

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

OFFICE USE ONLY

I 771076 RC
 27 Jan, 2004 10:20:05 Perth



REG. \$ 77.00

LODGED BY Wojtowicz Kelly (CB/14047)

ADDRESS Level 4, 160 St Georges Terrace
 PO Box 7432
 Cloisters Square
 PERTH WA 6850

PHONE No. 08 9322 2203

FAX No 08 9322 2204

REFERENCE No. CB/14837

ISSUING BOX No. 337L

PREPARED BY Wojtowicz Kelly (CB/14047)


ADDRESS Level 4, 160 St Georges Terrace, PERTH
 WA 6000

PHONE No. 9322 2203 **FAX No.** 9322 2204

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

efc

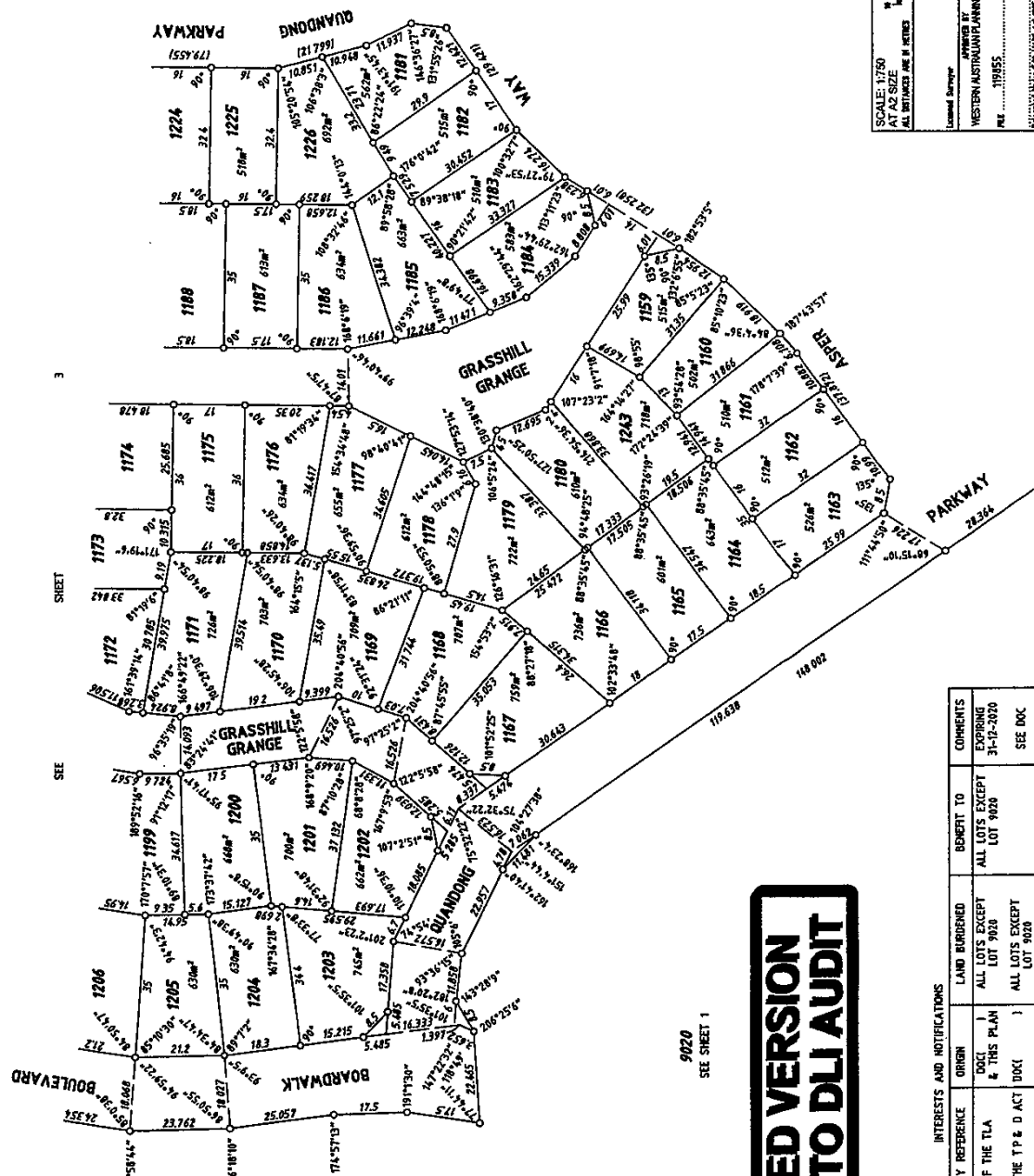
TITLES, LEASES, DECLARATIONS ETC. LODGED HERewith

1. _____	Received Items Nos.  Receiving Clerk
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.



