



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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### Lodger Details

Lodger Code	19208S
Name	HWL EBSWORTH LAWYERS
Address	
Lodger Box	
Phone	
Email	
Reference	AK:JA:1269931 ALMA E

## APPLICATION TO REQUEST ACTION BY THE REGISTRAR

Jurisdiction	VICTORIA
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### Privacy Collection Statement

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### Estate and/or Interest

### Land Title Reference

### Instrument and/or legislation

ACTION - RETAIN MCP  
Transfer of Land Act - section 91A

### Applicant(s)

Name	CLYDE 465 PTY LTD
Address	
Floor Type	LEVEL
Floor Number	8
Street Number	447
Street Name	COLLINS
Street Type	STREET
Locality	MELBOURNE
State	VIC
Postcode	3000

### Additional Details



# Department of Environment, Land, Water & Planning

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## Electronic Instrument Statement

Refer Image Instrument

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The applicant requests the action by the Registrar.

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### Execution

1. The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of	CLYDE 465 PTY LTD
Signer Name	ALEXANDER MARC KOIDL
Signer Organisation	PARTNERS OF HWL EBSWORTH LAWYERS
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	28 AUGUST 2025

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### File Notes:

NIL

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Statement End.

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Lodged by	
Name:	HWL Ebsworth Lawyers
Phone:	(03) 8644 3500
Address:	Level 8, 447, Collins Street, Melbourne VIC 3000
Reference:	1269931 - Stage 1 "Alma Estate"
Customer code:	19208S

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:

Definitions (if any):

Covenants:

1.

2.

3.

Mandatory

Covenants to be listed here.

Expiry:

Optional.

Specify the date the covenants are to expire or if the covenants are to expire on the happening of a particular event, specify the event. If the expiry only applies to particular covenants or specific lots/folios, this must be clearly specified.

## GENERAL

- A. This MCP has been prepared by SIG Group in order to regulate the siting, form, design and landscaping of residential development in accordance with the Endorsed Building Envelope Plan, so as to create a high level of amenity for occupiers of Lots within the Plan of Subdivision.
- B. The provisions of this MCP are incorporated into one or more restrictions created by the Plan of Subdivision.
- C. This MCP, which includes the Endorsed Building Envelope Plan, provides siting details for a particular Lot.
- D. This MCP imposes restrictions on the design and siting of Buildings, which in some cases may be different to those of the Building Regulations and Planning Scheme.
- E. Where the siting restrictions in this MCP are contrary to Regulations 74, 79, 80, and 83 of the Building Regulations, no consent and report of the relevant council is required, as this MCP has been prepared with regard to Regulation 71 of the Building Regulations.
- F. This MCP does not apply to a lot under 300 square metres (i.e. Small Lots). These lots will be assessed against the Small Lot Housing Code (forming part of the Cardinia Creek South Precinct Structure Plan). Where a dwelling on a Small Lot does not comply with the requirements of the Small Lot Housing Code, a separate planning permit will be required from the City of Casey.
- G. The restriction created by the Plan of Subdivision does not exempt a Lot which has an Edge Boundary from the need for report and consent in relation to Regulations 79, 80 and 81 to the extent that they relate to that Edge Boundary.
- H. Any matter not addressed in this MCP will still need to be addressed as required by the Building Regulations.
- I. This MCP cannot be changed or amended unless with the written consent of the Responsible Authority.

## 1. DEFINITIONS

### 1.1 In this MCP:

- 1.2 **“Building”** has the same meaning as in the Building Act.
- 1.3 **“Building Act”** means the Building Act 1993 as amended from time to time.
- 1.4 **“Building Envelope Plan”** means the Building Envelope detailed on the Plan of Subdivision for a particular lot.
- 1.5 **“Building Permit”** means a building permit in terms of the Building Act.
- 1.6 **“Building Regulations”** means the Building Regulations 2018 as amended from time to time.
- 1.7 **“Build to Boundary”** means a requirement indicated on the Endorsed Building Envelope Plan whereby a Building may be built abutting a side boundary, which has a build to boundary line marked on the Endorsed Building Envelope Plan.
- 1.8 **“Clear to the Sky”** has the same meaning as that in the Building Regulations.
- 1.9 **“Control”** includes a restriction in terms of the Subdivision Act 1988, an agreement under section 173 of the Planning Act, a Planning Permit, an Act or an order of a Court or tribunal, which relates to the siting of a Building.
- 1.10 **“Corner Lot”** is any lot with a boundary with a secondary frontage.
- 1.11 **“Edge Boundary”** means the boundary or part of a boundary of a Lot that abuts a lot which is not shown on the Plan of Subdivision.
- 1.12 **“Finished Surface Level”** means the finished surface level of the ground at the time of registration of the Plan of Subdivision.
- 1.13 **“Front Façade”** is the elevation that addresses the Primary Frontage.
- 1.14 **“Front Garden”** refers to the whole area between the front boundary of a lot and the dwelling, garage and return fence
- 1.15 **“Front Loaded”** refers to a lot where the garage is accessed from the primary frontage.
- 1.16 **“Habitable Room”** has the same meaning as in the Building Code of Australia.
- 1.17 **“Height”** has the same meaning as that in the Building Regulations.
- 1.18 **“SIG Group”** means “Clyde 465 Pty Ltd (ACN 664 540 309) or any associated entity or related body corporate of SIG Group.
- 1.19 **“Lot”** means an allotment on the Plan of Subdivision. 1.20 **“Lot Width”** means the width of the lot at the front building line.
- 1.20 **“MCP”** means this memorandum of common provisions.
- 1.21 **“Natural Ground Level”** means the ground level after engineering works associated with the subdivision.

