

**Memorandum of common provisions**  
**Section 91A Transfer of Land Act 1958**

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This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

**PRELIMINARIES**

- A** This MCP provides details of the approved building envelopes and the information necessary to interpret the approved building envelopes.
- B** This MCP includes should be read in conjunction with MCP AA3276
- C** Any matter not addressed in this MCP or MCP AA3276 will still need to be addressed as required by the Building Regulations.
- D** This MCP is retained by the Registrar of Titles pursuant to section 91 (A) of the Transfer of Land Act.

**PROVISIONS**

Any building requiring a building permit to be constructed on a lot to which this MCP applies must be sited within the approved building envelope.

MCP AA3276 specifies any encroachments allowed outside the approved building envelope.

**1 TEXT OF RESTRICTIONS**

**1.1 Lots less than 300 square metres in area**

- 1.1.1 Except for provisions 6,7,8 and 9, MCPAA3276 does not apply to lots less than 300 square metres in area. Relevant lots are subject to the Small Lot Housing Code or a separate specific Planning Permit for the construction of a dwelling.

**2 Notes on this MCP**

**2.1 Conflicting Annotation**

- 2.1.1 In the case of a conflicting annotation between the plan of subdivision and this MCP, and MCP AA3276, MCP AA3276 supersedes this MCP.

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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 instruments and plans.

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**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: see [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

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### 2.2 Easements

2.2.1 Buildings must not cover registered easements unless approved by the relevant authority

### 2.3 General Definitions

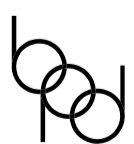
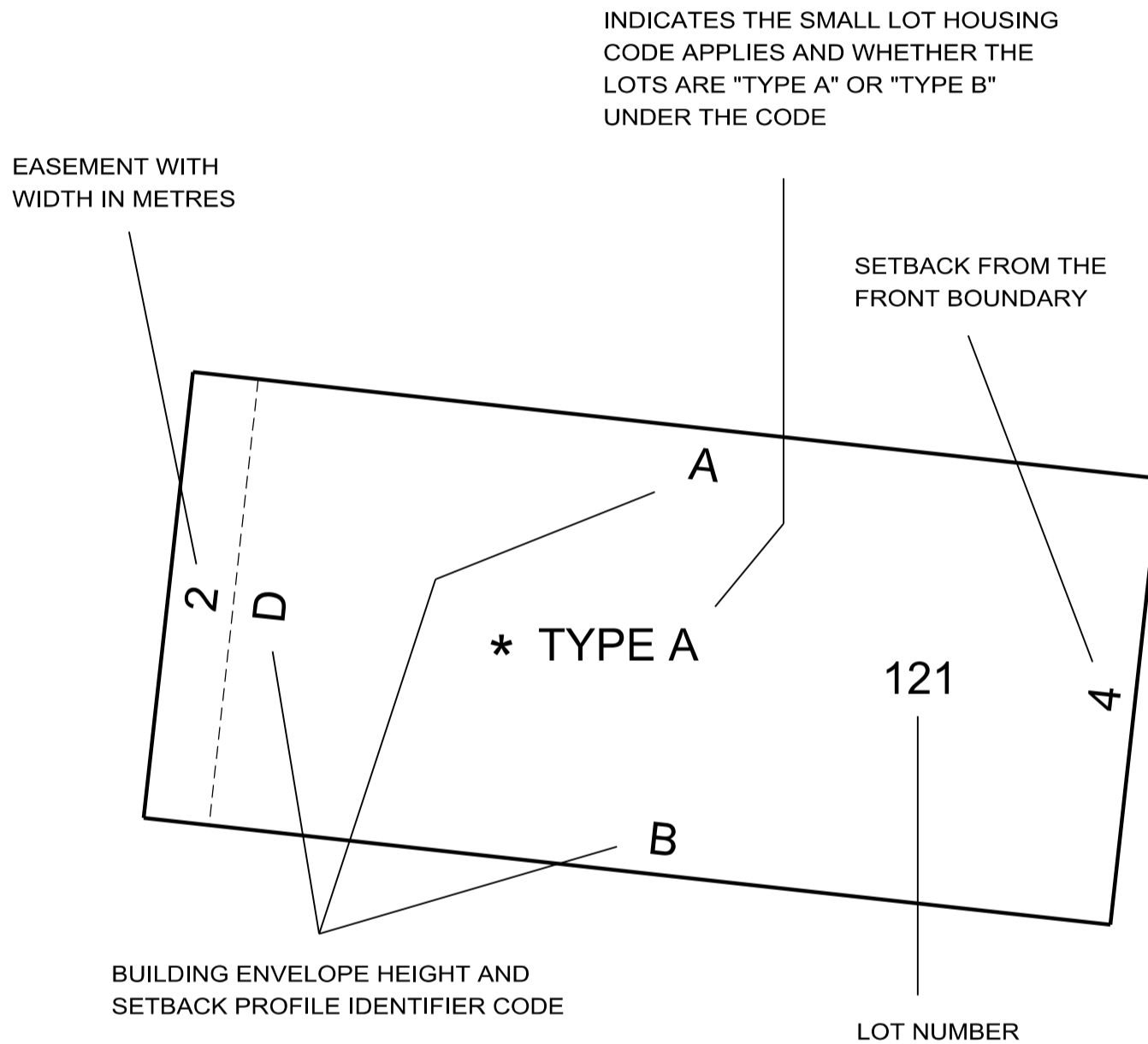
2.3.1 **Approved building envelope** means the building envelope for a particular lot contained in the plan of subdivision as detailed in this MCP.

