INSTRUCTIONS

1. This form may only be used 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.

L453808 RC
~~14 Oct 2010~~ 16:14:52 Perth
REG $ 135.00
20 Nov 2010

LODGED BY
ADDRESS CWS LAWYERS
3rd Floor
45 St Georges Tce
PERTH WA 6000
PHONE No. Phone: 6210 7070
Fax: 9218 8715
FAX No.
REFERENCE No.
ISSUING BOX No. 888 (V)

PREPARED BY JACKSON McDONALD
ADDRESS Level 25, 140 St Georges Terrace
PERTH WA 6000
Ref: GRB:7137031 - 2013226_2.DOC
Lots on DP 67223
PHONE No. (08) 9426 6611 FAX No. (08) 9481 8649

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

2/2

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____ Received Items
2. _____ Nos.
3. _____ 0
4. _____
5. _____
6. _____ Receiving Clerk

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.

EXAMINED
Authority letter to amend timeclock in L453807

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EXECUTED BY THE REGISTERED PROPRIETOR AS A DEED

SIGNED by)
JOHN PAUL FORD)
as Attorney for)
STOCKLAND WA DEVELOPMENT PTY LTD)
ACN 000 097 825)
under Power of Attorney K927649)
in the presence of:)

.....
JOHN PAUL FORD

.....
Witness Signature

.....
Name: Priscilla MacKinnon
Contracts Manager
Suite 1 Level 4
85 South Perth Esplanade
.....South Perth WA.....
Address:

.....
Occupation:

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SCHEDULE

1. **Subdivision Land**

   Lot 9040 on Deposited Plan 65201 the whole of the land in Certificate of Title Volume 2740 Folio 678

2. **Burdened Lots**

   Lots 1003-1019 and 1036-1045 on Deposited Plan 67223

3. **Benefited Lots**

   Lots 1003-1019 and 1036-1045 on Deposited Plan 67223

4 **Encumbrances**

   Nil

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Residence; and

(v) has a garage (including doors) protruding not more than 2.0 metres forward of the Main Building Line;

(h) the driveway or crossover:

(i) is not completed before occupation of the Residence; and

(ii) is Constructed from plain grey concrete;

(i) any roof mounted items are visible from the street or public space, including but not limited to satellite dishes, TV aerials, external hot water services, water tanks, air conditioning units and heating units unless they are located in such a way to minimise their impact on the visual quality and amenity of the area or unless the roof mounted item is a solar panel or solar collector for hot water units and that panel or collector is oriented to maximise its effectiveness; and

(j) any ground mounted services including but not limited to heating and cooling units, rubbish disposal containers, swimming pool equipment, rainwater tanks, clothes hoists and washing lines, are not screened from view from the public domain, except, in the case of rubbish bins, on local authority collection days.

3.2 No shed or outbuilding may be Constructed in front of the Main Building Line or in the case of a corner lot in front of the Secondary Street Building Line unless invisible from the adjacent street or public space.

3.3 It will not alter, remove or allow to fall into disrepair any fence, retaining wall or entry statement installed by the Registered Proprietor on the Land.

3.4 It will not Construct any retaining wall visible from the street or other public space:

(a) unless of materials matching the materials used on the retaining walls installed by the Registered Proprietor;

(b) containing pre-cast concrete panels; and

(c) containing a post retaining wall.

4. **Separate and Distinct**

4.1 Each Restrictive Covenant is a separate and distinct Restrictive Covenant.

4.2 If any Restrictive Covenant or its application to any person or circumstance is or becomes invalid or unenforceable then the remaining Restrictive Covenants will not be affected and each remaining Restrictive Covenant will be valid and enforceable to the fullest extent permitted by law.

5. **Term of Restrictive Covenants**

The Restrictive Covenants shall expire and cease to have effect on 31 December 2020.

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2.5 "Secondary Street Building Line" means:

(a) the line of the front face of the bricks of the side wall of the Residence facing the secondary street; or

(b) any other secondary street building line that the Registered Proprietor in its absolute discretion determines.