- 1.22 **“Outbuilding”** is a structure not attached to the dwelling, such as a shed or gazebo.
- 1.23 **“Plan of Subdivision”** means plan of subdivision PS923769K and which incorporates this MCP.
- 1.24 **“Planning Act”** means the Planning and Environment Act 1987 as amended from time to time.
- 1.25 **“Planning Permit”** means a permit issued under the Planning Act.
- 1.26 **“Planning Scheme”** means the Casey Planning Scheme.
- 1.27 **“Primary Frontage”** is the boundary that abuts the Public Realm on a lot with one boundary abutting the Public Realm. On a lot with more than one boundary fronting the public realm, the primary frontage is the shorter boundary on the lot, or as otherwise noted on the Plan of Subdivision.
- 1.28 **“Private Open Space”** has the same meaning as that in the Building Regulations.
- 1.29 **“Public Realm”** is any land that is within the ownership of a public body, including Council and servicing authorities.
- 1.30 **“Rear Loaded”** refers to a lot where the garage is accessed from the rear or side of the lot, usually from a lane or secondary street.
- 1.31 **“Regulation”** means a regulation of the Building Regulations.
- 1.32 **“Responsible Authority”** means City of Casey, as the responsible authority under the Planning Act.
- 1.33 **“Secondary Frontage”** is the longer boundary on a lot with two intersecting boundaries abutting the Public Realm
- 1.34 **“Setback”** means the shortest horizontal distance from a particular boundary or Building to another boundary or Building.
- 1.34 **“Side Street”** means a laneway, street or road which abuts a Lot other than a Front Street.
- 1.36 **“Site Coverage”** has the same meaning as that in the Building Regulations.
- 1.37 **“Small Lot”** means a lot which has a land area of under 300 square metres.
- 1.38 **“Small Lot Housing Code”** means the Small Lot Housing Code incorporated in the Casey Planning Scheme.

## **2. EXEMPTION FROM THE NEED FOR REPORT AND CONSENT**

### **2.1 General**

Only one (1) dwelling is permitted per lots, unless otherwise provided for on the relevant Plan of Subdivision.

Lots may not be further subdivided.

In respect of a Building that does not require a Planning Permit, the restriction described under “CREATION OF RESTRICTION A” in the Plan of Subdivision exempts a proposed dwelling design which complies with this MCP from requiring the consent and report of the relevant council with regard to a design which does not comply with the Building Regulations in respect of the following:

- 2.1.1 minimum street setbacks (Regulation 74),
- 2.1.2 building height (Regulation 75),
- 2.1.3 side and rear setbacks (Regulation 79),
- 2.1.4 walls on boundaries (Regulation 80); and
- 2.1.5 overshadowing of recreational private open space (Regulation 83).

## **3. BUILDING REGULATION PROVISIONS**

### **3.1 Minimum Street Setback**

**(Regulation 74, Casey Planning Scheme Clause 54.03-01)**

- 3.1.1 All dwellings must be setback in accordance with the specified Building Envelope for each Lot.
- 3.1.2 Garages or carports must be set back behind the front façade of the dwelling.
- 3.1.3 Garages or carports accessed from the front street, must be setback no less than 500mm behind the building line (excluding encroachments).

### **3.2 Building Height**

**(Regulation 75, Casey Planning Scheme Clause 54.03-2)**

- 3.2.1 The height of all buildings on the lot must not exceed 11 metres and must be no higher than three storeys above Natural Ground Level.
- 3.2.2 The height of all buildings on the lot wholly within the walkable catchment must not exceed 13.5 metres above Natural Ground Level.
- 3.2.3 Lots zoned Residential Growth Zone have a maximum building height of 13.5m.

### **3.3 Side and Rear Setbacks**

**(Regulations 79, Casey Planning Scheme Clause 54.04-01)**



3.3.1 The side setback is designated on the Building Envelope Plan for each Lot.

**3.4 Walls on Boundary  
(Regulation 80, Casey Planning Scheme Clause 54.04-02)**

3.4.1 The Height of a wall on or within 200mm of a side boundary or rear boundary of a Lot, or the Height of a carport constructed on or within 1 metre of a side or rear boundary of a Lot and which is open on the side facing the boundary or boundaries, must not exceed a height of 3.6 metres or a maximum Height of 3.6 metres above Finished Surface Level.

3.3.2 Where a retaining wall is built on any Lot which has a Build to Boundary Line on the Building Envelope Plan, the height of the wall on boundary may exceed Clause 3.4.1 provisions. The maximum height measurement of 3.6 metres of the wall on boundary is to be taken from the Finished Surface Level (FSL) or the top of wall height of the retaining wall, whichever is the greater.

3.3.3 The length of a wall on or within 200mm of a side or rear boundary of a Lot or a carport constructed within 1 metre of a side or rear boundary of a Lot (and which is open on the side facing the boundary or boundaries) of the Lot must not exceed the greater of the following lengths:

- (a) 50% of the length of the boundary; and
- (b) 15 metres per boundary.

