

# Memorandum of common provisions

## Restrictive covenants in a plan

### Section 91A Transfer of Land Act 1958

#### Privacy Collection Statement

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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:

Burdened land: As set out in PS922052P

Benefited land: As set out in PS922052P

Expiry date: As set out in PS922052P

#### Definitions (if any):

Regulations means Building Regulations 2018 (SR NO 38 of 2018)

Building Envelope Plan means the plan contained in this Memorandum of Common Provisions

Covenants: The registered proprietor or proprietors for the time being of a lot on this plan of subdivision his heirs, executors, administrators and transferees:

1. Shall not at any time on the said lot or any part or parts therefore build or cause to be built or allow to remain a dwelling that does not comply with the minimum street setback in accordance with Regulation 74 (Minimum street setbacks) in Part 5 of the Regulations, except as specified below:
  - a. A building on a lot must be set back from a street boundary not less than the distance specified in respect of that boundary on the Building Envelope Plan and not more than 6.5 metres, unless noted otherwise depicted on the relevant Plan of Subdivision.

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V3

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

PAGE 1 OF 3

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

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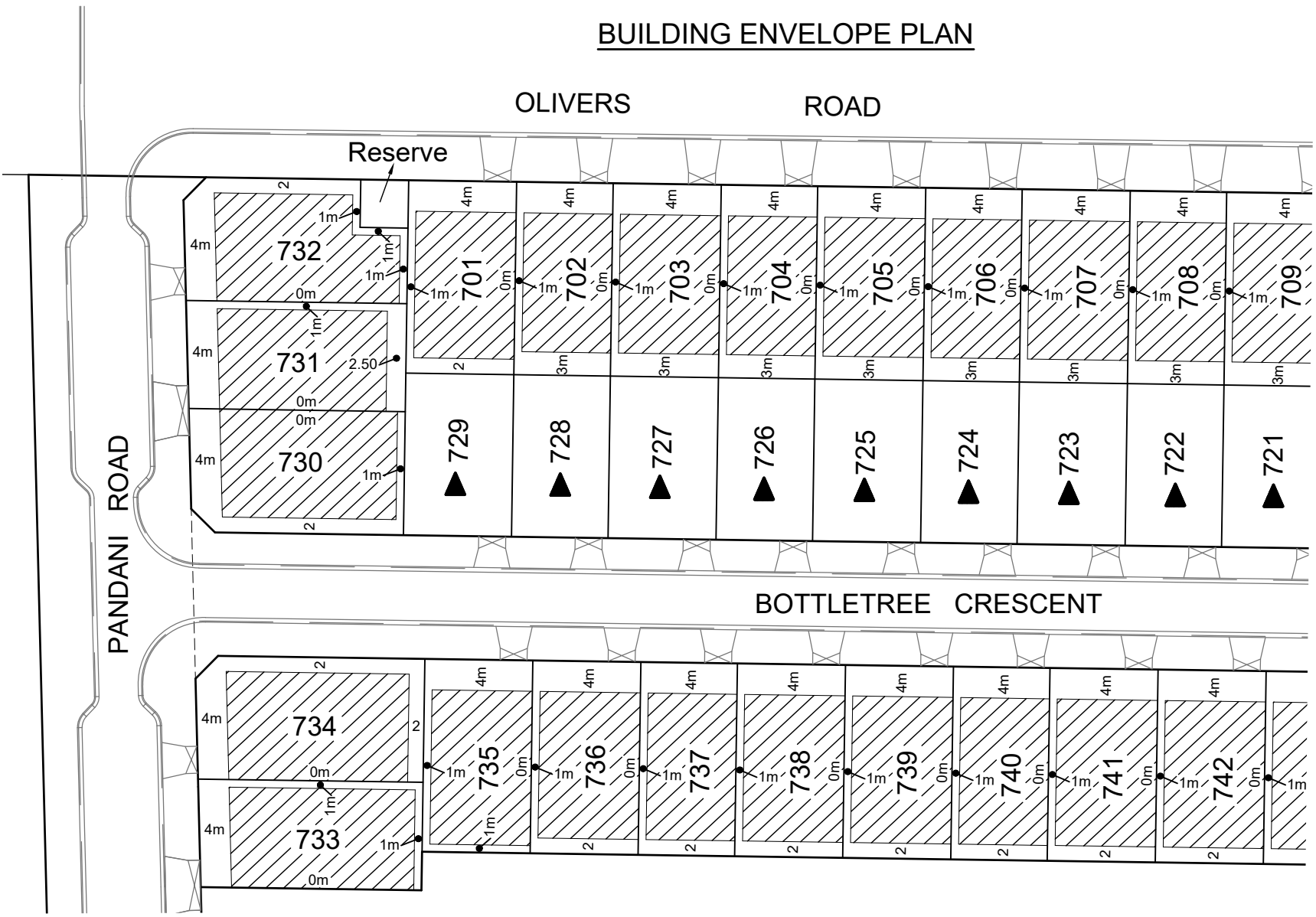
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- b. Entry structures, balconies, eaves, gutter and fascia may encroach into the frontage setback by no more than 2.5 metres.
  - c. Garage Door must be set back a minimum of 5.5 metres from the front property boundary without the prior written consent of the Responsible Authority. In exceptional circumstances where rear easements are 3 metres or more in width and lots are 25 metres or less in depth, the minimum setback may be varied on a case-by-case basis with written consent from the Responsible Authority.
2. Shall not at any time on the said lot or any part or parts thereof build or cause to be built or allow to remain a dwelling that does not comply with the side and rear setbacks in accordance with Regulation 79 (Side and rear setbacks) in Part 5 of the Regulations, except as specified below:
- a. Corner allotments must have a minimum 2.0 metre setback applicable to the secondary frontage (to side street).

