

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 full name, address and occupation of the witness must be stated.



EXAMINED

OFFICE USE ONLY

0409458 RC

19 May 2020 08:30:00 Perth



LODGED BY

ADDRESS **Street:**

HOUSING AUTHORITY
99 PLAIN STREET

PHONE No. **EAST PERTH WA 6004**
 PH: 9222 4654 FAX: 9222-4670

FAX No. **LANDGATE BOX - 158L**
6154 6468

REFERENCE No.

ISSUING BOX No.

PREPARED BY **MCWILLIAMS LAWYERS**
 (REF:PMW: 20061)

ADDRESS **Street:** Level 3, 172 St. Georges Terrace
 Perth WA 6000

Postal: PO Box 7882
 Cloisters Square PO WA 6850

PHONE No. 08 9422 8999 FAX No.08 9422 8900

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

5/7
 4/4

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

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

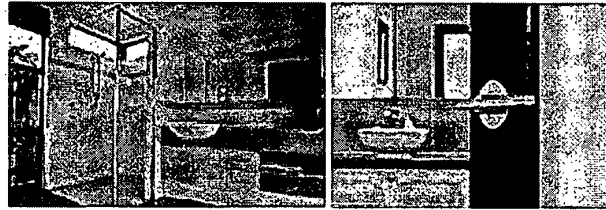
THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK.

Liveability

Liveable or safe and accessible homes are designed and fitted-out to allow ease of access and use for all people, including those with limited mobility, the aged, people suffering injuries and children.

Key Liveability elements include:

- Level, well illuminated entry
- Accessible, well illuminated car parking and pathways
- Wide doorways and passages (minimum 820mm wide)
- Accessible toilet and bathroom with semi recessed hand basin and hobless (step-free) shower. Minimum open flooring of 1.6m x 1m in the toilet and 2.3 x 2m in the bathroom
- Lever door handles
- Power points no lower than 30cm from the floor



Additional initiatives

Additional methods to reduce the long term sustainability include:

- thermal performance exceeding the BCA minimum 6 star requirement;
- use of framed construction with light weight cladding (less embodied energy, better thermal performance, higher recyclable content and reduced footings compared with brick construction); or
- inclusion of ancillary accommodation to increase the design life of the building and make it more adaptable to the changing needs and circumstances of the occupants

Enquiries:

If you have any enquiries, please contact us via:

Phone 1300 315 679

Email approvalswa@cedarwoods.com.au

Disclaimers

Cedar Woods reserves the right to amend these Design Standards over time to reflect changes in development, construction practices and planning regulations. Cedar Woods reserves the right to apply, enforce, vary or waive any of the requirements if on balance the application embodies the objectives of the design principles and conforms to the contemporary Australian architectural vision.

In the event that Cedar Woods allows a dispensation from the Design Standards, the dispensation will

neither set a precedent, nor imply that the approval will be repeated.

The purpose of images and illustrations contained within this document is to illustrate the Design Standards they apply to only. In the case that an image or illustration does not fully comply with the Design Standards this will not over-ride the wording or intent contained within this document and approval for same will not be granted.

Acknowledgements

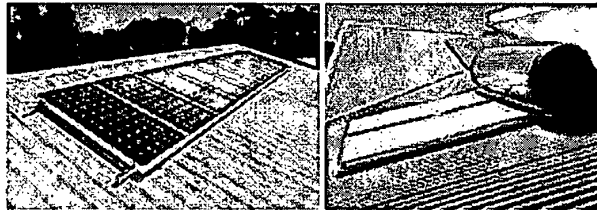
Images within this document have been sourced from Dulux, WB Designs, realestate.com.au, Ben Trager Homes, Home Improvement Pages, Cervale Home, Pty Ltd, Celebration Homes, Aerobic West, energyrating.gov.au, Architectural Cladding Pty Ltd, Colorbond, Real Stone Cladding, James Hardie, BHC.com, Green Magazine, Wishlist Homes, Stegbar, Bunnings Warehouse, Brickmakers

1300 315 679
harrisdalegreen.com.au



Renewable Energy

Renewable Energy takes advantage of nature systems, most commonly the sun, for the production of electrical energy and water heating. Incorporating an appropriately sized photovoltaic PV system and solar water heater to match your home and family's needs can go a long way to offsetting much of your energy demand over the year.



Key renewable Energy elements include:

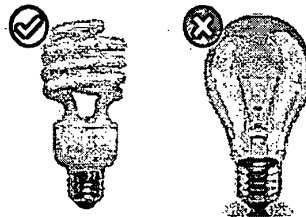
- Photovoltaic (PV) system
- Solar (with gas or electric booster) or Heat Pump hot water system.

In-Home Energy Efficiency

In-home energy is a significant part of your total energy consumption. Choosing efficient appliances such as fridges and washing machines, and fixtures (such as ceiling fans and air-conditioners) can significantly reduce your energy bills.



Peak load is the increased demand for electricity, mainly during summer between 3pm and 9pm. This occurs when most people are at home using multiple appliances such as TVs, computers and air-conditioners. You can reduce your peak load demand by including smart meters and having peak load control devices fitted to fixtures and fittings.