**3.5 Overshadowing of recreational private open space  
(Regulation 83, Casey Planning Scheme Clause 54.04-05)**

3.4.1 Any overshadowing of recreational private open space must be in accordance with regulation 83 (Overshadowing of recreational private open space) in Part 5 of the Regulations and Clause 54.04-05 of the Scheme, except as varied as a consequence of other restrictions in this MCP.

3.4.2 Where sunlight to the recreational private open space of an existing dwelling is reduced by a dwelling of two or more storeys, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever if the lesser area, of the secluded private open space should receive a minimum of 5 hours of sunlight between 7am and 5pm on 22 September. The 75 per cent of 40 square metres minimum area, can be measured in different locations during the day.

#### 4. ENCROACHMENTS

##### 4.1 Setbacks and Encroachments (Regulations 74 and 79, Casey Planning Scheme Clause 54.03-01 and Clause 54.04-01)

The following table identifies the maximum distance of encroachments which may be permitted:

Front Setback	Side Setback	Rear Setback
1.5 metres (balconies, verandahs, open porches, covered walkways and porticos)	0.6 metres	0.6 metres
0.5 metres (eaves, fascias and gutters)		

4.1.1 The following may encroach into the front setback distance as indicated on the Endorsed Building Envelope Plan and the above table:

- (a) eaves, fascia and gutters;
- (b) sunblinds and shade sails;
- (c) permanent and fixed screens referred to in regulation 84(5)(d) or 84(6); and
- (d) decks, steps or landings less than 800 mm in height measured from the finished floor level.

4.1.2 The following may encroach into the side and rear setback distances as indicated on the Endorsed Building Envelope Plan and the above table:

- (a) porches, balconies and verandahs;
- (b) masonry chimneys;
- (c) sunblinds;
- (d) screens, but only to the extent needed to protect a neighbouring property from a direct view;
- (e) flues, pipes and rainwater heads;
- (f) domestic fuel tanks and water tanks; and
- (g) heating and cooling equipment and other services;
- (h) landings with an area of not more than 2m<sup>2</sup> and less than 1m in Height above Finished Surface Level;
- (i) unroofed stairways and ramps;
- (j) shade sails; and
- (k) carports, walls and Buildings within the Build to Boundary zone.

- 4.1.3 Notwithstanding the above, eaves, fascias and gutters may encroach into the side and rear setback distances by not more than 600mm in total width.

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## **5. ALMA DESIGN PROVISIONS**

### **5.1 Lot Layout**

- 5.1.1 Only one house is permitted per lot.

### **5.2 Building Setbacks**

- 5.2.1 The front facade must be set back at least 4 metres from the front boundary.
- 5.2.2 A garage accessed from the front of a lot must be set back at least 5.5 metres from the front boundary of the lot and at least 500 mm from the front facade.
- 5.2.3 Porches, verandas, and porticos less than 4.0 metres in height may extend into the front setback up to 1.5 metres.
- 5.2.4 The house must be set back at least 1 metre on at least one side of the house.
- 5.2.5 The house must be set back at least 1 metre from the rear lot boundary.
- 5.2.6 Where the house is set back at least 1 metre from the lot boundary, eaves, fascias, gutters, chimney, flue pipes, water tanks and heating or cooling or other services may extend into the setback around the house up to 500 mm.
- 5.2.7 A house on a corner lot must be set back at least 2 metres from the secondary street frontage.
- 5.2.8 If the lot abuts a reserve, the house must be set back at least 1 metre from the common boundary.
- 5.2.9 All building works must comply with the Casey Planning Scheme, Victorian Building Regulations and Building Code of Australia.

### **5.3 Built Form Variety**

- 5.3.1 The front façade of the house must not be identical or very similar to any other house within three lots along both sides of the street. This includes houses built, under construction, approved or already applied for.

### **5.4 Building Height**

- 5.4.1 Maximum building heights are subject to zoning requirements. Lots zoned General Residential have a maximum building height of 11 metres. Lots zoned Residential Growth Zone have a maximum building height of 13.5 metres.

### **5.5 Building Design**

- 5.5.1 Front facades must have a contemporary style.
- 5.5.2 The house must incorporate clean, simple, and well-proportioned roof lines to create interest, contribute positively to the character of the street and provide good passive solar performance.
- 5.5.3 The house must include at least one habitable room window to each street frontage.

### **5.6 Character and Visual Style**

- 5.6.1 A variety of architectural character and visual styles are encouraged.

### **5.7 Massing and Articulation**

- 5.7.1 The front door of the house must be seen from the street.

5.7.2 The front façade must include a permanent weather protection structure over the front door, such as a portico, porch, veranda, or other feature.

5.7.3 Façades facing both primary and secondary streets must be articulated, such as by using openings, balconies, variation of materials, and recessed and projected elements on ground and upper floor.

## 5.8 Roof Design

5.8.1 A variety of roofing forms and styles is encouraged. Innovative roof designs that incorporate some flat elements will be assessed on their design merit.

5.8.2 Parapets are permitted on the front façade.

5.8.3 The roof must have eaves at least 450 mm deep over all facades facing the public realm, except where a parapet is used. Eaves at the side and rear are strongly encouraged.

5.8.4 A hipped or gabled roof must have a pitch of at least 22 degrees. Standalone skillion roofs must have a pitch of at least 10 degrees, and 22 degrees when combined with a hipped or gabled roof.

