

Memorandum of common provisions Restrictive covenants in a transfer Section 91A Transfer of Land Act 1958

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Lodged by	
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This memorandum contains provisions which are intended for inclusion in transfers of land under the Transfer of Land Act 1958 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 transfer:

Burdened land: THE LAND

The land being transferred.

Benefited land: ALL LOTS ON PLAN OF SUBDIVISION PS903087B

The benefited land does not include the land being transferred.

Set out the specific folios, range of folios or some or all the lots in the registered plan(s) or plan(s) to be lodged for registration that take the benefit of the covenants.

Covenants: Definitions (if any):

Covenants:

1. NOT TO CONSTRUCT OR ALLOW TO BE CONSTRUCTED ON ANY LOT ON THE PLAN ANY DWELLING (EXCLUDING LOTS 654 AND 655):
 - (A) OTHER THAN ONE ONLY SINGLE STOREY OR TWO STOREY PRIVATE DWELLING (WHICH WHEREVER APPEARING IN THIS COVENANT SHALL BE TAKEN TO MEAN A DWELLING INCLUDING AN INTEGRATED GARAGE) WITH THE USUAL OUTBUILDINGS WITH A MINIMUM DWELLING SIZE (EXCLUDING INTEGRATED GARAGE) OF 120.78 SQUARE METRES (13 SQUARES) OR UNLESS APPROVED BY INTEGRA (VIC) PTY. LTD;
 - (B) UNLESS THE EXTERIOR WALLS OF THE DWELLING ARE CONSTRUCTED OF NEW MATERIALS BEING EXPOSED BRICK, BRICK VENEER OR RENDER, TIMBER OR MANUFACTURED TIMBER-LOOK PRODUCTS OR NON-REFLECTIVE CORRUGATED IRON CLADDING PROVIDED THAT IF TIMBER, MANUFACTURED TIMBER LOOK PRODUCTS OR NON-REFLECTIVE CORRUGATED IRON CLADDING ARE USED, THEY SHALL NOT COVER AN AREA OF MORE THAN 50% OF THE EXTERNAL WALLS OF THE DWELLING OR UNLESS OTHERWISE APPROVED BY INTEGRA

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1. The provisions are to be numbered consecutively from number 1.
2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in instruments.

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(VIC) PTY. LTD;

- (C) UNLESS IT IS CONSTRUCTED NOT LESS THAN 4 METRES FROM THE FRONT BOUNDARY OF THE LAND (EXCEPTING ANY ENTRY PORCH, VERANDA, BALCONY, PERGOLA AND EAVES) AND:

- (I) ON LOTS WITH A FRONTAGE LESS THAN OR EQUAL TO 14 METRES NOT LESS THAN 1 METRE FROM ONE SIDE BOUNDARY;
- (II) ON LOTS WITH A FRONTAGE GREATER THAN 14 METRES NOT LESS THAN 1 METRE FROM BOTH SIDE BOUNDARIES;
- (III) ON CORNER LOTS NOT LESS THAN 2 METRES FROM THE SIDE BOUNDARY HAVING A STREET FRONTAGE AND 1 METRE FROM THE REMAINING SIDE BOUNDARY;

OR UNLESS OTHERWISE APPROVED BY INTEGRA (VIC) PTY LTD.

- (D) UNLESS IT :

- (I) IT HAS EAVES WITH A MINIMUM WIDTH OF 200 MILLIMETRES AND THAT RETURN A MINIMUM 3 METRES ALONG THE SIDES OF THE DWELLING BUT EXCLUDING THE GARAGE ON LOTS WITH A FRONTAGE EQUAL TO OR LESS THAN 16 METRES; OR
- (II) IT HAS PARAPET WALLS THAT RETURN A MINIMUM 3 METRES ALONG BOTH SIDES OF THE CONNECTING RETURN WALLS FROM THE FRONT OF THE DWELLING; OR
- (III) THE FAÇADE IS A COMBINATION OF PARAPET WALLS AND 200 MILLIMETRES EAVES THAT RETURN A MINIMUM 3 METRES ALONG BOTH SIDES OF THE DWELLING.
- (IV) ON CORNER LOTS WITH A PITCHED ROOF HAVING EITHER A CONTINUOUS MINIMUM EAVE WIDTH OF 200 MILLIMETRES OR PARAPET WALL ON THE PRIMARY AND SECONDARY STREET FRONTAGES.

OR UNLESS OTHERWISE APPROVED BY INTEGRA (VIC) PTY. LTD.

