



City Valley Estate

Design Guidelines and Covenants





Objectives

These Design Guidelines are provided to offer protection of your investment at City Valley Estate and cover a variety of site-specific design issues which together play an important role in the creation of successful residential environments. Design issues to be considered include:

- The building 'footprint' and orientation on the site
- Variety of designs and styles to compliment each other and the streetscape
- Private open space (eg. rear garden or courtyard)
- Visual privacy (eg. window placement to side boundaries)
- Residents personal privacy and security
- Landscaping and fencing to boundary and private courtyards
- Service areas and waste bin storage
- Carparking, site access and driveways

City Valley Estate Management will administer the Encumbrances on your title to secure your property investment and secure that standards are maintained. These Guidelines should be read in conjunction with the Memorandum of Encumbrance.

Guideline and Building Approval

Details of all proposed building works must be submitted to City Valley Estate Management for an Encumbrance and design guideline review prior to seeking building approval from a licensed building certifier. Please note that no fee is required and review approval is usually available within 7 days.

The Encumbrances and design elements covered in these guidelines may be varied within reason and only with written Estate Management approval.

Approval under the Encumbrance does not withstand any building or planning requirements of the Northern Territory of Local Government.

ALL GUIDELINE APPLICATIONS TO BE SUBMITTED FOR ASSESSMENT AND REVIEW TO:

ROSS TONKIN – ROSS TONKIN & ASSOCIATES PTY LTD
7 FANNIE BAY PLACE, FANNIE BAY
Ph 8941 0982

A COPY OF SIGNED AND ENDORSED DOCUMENTS MUST BE PRODUCED AS EVIDENCE OF THE DEVELOPERS APPROVAL PRIOR TO PURSUING A BUILDING PERMIT. AN APPLICATION FORM HAS BEEN INCLUDED WITH THESE GUIDELINES.

Design Guidelines

The external aesthetics of your home, building height and form should be compatible with streetscape and should minimise any adverse impact on the residential amenity of neighbouring dwellings.

The entry to each dwelling should be easily identifiable and should be designed to give an individual identity to each residence that addresses the street. A transitional space such as a porch or front verandah would be preferred with access from ground level. Avoid high fencing along property frontages.



The dwelling layout should ensure that noise transmission is minimised by thoughtful location on noisy areas. Views and outlook should be maximised, particularly from living rooms. Allow for some internal storage and provide direct or convenient access from a living area to private open space.

Location and design of windows contribute to a sense of spaciousness and connection with the outdoors, while enabling control of ventilation, visual privacy and security. Habitable rooms should be provided with at least one and preferably two external openings.

Upper storey windows/balconies located for views to street.

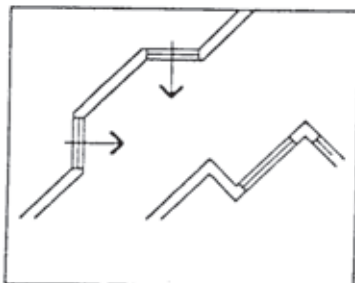
Windows/balconies located to avoid over-looking of direct or close views of other dwellings.

Parapet walls, screening and high sills to effect privacy between dwellings.

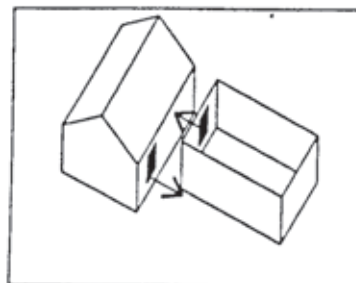
Locate garages away from bedrooms of adjacent dwellings.

Internal layouts to locate bedrooms away from noise sources.

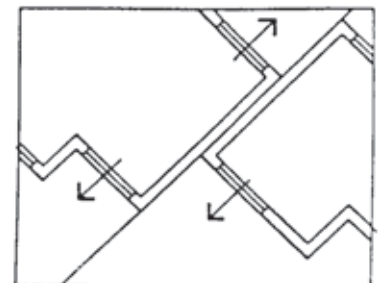
Active recreation area to be located away from bedrooms of adjacent dwellings.



display windows



offset windows

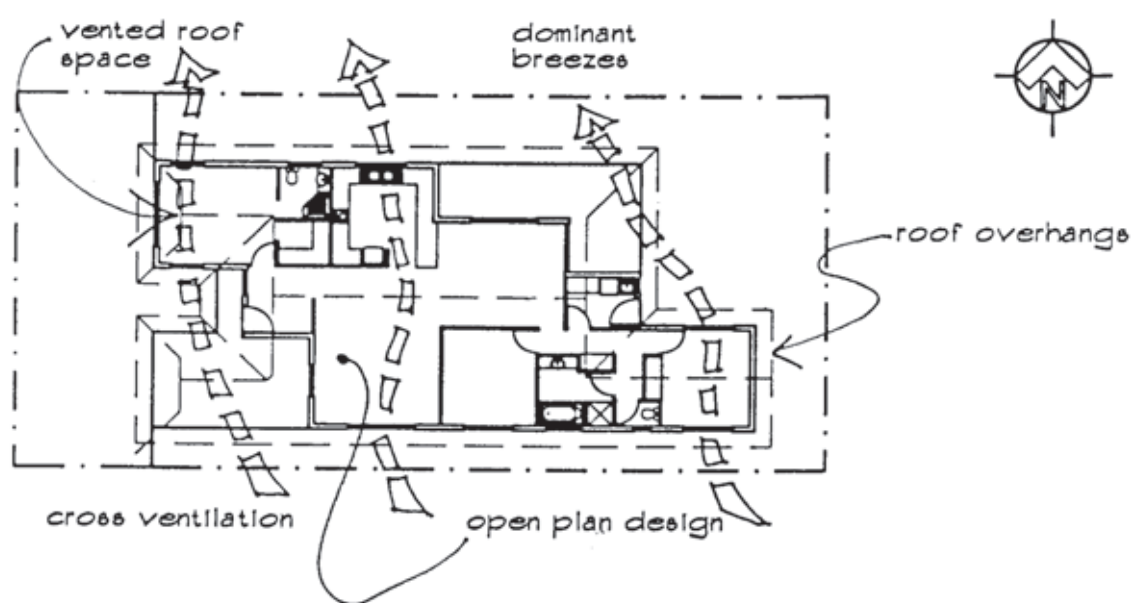


build to boundary

VISUAL AND ACOUSTIC PRIVACY

All external openings should be provided with shade devices to prevent direct sun at hottest times of the day.

The design, siting and orientation of your home should allow for maximum cross ventilation to take advantage of cooling breezes. Open plan design, louvre windows, vented roof space and eaves overhangs all help to protect your residence from heat gain. Consideration should also be given to materials of construction to minimise heat absorption and maximise heat loss.



Landscaping should provide visual privacy to resident entry, provide a buffer to traffic noise and exhaust fumes and create an attractive environment without compromising personal safety.

Site Layout

The siting and scale of dwellings on smaller allotments will help to create an open and visual pleasing environment. Minimum boundary setbacks have been set and approved by Darwin Town Planning Authority to ensure some flexibility in site design to achieve maximum residential amenity. A set back describes the distance between your home and the sites boundaries. Please refer to the building setback plan provided with these guidelines.

Side Setbacks

Advantage should be taken of 'zero lot line' boundary setbacks to enable better use of open space and to improve internal privacy.

Four (4) metres minimum of house wall shall be built to this nominated boundary (not including open carports or verandahs) with 15 metre maximum length of wall, including enclosed garage.