## 5.9 Corner Lots

5.9.1 If the lot is a corner lot, the house must have eaves at least 450 mm deep to all sides facing the public realm.

5.9.2 If the lot is a corner lot, the house facade facing the secondary street must have similar design features to those used on the front facade.

5.9.3 Materials and articulation treatments used on a corner lot's front façade must continue onto other facades facing the public realm. Corner features are encouraged to be readily visible from the public realm.

## 5.10 Materials and Finishes

5.10.1 The front façade must be finished with a mixture of at least two varied materials/finishes or colours. Brick, weatherboard and rendered brick are strongly encouraged. Rendered cement sheeting must not be used on the front facade.

5.10.2 Roof cladding must compliment the style of the home.

5.10.3 Roof materials must be matte finish and non-reflective.

5.10.4 External glazing that is visible from the public realm should not contain lead-light, stained glass, reflective glass, or patterned film.

5.10.5 The area above an opening on a façade facing the public realm must match the sides of the opening in materials, colour, and finish.

5.10.7 Facade colours must be neutral.

5.10.8 Architectural features should be highlighted by varied colours or shades. Bright or fluorescent colours are prohibited.

5.10.9 Roll down security shutters are prohibited on facades facing the public realm.

5.10.10 Any one material or colour must cover not more than 75% of the wall area of the front façade, excluding windows and all other openings.

## 5.11 Car Accommodation

5.11.1 All lots must incorporate an enclosed garage.

- 5.11.2 Impact of garage doors and driveways to the house and the street must be minimised by locating vehicle access appropriately.
- 5.11.3 Garages accessed from the primary frontage of a lot must be integrated into the overall form of the house. Garages that are not accessed from the primary frontage may be detached.
- 5.11.3 The garage must be set back at least 5 metres from the primary frontage and 5.5m from the front boundary.
- 5.11.4 Lots with a frontage of more than 12.5 m must provide a double garage. The opening must be no wider than 5.5 m.
- 5.11.5 If the lot width is 18 m or more, a triple garage may be considered if the third car space has a dedicated door, and the door wall is stepped back at least 500 mm from the other front wall of the garage.
- 5.11.6 If the house is single storey, the total width of the garage door openings must be not more than 40% of the width of the lot at the alignment of the front facade.

## **5.12 Additional External Elements**

- 5.12.1 External elements must be used to complement the facade design in an integrated way.
- 5.12.2 The streetscape and neighbourhood character must be protected by ensuring all services are hidden from view from the public realm.

## **5.13 Driveways**

- 5.13.1 Only one crossover is permitted per lot frontage.
- 5.13.2 If the lot is a corner lot, and the garage is accessed from the front of the lot, the garage must be located on the side of the house opposite the street corner.
- 5.13.3 The width of the driveway must not exceed the width of the garage opening. The driveway must taper to match the width of the crossover
- 5.13.4 The driveway must be setback at least 500 mm from the side boundary to allow for a garden bed.
- 5.13.5 The driveway must be constructed prior to the issue of the Certificate of Occupancy.

## **5.14 Stairs, Balconies and Awnings**

- 5.14.1 External stairs to upper storeys are discouraged, except where approved by the DRP on design merits.
- 5.14.2 Column/post types and widths for verandas, porticoes and pergolas must be proportional to other façade elements.

## **5.15 Window Screening**

- 5.15.1 Window screens that have not been considered as part of the overall façade and elevations are prohibited.
- 5.15.2 Window screening located on a primary or secondary frontage is prohibited.

## **5.16 Letterbox**

- 5.16.1 The letter box must be clearly in view at the front of the lot, next to the driveway or front gate, or in a similar position with the street number of the lot clearly displayed.
- 5.16.2 The letter box must be positioned in a location that is clear of obstacles.

- 5.16.3 Letter boxes must have a contemporary style, complement the facade and landscape style, and be sized as per Australia Post recommendations.

### **5.17 Retaining Walls**

- 5.17.1 Any one retaining wall must be no higher than 1 metre high. If the slope to be retained is higher than 1 metre, two or more walls can be used. Each wall must be stepped back at least 500 mm to soften the appearance of the change in levels.
- 5.17.2 Retaining walls visible from the public realm must be constructed from a material and finish to complement the façade.
- 5.17.3 If visible from the public realm, a retaining wall must not be made from timber or plain concrete sleepers.

### **5.18 Fencing**

- 5.18.1 A front fence must not be more than 1.2 metres in height and must be at least 50% transparent.
- 5.18.2 A privacy fence must be erected around the side and rear boundaries of the lot, set at least 1 metre behind the front façade of the house. This fence must be no higher than 1.8m above natural ground level and made from timber posts and lapped timber palings with a 50 mm bottom plinth.
- 5.18.3 A return fence matching the specifications of the adjacent fence, must run between the lot boundary and the closest wall of the house and be set back at least 1 m behind the front façade of the house.
- 5.18.4 Where the side boundary of the lot is also the rear boundary of the abutting lot, the privacy fence may extend to the front of the lot.
- 5.18.5 On a corner lot, a privacy fence along a side boundary abutting a secondary street and a matching return fence must be set back at least 4 metres from the nearest front corner of the house.
- 5.18.6 Fencing must be constructed within 30 days of the issue of the Certificate of Occupancy.

### **5.19 Gates**

- 5.19.1 Any gate in a fence must match or complement the fence in materials and finishes.