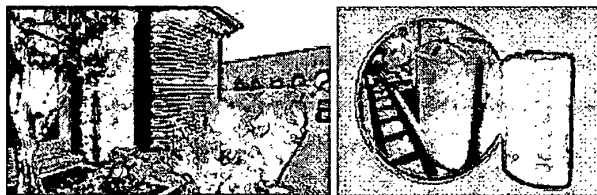
Key Energy Efficiency elements include:

- Energy efficient, peak smart air conditioners
- Ceiling fans to living areas and bedrooms
- Energy efficient lights - LED or fluorescent (CFL's)
- Automatic lighting sensors

Water Use and Efficiency

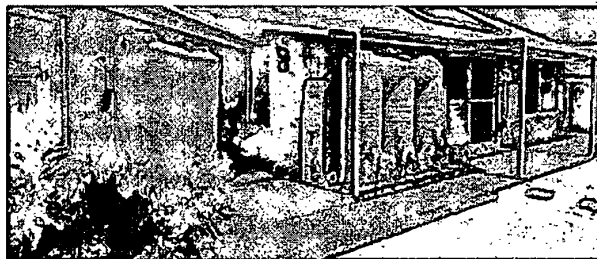
Alternative Water and Water Reuse

The installation of alternative water systems can significantly reduce your water bill as well as preserve water availability for the future. Harvesting and the reuse of rainwater can greatly reduce scheme water use. The best use of rainwater is to have the tank plumbed directly to toilet flushing and for cold water to the washing machine. Greywater systems reuse laundry and shower water for garden irrigation.



Key Alternative Water and Water Reuse elements include:

- Rainwater tank plumbed to laundry and toilets
- Grey water system to irrigate garden areas



1300 315 679
harrisdalegreen.com.au



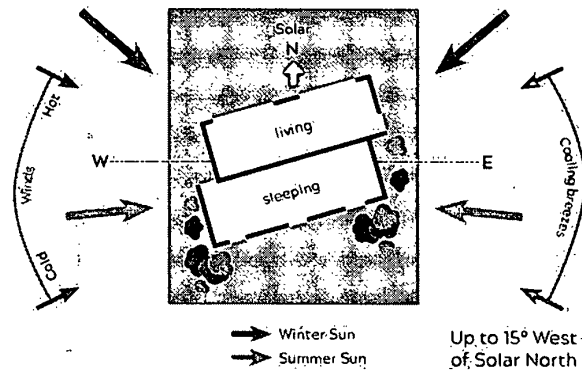
Additional Design Considerations

Ask your builder about some other additions such as the ones below. These will cost a little more up front, but the potential savings could save you much more in the medium to long term. These items are not mandatory at Harrisdale Green but are included for your consideration only.

Climate responsive design.

The cheapest way to ensure your home is energy efficient is to lay it out right. This should not add cost to your home - select a house plan which meets as many of the following elements as possible from the following list.

- Living rooms to be on the north facing side of the dwelling. If the lot faces north-west to north-east, then the living rooms can be on the east or west sides
- Bedrooms on the southern side of the dwelling
- Alfresco areas or patios to be on the east or west sides of the dwelling
- Utility rooms, store rooms, bathrooms and garage/carports to be situated on the east and west sides of the dwelling as much as possible
- Windows minimised (e.g. not to the floor) on the east, west and south sides of the dwelling or larger windows to have e-glass, double glazing or similar.
- Larger windows to have awnings, deep eaves (450mm+), e-glass, double glazing or similar
- Windows to be maximised on north facing walls
- Ensure roof insulation extends to the eaves
- Use wall insulation
- Ensure breezes can flow through the home
- Tiles, linoleum or concrete floors encouraged to north or west facing living rooms
- Plant gardens which will protect the windows in summer and allow the sun in through the winter.