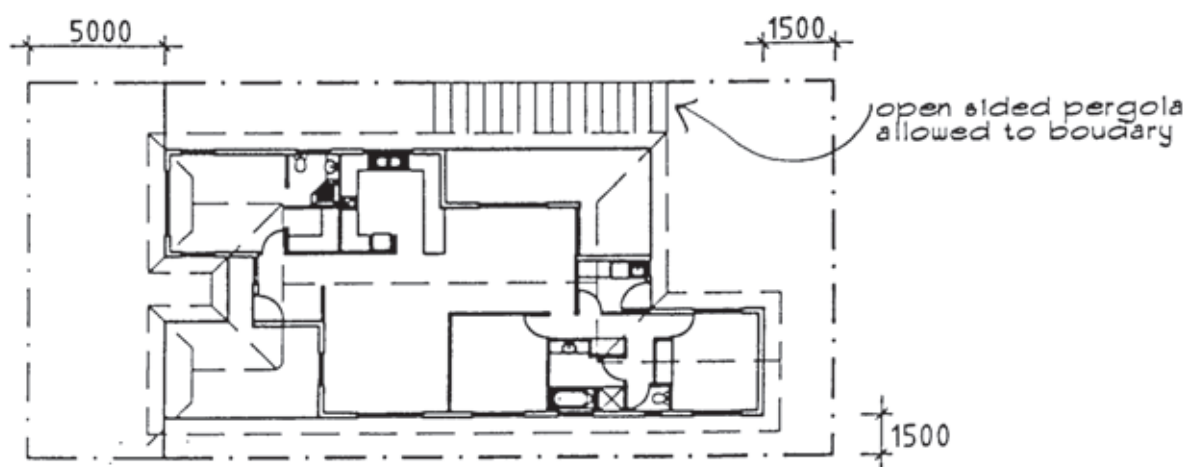
Two storey dwellings proposed to be built on the nominated zero lot line will be given consideration and treated on its merits. Only proposals which provide adequate visual and acoustic privacy will be considered.

Where a dwelling or part thereof is not built on the nominated zero lot line a minimum setback of 1500 mm shall be met.

All walls of the dwelling should be at least 1500mm from the other side boundary (allowing 600 – 900 eave overhang).

All eave, fascia or gutter of the dwelling should be at least 600mm from the other side boundary.

Open sided pergolas are allowed to the rear and side boundaries where a screen or solid wall is provided in accordance with B.C.A requirements. The pergolas should not be attached to a neighbouring residence.



Rear Setbacks

All dwellings to be minimum of at least 1500mm and all eave, fascia and gutters to be minimum of 600mm from rear boundary.

Front Setbacks

Ensure that no part of any wall of your home is closer to the front boundary than 5000mm.

On corner lots, setbacks are to be 5000mm to one side and 2500mm to the other side.

Design & Style

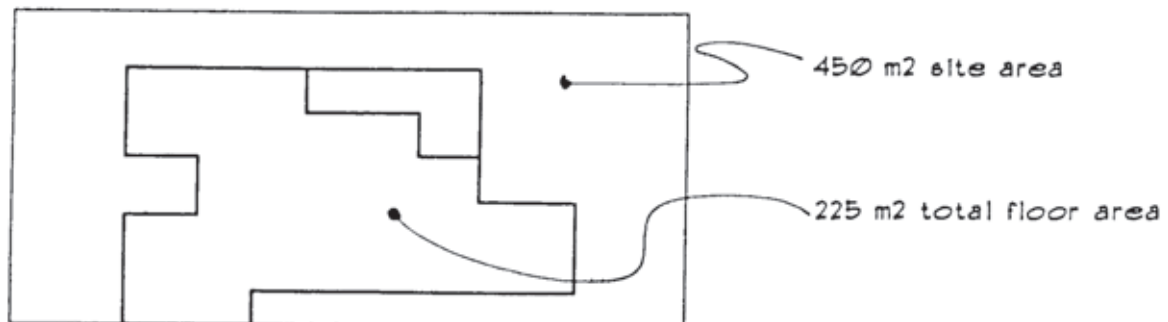
Architectural Style

We encourage the use of innovative design and use of varied materials (refer Memorandum of Encumbrances) and recommend that you or your designer research existing neighbouring dwellings prior to designing your new home. This will help prevent repetition of design and create harmony within the streetscape.



Plot Ratio

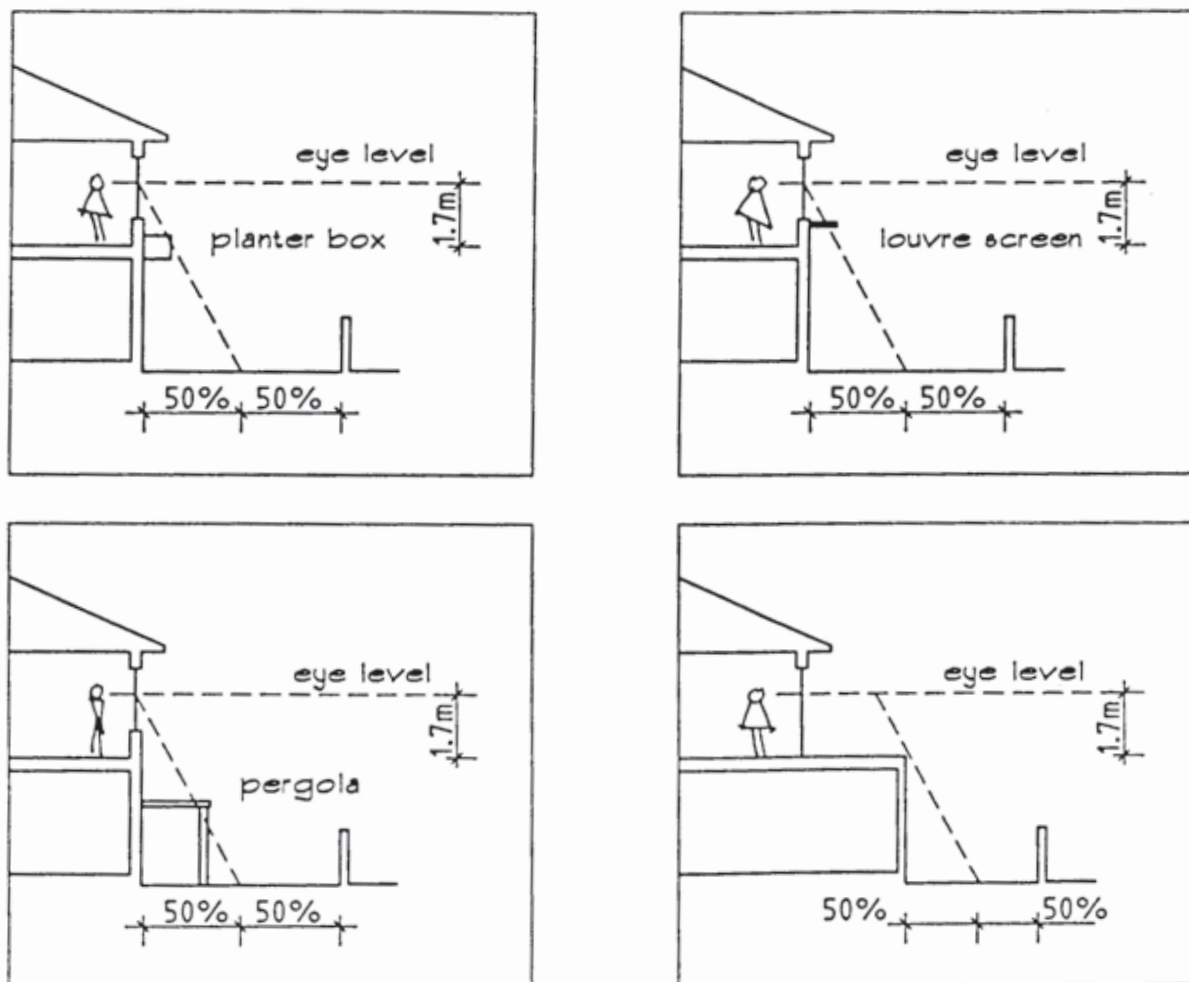
Maximum floor area of your home should not exceed 50% of the site area (ie 450 m² site can have a maximum total floor area of 225 m²). This includes garages, verandahs and covered patio areas.



Two Storey Homes

Care should be taken during the design phase to ensure protection of neighbouring residents privacy. Your designer should apply to the Estate Planner for information concerning window placement and location of designated outdoor living areas of neighbouring dwellings.

Placement of balconies to first floor and location of windows should be directed either toward the street or to private open space rather than toward adjacent dwellings.



