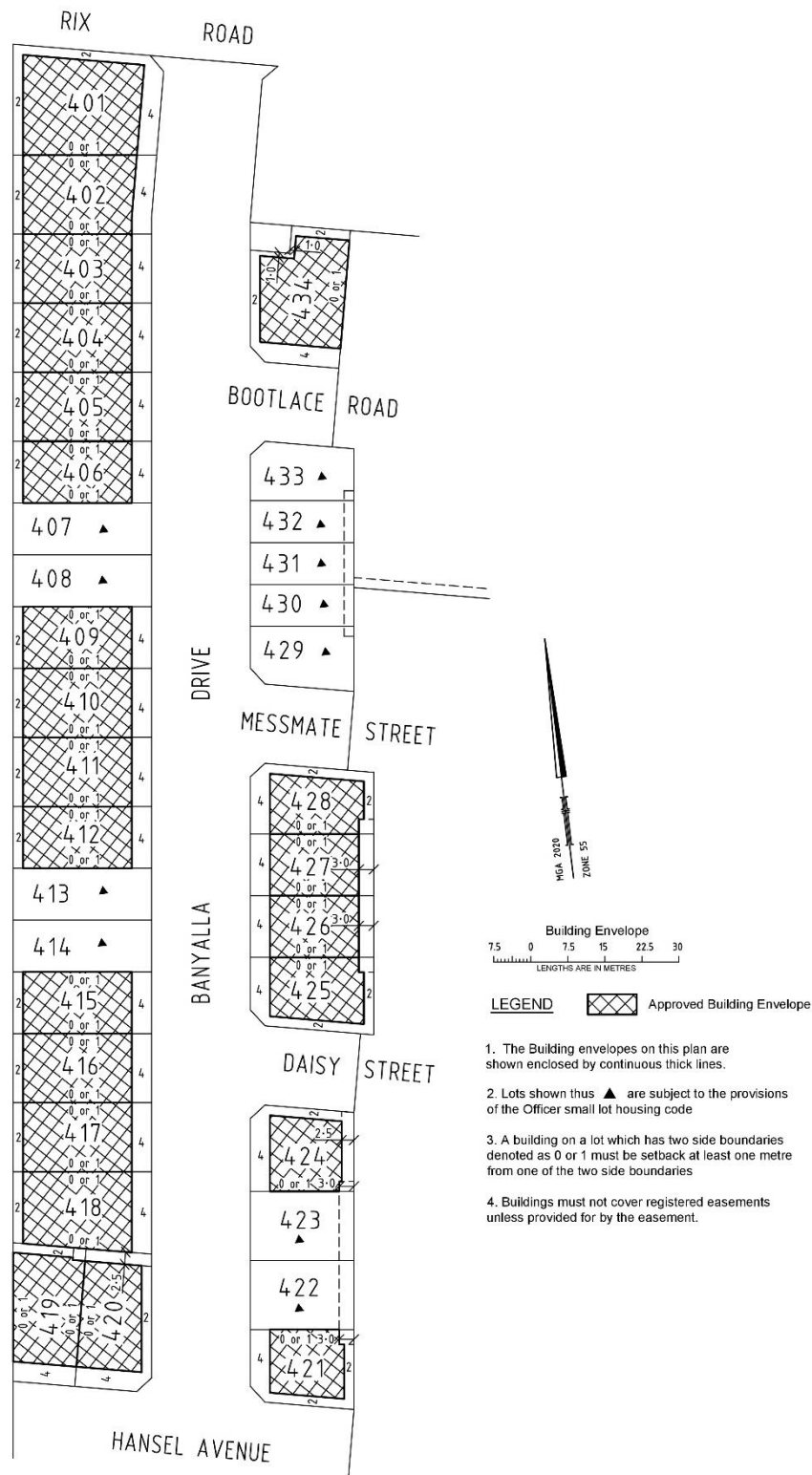
3. Text of restrictions:

The matters which are restricted by the building envelopes are:

1. This MCP applies to burdened lots in Restriction No.1 on PS901644F (Plan of Subdivision) as approved under Cardinia Planning Permit No. T200411.
2. Except with the writing consent of the Responsible Authority, the registered proprietor or proprietors for the time being of any burdened lot to which this restriction applies must not:
 - a) Construct or allow to be constructed or remain on the lot any dwelling or garage outside the building envelope shown hatched in the diagram overleaf (excluding allowable projecting building elements that project outside the building envelopes as contained in Part 5 Regulations; 74(3), 79(3) & 79(4) of the Building Regulations 2018.
 - b) Construct any dwelling or garage on a side boundary of a lot unless the dwelling or garage is set back a minimum of 1 metre from the other side boundary of the lot.
 - c) Construct a building which, notwithstanding the extent of the building envelope, fails to otherwise meet the requirements of Part 5 of the Building Regulations 2018.

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4. Diagrams and plan



Expiry: 31/12/2036