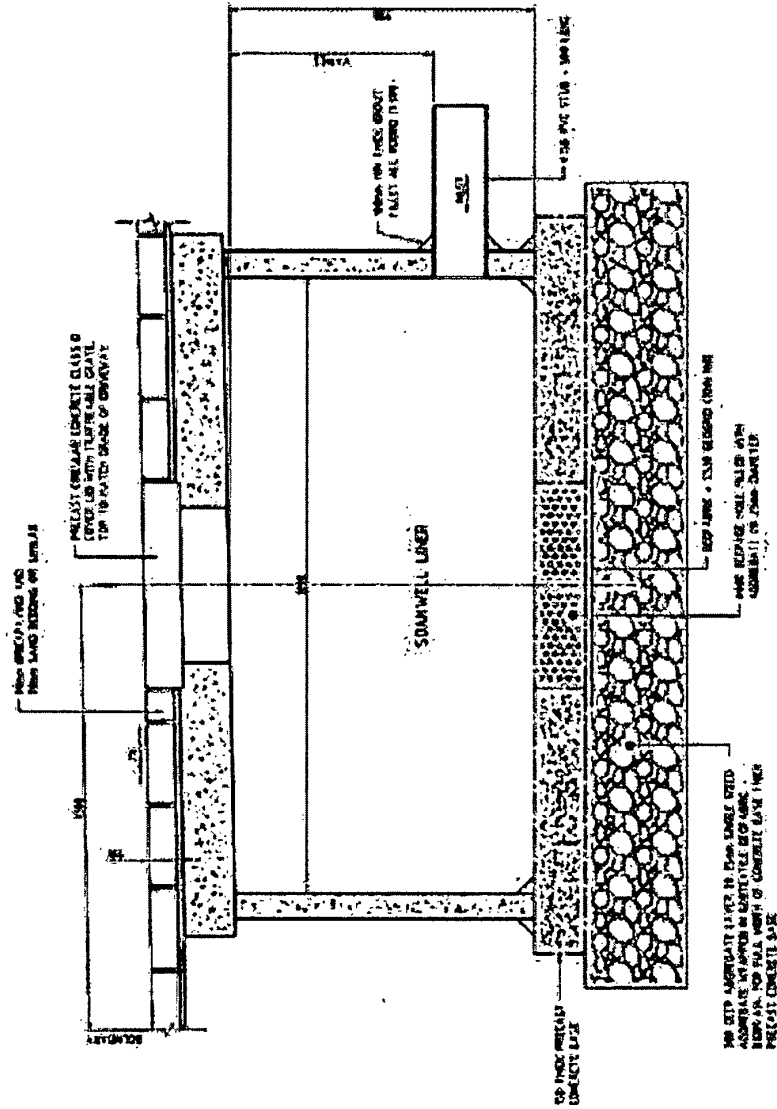


1300 315 679
harrisdalegreen.com.au

CEDAR WOODS
DEVELOPING TOMORROW TODAY

Stage 4 Stormwater Drainage

Figure 1



1300 315 679
 harrisdalegreen.com.au



Stage 4 Stormwater Drainage

This information sheet outlines the requirements for stormwater drainage for the Harrisdale Green Estate, Stage 4. All residential lots located in this Estate are to comply with these requirements for drainage to meet water sensitive urban design conditions.

This information sheet has been prepared in accordance with the approved Urban Water Management Plan (UWMP).

All lots are required to infiltrate the first 15 mm of rainfall on-site. A stormwater outlet grate is to be provided by the owner in the driveway to discharge runoff to the road, for rainfall events greater than 15 mm. All infiltration devices installed on the lot must be interconnected with minimum 90 mm diameter PVC pipe work. No infiltration device shall be installed any deeper than 900 mm below ground level. While no particular type of stormwater infiltration device for lot use is mandated, devices must provide storage volumes consistent with Table 1. Volumes for each lot are based on 85% connected impervious area for the storage of 15 mm of rainfall. Table 2 provides some examples of infiltration pit storage volumes for various sizes.

All lots shall install a grated pit to function as a bubble out pit. In the event that the lot scale drainage system surcharges, the bubble out pit will allow stormwater flows to discharge overland into the council controlled street drainage system. The use of a material capable of traffic loading is advised under driveways. Owners are also recommended to ensure the top of the bubble out grate is below the house pad level to prevent flooding of the building. Figure 1 provides an example of a driveway bubble out pit.

TABLE 1: SOAKWELL VOLUME REQUIREMENT EXAMPLES

Lot Area (m ²)	85% Contributing Impervious Area (m ²)	Required Soakwell Volume (m ³)
200	170	2.55
250	213	3.20
300	255	3.83
350	298	4.47
400	340	5.10

TABLE 2: INFILTRATION PIT SIZE AND IMPERVIOUS AREA SERVED

Chamber Diameter (mm)	Chamber Depth (mm)	Volume (m ³)	Imp. Area Served (m ²)
1200	900	1.02	68
1500	900	1.59	106
1800	900	2.29	153

1300 315 679
harrisdalegreen.com.au



Fencing and Landscaping

Cedar Woods provides front landscaping and side and rear boundary fencing (excluding side gates or return fencing between the house and side fence) to homes compliant with Design Guidelines and completed on or before 24 months from settlement.

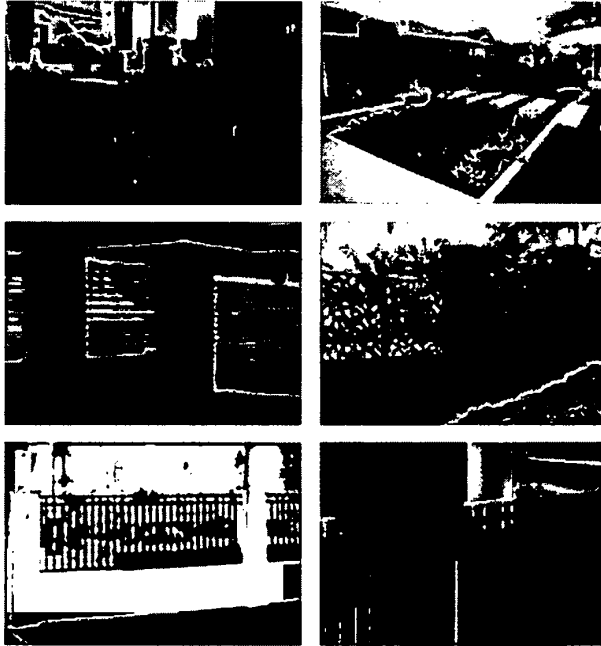
The front landscaping provided excludes any 'hard' landscaping materials such as paving, planter boxes, or ornamental features. Waterwise native plant species are recommended due to their low water requirements.

Side boundary fencing will be installed to 1 metre behind the front building line. Any owner-installed fencing forward of the front building line must comply with the below requirements for front fencing.

Owner-installed fencing to the front of the home is permitted to a height of 900mm above lot level. If 1200mm high is required then the fence should be at least 50% visually permeable to allow for passive surveillance. The colours and materials are to complement the dwelling, while still maintaining the feel of the estate.

Please refer to the Fencing & Landscaping T&Cs located on the Harrisdale Green website for further information on Cedar Woods' Boundary Fencing & Front Landscaping Package:

<https://www.harrisdalegreen.com.au/building-resources/resources/>

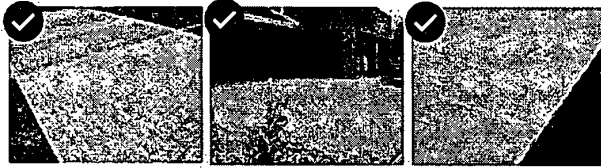


1300 315 679
harrisdalegreen.com.au



8. Driveway and Crossover

The driveway and crossover shall comprise of brick paving, liquid limestone or exposed aggregate and finished in materials and colour tones to complement the dwelling appearance unless otherwise approved by Cedar Woods.

