

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 address and occupation of the witness must be stated.

J986997 RC

15 Nov 2008 11:31:31 Perth



REG \$ 82.00

LODGED BY ~~BEERE & MEYER~~ **WORLDWIDE SETTLEMENTS**

ADDRESS ~~P.O. BOX 983~~ **1145 ORB ST**
~~BUSSELTON WA 6280~~ **WEST PERTH**

PHONE No. ~~9752 4166~~ **94814506**

FAX No. ~~9754 1732~~ **94815051**

REFERENCE No. **JM000457**

ISSUING BOX No. **407 A**

PREPARED BY **BEERE & MEYER**

ADDRESS **P.O. BOX 953**
BUSSELTON WA 6280

PHONE No. **9752 4166** FAX No. **9754 1732**

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

3/4

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.



EXAMINED

| COMPONENTS FOR ASSESSMENT | Building Plans Assessment (Completed by owner) | | | Final Onsite Inspection (Completed by owner) | | |
|--|---|--------------------------|--------------------------|---|--------------------------|--------------------------|
| | Yes | No | N/A | Yes | No | N/A |
| 1.11 RADIO ANTENNAE & SATELLITE DISHES - shall not be visible from the Street or Public Open Space. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.12 COMMUNITY ACCESS TV (CATV) - the dwelling shall be connected to the CATV. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.13 AIR CONDITIONERS & SOLAR HOT WATER SYSTEMS - shall not be visible from the Street or Public Open Space. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.14 ITEMS TO BE SCREENED FROM THE STREET-Rain water tank, clothes line, rubbish storage and any items under repair shall be screened from the street. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.15 SHEDS <ul style="list-style-type: none"> ▪ Shall be located behind dwelling. ▪ Small sheds preferably constructed of "mist green" colourbond. ▪ If greater than 25m² in floor area, or visually prominent, shall be constructed in similar material and colour as the dwelling. | | | | OPTIONAL OPTIONAL | | |
| 2.0 SITEWORKS 2.1 EARTHWORKS <ul style="list-style-type: none"> ▪ Dwelling shall be designed to minimise earthworks onsite and shall incorporate cut to fill of existing surface to reduce over-all height. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.2 RETAINING WALLS <ul style="list-style-type: none"> ▪ No retaining wall to be 1.0 metre above or 1.0 metre below the natural ground level. ▪ Retaining wall to include sub-soil drainage where applicable. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.3 DRIVEWAYS <ul style="list-style-type: none"> ▪ Shall connect the garage/carport to the road constructed of brick paving, faux brick, coloured concrete, or exposed concrete aggregate (sealed). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.0 FENCING - (type, extent & colour needs to be shown on the building or landscaping plans.) 3.1 FENCING OF ALL BOUNDARIES OTHER THAN STREETFRONT. - shall be "Mist Green" colourbond to a height of 1.8 metres and not extend closer than 6.0 metres to the street boundary (except secondary street boundary). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.2 FENCING OF PRIMARY STREET FRONTAGE - if fencing the primary street frontage the maximum height shall be 1.2 metres and in accordance with the guidelines. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.3 FENCING OF SECONDARY STREET FRONTAGE - if fronting the secondary street frontage, shall be either a material and colour consistent with the dwelling or "Mist Green" colourbond to a maximum height of 1.8 metres and not exceeding 15 metres in length and shall not extend any closer than 7 metres to the truncation. Alternatively, an open style fencing (See Clause 3.2) along the full boundary but not to exceed 1.2 metres in height within 7 metres of the truncation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.4 FENCING OF LANEWAY - fencing of the balance of the laneway frontage from the garage shall be at a height of 1.8 metre in solid materials and colour consistent with the external garage walls. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.0 LANDSCAPING & RETICULATION Shall be completed between front building line and road kerbline, including the verge of the secondary street, where applicable (corner lots). The pursuit of water wise gardens is not discouraged. The existing street tree to be protected during dwelling construction. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| OWNERS SIGNATURE (after completing all of above): | | | | | | |
| BROOKFIELD COMMITTEE SIGNATURE: | | | | | | |

REBATE APPROVED (if applicable) \$ _____

Date: _____



BROOKFIELD
at Margaret River
"Brookfield Rise – First Release"

