

RESTRICTIVE COVENANT

The Owner of a Lot Burdened shall not, without the prior consent of Swedzah Pty Ltd (ACN 066 180 658) and R & M Perry Pty Ltd (ACN 067 298 579) and The Range Moama Pty Ltd (ACN 648 340 792):

1. erect or re-erect or allow to be erected or re-erected on the land hereby transferred any building or part of a building which has previously been erected in another location nor use any second hand building materials in the construction of any building on the land hereby transferred;
2. erect or cause or suffer to be erected on the land hereby transferred any building other than one private dwelling house with outbuilding, carport or garage in accordance with clauses 3, 4 or 5 hereof respectively and such dwelling house shall:
 - 2.1 not be constructed without a carport or garage being constructed at the same time and in accordance with clauses 4 or 5 hereof respectively; and
 - 2.2 not have a floor area of less than 180 square metres within the outer walls thereof, calculated by excluding the area of all eaves, carports, pergolas, verandahs and garages; and
 - 2.3 not be constructed of external wall cladding material wherein brick or stone comprises less than seventy five per centum (75%) of the external wall area, and the remaining external wall area shall not be constructed of unfinished fibrocement sheeting or timber weatherboards which do not have a painted or rendered finish; and
 - 2.4 notwithstanding the provisions of clause 2.3 above, the Transferee will not be prevented from using lightweight approved and certified systems such as Hebel aerated concrete, Exsulite polystyrene systems as an external wall cladding material, provided that the base sheets have a coated and painted finish not less than 5mm in thickness; and
 - 2.5 not be roofed with any material other than non-reflective Colorbond steel sheeting, concrete tiles, slate tiles or terracotta tiles; and
 - 2.6 not have roof with a pitch of greater than 30 degrees; and
 - 2.7 not be used as other than a private residence unless it is a display home.
3. erect or cause or suffer to be erected on the land hereby transferred any outbuilding (other than a carport or garage) which:
 - 3.1 where the land is 1000 square meters or less in size, has a floor area of more than 70 square metres or a height of more than 4 metres;
 - 3.2 where the land is greater than 1000 square meters, has a floor area of more than 80 square metres or a height of more than 4 metres;
 - 3.3 is constructed of material other than brick, stone or non-reflective Colorbond steel sheeting (unless that outbuilding has a floor area of 10 square metres or less);
 - 3.4 is not fully enclosed;
 - 3.5 has a roof with a pitch of greater than 30 degrees;
 - 3.6 is additional to any outbuilding already erected on the land hereby transferred which has a floor area of more than 10 square metres.
4. erect or cause or suffer to be erected on the land hereby transferred any carport which:
 - 4.1 has a roof, the pitch of which is not identical to the roof pitch of the private dwelling house erected or to be erected on the land hereby transferred;
 - 4.2 is not constructed of the same materials used in the construction of the private dwelling house erected or to be erected on the land hereby transferred;

- 4.3 is additional to any carport already erected on the land hereby transferred.
5. erect or cause or suffer to be erected on the land hereby transferred any garage which:
 - 5.1 is not fully enclosed;
 - 5.2 has a roof, the pitch of which is not identical to the roof pitch of the private dwelling house erected or to be erected on the land hereby transferred;
 - 5.3 is not constructed of the same materials used in the construction of the private dwelling house erected or to be erected on the land hereby transferred;
 - 5.4 is additional to any garage already erected on the land hereby transferred.
6. erect or allow to be erected on the land hereby transferred:
 - 6.1 any fence on the street frontage boundary or between the street frontage boundary and the dwelling house;
 - 6.2 on Lots 68 and 69, any fence on the boundary adjoining the public open space of material other than post and wire or post and rail at a height greater than 1.5 metres;
 - 6.3 on Lots 97 and 132, any fence on the boundary adjoining the public open space of material other than Colorbond Monument at a height greater than 1.5 metres;
 - 6.4 any other boundary fence of a height greater than 1.8 metres measured from ground level to the top of the fence;
 - 6.5 any boundary fence constructed of material other than:
 - 6.5.1 for Lots 54 to 58 (inclusive), Lot 80 to 83 (inclusive) and Lots 111 to 114 (inclusive), brush fencing to the rear boundary and Colorbond Monument to the side boundaries;
 - 6.5.2 for Lots 84 and 115, brush fencing to the boundary abutting the reserve on Twenty Four Lane and Colorbond Monument to the remaining boundaries;
 - 6.5.3 for Lots 68 and 69, post and wire or post and rail to the boundary of the adjoining public open space as required by Development Application 284/19 and Colorbond Monument to the other boundaries;
 - 6.5.4 for all other Lots, Colourbond Monument;
7. use or cause or suffer to be used on the land hereby transferred any outbuilding, mobile home, caravan, tent or other moveable accommodation for living or residential accommodation or the operation of a business;
8. allow any plant, machinery, recreational or commercial vehicle, caravan, boat, box trailer, boat trailer, commercial trailer or car trailer to be left or parked on the roadway, nature strip or footpath adjacent to or on the land hereby transferred that is visible from the street;
9. keep or cause or suffer to be kept on the land hereby transferred any animals or birds other than those permitted by local government authority or authorities for the time being;
10. pending erection of a dwelling house on the land hereby transferred, allow the land hereby transferred to become a fire hazard or be in a condition which has a detrimental effect on the amenity of the neighbourhood;
11. allow the land hereby transferred to remain unlandscaped for a period of more than 90 days from the date of issue of a Certificate of Occupancy in respect of the dwelling;
12. subdivide or allow to be subdivided the land hereby transferred or any building erected or to be erected on the land hereby transferred.