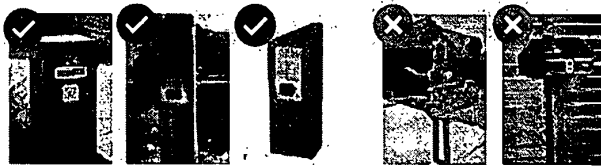


Grey or coloured concrete to driveways or crossovers are not permitted.

Crossovers and garage levels to be in accordance with the City of Armadale.

9. Letterboxes

The letterbox shall be designed and finished in materials and natural colour tones to complement the dwelling appearance.

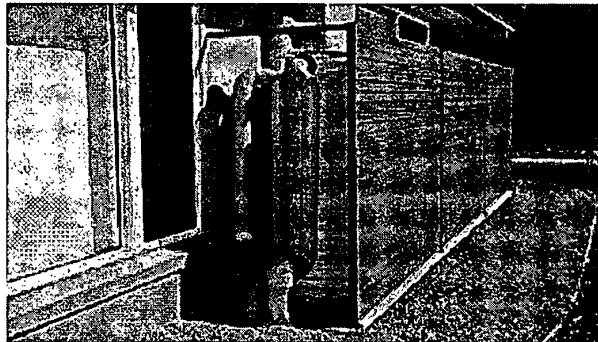


Pier format letterboxes are encouraged and novelty letterboxes are not permitted.

Where front fencing is erected, the letterbox design should be integrated into the fence design.

10. Outbuildings, Utilities and Facilities

Outbuildings, sheds, meter boxes, bin storage areas, drying areas, air conditioning units, solar PV or hot water systems, satellite dishes, TV antennae are not to be on the front elevation unless designed to complement the dwelling or concealed from view through use of appropriate screening.



All Air conditioning units, solar hot water systems are to be of a similar colour to the surrounding roof or building material and are not to be located above the peak ridge of the roof of the main building. On north facing lots any solar hot water systems should be ground mounted units only.

Where a rainwater tank is visible from the front street, it must be incorporated well into the design or appropriately screened.

Structures greater than 25 square metres shall be constructed in the same materials and finishes to match the house.

All piped and wired services are to be concealed from public view.

1300 315 679
harrisdalegreen.com.au



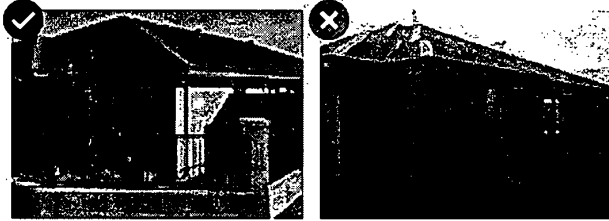
6. Corner lots

The dwelling shall address both street frontages and include at least one major opening from a habitable room with a clear view of the secondary street and not be obscured by fencing.

If a brick or rendered finish is on the primary street then this same finish needs to continue to the secondary street up to 1.5m. This will improve the secondary streetscape and will enhance the appeal of the estate.

Fences on corner lots are to finish up to brick or rendered feature finishes or where possible 1 metre behind the front of the building line.

Meter boxes should, where possible, be located on the side opposite the corner, unless this is a zero lot wall. In this instance the meter box can be positioned at a minimum of 500mm from the front corner.



7. Garages and Carports

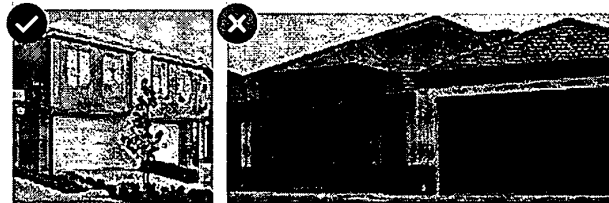
Except on laneway lots, a garage must be incorporated into the main building and include a fitted sectional door in a colour to complement the dwelling.

The garage is to be setback at least 500mm behind the house front or 2nd storey not including porches, verandahs, blade walls or any other features.

The garage must accommodate 2 cars with a minimum area of 30m2 except on 7.5m wide lots or narrower, where a single garage under the main roof and with a sectional garage door will comply.

Carports are permitted for laneway lots only and shall include a sectional garage door.

Trailers, caravans and boats stored on the property should be screened from view of the street.



Garage should not be level or in front of the main house

1300 315 679
harrisdalegreen.com.au



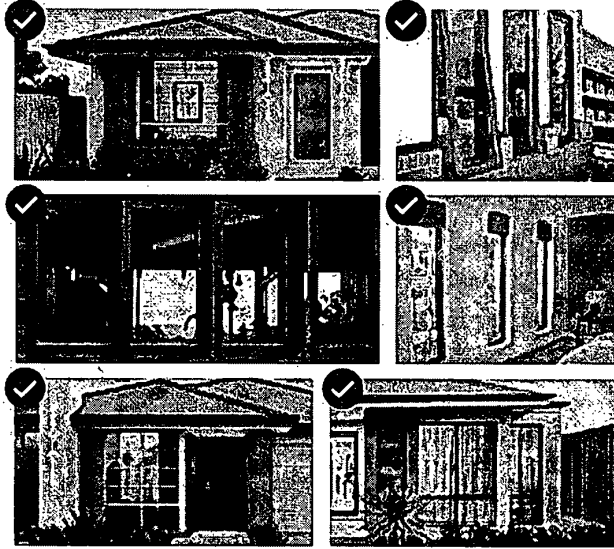
3. Windows

All front windows must be clear glazed and to be of a pleasing proportion, they can be rectangle or square in shape.