2.3.2 **Building envelope** means an area within each lot where development of a dwelling, shed and garage is allowed subject to the provisions of this MCP.

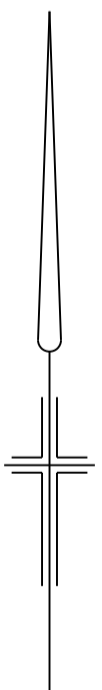
2.3.3 **Building envelope plan** means the plan which is contained herein showing dwelling setbacks and other related matters.

2.3.4 **Corner lot** means a lot sited at the intersection of two streets (excluding laneways) where those streets form boundaries of the lot.

DIAGRAMS ILLUSTRATING THE INTERPRETATION OF THE BUILDING ENVELOPE AND THE ANNOTATION WITH RESPECT TO ALL EDGE LOTS IN THIS STAGE DEVELOPMENT



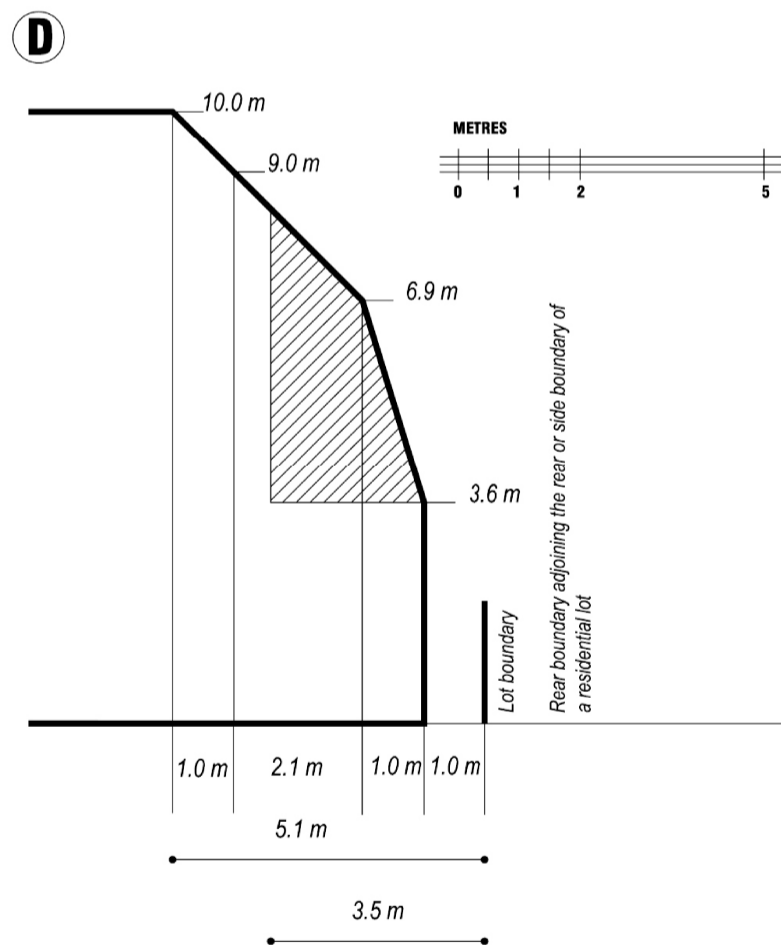
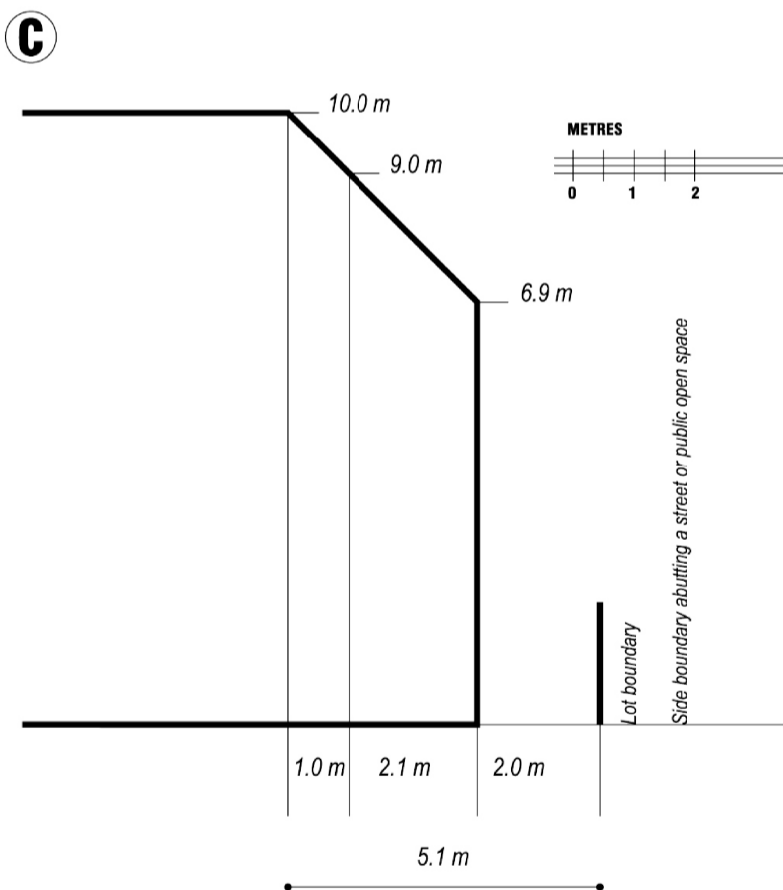
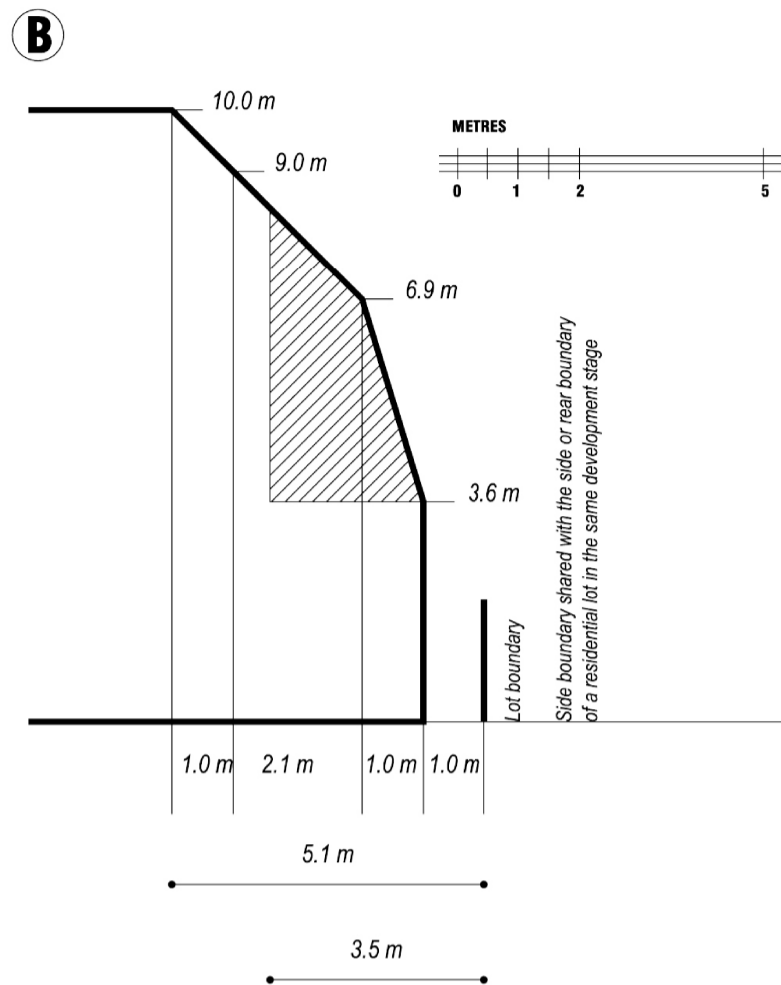
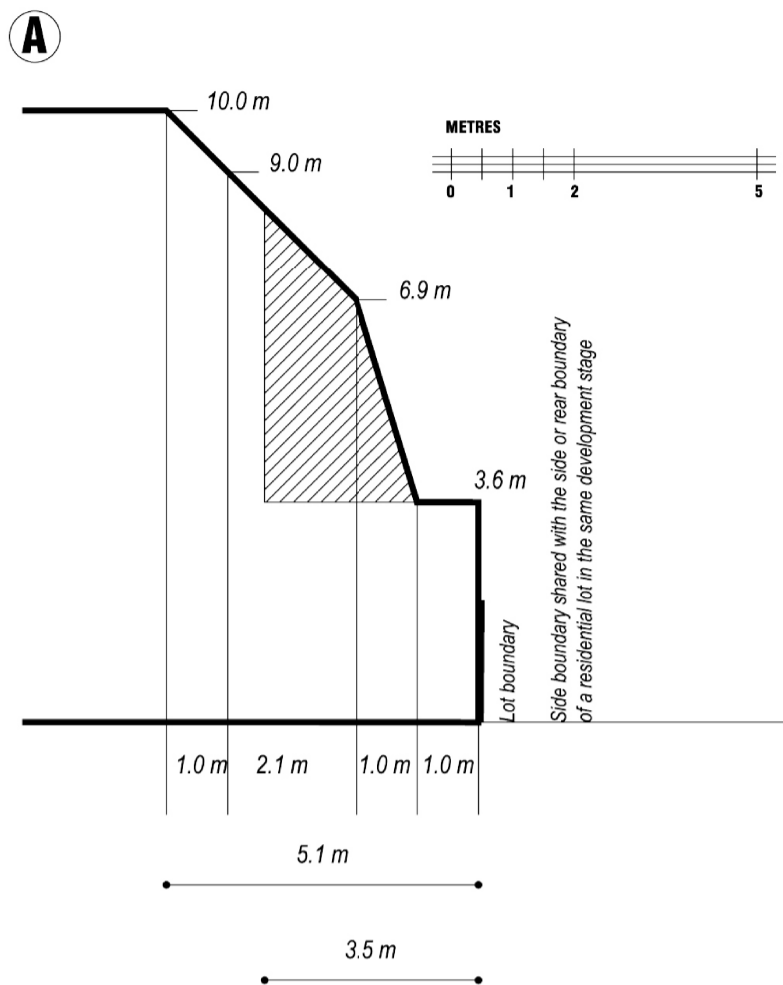
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8129/17, SURVEYORS VERSION B