DESIGN COMPLIANCE AND CASH REBATE ASSESSMENT FORM FOR LOT _____

OWNERS NAME: _____ POSTAL ADDRESS: _____
PH: _____ FAX: _____

| COMPONENTS FOR ASSESSMENT | Building Plans Assessment <small>(Completed by owner)</small> | | | Final Onsite Inspection <small>(Completed by owner)</small> | | |
|---|--|--------------------------|--------------------------|--|--------------------------|--------------------------|
| | Yes | No | N/A | Yes | No | N/A |
| 1.0 BUILDING DESIGN | | | | | | |
| 1.1 ORIENTATION | | | | | | |
| <ul style="list-style-type: none"> ▪ Optimise solar benefit ▪ Comply with West Australian Standards regarding energy efficiency. ▪ Locate sympathetic to neighbours. | OPTIONAL | | | OPTIONAL | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | OPTIONAL | | | OPTIONAL | | |
| 1.2 SETBACKS | | | | | | |
| <ul style="list-style-type: none"> ▪ Encourage increased surveillance of POS and footpaths. ▪ Corner lots – the dwelling to address both streets. ▪ Laneway lots – garage to be constructed no closer than 1.5m to laneway boundary. | OPTIONAL | | | OPTIONAL | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.3 FLOOR AREA – minimum of 140m² for residence or 125m² for multiple dwellings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.4 ROOF DESIGN & MATERIALS | | | | | | |
| 1.4.1 Traditional Roof Pitch between 24.5° to 45° | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> ▪ Variance of roof pitch for verandah's, portico's, alfresco and garage (concealed). | OPTIONAL | | | OPTIONAL | | |
| 1.4.2 Curved roof – radii no greater than 40m. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.4.3 Skillion Roof – maybe approved with pitch greater than 15% under special circumstances. (refer to guidelines) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.4.4 Commercial R30 & R40 lots – the material, colour and pitch of a totally concealed roof can be varied. | OPTIONAL | | | OPTIONAL | | |
| 1.4.5 Flues and Plumbing Penetrations – coloured to match closely with roof colour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.5 VERANDAH OR PORTICO | | | | | | |
| <ul style="list-style-type: none"> ▪ Designed on front street elevation. ▪ Verandah shall be greater than 1.2m wide (prefer minimum 2.4m). | OPTIONAL | | | OPTIONAL | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.6 WINDOWS | | | | | | |
| Portrait rectangular on front street elevation unless supported by specific architectural design (refer to guidelines). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.7 EAVES | | | | | | |
| Bulkheads excluded from front street elevation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.8 BUILDING HEIGHT | | | | | | |
| Two storey encouraged on R30 & R40 lots with laneway access. | OPTIONAL | | | OPTIONAL | | |
| 1.9 BUILDING & GARAGE/CARPORT FLOOR LEVEL | | | | | | |
| 1.9.1 Dwelling with Concrete Slab – floor shall not exceed 1.0 metres above any part of adjoining road edge. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.9.2 Dwelling with Podium Floor – floor shall not exceed 1.5 metres above any part of adjoining road edge. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.9.3 Garage or carport – floor level shall not exceed 0.7 metres above any part of road edge abutting the driveway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.10 GARAGE ON LANEWAY LOTS (NO CARPORTS PERMITTED) | | | | | | |
| <ul style="list-style-type: none"> ▪ Garage designed for vehicle access from laneway. ▪ Garage designed with solid wall material consistent in colour and type as external walls of residence. ▪ Garage designed on south side of lot to preserve solar benefits for rear courtyard. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3.2 FENCING OF PRIMARY STREET FRONTAGE

The fencing of the primary street front is permitted with a painted picket fence or solid piers and plinth in brick, stone or rendered masonry with a visually permeable infill to a maximum fence height of 1.2 metres. The visually permeable infill can be wrought iron, tubular steel, or painted pickets.



The pursuit of waterwise gardens on the front street area will not be discouraged. Some of the types of gardens currently established in Brookfield are illustrated in these photos.



3.3 FENCING OF SECONDARY STREET FRONTAGE

The fencing of the secondary street frontage (the primary street frontage is the main orientation of the dwelling) shall be either a solid material & colour consistent with the dwelling or "Mist Green" colourbond sheeting to a height of 1.8 metres and shall not exceed 15 metres in length, exclusive of any fence returns to the dwelling or garage and shall not be constructed any closer than 7 metres to the truncation. Landscaping should be used on the road verge side of any secondary street fencing to soften this fencing. Alternatively, an open style fencing (see Clause 3.2) shall be permitted in which case this may extend along the full boundary, but not to exceed 1.2 metres in height within 7 metres of the truncation.



3.4 FENCING OF LANEWAY

The fence along the balance of the laneway from the garage shall be at a height of 1.8 metres and of the same solid material and colour as the external garage walls.



3.5 FENCING PROVIDED BY DEVELOPER

The fencing of boundaries abutting Public Open Space and Pedestrian Accessways will be supplied by the Brookfield Developer where required as a condition of subdivision approval. These fences will be maintained by the Buyer to the same standard and if they need to be replaced, they shall be constructed of the same material.

The street tree planted by the Brookfield subdividers is to be protected during construction of the dwelling and should this be damaged or destroyed, then the Buyer shall replace this tree with the same variety at the same time as completing the landscaping. The need to maintain visibility to the street for surveillance and to encourage social interaction should be considered when the Buyer is designing the landscaping.

4.0 LANDSCAPING & RETICULATION

The landscaping & reticulation shall be completed on the area between the front building line and the road kerbline. In the case of a corner lot, the landscaping shall also include the road verge of the secondary street frontage. The plans shall be submitted with the building plans for approval and the installation completed in accordance with the approved plans prior to occupancy of the dwelling.