1. Awning
2. Casement
3. Sliding

Windows to toilets and bathrooms should not be visible from the street.

Note: Roller shutters are not permitted on the front elevation windows. Or if a corner lot they are not permitted on the side elevation forward of the side boundary fence.



4. Roof

Where a sloped roof is proposed, the roof visible to the street(s) must be a minimum 25-degree pitch for the main roof.

Gables are permitted within the roof scape.

A skillion roof is permitted. There must be a visible overhang to the skillion roof.

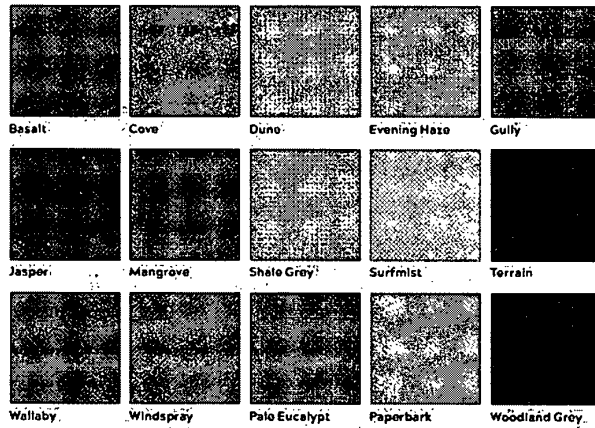
A flat topped parapet wall to a sloped roof behind is permitted where the roof is fully concealed from the street(s).

Roof materials shall be corrugated (i.e Colorbond) in colour tones that match approved colour palette. Black or dark colours are not permitted.

Roof tiles are not permitted in Harrisdale Green estate

Plain zincalume roof cover is not permitted.

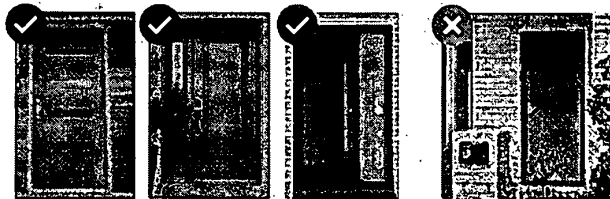
Colours - Colorbond



5. Doors (Front)

Front entry doors are required to include any type of glazing or to include a sidelight.

This provides passive surveillance to the front of the home.



1300 315 679
harrisdalegreen.com.au



Design Guidelines

1. Façade Features

To create interest and give your home character, the façade must be articulated (not flat) and include a minimum of one of the following features:

1. Verandah (minimum depth 1.2m x 3.5m)
Wrap around for corner lots preferred
2. Covered Portico/Porch (minimum 1.2m)
3. Contrasting rendered or face brick sills
4. Gable/s
5. Blade wall
6. Balcony

Balconies are required for a 2 storey dwelling.

Features which serve a purpose are encouraged; planter boxes are not considered to be a feature



2. Façade Materials

To provide visually interesting facades we require that a combination of materials be used.

The primary material for the façade shall be render, single brick, HardiePlank™ and other materials considered by the developer based on merit:

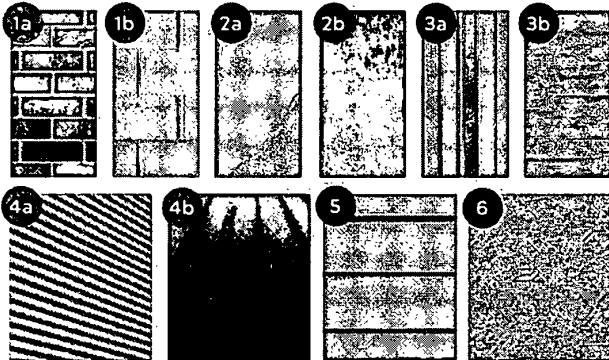
The facade should include a contrast feature to a min of 10% and max of 25% from the materials below:

1. Single or 2c. face brick
2. Tiles
3. Cladding - timber or stone
4. Corrugated iron
5. HardiePlank™
6. Render

Two render colours only will not comply.

The facade excludes the roof, gutter, downpipes, windows, brick planters and the garage door.

The façade colour palette is included to keep the estate looking consistent.



Facade - Primary



Facade - Highlights



1300 315 679
harrisdalegreen.com.au



Harrisdale Green - Design Guidelines

6

HAP-DG-FEB 2020-001

9. Letterboxes

If installing a letterbox it should be a pier format in a colour and material to complement the dwelling and guidelines:

- Yes
- No
- By owner after handover

Note: Novelty letterboxes are not permitted

10. Utilities

The following utilities are not to be on the front elevation:

- Bin storage
- Meter boxes
- Air conditioning units
- Satellite dishes
- Solar PV or hot water systems
- Rainwater tanks
- TV antennae

- Yes
- No

11. Stormwater Drainage

Have you complied with the stormwater drainage requirements? - refer page 12.