3. **Restrictive Covenants**

The owner, from time to time, of the Land covenants with the Registered Proprietor as follows:

3.1 It will not Construct a Residence if:

(a) the external wall finish to front street façade of the Residence comprises fewer than 2 materials or 2 colours (excluding windows and garage doors);

(b) the roof to the Residence does not have:

(i) a minimum pitch of 20° and a maximum pitch of 30° for hipped and gabled roofs; or

(ii) a minimum pitch of 10° and a maximum pitch of 15° for skillion roofs;

(c) the rear fencing on the Land is:

(i) more than 1.8 metres high; and

(ii) not Constructed of Colorbond colour Teatree;

(d) the side boundary fencing (excluding fencing adjacent to a street) on the Land:

(i) is more than 1.8 metres high;

(ii) is not Constructed of Colorbond colour Teatree; and

(iii) returns to the house less than 1.0 metre behind the front façade;

(e) the front fencing on the Land is:

(i) more than 1.8 metres high;

(ii) less than 50% transparent above 1.2 metres high; and

(iii) not in materials and colours consistent or complementary with the external wall finishes of the primary street elevation of the Residence;

(f) the Land is a corner lot and:

(i) the fencing adjacent to the secondary street is:

A. more than 1.8 metres high;

B. not Constructed of Colorbond colour Teatree; and

C. not set back 4.0 metres or more from the corner truncation;

(ii). the external wall finishes to the Residence does not address both streets through its design by extending the primary street elevation for at least 4.0 metres onto the secondary street elevation; and

(iii) the external wall finishes to the façade facing the street are not the same materials or colours as the materials or colours applied (from time to time) on the front façade of the Residence;

(g) the Residence does not have a garage or carport, including a garage door, which:

(i) is completed before occupation of the Residence;

(ii) for lots wider than 13 metres, is sufficient for at least 2 motor vehicles side by side;

(iii) for lots with a width of 13 metres or less, is sufficient for at least one motor vehicle;

(iv) has a roof design and design features consistent with the form and materials of the

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FORM B2

Approval: B1592

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

DEED OF RESTRICTIVE COVENANT
SECTION 136D

(Note 1)

THIS DEED is made the 17TH day of MAY 2010.

BY:

STOCKLAND WA DEVELOPMENT PTY LTD (ACN 000 097 825) of POST OFFICE BOX 498, SOUTH PERTH ("Registered Proprietor")

BACKGROUND:

1. The Registered Proprietor is the registered proprietor in fee simple of the land described in item 1 of the Schedule ("Subdivision Land").

2. The Registered Proprietor intends to subdivide the Subdivision Land into the lots shown on Deposited Plan 67223 ("Plan").

3. In accordance with section 136D of the Transfer of Land Act, the Registered Proprietor requires each of the lots described in item 2 of the Schedule ("Burdened Lots") to be encumbered with the restrictive covenants set out in this Deed ("Restrictive Covenants") so that the Restrictive Covenants will be noted on the Plan, and, when separate Certificates of Title issue for each Burdened Lot, the burden of the Restrictive Covenants together with the encumbrances set out in item 4 of the Schedule, will be noted on each Certificate of Title for each Burdened Lot.

OPERATIVE PART:

1. **Certificate of Title**

1.1 Each Certificate of Title which issues for a Burdened Lot shall be encumbered by the Restrictive Covenants.

1.2 The Restrictive Covenants on each Burdened Lot are for the benefit of those lots on the Plan described in item 3 of the Schedule ("Benefited Lots").

1.3 The Restrictive Covenants will bind the successors in title and the registered proprietors from time to time of each Burdened Lot and the Restrictive Covenants will benefit the successors in title and the registered proprietors from time to time of each Benefited Lot.

2. **Definitions for Restrictive Covenants**

For the purposes of the Restrictive Covenants:

2.1 "Constructed" means:

(a) Constructed, erected, installed or carried out; and

(b) permitted to be Constructed, erected, installed or carried out;

on the Land.

2.2 "Land" means the land specified in the Certificate of Title to each individual Burdened Lot.

2.3 "Main Building Line" means:

(a) the line of the front face of the bricks of the front wall of the Residence; or

(b) where the line of the front face of the bricks of any residence on a lot adjoining the Land is Constructed behind the main building line of the Residence, then the main building line of the Residence is the same as that building line of the residence on the lot adjoining the Land.

2.4 "Residence" means the residence to be Constructed on the Land.

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