FOR HEADING SEE SHEET 1



**UNLOGGED VERSION
SUBJECT TO DLI AUDIT**

9020
SEE SHEET 1



SCALE: 1:750
ALL DIMENSIONS IN METRES

Department of
LAND INFORMATION

DEPOSITED PLAN
38420

Issued Survey: _____ Date: _____

APPROVED BY:
WESTERN AUSTRALIAN PLANNING COMMISSION

DATE: 11/03/2015

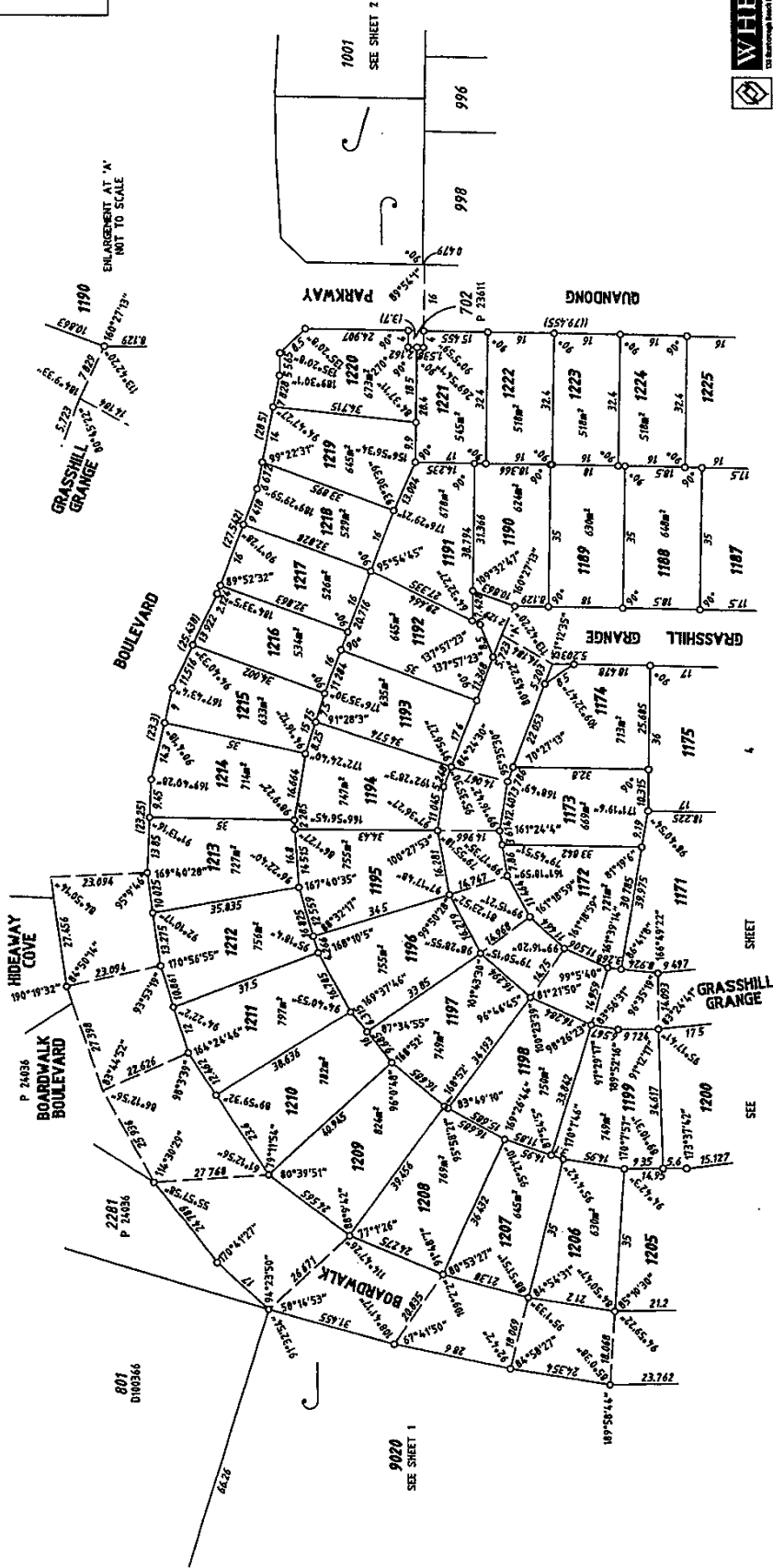
Original Title: 510 WAK 200 WMS

SHEET _____ OF _____

EDITION 1 VERSION _____

INTERESTS AND NOTIFICATIONS				
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	COMMENTS
	RESTRICTIVE COVENANT NOTIFICATION	SEC 12A OF THE TP & D ACT	DOC()	ALL LOTS EXCEPT LOT 1200
		SEC 194D OF THE TLA	DOC()	ALL LOTS EXCEPT LOT 1200
				EXPIRING 31-12-2020
				SEE DOC

FOR HEADING SEE SHEET 1
FOR INTERESTS & NOTIFICATIONS
SEE SHEET 4



WHELAN'S
 100 South Beach Road
 Southport, Queensland 4215
 Australia
 Ph: 07552-44111
 Fax: 07552-44114