- (E) UNLESS IT IS CONSTRUCTED IN ACCORDANCE WITH THE BUSHFIRE MANAGEMENT PLAN RELATING TO THE LOT;
- (F) UNLESS A NON-COMBUSTIBLE RAINWATER TANK IS PROVIDED TO ANY DWELLING ON THE LOT IN COMPLIANCE WITH THE BUSHFIRE MANAGEMENT PLAN RELATING TO THE LOT, AND WHICH IS SCREENED FROM VIEW;
- (G) UNLESS THE GARAGE IS CONSTRUCTED AT LEAST 450 MILLIMETRES BEHIND THE FRONT BUILDING LINE OF THE DWELLING EXCEPTING ANY ENTRY PORCH, VERANDA, BALCONY OR PERGOLA OR UNLESS THE GARAGE LOCATION IS APPROVED BY INTEGRA (VIC) PTY LTD.;
- (H) UNLESS ON CORNER LOTS THE DWELLING ADDRESSES BOTH STREET FRONTAGES;
- (I) UNLESS ALL PLUMBING PIPES, APART FROM STORMWATER PIPES, ARE INSTALLED IN THE INTERNAL WALLS OF ANY BUILDING;
- (J) OR OUTBUILDING THAT DOES NOT MATCH THE STYLE OF THE DWELLING HOUSE. GARDEN SHEDS SHALL NOT BE CONSTRUCTED OF ANY MATERIALS OTHER THAN COLOURBOND, TIMBER, BRICK OR RENDER;
- (K) UNLESS THE ROOF OF ANY BUILDING IS CONSTRUCTED OF ROOF TILES, COLOURED STEEL ROOFING MATERIAL OR SHINGLES;
- (L) UNLESS THE FLOOR OF ANY VERANDA IS CONSTRUCTED OF TIMBER, CONCRETE, BRICK OR PAVING STONES;
- (M) UNLESS THE STUMPS TO ANY VERANDA ARE NOT LEFT IN AN EXPOSED STATE;
- (N) UNLESS THE CONSTRUCTION OF THE DWELLING IS COMPLETED NOT MORE THAN TWELVE MONTHS AFTER THE DATE OF THE ISSUE OF A BUILDING PERMIT AND LANDSCAPING OF THE AREA IN FRONT OF THE BUILDING LINE AND FENCING IS COMPLETED WITHIN SIX MONTHS OF THE ISSUE OF THE OCCUPANCY PERMIT;
- (O) WHICH WILL BE USED AS A DISPLAY HOME WITHOUT OBTAINING THE APPROVAL OF INTEGRA (VIC) PTY. LTD.

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2. NOT TO CONSTRUCT OR ALLOW TO BE CONSTRUCTED ON LOTS 654 AND 655 ANY DWELLING OR FENCING UNLESS THE DESIGN HAS BEEN APPROVED BY INTEGRA (VIC) PTY LTD WHO SHALL BE SUPPLIED WITH THE FOLLOWING DOCUMENTS FOR APPROVAL INCLUDING BUT NOT LIMITED TO:
 - (A) A SITE PLAN, INCLUDING SETBACKS AND FENCING;
 - (B) FLOOR PLANS;
 - (C) EXTERNAL ELEVATIONS INCLUDING THE FENCING DESIGN IF A CORNER LOT;
 - (D) A PLAN SHOWING THE CROSSOVER LOCATION;
 - (E) A SCHEDULE OF EXTERIOR MATERIALS AND COLOURS;
3. NOT TO CONSTRUCT OR ALLOW TO BE CONSTRUCTED ON THE LAND ANY FENCE
 - (A) UNLESS THE MATERIAL USED IN CONSTRUCTION OF ANY SIDE AND REAR FENCING IS COLOURBOND FENCING IN WOODLAND GREY COLOUR AND IS TO A HEIGHT NOT MORE THAN 1.8 METRES ABOVE NATURAL GROUND LEVEL;
 - (B) FOR FRONT BOUNDARIES UNLESS THE FENCE IS TO A HEIGHT OF NOT MORE THAN 1.2 METRES ABOVE NATURAL GROUND LEVEL AND UNLESS THE MATERIALS USED IN CONSTRUCTION OF THE FENCE MATCHES THE STYLE OF THE DWELLING HOUSE;
 - (C) FOR SIDE BOUNDARIES UNLESS THE FENCE IS RAKED OR STEPPED FROM A HEIGHT OF 1.8 METRES TO A HEIGHT OF NOT MORE THAN 1.2 METRES FROM 1 METRE BEHIND THE FRONT BUILDING LINE OF THE BUILDING TO THE FRONT BOUNDARY LINE;
 - (D) UNLESS ON CORNER LOTS ALONG THE SIDE STREET FRONTAGE BOUNDARY THE FENCE STARTS AT A POINT NOT LESS THAN 3 METRES BEHIND THE FRONT BUILDING LINE AT A HEIGHT OF NOT MORE THAN 1.8 METRES.