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

Diagrams and Plans

**BUILDING ENVELOPE PLAN**

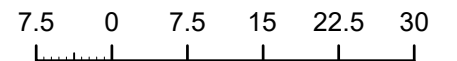


SEE CONTINUATION BELOW

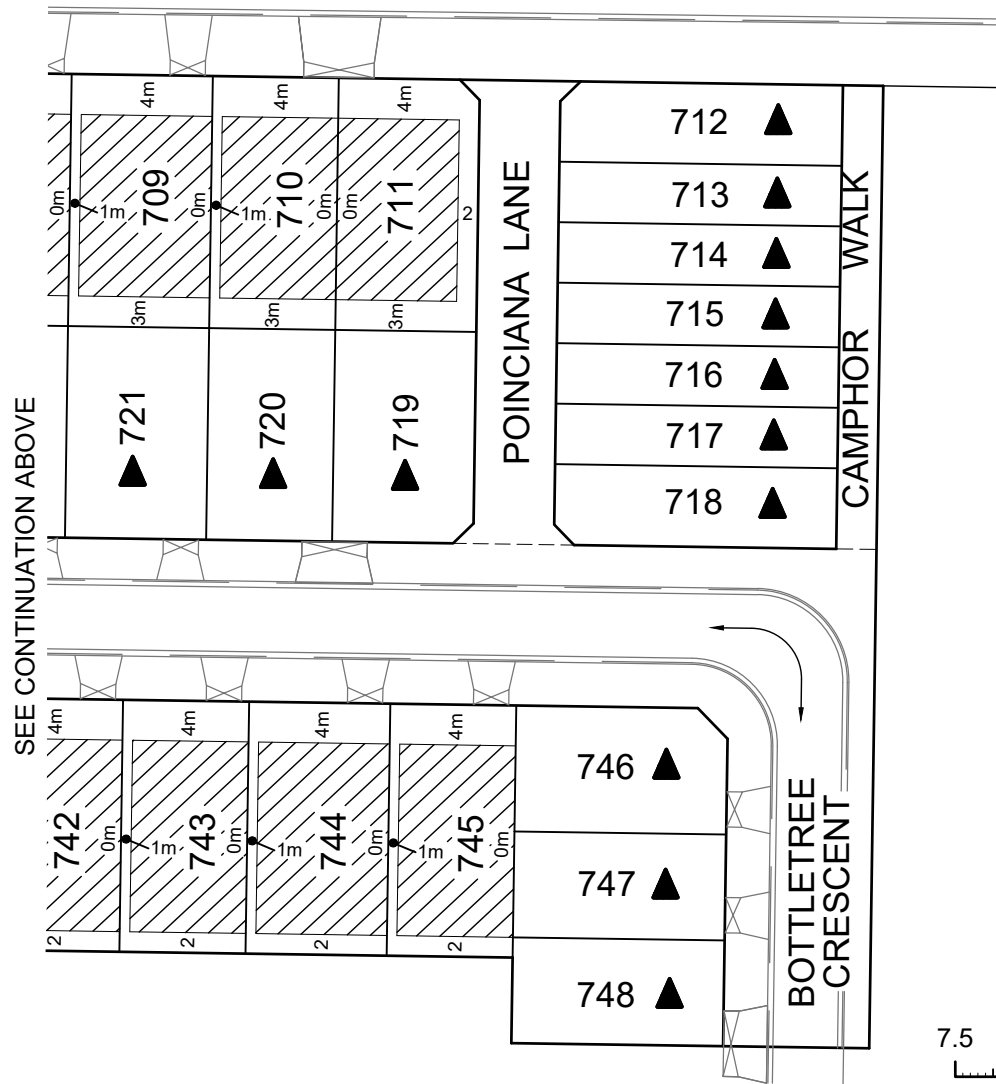


**ENLARGEMENT**

**SCALE 1:750**



OLIVERS ROAD



SEE CONTINUATION ABOVE

**LEGEND**

Building Envelope

1. The Building Envelopes on this plan are shown enclosed by continuous thick lines
2. Lots shown '▲' are subject to the provisions of the Small Lot Housing Code (SLHC).
3. For all lots containing easements, affected envelopes are to abut the easement and not encroach into it.

**ENLARGEMENT**

**SCALE 1:750**