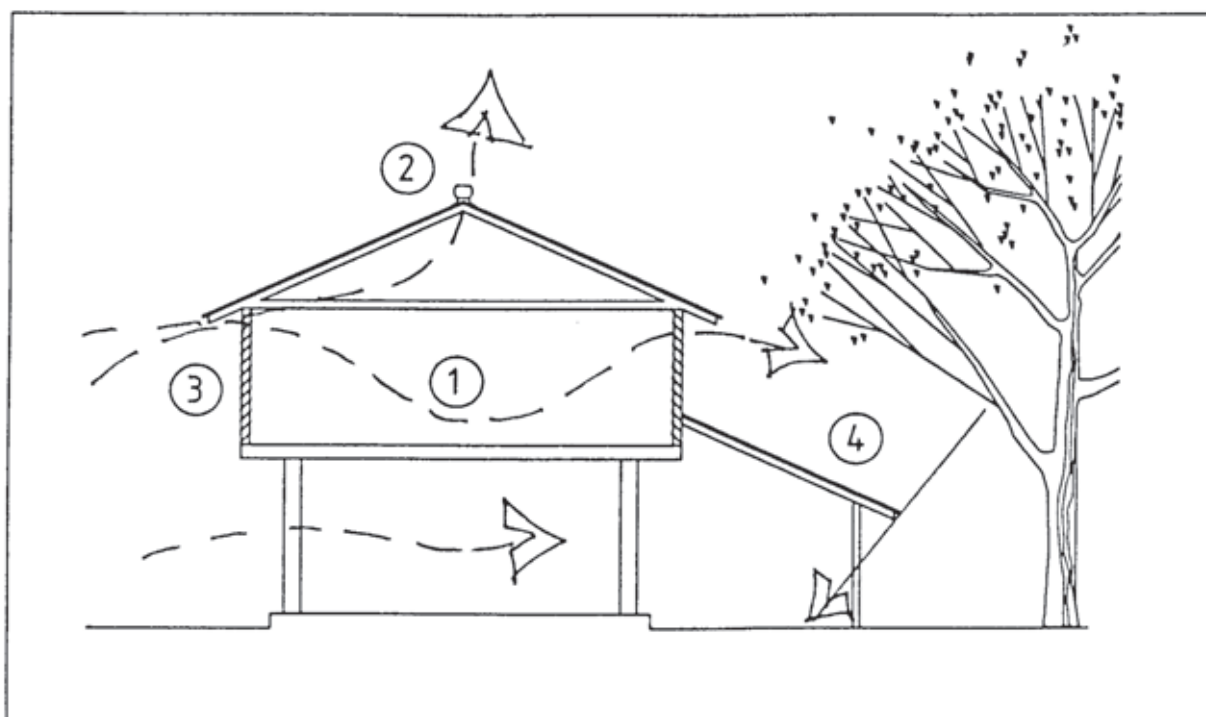
techniques for providing privacy to a lower dwellings private open space

Future Extension

Extensions to your home are permitted if the design and aesthetics used are complimentary to the existing home and all guidelines are met.

1. Promotion of Cooling Breezes
 - Presentation to breezes
 - Interaction with the outdoors
 - Treatment of barriers
 - Incorporating supplementary means

2. Ventilation by Convection
 - Steep pitch roofs with venting at apex/ridge

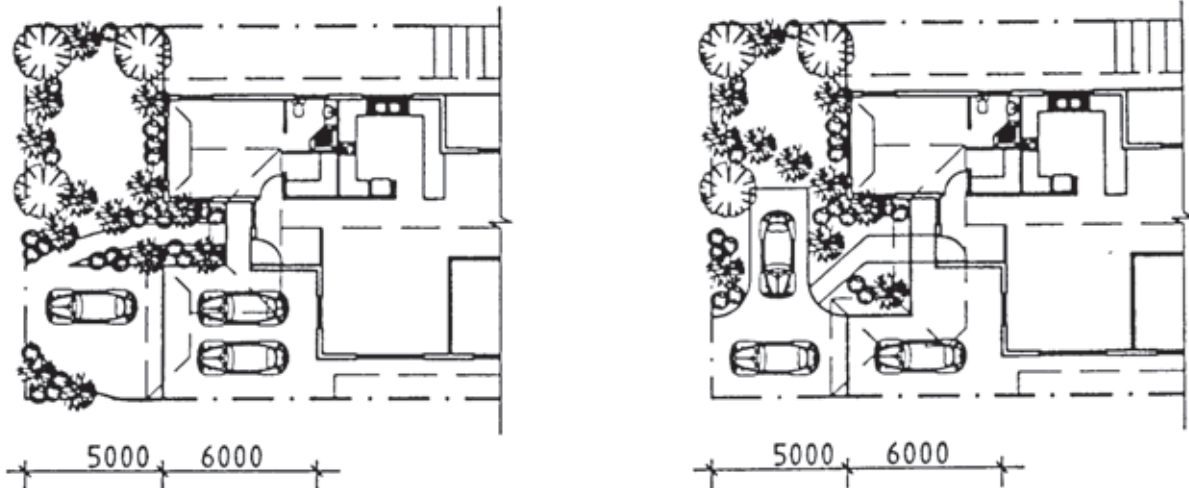


3. Reducing Radiant Heat
 - Light weight construction materials that do not absorb heat and cool rapidly

4. Shelter of Walls & Windows
 - Shelter walls and openings from both the sun and rain

Parking and Driveways

Provide at least two (2) off-street car parking spaces to your dwelling, suitably landscaped to enhance amenity while providing security needs of residents and visitors. These parking spaces should be individually accessed where at all possible with sufficient driveway length to accommodate one visitor vehicle.



Under main roof carports and garages should be integrated with the main home and comply with setback limitations. Free standing prefabricated carports are permitted only with written approval of the Estate Management.



Carparking areas and access ways are to be designed, surfaced and sloped to disperse on-site stormwater. Driveways to be a minimum of 3000mm wide and not more than 5500mm wide and shall be constructed from the kerb to the garage or carport.

Recreational vehicles such as boats, trailers, caravans etc to be housed out of site behind the front of your home and suitable screened from street frontage.

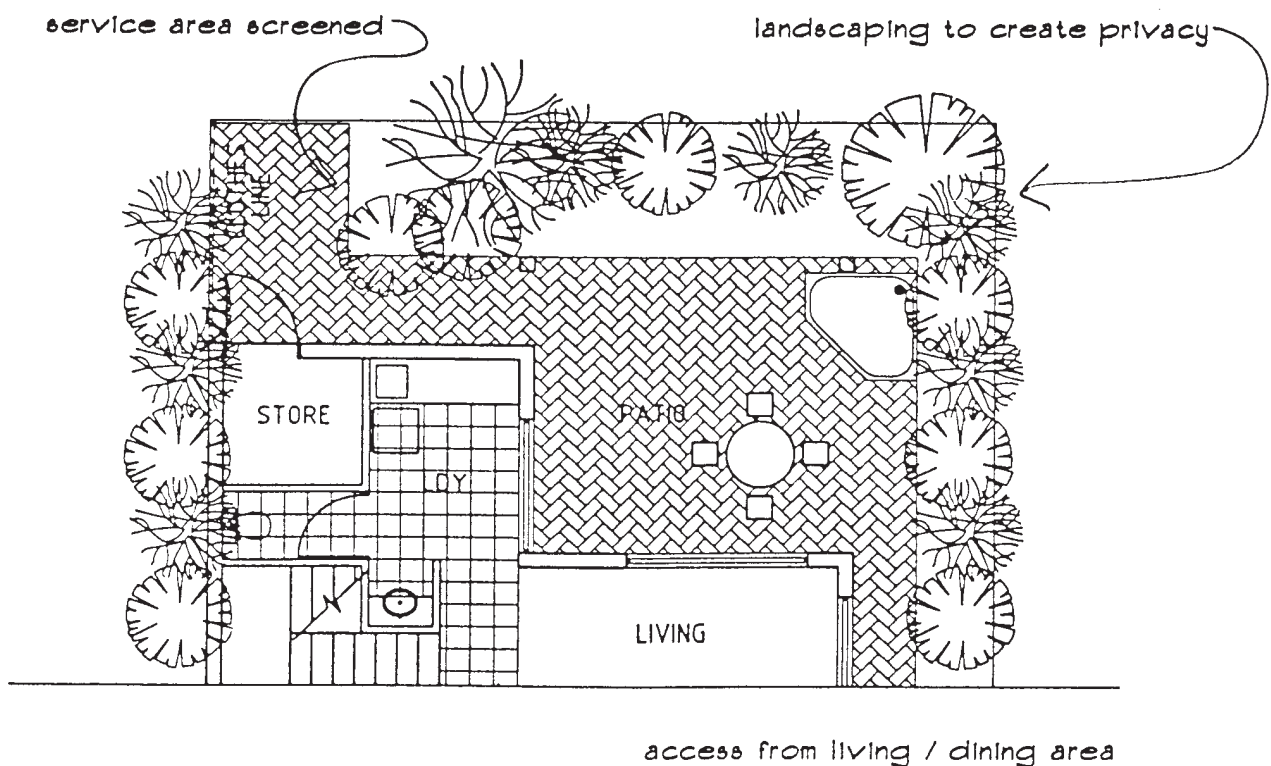
Private Open Space

Care should be taken to ensure the maximum area is available for private open space. Total minimum requirement is 20% of the site area or 80m² whichever is the greater and the minimum width of your open space is 3000mm with 35m² of this area to be 4000mm x 4000mm courtyard accessed from living areas.