SCALE: 1:750
 AT A2 SIZE
 ALL DIMENSIONS ARE IN METRES

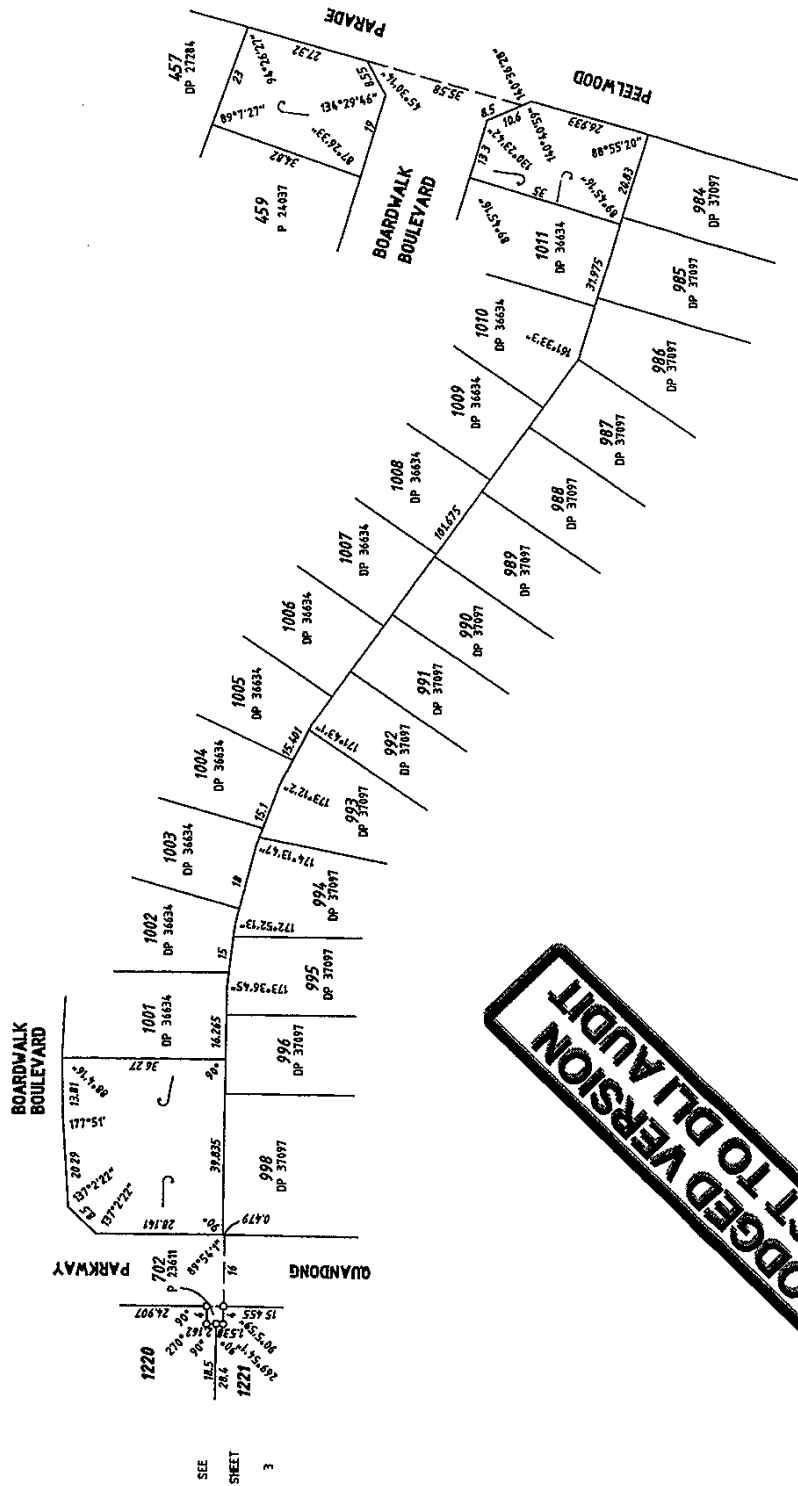


Department of
 Land Information
 Western Australian Planning Commission
 FILE NO: 11885
 DATE: 11/08/05
 SHEET 3 OF 4
 LOTION 1

DEPOSITED PLAN
 38420

**UNLOGGED VERSION
 SUBJECT TO DLI AUDIT**

FOR HEADING SEE SHEET 1
FOR INTERESTS & NOTIFICATIONS
SEE SHEET 4



WHELAN'S
23 Commonwealth Road, Brisbane QLD 4001
PO Box 99, St. Lucia QLD 4013
Ph: (07) 3369 2222
Fax: (07) 3369 2223
www.whelans.com.au
P: 272728442.dwg

SCALE: 1:1000
AT A2 SIZE
ALL DIMENSIONS ARE IN METRES

APPROVED BY
WESTERN AUSTRALIAN PLANNING COMMISSION
FILE: 119855
DATE:
SHEET: 2 OF
VERSION: 1

DEPARTMENT OF
LAND ADMINISTRATION
DEPOSITED PLAN
38420

TYPE: FREEHOLD
 PURPOSE: SUBDIVISION
 PLAN OF

LOTS 1159-1226, 1243,
 9020, ROADS &
 RESTRICTIVE COVENANT

DISTRICT: MURRAY
 SSA YES/NO
 FORMER TENURE: LOT 908 DP 37997
 LOCAL AUTHORITY: CITY OF HAMBURG
 LOCAL AUTHORITY FILE NO: 11301 75150
 LOCAL AUTHORITY INDEX: 86 36 (03/31/83) 71301 75150
 LOCAL AUTHORITY INDEX: 86 36 (03/31/83) 71301 75150
 LOCAL AUTHORITY INDEX: 86 36 (03/31/83) 71301 75150

SCALE: 1:1500
 AT A2 SIZE
 SHEET: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