ADDRESS FOR ASSESSMENTS

Your building plans, landscaping plans and Rebate Assessment Form should be lodged with the Brookfield Committee as follows:-

Brookfield Committee
PO Box 414
Busselton WA 6280



1.10 BUILDING & GARAGE/CARPORT FLOOR LEVEL

1.10.1 Dwelling with concrete slab floor - the finished floor level shall not exceed 1.0 metre above any part of the road edge adjoining this lot.

1.10.2 Dwelling with podium floor sub structure - the finished floor level shall not exceed 1.5 metres above any part of the road edge adjoining this lot.

1.10.3 Garage or carport - designed so that the finished floor level shall not exceed 0.7 metre above any part of the road edge abutting the driveway. In the case of a lot that gains access to a laneway, the garage finished floor level shall not exceed 0.3 metre above any part of the laneway edge adjacent the garage.

1.11 GARAGE ON LANEWAY LOTS

For lots with a side or rear laneway, vehicular access shall come from the laneway. In these cases, a carport is not permitted. The garage shall be constructed of a solid wall material consistent with the colour & type used for the external walls of the dwelling. Where applicable the Buyer shall design the garage on the south side of the lot to preserve the solar benefits for the rear courtyard.

1.12 RADIO ANTENNAE & SATELLITE DISHES

Satellite dishes, radio antennae etc shall not be visible from the street or Public Open Space.

1.13 COMMUNITY ACCESS TV

CATV is supplied to all lots in Brookfield & the Buyer shall connect the house from the green dome at the front of their lot using a licensed contractor. The Brookfield developers have installed this system and currently operate this service to provide channels 2, 3, 7, 9, 10 & SBS free of charge. This CATV system will be handed over to a licensed operator at some stage in the future who may elect to charge a nominal annual service fee. Margaret River is a fringe TV reception area which is why this CATV system has been established. The Brookfield developers will endeavour to ensure that the TV system is operational at all times but makes no warranty or promise concerning its continued operation.

1.14 AIRCONDITIONERS & SOLAR HOT WATER SYSTEMS Shall not be visible from the street or Public Open Space areas. There are various ways to conceal or reduce the visual impact of these facilities without greatly reducing their effectiveness.

1.15 ITEMS TO BE SCREENED FROM THE STREET

Items such as a rain water tank, clothes line, rubbish storage & any items under repair should be screened from view from the street.

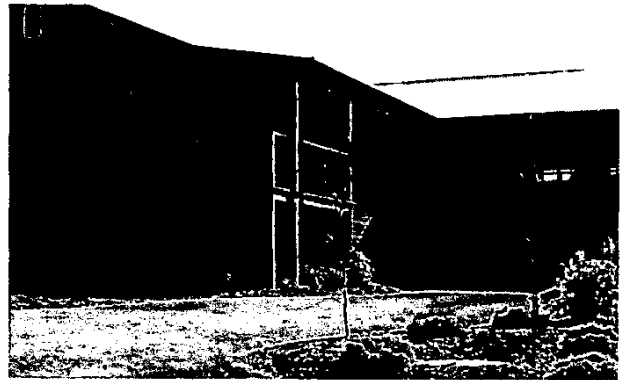
1.16 SHEDS

Shall be located behind the main residence and preferably be constructed of "Mist Green" colourbond to match the fence, unless the shed is greater than 25m² or visibly prominent where it shall be constructed of a similar material and colour as the dwelling.

2.0 SITE WORKS

2.1 EARTHWORKS

The dwelling shall be designed to minimize earthworks onsite via the use of split levels (see DAD National display home on Lot 130), stepped footings, or using a podium floor substructure where the final floor surface can be feature timber. Each of these methods of design will greatly reduce the amount of earthworks & retaining walls. If earthworks are to be undertaken for a level concrete floor construction, then the earthworks shall incorporate a cut & fill of the existing surface where possible, to reduce the overall height of earthworks & retaining walls.



2.2 RETAINING WALLS

No retaining wall shall be constructed with a height greater than 1.0 metre above or 1.0 metre below the natural ground level at that point on the lot. The retaining walls are to be constructed of brick, stone, limestone or coloured interlocking concrete approved by the Shire and certified by a structural engineer, which shall also include sub-soil drainage where applicable.

2.3 DRIVEWAYS

Driveways connecting the carport or garage to the road shall be constructed of brick paving, faux brick, ochre coloured concrete, or exposed concrete aggregate & sealed. The driveway shall be completed prior to occupancy of the dwelling. No other vehicle hardstand area between the street frontage & the dwelling shall be constructed of any other material than the approved driveway materials.

3.0 FENCING

The fencing needs to be clearly shown on the building plans submitted for approval and completion of these is required prior to occupancy of the dwelling.