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### BUILDING HEIGHT AND SETBACK PROFILES REFERENCED IN BUILDING ENVELOPE DIAGRAM



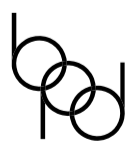
#### EASEMENT REQUIREMENT

WHERE A PROFILE WHEN APPLIED COVERS AN EASEMENT, THE PORTION OF THE PROFILE ABOVE THE EASEMENT CANNOT BE CONSIDERED FOR APPROVAL / BUILT UPON. THIS MAY VARY ONLY IN THE CIRCUMSTANCES WHERE BUILDING ON THE EASEMENT RECEIVES PRIOR WRITTEN CONSENT OF THE RELEVANT AUTHORITY.

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OVERLOOKING CONTROL AREA (refer 'overlooking' in MCP)

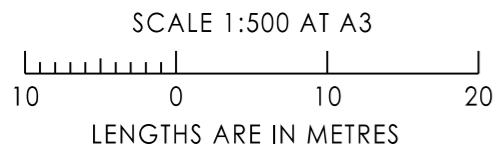
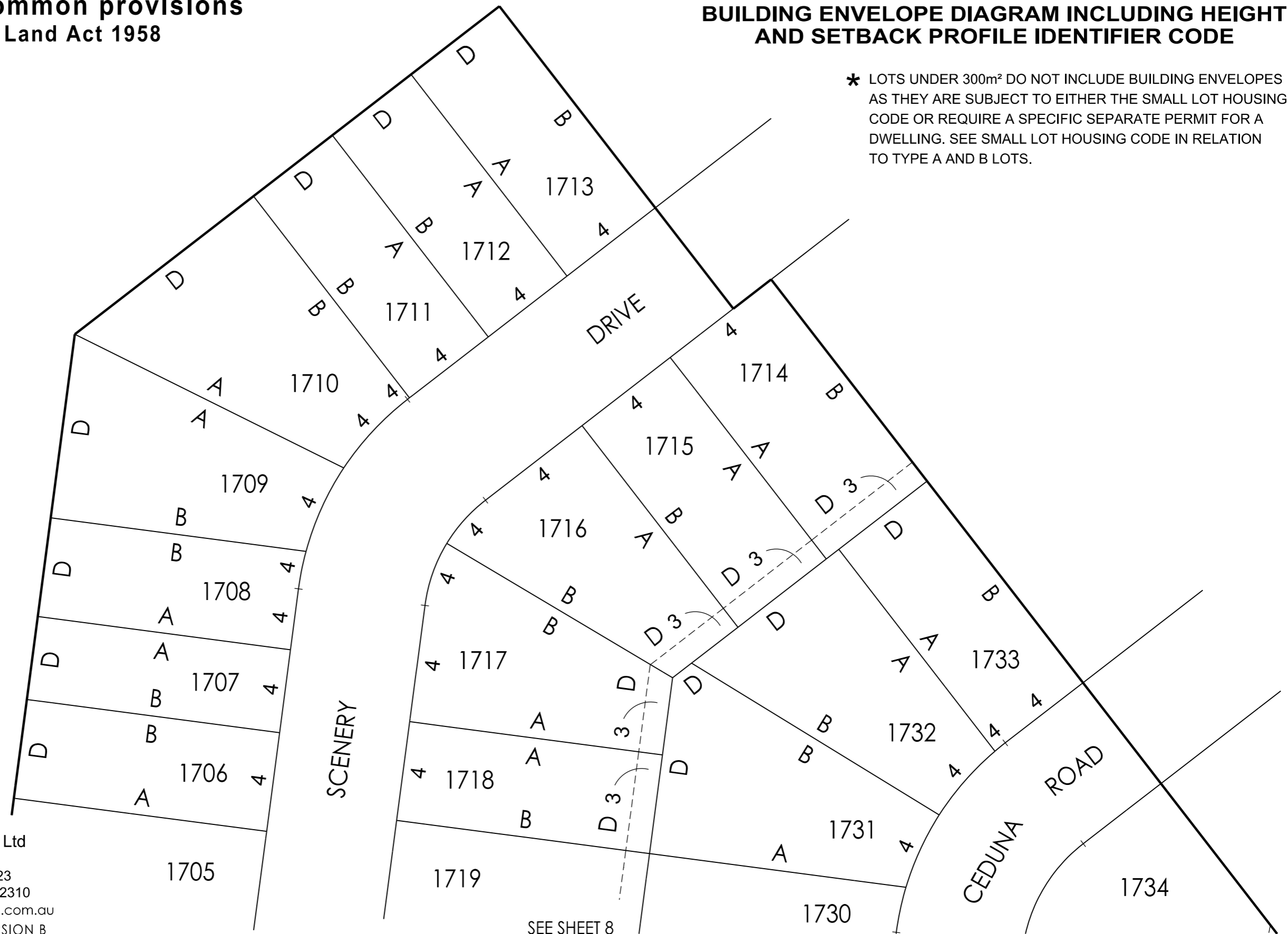
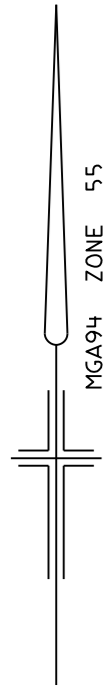


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**BUILDING ENVELOPE DIAGRAM INCLUDING HEIGHT AND SETBACK PROFILE IDENTIFIER CODE**

\* LOTS UNDER 300m<sup>2</sup> DO NOT INCLUDE BUILDING ENVELOPES AS THEY ARE SUBJECT TO EITHER THE SMALL LOT HOUSING CODE OR REQUIRE A SPECIFIC SEPARATE PERMIT FOR A DWELLING. SEE SMALL LOT HOUSING CODE IN RELATION TO TYPE A AND B LOTS.



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SEE SHEET 8

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