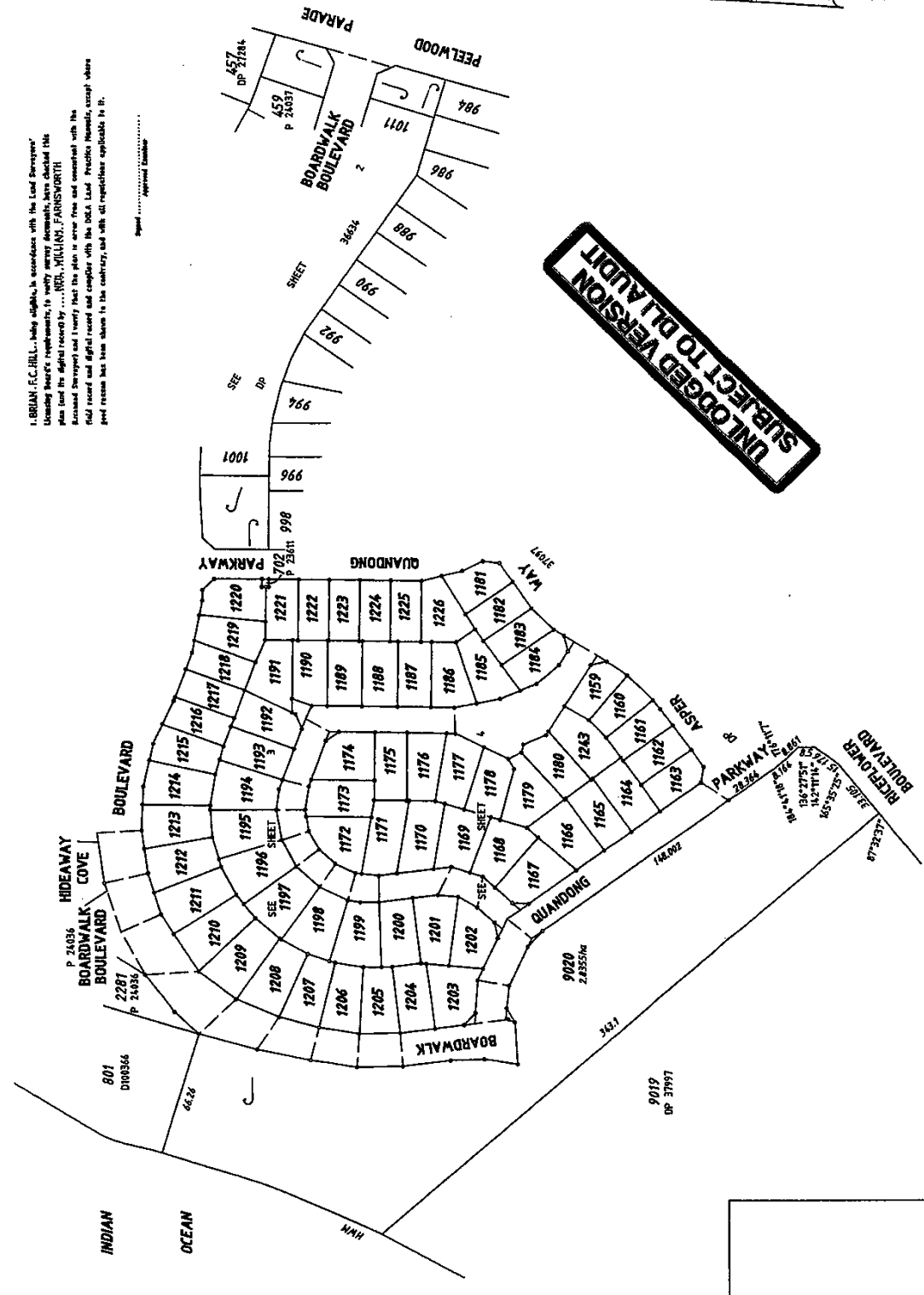
APPROVED BY: MELBAUS (NOA) PTY LTD
 0863 344 311
 TYPE OF VALIDATION:
 FULL SURVEY
 LOCAL COMPACT
 DATE: 19/09/2013
 FILE: 119855
 PREPARED BY: [Name]
 CHECKED BY: [Name]
 DATED: 19/09/2013
 APPROVED: 19/09/2013
 REG 26A (4)

IN ORDER FOR DEALINGS
 SUBJECT TO

THE INSPECTOR OF PLANS & SURVEYS / AUTHORIZED LAND OFFICE
 APPROVED: REG 26A (4)
 DIRECTOR OF PLANS & SURVEYS / AUTHORIZED LAND OFFICE
 DATE

DEPOSITED PLAN
 38420
 DEPARTMENT OF LAND INFORMATION

FOR INTERESTS & NOTIFICATIONS
 SEE SHEET 4



I, BRIAN F.C. HILL, being eligible, in accordance with the Land Transfer Act 1924, do hereby certify that the plan is a correct and true copy of the original plan as submitted to me and that the same is in accordance with the requirements of the said Act. I have also certified that the plan is a correct and true copy of the original plan as submitted to me and that the same is in accordance with the requirements of the said Act. I have also certified that the plan is a correct and true copy of the original plan as submitted to me and that the same is in accordance with the requirements of the said Act.