- Yes
- No

All applications must include:

- (1) Builder Checklist
- (2) Site Plan
- (3) Elevations
- (4) Floor Plans
- (5) Material and Colour Schedule

All applications must be sent to:

Cedar Woods Properties Ltd
 PO Box 788
 WEST PERTH WA 6872
 Or via email: approvalswa@cedarwoods.com.au

1300 315 679
harrisdalegreen.com.au



5. Door (Front)

Is the front door visible from the street and include any type of glazing or include a sidelight?

Yes
 No

6. Corner Lots

Is it a corner lot?

Yes
 No - Go to question 7

Does the primary street material (i.e rendered finish) continue to the secondary street to at least 1.5m?

Yes
 No

Does the secondary street elevation incorporate at least one window from a habitable room, in front of the boundary fence line?

Yes
 No

7. Garages and Carports

Does your double garage accommodate at least 2 vehicles (minimum of 30m²) and include a sectional door?

Yes
 No

If a laneway, a double carport with a sectional door will comply.

If a narrow front loaded lot of 7.5m wide or narrower, then a single garage with a sectional door built under the main roof will comply.

If a front loaded garage, is it setback a minimum of 500mm from the front of the home or second storey? This does not include the verandah, porch, blade walls etc

Yes
 No

8. Driveway and Crossover

Does the driveway and crossover include one of the following materials in a colour to complement the dwelling?

- Brick paving
- Exposed aggregate
- Limestone

Note: Grey or coloured concrete to driveways or crossovers are not permitted. If by owner, this will be confirmed before fencing and landscaping rebates are applied.

Note: Crossovers and garage levels to be in accordance with the City of Armadale

Yes
 No
 By owner after handover

1300 315 679
harrisdalegreen.com.au



Harrisdale Green - Builder Checklist for Design Approval

4

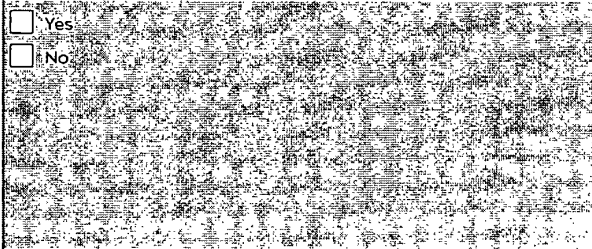
HAP-DG-FEB 2020-001

1. Facade Features

Is your facade articulated, (ie not flat) and contain a minimum of one of the following features? - refer page 7

- Verandah (minimum depth 1.2m x 3.5m)
- Covered Portico/Porch extending from facade (1.2m deep)
- Contrasting rendered or face brick sills
- Gable/s
- Blade wall
- Balcony

Yes
 No



2. Facade Materials

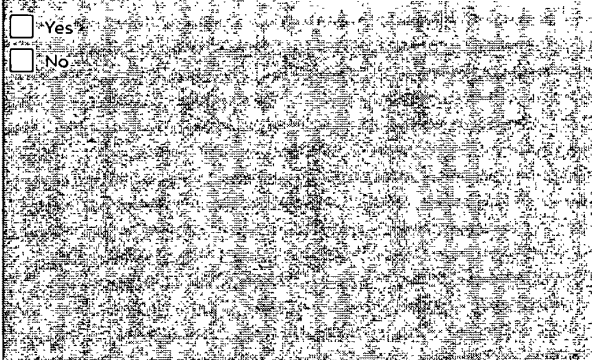
Does your design include the primary material for the facade as render, single brick, HardiePlank™ or any other materials considered by the developer based on merit.

With the facade contrast feature to a min of 10% and max of 25% from the materials below? - refer page 7

- Single or 2c face brick
- Tiles
- Cladding - timber or stone
- Corrugated iron
- HardiePlank™
- Render

Note: 2 render colours only do not comply

Yes
 No



3. Windows

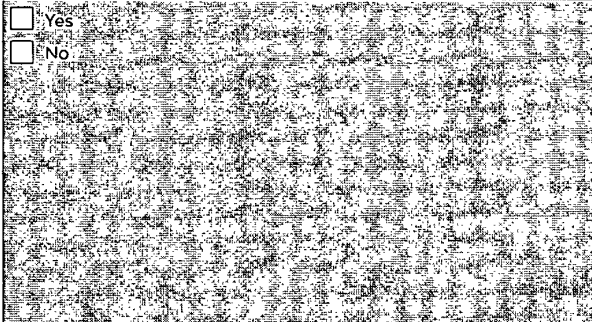
Are all windows on the front facade clear glazed and of a pleasing proportion, they can be rectangular or square in shape? - refer page 8

Windows to toilets and bathrooms should not be visible from the street

- Awning
- Casement
- Sliding

Note: Roller shutters are not permitted on the front elevation windows. Or if a corner lot they are not permitted on the side elevation forward of the side boundary fence

Yes
 No



4. Roof

Is your roof either a standard hipped roof with a minimum pitch of 25 degree?

OR

A skillion design?

Yes
 No



Roofs are to be corrugated metal and to be of a light or medium colour. Black or dark colours are not permitted, see page 8 for colour palette.

Note: Tiled roofs are not permitted in Harrisdale Green estate.

Yes
 No



1300 315 679
harrisdalegreen.com.au



Builder Checklist for Design Approval

To apply for Design Approval, please complete and return the following form and attachments to: approvals@cedarwoods.com.au

In accordance with the conditions of the Contract of Sale and Harrisdale Green Design Guidelines entered into with Cedar Woods, I hereby seek approval to the design and materials proposed to be used for the building as set out hereunder:

Applicant

Name

.....

Phone

Email

.....

Address

.....

State

Postcode

.....

Landowner

Name

.....

Phone

Email

.....

Address

.....

State

Postcode

.....

