

102 PHARAZYN STREET SUBDIVISION

The following protective covenants are intended to ensure that the development be established as a modern and well-designed subdivision.

1.0 LAND COVENANTS

1.1 Covenants - general

All Lot owners shall:

- (a) Maintain any dwelling-house and accessory buildings and any other improvements to a high standard of repair;
- (b) Not permit any second-hand transportable or relocated building to be brought onto the property except for use in conjunction with the construction of the dwelling-house, and which shall be removed on completion of such construction;
- (c) Not erect or permit to be placed on the property any caravan, motorhome, hut or tent of any kind, either permanent or temporary, provided that this provision will not apply to:
 - (i) a caravan or motorhome which is not used on the property as a dwelling; and
 - (ii) a tent erected for a special occasion or for a temporary activity, but any such tent must not be used on the property as a dwelling or left permanently erected;
- (d) Attend to the regular mowing of grass and spraying of weeds, and not allow any vegetation to encroach onto any neighbouring land or materially obstruct the sunlight or view of any neighbouring land;
- (e) Not allow the property to become untidy or unsightly;
- (f) Not bring onto or allow to remain on the property any vehicle, equipment, machinery or rubbish (organic or inorganic) which is unsightly or likely to become a nuisance;
- (g) Not erect anything on the property that obstructs the skyline such as (but not limited to) poles, aerials or overhead wires;
- (h) Not place or leave any immobile or broken-down vehicles on the property;
- (i) Not, unless permitted by this Instrument, do anything on the property that is not in keeping with the amenity of the neighbourhood as a quality rural residential subdivision, it being intended that the covenants in this Instrument shall preserve and promote the appearance and value of the neighbourhood for the benefit of all owners.

1.2 Construction Covenants

All Lot owners shall:

- I. Ensure the plans and specifications for buildings constructed on the property comply with the design guidelines issued from time to time by TPS;
- II. The proposed materials and colours are appropriate to and in harmony with the amenity of the neighbourhood; and
- III. Construction is completed within 12 months from the date on which construction commences. For the sake of clarity, construction commences at the commencement of any on-site work.

1.3 No liability for non-enforcement

TPS will not be liable to any Owner in connection with the enforcement or non-enforcement of the above covenants or the exercise or non-exercise of any power or discretion conferred on TPS under the above covenants.

1.4 Default

In the event of any material default in observing any of the covenants contained herein, and without prejudice to any other liability which any Owner may have to any other Owner, the defaulting Owner shall on demand being made in writing by either TPS or the majority of the Owners, remedy the default so notified as soon as reasonably practicable after such demand is made.

2.0 DESIGN GUIDELINES

2.1 Purpose

Design guidelines have been prepared by the developer, TPS Developments Limited ("TPS"), to complement the protective covenants.

The purpose of the guidelines is to protect the purchaser's investment and help to ensure that the actions of individual landowners are in harmony with the overall quality of the development.

The guidelines have been prepared to assist purchasers and their design consultants to prepare plans for their individual sites.

2.2 Generic Guidelines

- Buildings shall be constructed of quality new materials. (See the list of preferred and inappropriate materials).
- All plumbing, (other than roof plumbing) shall be run internally so that it is not visible on the exterior of buildings.

- Relocating new transportable houses may be permitted at TPS's entire discretion.

2.3 Preferred Materials

Cladding:

- Smooth cement plaster, painted
- Plastered or painted concrete block
- Brickwork
- Timber or Linea weatherboards - painted
- Cedar or timber weatherboards

Roofing:

- Corrugated or similar longrun 'Coloursteel'
- Pressed metal 'Coloursteel' tiles
- Concrete or terracotta tiles
- Cedar shingles or slate
- Conventional metal or copper spouting

Joinery:

- Aluminium or painted timber window and door joinery in simple 'robust' configurations.

2.4 Inappropriate materials

Cladding:

- Hardiplank weatherboards or similar textured cement fibre product
- PVC weatherboards
- Any timber imitation product (excepting Linea)
- Galvanised iron