SURVEY CARRIED OUT UNDER REG 26A
 SPECIAL SURVEY AREA GUIDELINES

ED/VER	AMENDMENT	BY	SIGNATURE	DATE

ANNEXURE A – DEPOSITED PLAN 38420

- (4) Not to permit the construction or erection of an air conditioner or evaporative cooler except in accordance with the manufacturer's instructions and which is of a similar colour to the roof.
- (5) Not to damage, alter, extend, build up or affect the visual appearance of any retaining wall on the Lot unless first approved by the Developer or their Agent.
- (6) Not to remove or damage or permit to die any tree provided to the Lot or the road verge in front of or to the side of the Lot, unless first approved by the Developer or their Agent.
- (7) Not to erect or display on the Lot any sign hoarding or advertising of any description whatsoever, except for professional signage advertising the sale or lease of a fully completed dwelling house constructed on the Lot. Any sign or advertising material erected or displayed on the Lot in breach of this covenant may be removed without notice by the Developer or their Agent.

SCHEDULE

The registered proprietor for the time being of each Lot ("the Lot") covenants:

- (1) Not to construct, erect or install or permit to be constructed, erected or installed on the Lot without the prior written approval of the Developer or its agent:
 - (a) In the case of Lots 1203 – 1212 (inclusive) any dwelling other than a single, private, non-transportable dwelling house having a floor area of 200 square metres or more and being constructed predominantly of clay face brick, painted cement, rendered brick or stone elevations. The area of such dwelling is to be calculated so as to exclude any areas comprised in any carports, garages, storerooms, verandas, balconies, pergolas and other outbuildings of any nature whatsoever;
 - (b) In the case of any other Lot any dwelling other than a single, private, non-transportable dwelling house having a floor area of 165 square metres or more and being constructed predominantly of clay face brick, painted cement, rendered brick or stone elevations. The area of such dwelling is to be calculated so as to exclude any areas comprised in any carports, garages, storerooms, verandas, balconies, pergolas and other outbuildings of any nature whatsoever;
 - (c) Any dwelling having a roof pitch of less than 20 degrees or greater than 40 degrees, or any dwelling with a roof constructed of zincalume or any other significantly reflective material;
 - (d) Any dwelling house without, at the same time providing an enclosed garage for not less than two motor vehicles, parked side by side, which:
 - (i) includes a garage door sufficient to completely screen the interior of the garage from the street;
 - (ii) is built under the main roof of the dwelling, or constructed in a manner that matches the dwelling house in respect of the design, materials used, roof pitch and external appearance, including colour and quality of appearance;
 - (iii) Includes a driveway and cross-over constructed of brick paving and extending to the road kerb;
 - (e) Any retaining wall that faces a street frontage unless constructed of limestone blocks of substantially the same colour, texture, size and finish as those used in the surrounding area to the satisfaction of the Developer;
 - (f) Any side boundary fence that faces a street frontage unless such fence is constructed of Midland Colonial Limestone or other brick of substantially the same size, colour and texture to the satisfaction of the Developer;
 - (g) Any fence (other than an existing fence already erected on any boundary of the Lot at the date of purchase by the registered proprietor) unless constructed of pine lap, limestone or masonry (or some combination thereof) at a nominal height (i.e. excluding any retaining wall on which the fence is constructed) of 1.8 metres;
 - (h) Any fence forward of the front building line of the dwelling house or any fence to the front boundary facing the street;
 - (i) Any free-standing structure (including a garden shed) of 9 square metres or less, unless such structure:
 - (i) is substantially hidden from public view from immediately adjacent streets and parks;
 - (ii) is not constructed of zincalume or any other significantly reflective material; and
 - (iii) does not project above the height or any surrounding boundary fence by more than 300mm;
 - (j) Any free-standing structure (including a garden shed) in excess of 9 square metres but less than 36 square metres, unless such structure:
 - (i) is substantially hidden from public view from immediately adjacent streets and parks;
 - (ii) is not constructed of zincalume or any other significantly reflective material;
 - (iii) does not project above the height or any surrounding boundary fence by more than 600mm; and
 - (iv) has been approved in writing by the registered proprietor of each lot surrounding the land on which such structure is erected;
 - (k) Any free-standing structure (including a garden shed) in excess of 36 square metres, unless such structure matches the dwelling in respect of material used, design and external appearance including colour and quality of construction;
 - (l) Any structure attached to the dwelling house, unless such structure matches the dwelling house in respect to materials used, design and external appearance including colour and quality of construction, unless it is hidden from public view.
- (2) Not to park or allow to be parked on the Lot or on the road reserve next to or adjacent to the Lot any commercial vehicles including trucks, utilities, caravans, boats, trailers, or any other mobile machinery ("Commercial Vehicles") unless such Commercial Vehicles are housed or contained wholly within the Lot and are hidden from public view.
- (3) Not to permit the construction or erection of a hot water heater, clothes line, satellite or cable dish, or rainwater tank except in accordance with the manufacturers instructions and which is hidden from public view.