Location of private open space takes advantage of outlook, reduces adverse impact on adjacent dwellings privacy and addresses surveillance and security issues. We recommend using the rear of your site where possible to ensure maximum privacy.

Building to the boundary (Zero Lot Line) is an important technique for improving site utilisation and offering high levels of privacy to adjacent residents. Building to the Zero Lot Line removes the difficult to use spaces between the boundary fence and the building, and can also provide more usable open space in other areas on the Lot. A higher level of privacy can be achieved for neighbours abutting the boundary wall, and internal privacy of the dwelling is also improved.

Where living areas are elevated, a balcony or deck, accessible from a main living area will be permitted as part of your private open space.



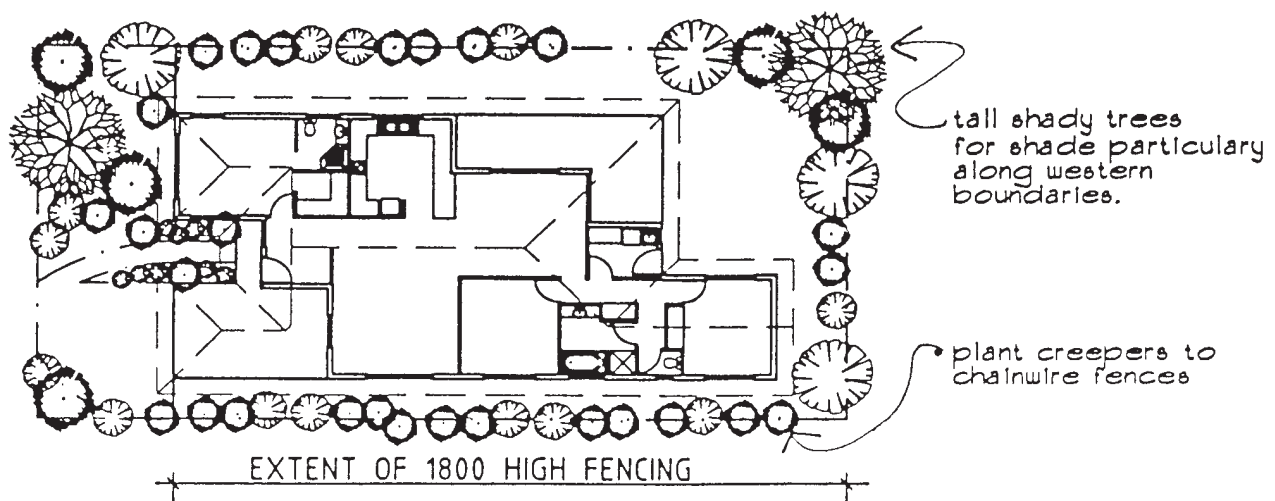
Part of this space (at least 18 m²) should be capable of serving as an extension of the dwelling for relaxation, dining, entertaining and recreation and should be contiguous with the main living area of the dwelling.

Landscaping and Fencing

Landscaping plays an important role in the integration of dwellings to the overall streetscape of the Estate. You will be required to establish suitable landscaping to areas in Public view within 6 months of moving into your new home (Refer Guideline layout plan for locations).

The design of your landscaping should take into consideration the following:

- Easy-low maintenance plants, appropriate for the locations in mulched garden beds with irrigation system.
- Visual screening of carparking areas and private open spaces between dwellings.
- Contributes to energy efficiency and amenity by providing substantial summer shade, especially to west-facing walls and windows (Refer Guideline layout plan for suggested landscaping zone).
- Vegetation types and landscaping styles that blend with the development and highlight the existing streetscape.



Fencing will affect the overall appearance of the Estate, ensure resident security and provide visual privacy.

Boundary fences between adjoining allotments to be a minimum of 1800mm high and constructed from materials as noted in the Memorandum of Encumbrances.

Plastic coated chain wire or 'pool fence' types shall be planted with fast growing creepers, clumping palms or similar to provide screening and privacy to neighbours.

Site Facilities

Open air clothes drying facilities should be provided in appropriate area screened from the street.

The number of television and other receiving devices should be kept to a minimum.

Mail boxes to be big enough to cope with large envelopes, junk mail and newspapers.

Consider storage and security for bicycles, prams and other household items.

Suitable Landscaping Schedule

TREES AND PALMS

- (A) Mimosa Elengi
- (B) Schefflera
- (C) Foxtail Palm
- (D) Golden Cane
- (E) Alexander Palm
- (F) Sealing Wax
- (G) Weeping Rosewood
- (H) Tabebuia Rosea

SHRUBS

- (I) Hibiscus
- (J) Allamanda Sunee
- (K) Acalypha
- (L) Duranta Shenna Gold
- (M) Duranta Aussie 2000
- (N) Croton
- (O) Mussaenda
- (P) Dianella
- (Q) Calliandra

GROUND COVER

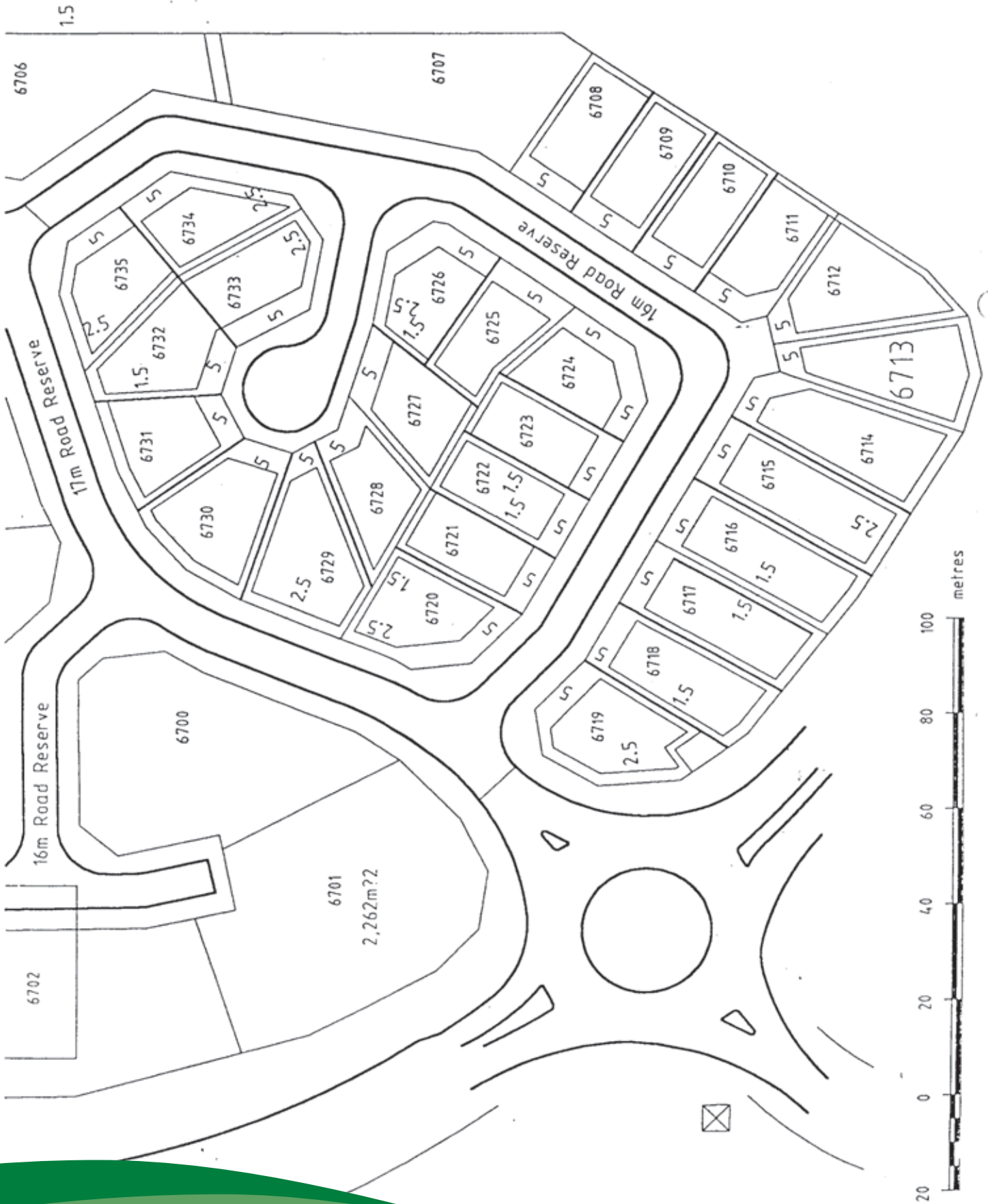
- (R) Gardenia Radicans
- (S) Pusselia
- (T) Hemigraphis
- (U) Mondograss
- (V) Lantana Yellow Spreader
- (W) Phyllanthus

