

**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: Lots 1 – 29 on PS834057T
The land being transferred.

Benefited land: Lots 1 – 29 on PS834057T

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:

And the said Transferees with the intent that the benefit of this Covenant shall be attached to and run at land and in equity with each and every lot on Plan of Subdivision No. PS 34057T other than the said lot hereby transferred and that the burden of this Covenant shall be annexed to and run at law and equity with the said lot hereby transferred DO HEREBY for ourselves our heirs executors administrators transferees registered proprietors for the time being of the land hereby transferred hereby and as separate covenants jointly and severally covenant with the said Transferor and the other registered proprietor or proprietors for the time being of each and every lot on the said Plan of Subdivision other than the said lot hereby transferred that the proprietor shall not

- (a) erect or permit to be erected on the said land more than two dwelling houses (with or without garage or other usual outbuildings); each dwelling house having an area of not

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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.

91ATLA

Page 1 of 3

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Memorandum of common provisions
Section 91A Transfer of Land Act 1958

less than one hundred and forty (140) square metres exclusive of any porches, verandas, carports, garages or other usual outbuildings;

- (b) erect or permit to be erected a dwelling house unless it is constructed of stone, brick, rendered concrete, glass or timber or any combination thereof provided that the proportion of external walls constructed of timber shall not exceed twenty per centum (20%) of the external surface. Nothing herein contained shall be construed so as to preclude or restrict the use of timber in the inner framework or any external walls. The dwelling house and outbuildings shall not have a roof constructed other than of tile, slate or colour bond type steel and shall not be reflective in nature;
- (c) allow any plumbing for any two-storey dwelling house to be visible from any neighbouring property or from any road to which the property abuts except for downpipes.
- (d) erect or permit to be erected a fence to divide the land hereby sold from any adjoining land exceeding a height of one metre within a distance of five metres from the front boundary of the land hereby sold;
- (e) erect or permit to be erected a fence constructed of chicken wire or any wire mesh;
- (f) erect or permit to be erected a fence that is anything other than Colourbond Classic Cream, unless approved in writing by Lakeside Numurkah Developments Pty Ltd (ACN 006 191 475);
- (g) erect or permit to be erected on the said land any garage or usual outbuildings other than with external walls constructed of stone, brick, rendered concrete or timber and shall not be reflective in nature;
- (h) erect or permit to be erected any garden shed unless such shed complies with the following:
 - i. such shed not be erected unless the footings of the dwelling have been laid;
 - ii. the construction material is a non-reflective type material;
 - iii. the size of the shed shall not exceed eighty (80) square metres;
 - iv. the maximum height of such shed shall not exceed three (3) metres;
 - v. the shed shall be located at the rear of the dwelling.
- (i) Use or permit to be used the said land hereby transferred other than for residential purposes;
- (j) During the period of two (2) years from the date hereof without the prior consent in writing of Lakeside Numurkah Developments Pty Ltd (ACN 006 191 475) erect or cause or permit to be erected on the said land any notice or display of any other kind

Memorandum of common provisions
Section 91A Transfer of Land Act 1958

indicating that the said land or any other lot or lots on the Plan of Subdivision is or are for sale or will at a future date be for sale unless a dwelling house shall have been constructed on the said land;

- (k) The proprietor shall not be in breach of this restrictive covenant if prior to engaging in conduct prohibited by this restrictive covenant it obtains the consent in writing of Lakeside Numurkah Developments Pty Ltd.

Mandatory
Covenants to be listed here.

Expiry:

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.