### **5.20 Landscaping**

- 5.20.1 At least 60% of the front yard must be landscaped with permeable surfaces.
- 5.20.2 At least 30% of softscape area must be garden beds.
- 5.20.3 The front yard must contain free-draining surfaces such as grass, garden beds containing trees, shrubs and tufting plants, groundcovers, and river pebbles or Lilydale toppings or similar
- 5.20.4 Turf used must be a warm season variety.
- 5.20.5 Garden beds must have 80mm layer of mulch. Consideration should be given to the cultivation of existing soil in the garden beds to a 200 mm depth and the addition of imported topsoil and fertiliser to the garden bed.
- 5.20.6 All garden beds in the front yard must be edged using brick, timber, or steel edges.
- 5.20.7 At least one canopy tree must be planted in the front yard, with a minimum planted height of 1.5 metres. Any tree to be planted must have a mature height of at least 4 metres and must consider the integrity of the foundation of the home, driveway or relevant authority assets.
- 5.20.8 All plant species must be hardy and have reasonable drought tolerance. Environmental or noxious weeds must not be planted.

5.20.9 All Front Gardens must be landscaped in accordance with these Guidelines (including all turf, soft landscape, driveways and pathways) within 6 months of issue of the Certificate of Occupancy.

5.20.10 The Front Garden must be kept presentable and well maintained at all times, with no excessive weed growth.

#### **5.21 Recycled Water**

5.21.1 Where available, houses must connect to the estate's recycled water supply.

5.21.2 Lots 300m<sup>2</sup> or greater must be connected to a rainwater tank with a capacity of at least 2,000 litres.

5.21.3 The rainwater tank must be connected to the toilets, laundry and gardens.

5.21.4 Tanks must not be prominent if visible from the public realm. They may be screened and integrated into the overall design.

#### **5.22 Fibre to the Home**

5.22.1 The house must be connected to Opticomm network.

#### **5.23 External Light Fittings**

5.23.1 If visible from the public realm, a light fitting must incorporate a diffuser or light shade.

5.23.2 External light fittings must not have excessive light spill.

#### **5.24 Service Equipment**

5.24.1 Satellite dishes, antennae and external receivers should be located within the back half of the house and not be prominent from the Public Realm.

5.24.2 Heating and cooling units should be positioned below the ridge line, positioned on the rear of the roof and coloured to match the roof as far as practical.

#### **5.25 Sustainability**

5.25.1 Photovoltaic panels and solar water heating panels may be located to maximise efficiency, as long as they are similar to and match the pitch of the roof form.

#### **5.26 Signage**

5.26.1 Signs to advertise the sale of a vacant lot are not permitted unless approved prior by the Developer.

5.26.2 One sign only may be erected to advertise the sale of a completed dwelling.

#### **5.27 Screening**

5.27.1 Ancillary structures and items must be located so that they are not readily visible from the Public Realm. This includes items such as: rubbish bin storage areas, washing lines, hot water systems, any water storage tanks, swimming pools, spa pumps, and external plumbing other than that for rainwater and satellite dishes and television antennae.

5.27.2 If a truck, commercial vehicle exceeding 1.5 tonnes, recreational vehicle, trailer, caravan, boat, horse float or any other similar vehicle is parked or stored on the lot, it must not be easily seen from the Public Realm.

5.27.3 Detached garages, sheds or ancillary storage of boats, caravans or similar must not be visible from the public realm.

#### **5.28 Maintenance of Lots**



- 5.28.1 The lot owner must not allow any rubbish to accumulate on a lot, including from site excavations and building materials, unless the rubbish is neatly stored in a suitably sized industrial bin or skip.
- 5.28.2 The lot owner must not allow excessive growth of grass or weeds upon the lot.
- 5.28.3 The lot owner or its agents must not place any rubbish, site excavations or building materials on adjoining lots, reserves or in any waterway.

## **6. SITING OF A BUILDING**

- 6.1 The siting of a Building within the Building Envelope Plan may be subject to any further restriction or modification imposed by this MCP or any other applicable Control.

## **7. VARIATION TO SITING OF BUILDING**

- 7.1 Notwithstanding anything to the contrary contained in this MCP, SIG Group may in its absolute discretion authorise in writing the siting of a Building/ Element which does not comply with the restriction created by the Plan of Subdivision, provided that such siting complies with the requirements of the Building Regulations.
- 7.2 MCP approval by SIG Group pursuant to this clause will only be provided in circumstances where SIG Group in its absolute discretion considers that the siting/ Element is desirable, in terms of achieving a better built form outcome than may otherwise be achieved and will not result in any significant detriment to abutting owners or occupiers.

## **8. SIG GROUP APPROVAL OF HOUSE DESIGN**

- 8.1 A two-storey dwelling must be constructed upon any Lot that is identified on the Building Envelope Plan as being a Lot upon which a two-storey residence is required, unless SIG Group, in its absolute discretion, approves in writing otherwise.
- 8.2 The design and siting of a Building on any Lot and the change to any existing Building on any Lot (where such change requires a Building Permit) must be in accordance with the design guidelines applicable to the Lot and must be approved in writing by SIG Group prior to any formal application for a Building Permit.