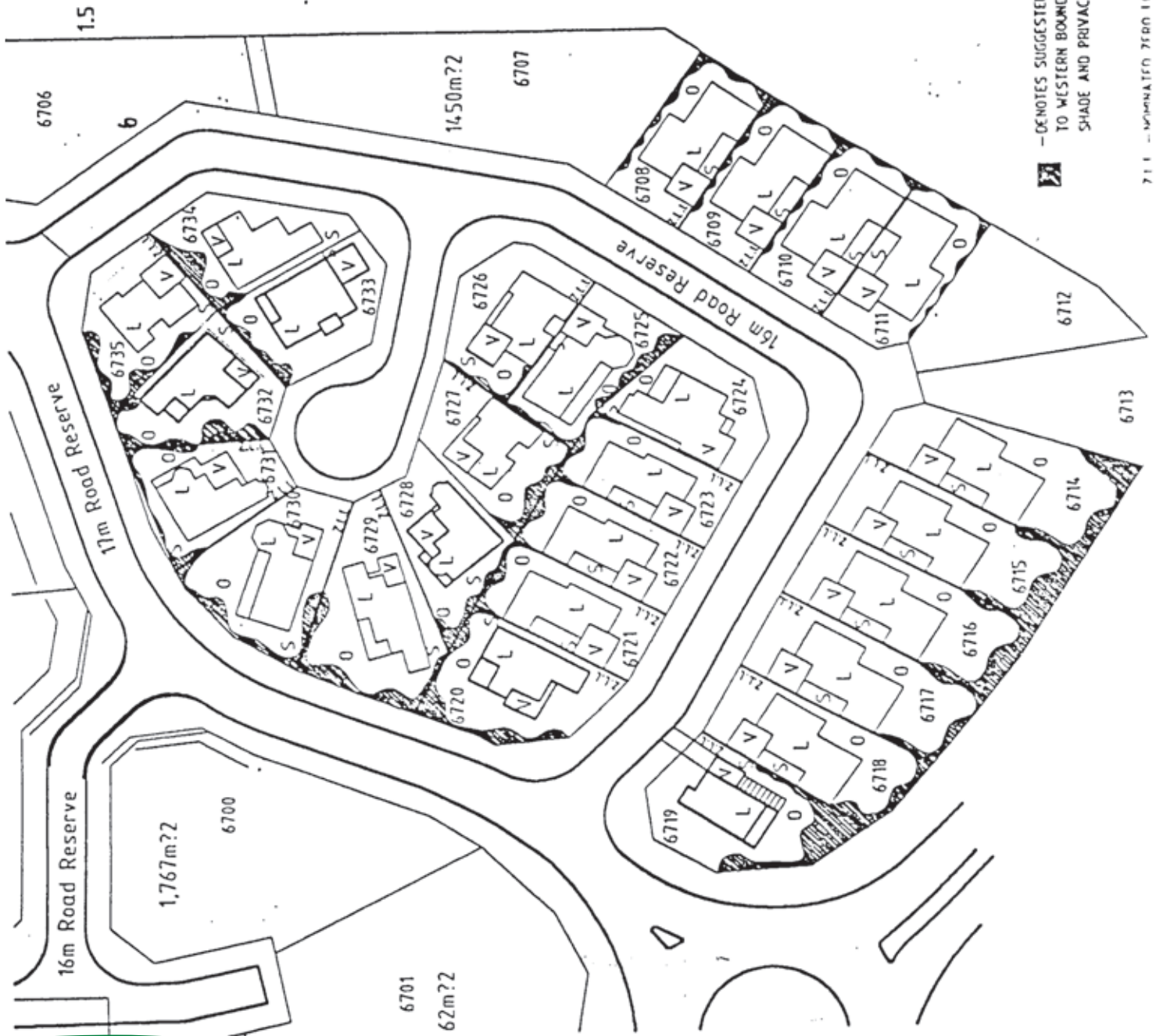
CREEPERS

- (X) Pandorea Jasminonoides
- (Y) Mandevilla
- (Z) Diplanenia – Pale Face

This is the drawing referred to in Development Permit
 No. DP98/0480
 issued by the Northern Territory Planning Authority
 on 18/12/98
 F.A. FINCH
 Chairman

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BUILDING DESIGN CONSULTANTS	
LINEWORKS	
PHONE 8181 2444	SUITE 3/25 LIMESAY ST
FAX 8181 2443	EDMUNDS STI BARBARA
MOBILE 0411 811 345	P.O. BOX 3788 DARWIN
APPROVED SETBACK PLAN SUGGESTED ZERO LOT LINE	
CITY VALLEY ESTATE (STAGE 1)	
DATE 1/1/94	DRAWN





MINIMUM SETBACKS TO STREETS

ALL SITES WITH SINGLE FRONTAGE 5.0 m
 CORNER SITES - SIDES FACING PRIMARY STREET 5.0 m
 CORNER SITES - SIDES FACING SECONDARY STREET 2.5 m

MINIMUM SETBACKS TO SIDE AND REAR

ALL SITES UNLESS ZERO LOT LINE 1.5 m
 OPEN SIDED PERGOLAS ARE ALLOWED BUT SHOULD NOT
 BE ATTACHED TO A NEIGHBOURING RESIDENCE

ZERO LOT LINE BOUNDARY

50% OF THE LENGTH OF THE ADJACENT SIDE BOUNDARY
 OR
 THE LENGTH OF NEW BOUNDARY WALLS PLUS 50% OF
 THE LENGTH OF THE REMAINING BOUNDARY

LEGEND

- V - PREFERRED LOCATION FOR VEHICLE PARKING (WEST)
- S - PREFERRED LOCATION FOR SERVICE AREA (WEST)
- L - PREFERRED LOCATION FOR LIVING AREAS (NORTH)
- O - PREFERRED LOCATION FOR OUTDOOR LIVING (NORTH)

THIS DRAWING IS THE DRAWING REFERRED TO IN DEVELOPMENT
 PERMIT No. DP99/C434
 Issued by the Northern Territory Planning Authority
 20/9/92
 F. A. FINCH
 Delegate