1.2 Interpretation

In this document unless the context otherwise requires:

- (a) words importing the singular include the plural and vice versa;
- (b) words importing any gender include the other genders;
- (c) references to persons include corporations;
- (d) references to a party hereto or to any other person include the legal personal representatives, successors and permitted assigns of that party or person;
- (e) if a word or phrase is defined cognate words and phrases have corresponding definitions;
- (f) any obligation incurred by two or more parties shall bind them jointly and severally and an obligation incurred in favour of two or more parties shall be enforceable by them jointly and severally; and
- (g) headings shall be ignored in construing this document.

2. RESTRICTIVE COVENANTS

Each of the Lots is to be encumbered by the Restrictive Covenants. The burden of the Restrictive Covenants shall run with each of the Lots for the benefit of each and every other of the Lots and the Restrictive Covenants shall be enforceable against the registered proprietor of each of the Lots by the Developer and every subsequent registered proprietor of every other of the Lots.

3. TERM OF RESTRICTIVE COVENANTS

The Restrictive Covenants shall expire and cease to have effect from and including 31 December 2020

EXECUTED AS A DEED:

Executed for and on behalf of **MIRVAC MANDURAH PTY LTD ACN 102 396 350** by its duly appointed Attorneys pursuant to Power of Attorney No. **1600729** registered in the State of Western Australia

D.J. Cooper OC
ATTORNEY SIGNATURE

Colin Cooper CC
ATTORNEY SIGNATURE

Darren Cooper
ATTORNEY PRINT NAME

Colin Cooper
ATTORNEY PRINT NAME

Blwos
WITNESS SIGNATURE

Blwos
WITNESS SIGNATURE

Kyle Jeavons
WITNESS PRINT NAME

Kyle Jeavons
WITNESS PRINT NAME

Assistant Development manager
WITNESS PRINT OCCUPATION

WITNESS PRINT OCCUPATION

1002 Hay Street Perth
WITNESS PRINT ADDRESS

1002 Hay Street Perth
WITNESS PRINT ADDRESS

BLANK INSTRUMENT FORM

RESTRICTIVE COVENANT

(Note 1)

AM 66 0:2 878 629
WESTERN AUSTRALIA STAMP DUTY
DEE 09/12/03 10:16 002134235-001
FEE \$ *****
SD 0 *****0.00 PEN *****0.00

BY:

MIRVAC MANDURAH PTY LTD (ACN 102 396 350) of Level 2, 1002 Hay Street, Perth, Western Australia
("Developer")

RECITALS

- A. The Developer is registered as the proprietor of the Land.
- B. The Land is subject to the Specified Encumbrances but otherwise free of all encumbrances.
- C. Where applicable, the parties who hold the Specified Encumbrances have consented the terms of this Deed.
- D. The Developer intends to subdivide the Land in the manner shown on the Plan and has obtained the approval of the Commission to such subdivision.
- E. In accordance with section 136D of the Act the Developer requires the Lots to be encumbered by the Restrictive Covenants so that the Restrictive Covenants will be noted on the Plan and when separate certificates of title issue for the Lots the burden of the Restrictive Covenants will be noted on each such certificate of title.

OPERATIVE PART

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this Deed the following words and expressions shall have the following meanings:

"Act" means the Transfer of Land Act 1893 as amended;

"Commission" means the Western Australian Planning Commission;

"Land" means Lot 9019 on Deposited Plan 37997 and being the whole of the land contained in Certificate of Title Volume 2550 Folio 751;

"Lots" means each of the Lots on the Plan excepting only Lot 9020;

"Plan" means the Office of Titles Deposited Plan 38420 attached to this Deed as Annexure "A";

"Restrictive Covenants" means the restrictive covenants set out in the Schedule to this Deed; and

"Specified Encumbrances" means Mortgage I608815 to Australian and New Zealand Banking Group Limited.