3.1 FENCING OF ALL BOUNDARIES OTHER THAN STREETFRONT

These boundaries shall be fenced with "Mist Green" colourbond sheeting to a height of 1.8 metres and they shall not extend closer than 6 metres to the street boundary, except for secondary street boundaries.

Brookfield
Everything. For a better life.



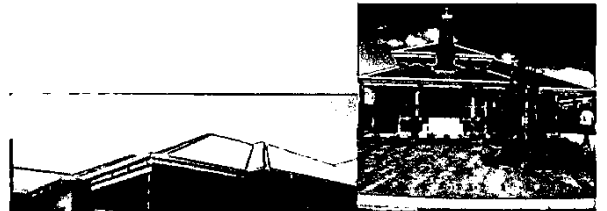
1.5.2 Walls on podium floor construction – in addition to the above walls approved in Clause 1.5.1, the Buyer has the option of using Weatherboard, Weathertex boards and Natural timber for the external wall materials when podium floor construction is used:



Other window treatments and designs that are more elaborate include arched head with contrasting square sill, rendered capital with contrasting splayed sill, tile or Colorbond canopy, bay window with gable over, bullnose canopy with contrasting chamfered brick sill, timber infill below window and leadlight bullseye feature window. Plain large windows should be kept from the front elevation, particularly large full height aluminium windows & sliding doors unless supported by specific architectural design, or opening onto an alfresco or verandah greater than 3 metres wide.

1.6 VERANDAH or PORTICO

A verandah may be used on the front/street elevation and this verandah shall be greater than 1.2 metres in width and preferably 2.4 metres wide to cater for a table & chairs to encourage social interaction towards the street. A portico entry is a desirable addition to the verandah on this elevation. The area of the verandah or portico shall be used as a maximum credit of upto 10 square metres towards the minimum floor area.



1.7 WINDOWS

Windows shall be portrait rectangular on the front/street elevation to improve the contemporary appearance and to enhance the vernacular, however, if the designer/builder can demonstrate that an alternative window shape clearly supports the specific architectural design of the front elevation, the Brookfield Committee may approve a variation. The benefits provided by shorter windows are; improved furnishability and privacy, reduced curtain length and reduced excessive direct sunlight.

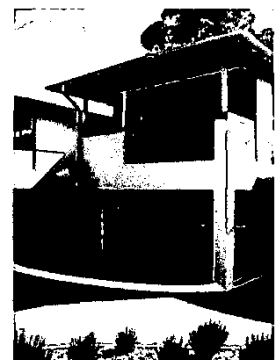


1.8 EAVES

Eaves shall exclude bulkheads facing the front/street elevation of the dwelling. The use of cut back eaves may be used on other elevations (ie not facing the street) & any windows on these walls should be protected by a canopy.

1.9 BUILDING HEIGHT

Is controlled by the Shire's Town Planning Scheme, however the Buyers of the R30 & R40 coded lots with additional laneway access and the Commercial lots are encouraged to build two storey. These buildings should also be robust in design to create the flexibility for possible changes in use in the future leading to a combined home office & residential use located within the dwelling.



1.3 FLOOR AREAS

The Buyer shall not construct any dwelling on the lot with a minimum floor area less than 140m², or 125m² for multiple dwellings on the one lot (including external walls and a credit of upto 10m² for a verandah or portico on the front street elevation, but excluding the area of a garage, carport, patio or alfresco).

1.4 ROOF DESIGN & MATERIALS

Shall be Colorbond custom orb, tiles or slate of a consistent colour without half tones or mottle composition unless those half tones or mottles are pre-approved by Brookfield Committee. Unpainted zincalume, colourbond or tiles in pink colour tones are also not permitted (with the exceptions noted below).

1.4.1 Traditional Roof - shall be pitched to a minimum of 24.5 degrees but not greater than 45 degrees with the exception of :

- > verandahs - may have a minimum pitch of 15 degrees.
- > portico's, alfresco, (or similar architectural features) - may have a minimum pitch of 15 degrees & if the roof is concealed, the pitch may be less than 15 degrees.
- > garage - may have a pitch less than 24.5 degrees if the roof is concealed.



1.4.2 Curved Roof - may be permitted but its radius shall be no greater than 40 metres.



1.4.3 Skillion Roof - may be permitted with a pitch no less than 15% and if two skillions meet at a ridge then the roof pitches need to be vertically separated by a minimum of 0.5 metres. A skillion design shall incorporate additional features on the front street elevation to improve the aesthetics of the design to the satisfaction of the Brookfield Committee.

1.4.4 Commercial, R30 & R40 Lots - if the roof is totally concealed from view from the road & other lots, unpainted zincalume at a grade less than 24 degrees will be permitted.

1.4.5 Flues & Plumbing Penetrations - any of these penetrations through the roof shall be coloured to match closely with the roof colour. Gutters shall be incorporated as part of the dwellings roof construction & piping to the drainage point provided, that is connected into the Council drainage system, is mandatory.