## **9. INTERPRETATION**

In this MCP, unless the contrary intention appears:

- 9.1 The singular includes the plural and vice versa;
- 9.2 a reference to an individual or person includes a partnership, body corporate, government authority or agency and vice versa;
- 9.3 words importing one gender include other genders;
- 9.4 other grammatical forms of defined words or expressions have corresponding meanings;
- 9.5 a reference to a statute, code or other law includes regulations and other instruments made under it and includes consolidations, amendments, re-enactments or replacements of any of them; and
- 9.6 a reference to an authority, institution, association or body ("original entity") that has ceased to exist or been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity.

**10. SPECIAL PROVISIONS**

*None applicable.*

AA011014

## ANNEXURE A

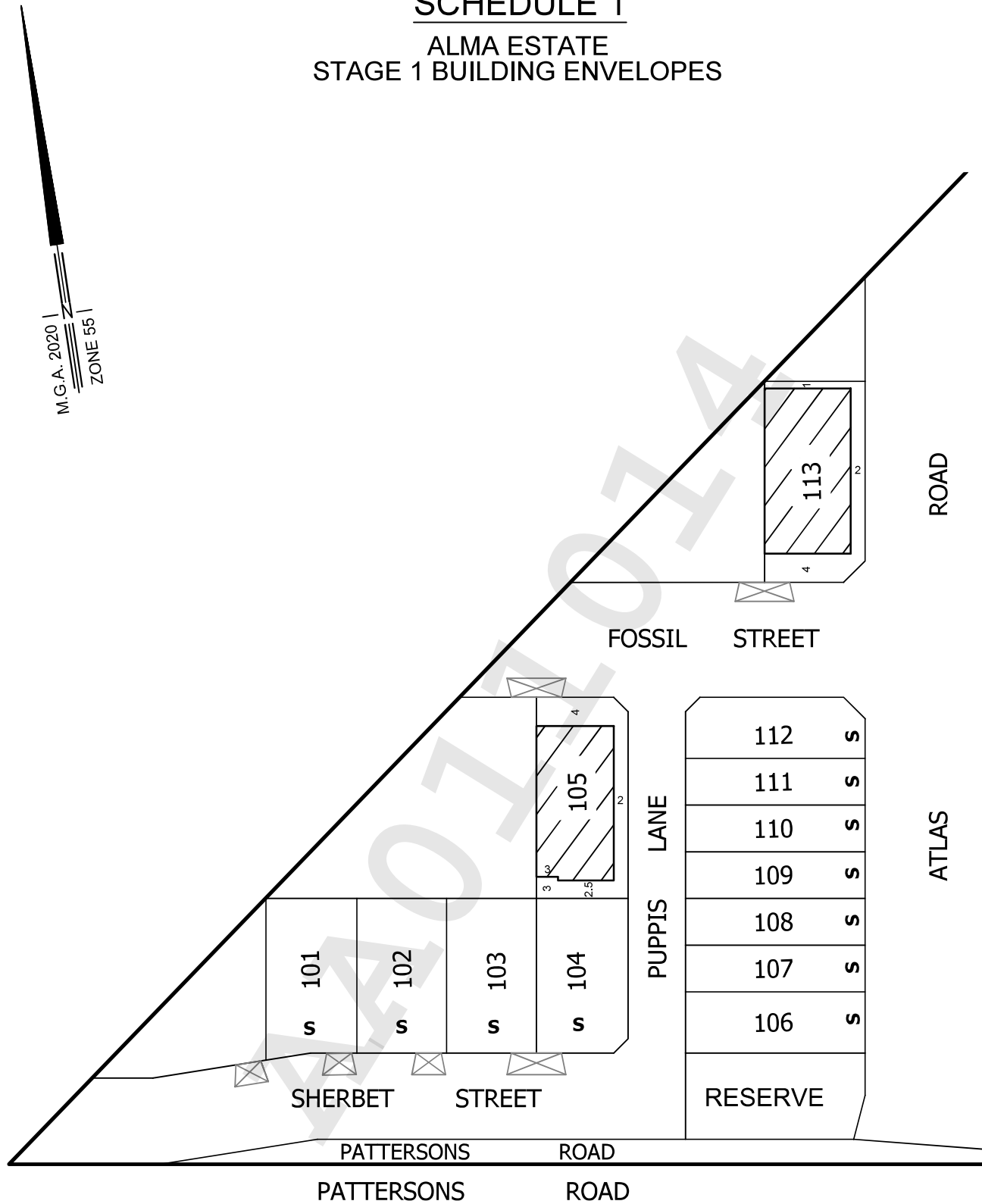
### Endorsed Building Envelope Plan

AA011014

# SCHEDULE 1

## ALMA ESTATE

### STAGE 1 BUILDING ENVELOPES



SEE SHEET 2



INDICATIVE CROSSOVER LOCATION



BUILDING ENVELOPE

- Garages are to be set back a minimum of 5.50 metres from the primary frontage of the allotment and 0.50 metres behind the front of the dwelling

**S** Small Lot Housing Code

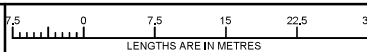


Unless nominated on this plan, a build to boundary zone only applies to one of the side of the lot where the crossover exists. A setback of at least 1 metre must be provided for the opposite side boundary.