— DENOTES SUGGESTED LANDSCAPING ZONE
 TO WESTERN BOUNDARY TO PROVIDE
 SHADE AND PRIVACY TO OUTDOOR AREAS

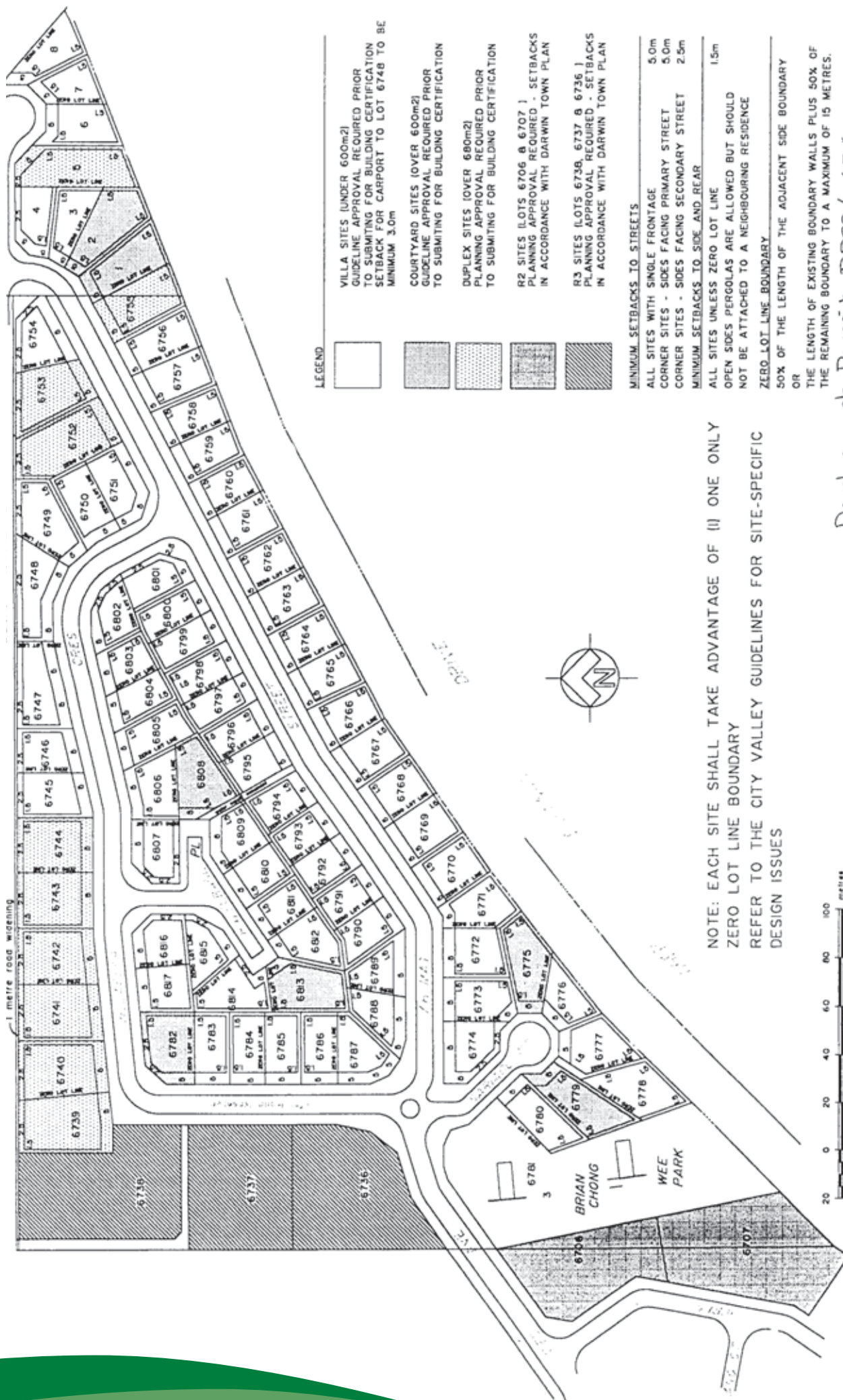
711 - TERMINATES ZERO LOT LINE BOUNDARY

THE DRAWING IS THE DRAWING REFERRED TO IN DEVELOPMENT
 PERMIT No. DP99/C434
 Issued by the Northern Territory Planning Authority
 20/9/92
 F. A. FINCH
 Delegate

LINEWORKS

LINEWORKS	DATE	BY	FOR
DATE 2/7/93	DATE 2/7/93	DATE 2/7/93	DATE 2/7/93
DATE 2/7/93	DATE 2/7/93	DATE 2/7/93	DATE 2/7/93
DATE 2/7/93	DATE 2/7/93	DATE 2/7/93	DATE 2/7/93

GUIDELINE LAYOUT PLAN
 SUGGESTED ZERO LOT LINE
 AND ORIENTATION LAYOUT
 CITY VALLEY ESTATE (STAGE 1)



Development Permit DP99/0434

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BUILDING DESIGN CONSULTANTS

LINEWORKS

PHONE 8981 2484
FAX 8981 2487
MOBILE 8416 817 345

SUITE 3/25 LINDSAY ST
(CORNWOODS ST) DARWIN
P.O.BOX 3388 DARWIN



building designers
association of the
northern territory inc.

NO. REVISION

DATE JAN 1999
CLIENT BATROB INVEST

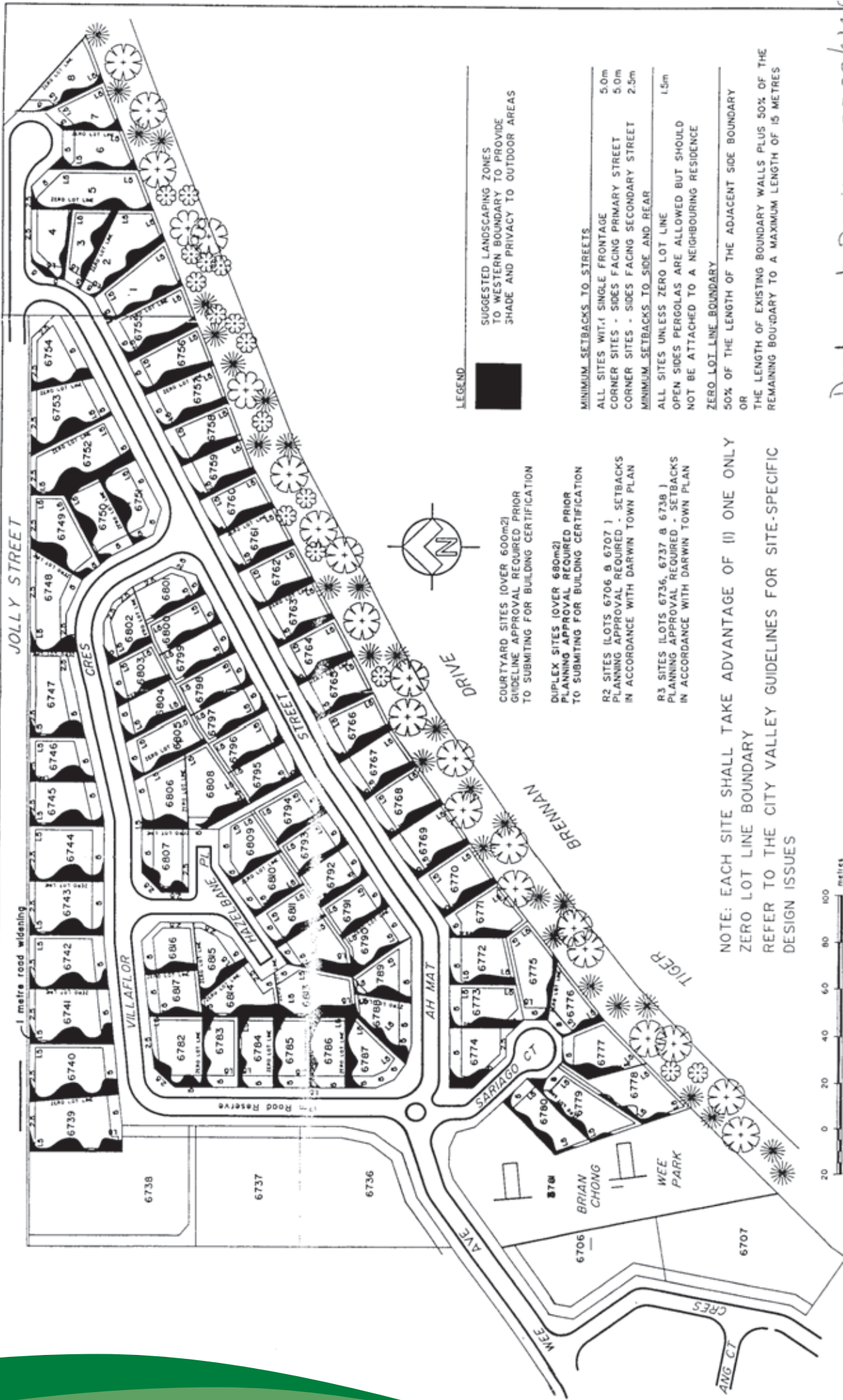
SCALE 1:1500
SHEET 141-CV

DRAWN KM
CHECKED I OF 2

CITY VALLEY STAGE 2
LOT 5965
TOWN OF DARWIN
SETBACK PLAN

JOLLY STREET

1 metre road widening



LEGEND



SUGGESTED LANDSCAPING ZONES
TO WESTERN BOUNDARY TO PROVIDE
SHADE AND PRIVACY TO OUTDOOR AREAS

MINIMUM SETBACKS TO STREETS

- ALL SITES WITH SINGLE FRONTAGE 5.0m
- CORNER SITES - SIDES FACING PRIMARY STREET 5.0m
- CORNER SITES - SIDES FACING SECONDARY STREET 2.5m
- MINIMUM SETBACKS TO SIDE AND REAR 1.5m
- ALL SITES UNLESS ZERO LOT LINE
- OPEN SIDES PERGOLAS ARE ALLOWED BUT SHOULD NOT BE ATTACHED TO A NEIGHBOURING RESIDENCE
- ZERO LOT LINE BOUNDARY
- 50% OF THE LENGTH OF THE ADJACENT SIDE BOUNDARY OR
- THE LENGTH OF EXISTING BOUNDARY WALLS PLUS 50% OF THE REMAINING BOUNDARY TO A MAXIMUM LENGTH OF 15 METRES