1.5 WALL MATERIALS & TREATMENT

The use of Wall Treatments can embellish the over-all appearance without excessive cost and can be as simple as a quoin (feature brickwork/ render on the external corners of the walls) or more elaborate combinations incorporating a dado appearance utilising a contrasting material such as brick, render, weathertex or rammed earth. Contrasting sills and headers on the window surrounds, also create an attractive appearance.

1.5.1 Walls on concrete floor slabs - the Buyer shall use these external wall materials when concrete floor construction is used:

- Brick & Cement Render
- Rammed Earth or Limestone
- Earth or Limestone Blocks

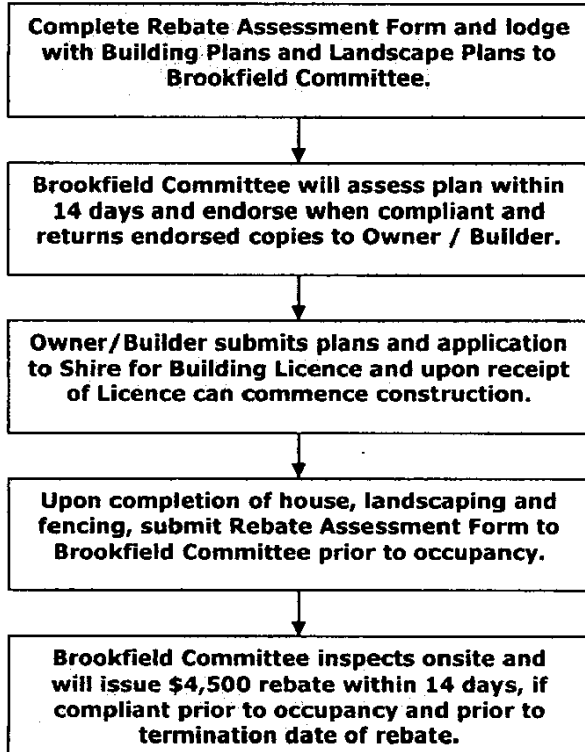
Stone or Limestone (full construction or as a Facing)
Colorbond/miniorb as a feature on less than 50% of street elevation wall.

Walls Above Dado Height can be Painted Fibrous Cement, Hardiplank or Weatherboards.



APPROVAL PROCESS

At the time of purchasing a house site within Brookfield Rise, the Buyer agreed to comply with these Guidelines. Before commencing your house design these Guidelines need to be supplied to your Architect, Designer, or Builder to assist with the design of your building plans, landscaping, driveway and fencing. A flowchart is attached to assist as a summary of the staged assessment in order to qualify for the rebate.



Prior to lodging your building plans with the Shire, they need to be approved by the Brookfield Committee. You must submit the Rebate Assessment Form, landscaping plan, elevations, floor plan and a site plan and ensure that the building materials and other required details are clearly noted on the plans. Vetting of building plans will be completed within 14 days of receipt. Applications non compliant, or incomplete, will be returned immediately for reconsideration and amendment. Once the Brookfield Committee have endorsed the building plans they can be lodged with the Shire for issue of building license.

To assist with your compliance a selfcheck column is incorporated on the Rebate Assessment Form and this should be completed and signed prior to lodging with the Brookfield Committee. This Form has the standard list of assessment criteria extracted from these Guidelines.

This Rebate Assessment Form should be retained by the Buyer and submitted to the Brookfield Committee at completion of the house, landscaping and fencing which will initiate the final inspection and rebate assessment. The \$4,500 cash rebate incentive will be payable within 14 days after house inspection, if all matters are in order and the Form is received prior to the specified termination date of the cash rebate. Failure to comply with the Guidelines at anytime upto the 31st December 2020 is a breach of the Restrictive Covenants and action may be taken by the Developer or any Brookfield Rise lot owner.

You are reminded that the Shire's Town Planning Scheme and the Residential Design Codes still apply to these lots and where there is any inconsistency between the Guidelines and these other Policies, the Town Planning Scheme and the Residential Design Codes will prevail.

1.0 BUILDING DESIGN

1.1 ORIENTATION

The dwelling should be positioned to optimise solar benefit and cognizant of prevailing weather conditions to minimise exposure to harsh winter rain and winds, hot afternoon sun but also take advantage of summertime sea breezes. The recent West Australian Standards for energy efficient criteria shall be adopted. Where possible the house should be positioned sympathetic to neighbours with regard to Bathroom/WC Windows and Bedroom Windows, to avoid direct correlation. Where it is not possible to achieve this, screening is recommended. Dwellings should attempt to achieve private entertaining areas positioned apart from similar areas of adjoining lots.

1.2 SETBACKS

Setbacks and orientation of the dwelling are encouraged where increased surveillance of public open space and footpaths can be achieved along with the encouragement of social engagement with passing pedestrians.

Corner lots - the Buyer shall design the dwelling to address both streets to create a built form that defines the street edge.



Laneway Setbacks - if a laneway provides access to the rear or side of a lot, then the garage on that lot shall be constructed no closer than 1.5 metres to the boundary of that laneway.