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MNG Ref: 80701be-009h

SCALE  
1:750



ORIGINAL SHEET  
SIZE: A4

SHEET 1 OF 4

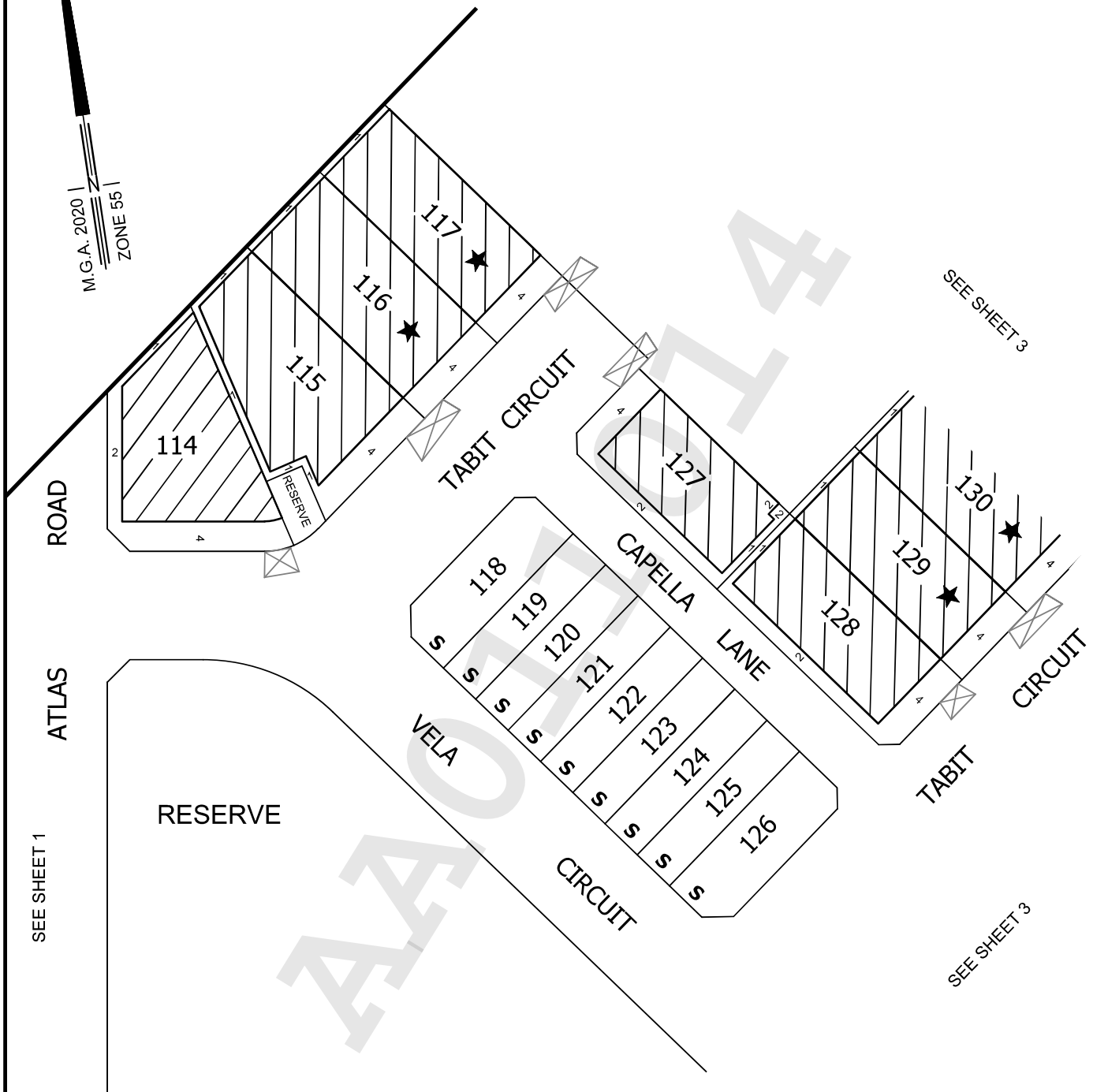
REV H

**ALMA**  
CLYDE NORTH

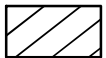
# SCHEDULE 1

## ALMA ESTATE

### STAGE 1 BUILDING ENVELOPES



INDICATIVE CROSSOVER LOCATION



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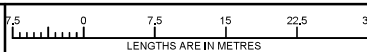
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SHEET 2 OF 4