COURTYARD SITES (OVER 600m²)

GUIDELINE APPROVAL REQUIRED PRIOR TO SUBMITTING FOR BUILDING CERTIFICATION

DUPLEX SITES (OVER 680m²)

PLANNING APPROVAL REQUIRED PRIOR TO SUBMITTING FOR BUILDING CERTIFICATION

R2 SITES (LOTS 6706 & 6707)

PLANNING APPROVAL REQUIRED - SETBACKS IN ACCORDANCE WITH DARWIN TOWN PLAN


R3 SITES (LOTS 6736, 6737 & 6738)

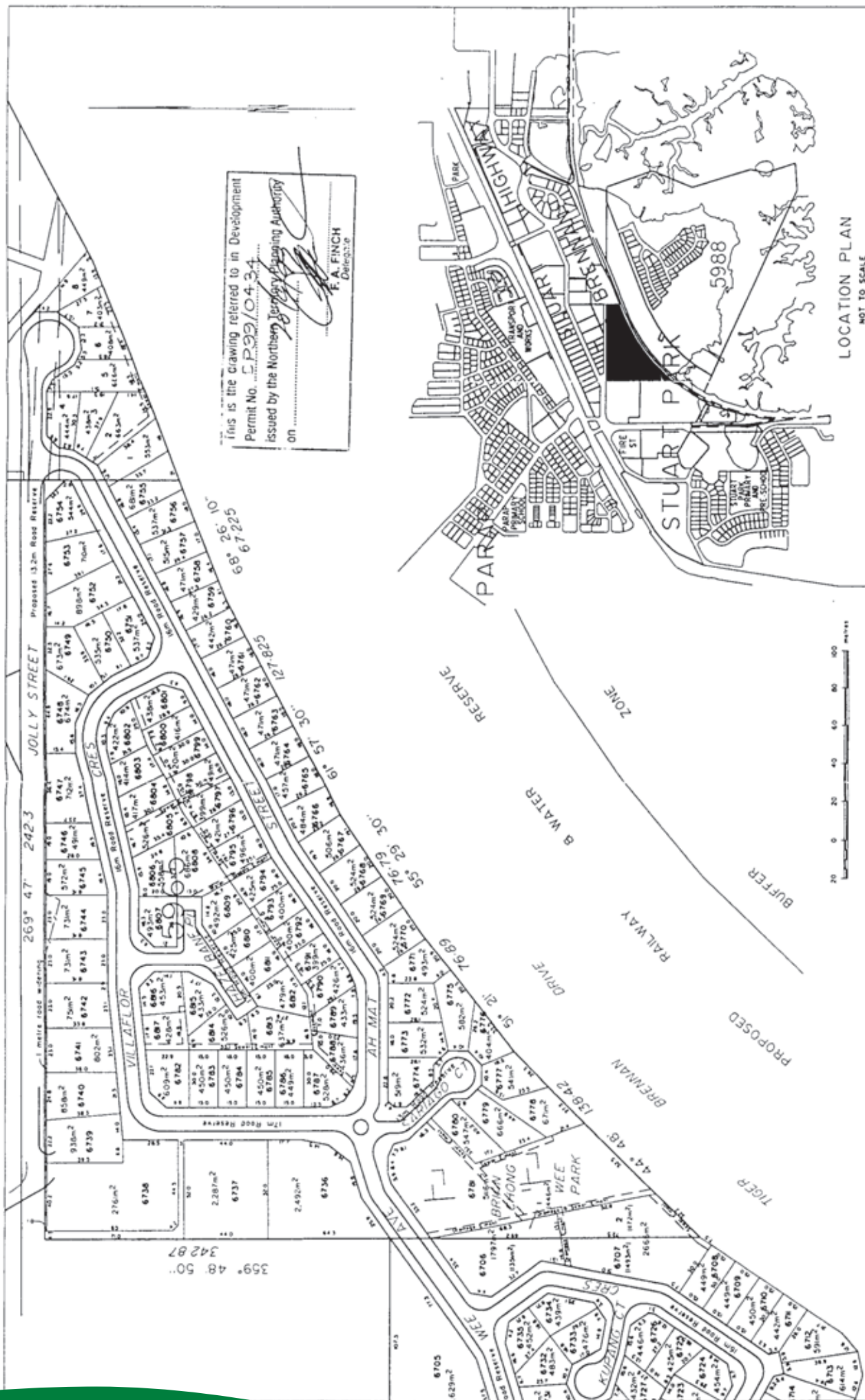
PLANNING APPROVAL REQUIRED - SETBACKS IN ACCORDANCE WITH DARWIN TOWN PLAN




NOTE: EACH SITE SHALL TAKE ADVANTAGE OF (I) ONE ONLY ZERO LOT LINE BOUNDARY REFER TO THE CITY VALLEY GUIDELINES FOR SITE-SPECIFIC DESIGN ISSUES



Development Permit no DP99/0434

 <p>building designers association of the northern territory inc.</p>	<p>BUILDING DESIGN CONSULTANTS</p> <p>LINEWORKS</p> <p>PHONE 8981 2484 FAX 8981 2487 MOBILE 0414 817 345</p>		<p>DATE JAN 1999</p>	<p>SHEET 11500</p>	<p>THIS DRAWING IS © COPYRIGHT AND THE PROPERTY OF LINEWORKS PTY LTD AND MUST NOT BE USED WITHOUT AUTHORIZATION. ALL DRAWINGS ARE TO BE FORWARDED BY THE CLIENT BEFORE ANY COMMENCEMENT OF WORK OR STOP DRAWING.</p>	<p>CITY VALLEY STAGE 2 LOT 5965 TOWN OF DARWIN</p>	<p>SUGGESTED LANDSCAPING</p>
	<p>NO. REVISION</p>	<p>BATROB INVEST</p>	<p>DATE 141-CITY VALLEY</p>	<p>SHEET 2 OF 2</p>			



 EARL JAMES & ASSOCIATES SURVEY & MAPPING CONSULTANTS MALHAM CHAMBERS 26 MITCHELL ST, DARWIN 080 PO BOX 9004 FALCON BAY NT 0800	<p>Note: Areas & dimensions are subject to survey</p> <p>Design contours added 10/2/1999</p> <p>1 lot removed in Villafleur Cres 23/4/99</p> <p>Excavations added 16/6/99</p> <p>Whetsthor access provided through Lot 6726 24/6/99</p> <p>Excavations added 16/6/99 through Lot 6726 24/6/99</p> <p>Road truncation provided to Lot 6790 24/6/99</p> <p>Road truncation provided to Lot 6714 10/8/99</p> <p>Lot 6755 amended 13/9/99</p>	 Licensed Surveyor:	LOT 5965 TOWN OF DARWIN	Scale 1:2000 (A3/A3)
		Date: 14-9-99		
		Drawn by ac	PROPOSED SUBDIVISION	Drawing No.
		Date 13/9/99		
		Date	Client BATROB	96/3094/40c
		Cad File 3094-40c.dwg		



Application for Guideline Approval

PROPERTY OWNER:

LOT NUMBER:

STREET:

POSTAL ADDRESS:

.....

PHONE NUMBER

NAME OF APPLICANT

☐

OWNER

☐

OWNERS AGENT (attach authorisation by owner)

POSTAL ADDRESS:

.....