BROOKFIELD at Margaret River "Brookfield Rise"

BUILDING DEVELOPMENT GUIDELINES - Edition 1 (August 2005)
(as referred to in the Brookfield Rise Contracts Of Sale)



INTRODUCTION

Brookfield is set amongst the magnificent environment and landscape of Margaret River and is a carefully planned residential neighbourhood that seeks to complement and enhance these natural attributes whilst creating a unique residential community.

Since the Settlement of Margaret River it has remained a rural centre catering for farmers throughout the region and more recently the wine industry and tourism. Its attraction has been its "back to nature" atmosphere and rustic charms, as well as its strong sense of community.

Supplementary to this, a distinctive architecture has arisen through the use of locally available materials and innovative improvisation, guided by an underlying environmental attitude, focusing on harmony with nature and embracing the natural elements, particularly solar orientation and prevailing winds. It is the essential elements of this approach to architecture which underscore the building development guidelines (outlined herein), developed specifically to preserve the unique character of the region.

With the influence of new settlers in the region driven by market forces, and economics, the distinctive "country flavour" could be quickly consumed by modern urbanism with little concern for the very character which forms the attraction of this delightful regional centre.

Brookfield embraces this history and seeks to preserve the unique character of Margaret River within these guidelines.

PURPOSE OF THE GUIDELINES

The Building Development Guidelines have been designed as a set of minimum standards purely with the intent of maintaining the high quality of the neighbourhood through home design excellence, including the completion of landscaping & fencing. Brookfield has undulating topography and a beautiful rural setting and it is very important to achieve compliance with these Guidelines to assist to protect the amenity of this environment whilst still allowing the community to grow and prosper. Compliance will also create a strong street focus that is a safe and pleasant place fostering the sense of community.

Buyers can invest and build in Brookfield with the confidence that surrounding house designs will also be subject to compliance examination to ensure full adherence of the Guidelines providing a consistent house quality within the street.

The Guidelines are not designed to inhibit the individuality of design that is characteristic of Margaret River, but require some formality that enables a form of consistency and standard that will protect the aesthetic and value of neighbouring properties. The Guidelines are also mindful of the need for energy efficiency, the prevailing climatic conditions as well as the ethos of the Margaret River Lifestyle. Designs that vary outside these Guidelines are generally not supported and the decision will be made by the Brookfield Committee which will be final.

Within these Guidelines reference to "the Buyer shall" indicates that this requirement is mandatory whereas the expression "the Buyer is encouraged..., should..., or may..." means that the design guideline elements are highly desirable but not mandatory.

Brookfield 
Everything. For a better life.

ANNEXURE "A"

BROOKFIELD RISE BUILDING DEVELOPMENT GUIDELINES

EDITION 1 (August 2005)

(4) On any Lot:

- (a) not to park any boat, commercial vehicle with aggregate weight greater than 3.5 tonnes or caravan, nor repair any motor vehicle, boat, commercial vehicle or machinery on any part of the Lot or adjacent street or road or laneway that is visible from the street, road or laneway abutting the Lot;
- (b) occupy or cause to be occupied any residential dwelling until such time as the driveway referred to in Covenant (1)(i) hereof has been constructed.

PART VII

The Expiry Date

31 December 2020

PART VIII

Encumbrances

Mortgage J352077 to Westpac Banking Corporation

Executed by BROOKFIELD ESTATE PTY LTD
(ABN 21 475 022 530) pursuant to Section 127
of the Corporations Act 2001 by:)

Signed for and on behalf of)
BROOKFIELD ESTATE PTY LTD)
(ACN 111 884 667) by authority)
of its Director/Secretary in accordance)
with section 127 of the Corporations Law)

[Handwritten signatures]
.....
Director/Secretary - STEPHEN JOHN COURT
↑
DIRECTOR - ALEX GOLDSMITH MEARNS .

Mortgagee Consent

Westpac Banking Corporation (ACN 007 457 141) of 109 St George's Terrace, Perth, Western Australia as the Mortgagee named in Mortgage No J352077 HEREBY CONSENTS to the terms of this Deed and to the Restrictive Covenants being endorsed as an encumbrance on the lots referred to in this Deed.