REV H

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# SCHEDULE 1

## ALMA ESTATE

### STAGE 1 BUILDING ENVELOPES

SEE SHEET 2

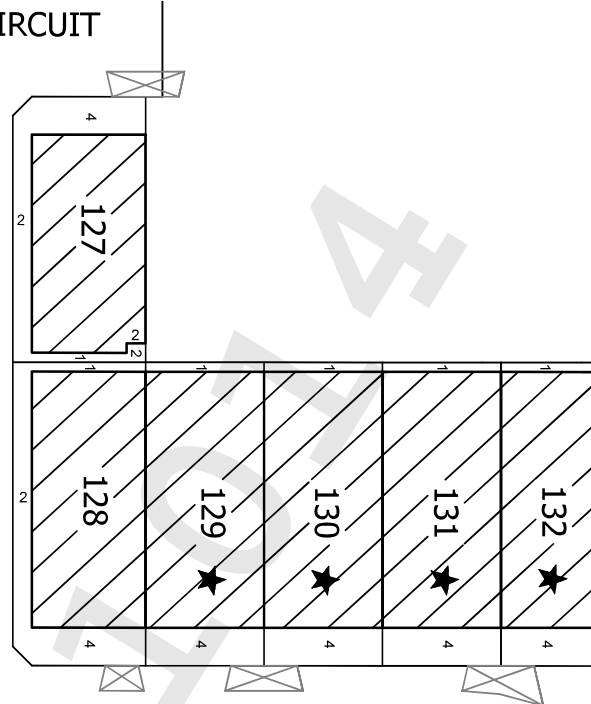
TABIT CIRCUIT

M.G.A. 2020 |  
ZONE 55 |

VELA  
SEE SHEET 2

S	118
S	119
S	120
S	121
S	122
S	123
S	124
S	125
S	126

CAPELLA LANE



TABIT CIRCUIT

CIRCUIT

4	2	1	4
133	146		
S	134	145	S
S	135	144	S
S	136	143	S
S	137	142	S

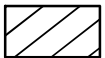
VELA CIRCUIT

4	2	1
147		
S	148	
S	149	
S	150	
4	2	
151		

SEE SHEET 4



INDICATIVE CROSSOVER LOCATION



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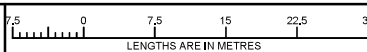
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SHEET 3 OF 4

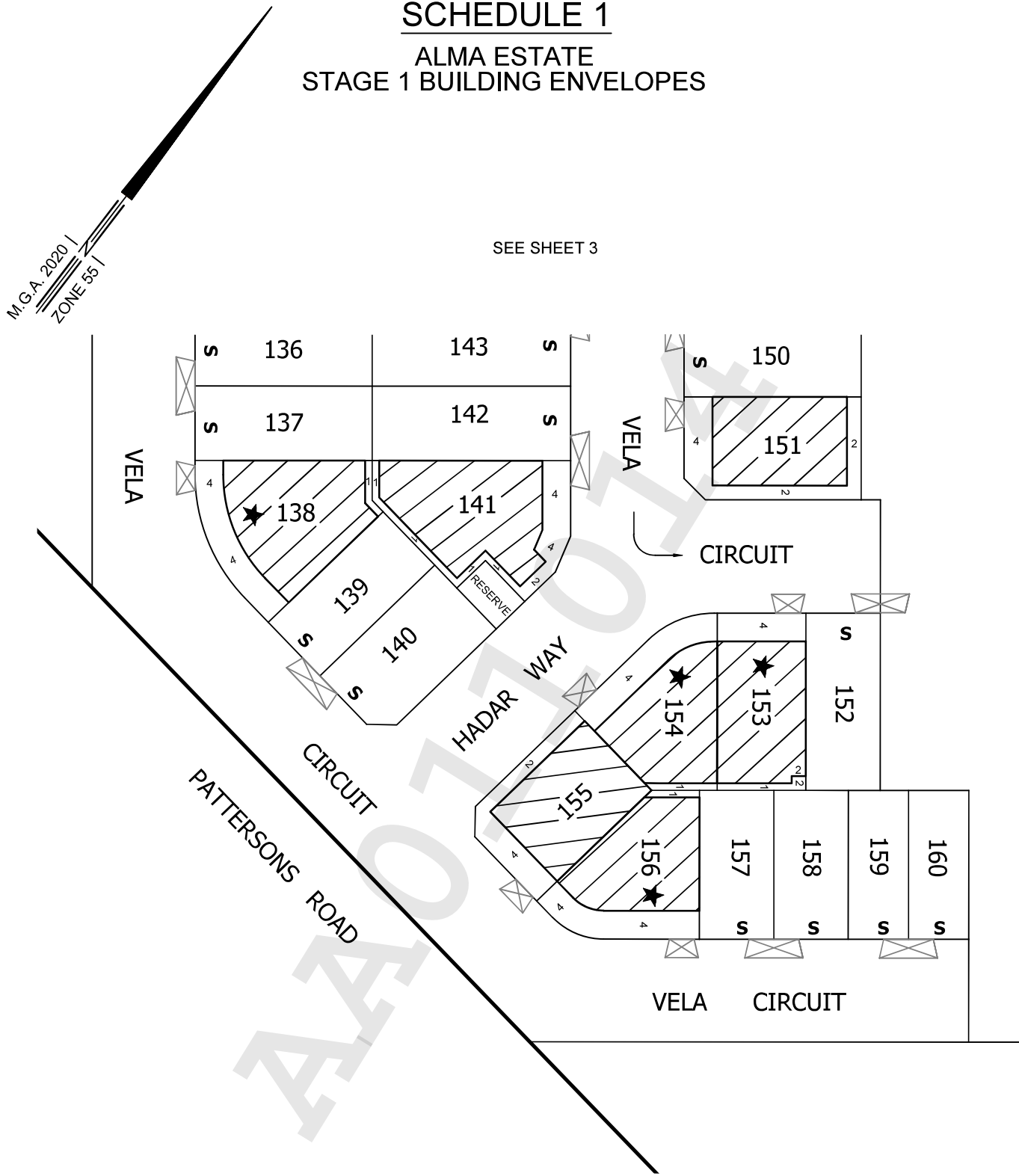
REV H

**ALMA**

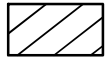
CLYDE NORTH

**SCHEDULE 1**  
**ALMA ESTATE**  
**STAGE 1 BUILDING ENVELOPES**

SEE SHEET 3



INDICATIVE CROSSOVER LOCATION



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SHEET 4 OF 4

REV H

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