

INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated..

EXAMINED

N 79985 RC 6 AUG 2015

31 Jul 2015 16:05:07 Perth



REG \$ 164.00

LODGED BY

CS Legan

ADDRESS

PO BOX 1599
BUNBURY 6231

PHONE No.

0897212022

FAX No.

0897925089

REFERENCE No.

ISSUING BOX No.

205E

PREPARED BY Christopher Garvey

ADDRESS

PO Box 7038
EATON WA 6232

PHONE No.

9725 0277

FAX No.

9725 0299 Ref: BSO (3383 CVE)

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

3/4

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Received Items

Nos.

0

Receiving Clerk

SH

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and



3.

- 4.9 Permit the repair or restoration of any motor vehicle, boat, caravan, trailer or other vehicle unless such restoration or repair work is conducted behind the building and fully screened from view from the road.
- 4.10 Construct any fence forward of the front building line of the residence as located on the Lot unless such fence is either 1.2 or 0.9m in height.
- 4.11 Construct any secondary street fencing exceeding a maximum of 80% of the total length of the boundary behind the front building line unless such fence is either 1.2 or 0.9m in height.
- 4.12 Construct any dividing fence of material other than Colorbond C.M.I. sheet profile, colour "Domain" with "Grey Ridge" posts, capping and rails of less than 1.8m in height.
- 4.13 Install any rain water tank of less than 2,500 litre capacity or otherwise than has been approved by the Augusta Margaret River Shire.
- 4.14 Construct and install any solar hot water system, airconditioner or solar panels on that portion of the roof of the residence facing the street and on any other portion of the roof not so facing the street other than such installations as are coloured to match the colour of the roof of the residence.
- 4.15 Install or construct any airconditioner at any point on the front elevation of the residence.

Time Limitation on Operation of all Covenants

- 5. The restrictive covenants hereinbefore contained shall operate and have effect only until 31 December 2020 after which they will cease to have any effect.

EXECUTED as a Deed.

Executed for and on behalf of **CORRIB**)
DEVELOPMENTS PTY LTD (ACN 600 857 065))
by authority of its Directors in accordance with s127)
of the Corporations Law:

Sole Director and Sole Secretary: Shane Patrick Farrell

CONSENT OF ENCUMBRANCE HOLDER

NIL

2.

Section 136D

2. The restrictive covenants hereby created are created under the provisions of Section 136D of the Transfer of Land Act 1893 as amended.

Benefit and Burden of Restrictive Covenants

3. The Registered Proprietor **HEREBY DECLARES AND AGREES** that:
- 3.1 The benefit of all of the covenants in this Deed will apply for the benefit of each of the Subject Lots.
- 3.2 Each covenant contained in clause 4 hereof will burden each of the Subject Lots.

Restrictive Covenants applying to the Subject Lots.

4. The Registered Proprietor for itself and the proprietor or proprietors for the time being of each of the Subject Lots **HEREBY COVENANT** that they **WILL NOT**:
- 4.1 Rezone any Lot smaller than 550m² in area for the erection of anything other than a single residential dwelling of either double or single storey.
- 4.2 Construct the walls of a residence of anything other than material comprising predominantly brick, brick veneer, rendered brick, rammed earth, hardiplank or with a roof of anything other than clay, concrete tiles or colorbond.
- 4.3 Design and construct a building with a primary frontage of less than two different colours or textures excluding windows, doors, roofing, gutters and downpipes.
- 4.4 Construct a home of anything less than 150m² in area excluding the garage and verandahs of such residence, but including any patio or alfresco dining area which adjoins kitchen, dining or living area.
- 4.5 Construct a roof with a pitch of less than twenty four degrees on any Lot smaller than 550m².
- 4.6 Construct a garage of anything less than sufficient size to park two motor vehicles side by side and which garage must not be constructed of any material other than those used in the construction of the main residence and which garage shall not be fitted with anything other than a roller or tilt type garage door.
- 4.7 Construct a driveway of less than 3m in width nor construct such driveway until a crossover is completed and which driveway is built from any materials other than brick paving, asphalt or coloured concrete.
- 4.8 Permit the parking of commercial vehicles including but not limited to trucks, buses, boats, caravans and trailers at any part upon the said Lot unless they are screened from public view at all times.

BLANK INSTRUMENT FORM**RESTRICTIVE COVENANT**

(Note 1)

RESTRICTIVE COVENANT**Pursuant to Section 136D of the Transfer of Land Act**

THIS DEED is made the 26 day of June 2015

BY: CORRIB DEVELOPMENTS PTY LTD (ACN 600 857 065) of Post Office Box 1748, Bunbury ("the Registered Proprietor").

BACKGROUND:

- A.** The Registered Proprietor is registered as the proprietor of an estate in fee simple in ALL THAT piece of land being Lot 9501 on Deposited Plan 62557 being the whole of the land described in Certificate of Title Volume 2736 Folio 33 ("the Land") and is subdividing the Land in successive stages, the first of which stages is that comprised in Deposited Plan 404865 ("the Deposited Plan").
- B.** The Registered Proprietor wishes to create and register restrictive covenants in respect of Lots 246-250 inclusive, 257-267 inclusive and 306-312 inclusive on the Deposited Plan ("the Subject Lots") pursuant to Section 136D of the *Transfer of Land Act 1893* as amended so that those covenants will benefit and burden each of the Subject Lots.

OPERATIVE PART:**Definitions and Interpretations**

- 1.** In this Deed the following words have the following respective meanings:-

"The Deposited Plan" means Deposited Plan 404865.

"The Registered Proprietor" means the party so described above.

"The Subject Lots" means Lot 246-250 inclusive, 257-267 inclusive and 306-312 inclusive on the Deposited Plan and **"Subject Lot"** means any one of them.

Each gender herein used includes the other two.

The singular includes the plural and vice versa.