Property Details

Lot

Street Number

.....

Street name

.....

Builder or Homeowner Declaration

Signed

Date

.....

Print name

.....

All statements made in this application are true and correct. Applicants must demonstrate compliance with all the Design Guidelines in order to be eligible for fencing and landscaping rebates.

1300 315 679
harrisdalegreen.com.au



Introduction

Purpose of these Design Guidelines

These Design Guidelines are in place to encourage the best possible housing design outcomes and to reflect the project vision at Harrisdale Green. Every lot purchaser is provided a copy of these Design Guidelines when signing their land contract. Please forward a copy to your builder/architect to ensure they are addressed in the design of your new home.

These Guidelines also reflect Cedar Woods' commitment to deliver sustainable communities and will help reduce your home's operating costs.

What happens first?

- STEP 1** Decide on your builder, house type and facade. Ensure the builder has a copy of the Design Guidelines.
- STEP 2** Complete the Building Design Approval Checklist with your builder as you review the house plans to ensure that all of the Design Requirements are addressed.
- STEP 3** Have your builder send the completed (1) Builders Checklist (2) Site Plan (3) Elevations (4) Floor Plans (5) Material and Colour Schedule to Cedar Woods for design approval.

Note: You can send approvals directly to approvalswa@cedarwoods.com.au
- STEP 4** Cedar Woods will review your application to ensure compliance. If your home design complies with the design standards, your plan will be approved and returned to you.

If your house design requires changes in order to comply with the design requirements, Cedar Woods will provide written advice detailing the areas of non-compliance and return the application to your builder for amendment and resubmission. Cedar Woods and/or your builder may be able to suggest ways to ensure compliance.
- STEP 5** Lodge your Cedar Woods approved house design to your local government for building approval.

Application Requirements

The application requirements listed below allows Cedar Woods to thoroughly assess your house design to ensure that it achieves the best possible outcome for you and achieves the vision for Harrisdale Green.

All applications must be sent to:

Cedar Woods Properties Ltd
PO Box 788
WEST PERTH WA 6872

Or via email: approvalswa@cedarwoods.com.au

Important Notes

Cedar Woods' Design Guidelines approval process does not constitute a local government planning or building license approval.

Applications must contain all the required information as identified in the section 'Application Requirements'. Cedar Woods will not accept incomplete applications.

Design approval will only be granted to an application as a whole. Conditional (partial) approval may only be granted where the colour selection remains to be made.

Design approval will only be granted in relation to the information that is detailed on the plans or otherwise submitted in your application. Any and all changes to an approved plan or additional detail will need to be submitted to Cedar Woods for approval.

In the case of a possible conflict between two or more standards, Cedar Woods will assess the outcome of such a conflict on its merits and general consistency with the intent of the Design Standards.

The decision to approve an application is based on compliance with the Design Standards at the sole discretion of Cedar Woods.

Prior agreement with the landscape design principles is required as part of your application. Qualification for Cedar Woods free front landscaping package is dependent on Cedar Woods appointed landscape contractors confirming that these principles are complied with in your final landscape package.

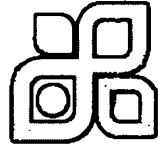
Relationship to Local Government Planning

These Guidelines do not replace or override, but should be read in conjunction with, the statutory planning requirements of the City of Armadale, including its town planning scheme, local planning policies, any Detailed Area Plans / Local Development Plan, the Residential Design Codes and such other planning controls which may apply.

1300 315 679
harrisdalegreen.com.au



ANNEXURE A



**harrisdale
green**

Design Guidelines

February 2020

law, but would not be void, voidable, unenforceable or contrary to law if it were read down, that term or condition shall be read down accordingly.

(b) If despite clause 6(a), a term or condition of this document is still void, voidable, unenforceable or contrary to law:

(i) if the term or condition would not be void, voidable, unenforceable or contrary to law if a word or words were omitted from the term or condition, then that word or those words (as the case may be) shall be severed from the relevant term or condition; and

(ii) in all other cases, the whole of the relevant term or condition shall be severed from this document,

and the remaining terms and conditions of this document shall continue in full force and effect.

7. EXPIRY DATE

The Restrictive Covenants shall operate and be enforceable until midnight on the date being the tenth anniversary of the date on which the last certificate of title was issued for a Property, at which time the Restrictive Covenants will expire and cease to have any further effect.

8. NO OBLIGATION TO ENFORCE

The Proprietor has no obligation or responsibility for enforcement of the Restrictive Covenants, and has no liability to any other person in respect of any failure or neglect on the Proprietor's part to enforce any of the Restrictive Covenants, it being the intention that each registered proprietor for the time being of each Property has a right to enforce the Restrictive Covenants.

- (c) a reference to any party includes that party's executors, administrators, successors and permitted assigns, including any person taking by way of novation;
- (d) a reference to any statute or to any statutory provision includes any statutory modification or re-enactment of it or any statutory provision substituted for it, and all ordinances, by-laws, regulations, rules and statutory instruments (however described) issued under it;
- (e) words importing the singular include the plural (and vice versa), and words indicating a gender include every other gender;
- (f) references to parties, clauses, schedules, exhibits or annexures are references to parties, clauses, schedules, exhibits and annexures to or of this document, and a reference to this document includes any schedule, exhibit or annexure to this document;
- (g) where a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;
- (h) the word "includes" in any form is not a word of limitation; and
- (i) a reference to "\$" or "dollar" is to Australian currency.

1.3 Governing Law

This document is governed by and will be construed according to the laws of Western Australia.