OR UNLESS OTHERWISE APPROVED BY INTEGRA (VIC) PTY LTD.
4. NOT TO PERMIT OR ALLOW THE NATURE STRIP TO BECOME UNKEMPT OR UNTIDY AND NOT TO ALLOW ANY TREE PLANTED IN THE NATURE STRIP OF THE LAND TO BE REMOVED UNLESS APPROVED BY THE RESPONSIBLE AUTHORITY.
5. NO DRIVEWAY OR PEDESTRIAN PATHWAY WILL BE COVERED IN MATERIALS OTHER THAN BRICK, CONCRETE OR OTHER SIMILAR SEALED MATERIAL UNLESS APPROVED BY INTEGRA (VIC) PTY. LTD AND WILL BE COMPLETED PRIOR TO THE OCCUPATION OF THE DWELLING.
6. NO PREFABRICATED BUILDING SHALL BE ERECTED ON THE LAND OR ANY PART OF IT AND NO CONSTRUCTED HOUSE OR PARTLY CONSTRUCTED HOUSE MAY BE MOVED ONTO THE LAND WITHOUT OBTAINING APPROVAL FROM INTEGRA (VIC) PTY. LTD.
7. NOT TO USE OR SUFFER TO HAVE USED OR PERMIT THE LAND TO BE USED FOR THE FOLLOWING PURPOSES:
 - (A) PANEL BEATING; OR
 - (B) MOTOR VEHICLE REPAIRS.
8. NOT TO PERMIT OR ALLOW THE LAND HEREBY TRANSFERRED TO BECOME OR REMAIN IN AN UNSIGHTLY, UNTIDY, UNCLEAN OR UNWHOLESOME CONDITION OR APPEARANCE OR BE USED IN ANY MANNER WHICH CONSTITUTES AN ANNOYANCE, NUISANCE OR DISTURBANCE TO THE REGISTERED PROPRIETOR OR PROPRIETORS AND OCCUPIERS FOR THE TIME BEING OF THE LAND COMPRISED IN THE PLAN.
9. NOT TO FURTHER SUBDIVIDE THE LAND HEREBY TRANSFERRED;
10. NOT TO PARK OR ALLOW TO BE PARKED ANY VEHICLES, INCLUDING CARS, TRUCKS, MOTOR BIKES, BOATS, TRAILERS, BUSES, CARAVANS AND RECREATIONAL VEHICLES ON ANY NATURE STRIP OR FRONT YARD OF THE LAND.
11. NOT TO ALLOW ANY WATER TANKS INSTALLED ON THE LAND TO BE LOCATED IN FRONT OF THE FRONT BUILDING LINE OF THE DWELLING AND TO ENSURE THAT ANY WATER TANK IS SCREENED SO AS NOT TO BE VISIBLE FROM THE STREET.
12. NOT TO ALLOW ANY ANTENNAS, AIR CONDITIONING UNITS, SATELLITE DISHES, SOLAR HEATING STORAGE DRUMS OR RADIO AERIALS TO BE INSTALLED OR ALLOWED ON THE LAND UNLESS THEY ARE LOCATED AT

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- THE REAR OF ANY ROOF STRUCTURE AND ARE NO HIGHER THAN THE HIGHEST POINT OF THE ROOF OF THE BUILDING AND FURTHER WILL NOT INSTALL ANY RADIO OR SIMILAR MAST ON THE LAND.
13. NOT TO USE OR SUFFER TO HAVE USED OR PERMIT THE LAND TO BE USED FOR THE CARRYING OUT OF ANY NOXIOUS OR OFFENSIVE TRADE WITHIN THE MEANING OF THE HEALTH ACT 1958 (AS AMENDED) OR FOR THE KEEPING OR MAINTENANCE OF:
- (A) GREYHOUNDS; OR
 - (B) PIGS; OR
 - (C) PIGEONS OR PIGEON LOFTS; OR
 - (D) DOG BOARDING KENNELS; OR
 - (E) CAT BOARDING KENNELS; OR
 - (F) POULTRY.
14. NOT TO PERMIT OR ALLOW THE INSTALLATION OR USE OF SECURITY ROLLER SHUTTERS TO WINDOWS AND DOORS FACING THE STREET;
15. NOT TO CONSTRUCT OR ALLOW TO BE CONSTRUCTED MORE THAN ONE VEHICULAR CROSSOVER PER STREET FRONTAGE UNLESS APPROVED BY INTEGRA (VIC) PTY. LTD. AND NOT TO OCCUPY ANY BUILDING CONSTRUCTED ON THE LAND UNTIL THE CROSSOVER HAS BEEN CONSTRUCTED.
16. NOT TO PERMIT OR ALLOW ANY VEHICULAR CROSSOVER TO BE CONSTRUCTED ON LOT 656 ON THE SAID PLAN OF SUBDIVISION UNLESS IT IS CONSTRUCTED ON THE SOUTH EAST CORNER OF THE LAND;
17. NOT TO PERMIT OR ALLOW TO PERMIT ANY DIRECT VEHICULAR OR CONSTRUCTION ACCESS FROM THE REAR OF THE SAID LOT, OR ACROSS THE BOUNDARY OF ANY ADJACENT LAND TO OR FROM THE LOT HEREBY PURCHASED.
18. NOT TO ERECT OR ALLOW TO BE ERECTED ON THE LAND WHILST IT IS STILL VACANT ANY ADVERTISEMENT, SIGN OR HOARDING OF ANY NATURE WHATSOEVER WHICH ADVERTISES THE LAND OR ANY OTHER LAND AS BEING FOR SALE WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM INTEGRA (VIC) PTY. LTD.

Mandatory
Covenants to be listed here.

Expiry: 1 JANUARY 2045

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.

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