PHONE NUMBER: FAX NUMBER:

DATE:

SIGNATURE:

Applicants to note that three copies of drawings are to be submitted (A3 size preferred).



Application for Guideline Approval

I enclose in relation to my application the following:

Three copies of dimensioned drawings at a scale of 1:100 and not less than 1:500 consisting of; floor plan, site plan and 2 x elevations providing information showing:

1. Orientation – Sun path and cooling breezes.
2. Entries.
3. Access – living to outdoor.
4. Privacy – outdoor living / window placement.
5. Plot ratio.
6. Screening – outdoor living / two storey dwellings
7. Parking / driveways.
8. Open space / outdoor living.
9. Fencing – extent and style.
10. Landscaping – extent and location.
11. Setbacks.

Applications seeking guideline waivers to be submitted to Department of Infrastructure, Planning and Environment for planning approval.

Guideline approval is necessary prior to seeking building approval from a licensed Building Certifier.

SECOND SCHEDULE TO MEMORANDUM OF ENCUMBRANCE (R1)

STIPULATIONS

1. The Encumbrancer will not at any time sell the land without requiring the proposed purchaser of the said land and his/her or their successors or assigns to enter into direct covenants with the Encumbrancer and/or Company in identical terms as are herein contained including this covenant.
2. Not more than one private dwelling house shall be erected on the said land.
3. The Encumbrancer will not build on the said land any building or structure to be used as a dwelling house unless:
 - a. The exterior of the said building or structure is constructed of one or more of the following:
 - i. Clay bricks
 - ii. Rendered and painted cement bricks or blocks
 - iii. Half height coloured cement blocks
 - iv. Split face half height painted or coloured blocks'
 - v. Painted timber cladding
 - vi. Treated timber cladding
 - vii. Coloured aluminium sheathed chamfer board cladding
 - viii. Trowelled stone finish
 - ix. Natural or sawn quarried stone
 - x. Rammed earth walls either natural or painted
 - xi. Rendered and painted concrete
 - xii. Colorbond metal cladding
 - xiii. Zinalume coated metal cladding
 - xiv. P.V.C or aluminium covered chamfer boards
 - xv. Painted fibre re-enforced cement sheeting
 - b. The roof shall be constructed of one of the following:
 - xvi. Coloured concrete tiles
 - xvii. Terracotta tiles
 - xviii. Decramastic tiles
 - xix. Colorbond metal roof sheeting
 - xx. Timber shingles
4. The encumbrancer will not erect on the said land any separate building or structure apart from a garden shed not exceeding 12m² in floor area unless the same shall be constructed as that it is visually integrated with the appearance of the dwelling or proposed dwelling by the use of the same materials as the dwelling or to be used in the construction of the dwelling.
5. The Encumbrancer will not;
 - (a) use in the constructions or erection of any building structure or force on the said land any second-hand timber or materials nor shall the Encumbrancer remove from elsewhere and erect on the said land any building, garage or structure; nor

- (b) use or permit any person to use any caravan, campervan, mobile home or tent on the said land as living quarters; nor
 - (c) permit on-road or off road commercial vehicles nor caravan nor water craft nor recreational vehicles as defined hereunder to be parked or stored on the said land unless the same shall be suitably screened from the street frontage. For the purposes of this clause recreational vehicles shall be;
 - i. go-carts
 - ii. all speedway and raceway vehicles and all off-road vehicles
 - iii. dune buggies
 - iv. non registrable off road multiple wheel driven vehicles
 - v. motorised jet skis
 - vi. all sail driven craft
 - vii. all sail and motor driven water craft
 - viii. dinghies, yachts, punts and similar craft
 - ix. canoes and other paddle driven craft
 - x. air boats, swamp buggies and similar craft
6. The Encumbrancer shall not without the prior written approval of the Company erect or cause to be erected upon the said land any private residence being a detached dwelling unless the floor area under the main roof of such a residence is not less than one hundred and ten (110) square metres.
7. The Encumbrancer shall complete the construction of any building or structure in the course of construction upon the said land as expeditiously as possible.
8. The Encumbrancer shall not without written approval of the Company erect or cause or permit to be erected on the said land any building which does not provide for the accommodation of at least one vehicle, such accommodation to be in the form of either an enclosed garage or a carport attached to the building or alternatively a freestanding garage or carport having a roofline substantially similar in style to the roof line of the main building.
9. The Encumbrancer shall not erect upon the said land any above ground swimming pool unless the same is satisfactorily screened from the street frontages and adjoining properties.
10. The Encumbrancer shall not without prior written approval of the Company remove or cause to be removed from the said land any trees which exceed 3m in height unless such removal shall be necessary to enable the construction of a private dwelling house and other necessary improvements upon the said land and for access thereto and egress therefrom.
11. The Encumbrancer shall not cause or permit any poultry, livestock or animals of feral nature to be kept or maintained on the said land to the effect that the only animals permitted to be kept or maintained on the said land are domesticated house pets not being poultry, livestock or animals of a feral nature.
12. The encumbrancer shall
- (a) maintain the said land in a clean and tidy condition;
 - (b) where landscaping on any part of the Estate is disturbed, damaged or destroyed by the Encumbrancer or by the builder, contractor or other person carrying out work on the said land then all such disturbance,

- damage or destruction shall be made good by the Encumbrancer at his expense to the reasonable satisfaction of the company
- (c) utilise industrial bins for the disposal of industrial and other waste arising from any building activities or construction being carried out on the said land.

13. The Encumbrancer shall not without prior written approval of the Company erect or cause to be erected or maintained on the said land or any part thereof a retaining wall exceeding (1) one metre in height above ground level.

Such retaining wall must be constructed of the following;

- a. Clay bricks; or
- b. Quarried natural or sandstone; or
- c. Rendered and painted block or concrete

“ground level” is the level of the land existing as at the date of the approval by the Surveyor-General of the plan of the land boundary surveys in respect of the land at point of the land at which height is measured.

“retaining wall” is a wall or other structure which retains and provides structural support for material, including soil, on the land.

14. Other than as required by the Northern Territory Planning Authority (or other prescribed authority) the Encumbrancer shall not without prior written approval of the company erect or cause to be erected or maintained on the said land or any part thereof;
- (a) Any fence or hedge (or any part thereof) which will exceed one point eight (1.8) metres in height above the ground level;
 - (b) Any fence or hedge (or part thereof) on any street boundary of the said land. Except existing fences erected by the Company.
 - (c) Any fence or hedge of any height or description and any part of the land between the street boundary of the said land and a point being five (5) metres from the street boundary of the said land and;
 - (d) Any fence (if otherwise permitted by this covenant) constructed of materials being other than:
 - (i) Clay bricks
 - (ii) Coloured or rendered and painted cement blocks
 - (iii) Painted and treated post and rail, or paling or similar timbers
 - (iv) Pre-painted or plasticised chain-wire mesh
 - (v) Pre-painted or plasticised vertical weld-mesh
 - (vi) Pre-painted or plasticised tubular steel or aluminium
 - (vii) Painted wrought iron or aluminium
 - (viii) Painted cast iron or aluminium
 - (ix) Rendered or painted concrete
 - (x) Rammed earth natural or painted
 - (xi) Quarried stone, natural or sawn

“Ground level” is the level of the land existing as at the date of approval by the Surveyor-General of the plan of the land boundary surveys in respect of the land at point on the land at which height is measured.

For the purposes of this clause the work “fence” includes a wall not being retaining wall as defined in clause 13 of these stipulations.

15. The Encumbrancer will not erect or suffer to be erected any dwelling house or other building on the said land on piers unless such piers on the extremities of

the dwelling house or other building facing the street (or streets in case of a corner allotment) are constructed of any of the following;

- (a) Clay bricks
- (b) Rendered and painted concrete
- (c) Rendered and painted cement blocks
- (d) Coloured cement blocks
- (e) Coloured split-face cement blocks
- (f) Painted steel tube or pipe
- (g) Quarried stone, natural or sawn

16. The Encumbrancer acknowledges that the company may from time to time in its absolute discretion modify, waive or release any of the covenants and other stipulations expressed or implied in any Memorandum of Encumbrance or other instrument whatsoever relating to any other land in the Estate and whether the same were entered into or imposed before or at the same time or after the date hereof and no such modification or waiver or release shall release the Encumbrancer or his successors in the title from the covenants and other stipulations herein contained and implied.