Executed by WESTPAC BANKING CORPORATION ABN 33 007 457 141 by being signed in Western Australia by its Attorneys

[Handwritten signature]
Under Power of Attorney No.H663334

who declares that they hold the office in the Bank indicated under their signature in the presence of

Witness *[Handwritten signature]*
LJUBISA MILOVANOVIC

- (d) unless the garage or carport floor level does not exceed 0.7 metres above any part of the road edge abutting the driveway or, in the case of a lot that gains access from a laneway, the garage floor level shall not exceed 0.3 metres above any part of the laneway edge adjacent the garage;
 - (e) unless the retaining walls are no greater than 1.0 metres above or below the natural ground level at that point of the lot and constructed of brick, stone, limestone, or coloured interlocking concrete and approved by the Local Authority;
 - (f) unless the shed is located to the rear of the residential dwelling and if the floor area exceeds 25 square metres or is visibly prominent, then it shall be constructed of a similar material and colour as the residential dwelling;
 - (g) any residential dwelling or ancillary buildings the construction of which is restricted in the manner specified herein and which do not comply with the Guidelines. Where there is any dispute or difference between the wording of the Restrictive Covenant contained herein and the Guidelines, the terms and provisions of the Guidelines shall prevail.
- (3) Not to erect any fence upon a Lot:
- (a) for boundaries other than primary or secondary streetfront boundaries, unless the fence is "mist green" colour colorbond sheeting to a height of 1.8 metres and this fence shall not extend closer than 6.0 metres to the street boundary and which do not breach any provision of the Guidelines;
 - (b) for primary street boundaries, the fence shall be painted picket to a maximum fence height of 1.2 metres above the lot level or a combination of visually permeable infill of wrought iron, tubular steel or painted pickets along with solid piers and plinth in brick, stone or rendered masonry where the solid portion of the fence (other than the piers) shall be a maximum height of 0.6 metres and the overall maximum fence height shall be 1.2 metres above the lot level and not more than 1.8 metres above the adjacent street verge level and which do not breach any provision of the Guidelines;
 - (c) for secondary street boundaries, unless the fence is a solid material and colour consistent with the residential dwelling or "mist green" colour colorbond sheeting to a maximum height of 1.8 metres and shall not exceed 15 metres in length, exclusive of any fence returns to the residential dwelling or garage and shall not be constructed any closer than 7 metres to the truncation or, alternatively, an open style fencing as outlined in Covenant (3)(b) may extend the full length of this boundary but not exceed 1.2 metres in height within 7 metres of the truncation and which do not breach any provision of the Guidelines;
 - (d) for laneway boundaries, unless the fence is constructed of the same solid material and colour as the external walls of the garage and extend for the full length of the boundary from the garage and to a height of 1.8 metres and which do not breach any provision of the Guidelines;
 - (e) any replacement or repair of an existing fence or constructed fence where such replacement fence or repaired fence is not of the same design and construction of the fence repaired or replaced or does not comply with the Guidelines.

- (c) recycled second-hand, relocated, transportable or fibro-clad residential dwellings;
 - (d) any residential dwelling, garage or fence which does not comply with the Guidelines;
 - (e) any clothes line, rubbish disposal container, incinerator or compost tumbler which is unscreened or is visible from Public Open Space or any street;
 - (f) any telephone or telecommunication antennae;
 - (g) any fence, shed or structure that is not constructed of new materials and which do not conform or comply with Guidelines;
 - (h) any storage tank, airconditioner unit, satellite dish, radio antennae or solar hot water system that is visible or unscreened from any street or Public Open Space;
 - (i) any driveway that is not brick paved, faux brick, ochre coloured concrete, coloured concrete pavers or exposed concrete aggregate (sealed);
 - (j) any garage on a lot abutting a rear lane that does not rely solely on the rear lane for access and is not set back a minimum of 1.5 metres to the laneway boundary and constructed of the same external wall material and colour as the external wall materials of the residential dwelling in accordance with and complying with the Guidelines;
 - (k) any residential dwelling that does not connect its stormwater drainage into an approved storage containment, as approved by the Brookfield Committee, with a minimum capacity of 1,000 litres prior to the connection into the interallotment drainage system provided to the Lot.
- (2) Not to erect, bring on to or affix to the Lot any building or other construction:
- (a) unless the building comprises a residential dwelling and ancillary buildings with external walls (other than glazed areas) constructed entirely in non-reflective materials comprising; for a concrete slab construction – brick, cement render, rammed earth, rammed limestone, earth or limestone blocks, limestone facing, stone, colorbond/miniorb as a feature on less than 50% of the street elevation wall and walls above dado height may be painted fibrous cement, hardiplank or weatherboards/weathertex; for a podium floor construction – in addition to the preceding, walls constructed entirely of weatherboards/weathertex and natural timber;
 - (b) unless the building comprises a roof material of colorbond, tiles or slate of a consistent colour but not unpainted zincalume or colorbond or tiles in pink tones. The roof shall be pitched at greater than 24.5 degrees and less than 45 degrees with the exception of; verandahs – may have a minimum pitch of 15 degrees; porticos, alfrescos – may have a minimum pitch of 15 degrees and if the roof is concealed, the pitch may be less than 15 degrees; garage – may have a pitch of less than 24.5 degrees if the roof is concealed; curved roof on building – radii must be less than 40 metres; skillion roof on building – pitch to be greater than 15 degrees and vertically separated by minimum of 0.5 metres if two skillions meet at the ridge; rooves on commercial, residential R30 and R40 buildings may use unpainted zincalume at a grade less than 24.5 degrees if the rooves are totally concealed from the road and other Brookfield lots;
 - (c) unless the residential dwelling floor level of the concrete slab does not exceed 1.0 metres above any part of the road edge adjoining this lot and for a podium floor structure, the floor level does not exceed 1.5 metres above any part of the road edge adjoining this lot;

THE SCHEDULE

PART I

The Covenantor

BROOKFIELD ESTATE PTY LTD (ACN 111 884 667) of 1 Riverway, Applecross, Western Australia

PART II

The Land

Lot 9004 on Deposited Plan 51941 and being the whole of the land comprised in Certificate of Title Volume *2638* Folio *74* .

