

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:

1. This MCP applies to burdened lots in Restriction B on PS749003S (also known as release 13 of Emerald Park) approved under Wyndham Planning Permit No. WYP8464/15.
2. Except with the written 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:
 1. Construct or allow to be constructed or remain on the lot any building 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 Regulation 74(3), 79(3) & 79(4) of the Building Regulations 2018).
 2. Construct any building or garage on a side boundary of a lot unless the building or garage is set back a minimum of 1 metre from the other side boundary of that lot.
 3. Construct a garage or carport which is set back less than 5.5 metres from the front boundaries.
 4. Construct a garage with an opening which occupies more than 40% of the width of the lot frontage.
 5. 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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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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Diagrams and Plans