2. RESTRICTIVE COVENANTS: NO BREACH OF DESIGN GUIDELINES

- (a) In relation to each Property on the Plan, the Proprietor covenants and agrees on behalf of itself, its successors in title, transferees and assigns, to the intent that the covenants and agreements shall run at law and in equity with the title to each Property **NOT** to breach, or cause to be breached, the Design Guidelines.
- (b) For the avoidance of doubt, Lot 8003 and Lot 9006 on Deposited Plan 417834 are not encumbered by the Restrictive Covenants.

3. SECTION 136D OF THE ACT

Pursuant to section 136D of the Act, the Proprietor requires the certificate of title that issues for each Property be encumbered by the Restrictive Covenants.

4. PROPERTIES TO BE BURDENED

The Proprietor intends the burden of the Restrictive Covenants to:

- (a) run with the land described in each certificate of title that issues for each Property; and
- (b) be enforceable by the Proprietor and its successors in title, being each and every subsequent registered proprietor for the time being of a Property (other than the particular Property burdened) against the registered proprietor of the particular Property burdened.

5. PROPERTIES TO BE BENEFITED

The Proprietor intends the benefit of the Restrictive Covenants to be for each Property (other than the particular Property burdened) and may be enforced by the registered proprietor for the time being of each Property (other than the particular Property burdened).

6. SEVERABILITY

- (a) If any term or condition of this document is void, voidable, unenforceable or contrary to

BACKGROUND:

- A. The Proprietor is the registered proprietor of an estate in fee simple of the Site.
- B. The Proprietor intends to subdivide the Site and has lodged with the Western Australian Planning Commission a plan of subdivision in relation to the Site, which is now the subject of Deposited Plan 417834.
- C. The Proprietor proposes the creation of a number of lots, being Lots 151, 163 to 166 (inclusive), Lots 183 to 186 (inclusive), Lots 204 to 207 (inclusive), Lots 246 to 281 (inclusive), Lot 8003 and Lot 9006 on Deposited Plan 417834.
- D. It is the purpose of this Deed to constitute the instrument referred to in section 136D of the *Transfer of Land Act 1893*.
- E. Pursuant to section 136D of the *Transfer of Land Act 1893*, the Proprietor requires each Property to be encumbered by the Restrictive Covenants so that the Restrictive Covenants will be noted on the Plan and the burden of the Restrictive Covenants will be noted as an encumbrance on the certificate of title for each Property.
- F. For the avoidance of doubt, Lot 8003 and Lot 9006 on Deposited Plan 407834 are not encumbered by the Restrictive Covenants.

DEED POLL AS FOLLOWS:**1. DEFINITIONS AND INTERPRETATION****1.1 Definitions**

In this document:

Act	means the <i>Transfer of Land Act 1893</i> .
Design Guidelines	means the design guidelines attached to this document as Annexure A.
Plan	means Deposited Plan 417834.
Property	means each of the lots 151, 163 to 166 (inclusive), Lots 183 to 186 (inclusive), Lots 204 to 207 (inclusive) and Lots 246 to 281 (inclusive) on the Plan, which shall be created by the subdivision of the Site.
Proprietor	means the person so described in the Reference Schedule.
Restrictive Covenants	means the restrictive covenants set out in clause 2(a) of this Deed.
Site	means the land so described in the Reference Schedule.
this document	includes these Terms and Conditions and all annexures to this document.

1.2 Interpretation

In this document, and unless the context indicates a contrary intention:

- (a) headings are for convenience only and do not affect interpretation;
- (b) the expression "person" includes an individual, the estate of an individual, a corporation and a statutory authority;

EXECUTED as a deed poll:

SIGNED _____ by)
as authorised representative for)
HOUSING AUTHORITY in the)
presence of:)

Signature of witness)

.....)
Name of witness (block letters))

.....)
Address of witness)

.....)
Occupation of witness)

A AP

By executing this agreement the signatory warrants that the signatory is duly authorised to execute this agreement on behalf of HOUSING AUTHORITY

THE COMMON SEAL OF HOUSING AUTHORITY was hereunto affixed in the presence of

Deborah Enid Upton *AP*
.....
Authorised Officer Authorised Officer
Deborah Enid Upton ALLAN PEREIRA



REFERENCE SCHEDULE

1. DATE OF THIS DOCUMENT

6th March 2020.

2. PROPRIETOR

Housing Authority, a body corporate constituted under the *State Housing Act 1946-1975* and preserved under the *Housing Act 1980* as agent for the Crown in right of the State of Western Australia of 99 Plain Street, East Perth, Western Australia.

3. SITE

Lot 9005 on Deposited Plan 406544 being the whole of the land comprising in Certificate of Title Volume 2911 Folio 404.

Form Approval No. B6316

FORM B2

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

RESTRICTIVE COVENANT

(Note 1)

**HOUSING AUTHORITY
("PROPRIETOR")**

DEED OF RESTRICTIVE COVENANT
HARRISDALE GREEN ESTATE, STAGE 4

REF: PMW:ALH:20061

Document Notes:

IMPORTANT: THIS PAGE FORMS PART OF DOCUMENT [O409458] AND MAY CONTAIN REFERENCES TO AMENDMENTS OR CORRECTIONS TO THE DOCUMENT

28/5/2020 09:42:15

RESTRICTIVE COVENANT IS RE-TIMECLOCKED TO 21 MAY 2020.

SEE LETTER DATED 15 MAY 2020 FROM HOUSING AUTHORITY FILED IN O409455.