PART III

The Benefiting Lots

All Lots on the Plan excluding Lots 2007 and 9005

PART IV

The Burdened Lots

All Lots on the Plan excluding Lots 2007 and 9005.

PART V

The Plan

Deposited Plan 52476

PART VI

The Restrictive Covenant

The Covenantor shall not until the Expiry Date:

- (1) Erect or cause to be erected upon a Lot:
 - (a) a "For Sale" sign until either a residential dwelling has been constructed upon the Lot or, where a residential dwelling has not been completed, a period of TWO (2) years from the issue of the Certificate of Title for the Lot has expired;
 - (b) any single residential dwelling having a floor area of less than 14 square metres or 125 square metres for up to 3 multiple residential dwellings on the one lot or 90 square metres for greater than 3 multiple residential dwellings on the one lot (including a credit of up to 10 square metres for a verandah or portico on the front street elevation, but excluding the area of a garage, carport and patio);

- (b) the burden of the covenants in this Deed will be attached to and burden each of the Lots on the Plan numbered and described in Part IV of the Schedule hereto and being part of the Land (“the Burdened Lots”).

3. Restrictive Covenant

The Covenantor as the proprietor of the Land and of each of the Lots on the Plan with the intent the Restrictive Covenant shall burden the Burdened Lots and benefit the Benefiting Lots, covenants and agrees in the manner set out in Part VI of the Schedule hereto.

4. Definitions

For the purpose of this Deed:

- (a) “**residential building**” means a dwelling and associated improvements constructed on the Lot;
- (b) “**Lot**” means any Lot as described on the Plan;
- (c) “**Guidelines**” shall mean the Brookfield Rise Building Development Guidelines – Edition 1 (August 2005) attached hereto and marked Annexure “A” and comprising 8 pages;
- (d) “**Plan**” shall mean the plan referred to in Part V of the Schedule hereto;
- (e) “**Land**” means the Land described in the Schedule hereto;
- (f) “**Restrictive Covenant**” shall mean the Restrictive Covenant referred to in Part VI of the Schedule hereto;
- (g) “**Expiry Date**” shall mean the expiry date mentioned in Part VII of the Schedule hereto;
- (h) “**Encumbrances**” means the encumbrances named in Part VIII of the Schedule hereto.

5. Expiry Date

The Restrictive Covenant created by this Deed shall continue until the Expiry Date, at which time the covenants shall expire and shall cease to burden the Burdened Lots and benefit the Benefiting Lots and thereafter shall be of no further effect howsoever.

6. Signing of documents

The Covenantor will sign all other documents and do any thing reasonably required to give effect to this Deed and in particular will sign any other document required to register the Restrictive Covenant contained in this Deed against the Certificate of Title for the Lot.

7. Encumbrances

Where the Land is encumbered with Encumbrances, the Covenantor shall obtain the consent of any Mortgagee of any Mortgage to this Deed and the creation of the Restrictive Covenant.

8. Headings

The headings in this Deed are for information purposes only and do not form part of this Deed and shall not be taken into account in interpreting this Deed.

BLANK INSTRUMENT FORM**RESTRICTIVE COVENANT**

(Note 1)

RESTRICTIVE COVENANT**Pursuant to Section 136D of the Transfer of Land Act****THIS DEED** is made the 14TH day of NOVEMBER 2006

BY: the person or persons whose particulars appear in Part I of the Schedule hereto ("the Covenantor").

WHEREAS:

- A. The Covenantor is the Proprietor of the Land described in Part II of the Schedule hereto (hereinafter called "the Land") which the Covenantor proposes to subdivide in accordance with the plan of subdivision referred to in Part V of the Schedule hereto (hereinafter called "the Plan").
- B. The Covenantor wishes to ensure the Lots the subject of the Plan have the burden and benefit of the Restrictive Covenant set out hereafter.

OPERATIVE PART**1. Section 136D – Registration**

The Covenantor pursuant to Section 136D of the Transfer of Land Act covenants and agrees the following Restrictive Covenants as set out in this Deed will be registered against the Certificate of Title for each of the Lots contained in the Plan.

2. Benefit and Burden of Restrictive Covenants

The Covenantor acknowledges and agrees:

- (a) the benefit of the covenants in this Deed will be attached to and for the benefit of each of the Lots on the Plan numbered and described in Part III of the Schedule hereto and being part of the Land ("the Benefiting Lots");