

BOTANIC VIEWS, MOAMA

RESTRICTIVE COVENANTS

The Owner of a Lot Burdened shall not, without the prior written consent of Sumstyle Pty Ltd ACN 649 752 714 ("the Transferor"):-

1. erect or re-erect or allow to be erected or re-erected on the land hereby transferred ("the Land") any building or part of a building which has previously been erected in another location nor use any secondhand building materials in the construction of any building on the Land;
2. erect or cause or suffer to be erected on the Land 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 private 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 fibro cement sheeting or timber weatherboards which do not have a painted or rendered finish, **PROVIDED THAT** the Transferee will not be prevented from using light weight approved and certified systems such as Hebel aerated concrete and/or Exsulite polystyrene systems as an external wall cladding material, provided that the base sheets have a coated and painted finish not less than 5mm thick; and
 - 2.4 not be roofed with any material other than non-reflective Colourbond steel sheeting, concrete tiles, slate tiles or terracotta tiles; and
 - 2.5 not have a roof with a pitch of greater than 30 degrees; and
 - 2.6 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 any outbuilding (other than a carport or garage) which:
 - 3.1 where the land has an area of 1000 square metres or less, has a floor area of more than 70 square metres or a height of more than 4 metres measured from ground level to the highest point; and
 - 3.2 where the land has an area greater than 1000 square metres, has a floor area of more than 80 square metres or a height of more than 4 metres measured from ground level to the highest point; and
 - 3.3 is constructed of material other than brick, stone or non-reflective Colourbond steel sheeting (unless that outbuilding has a floor area of 10 square metres or less); and
 - 3.4 is not fully enclosed; and
 - 3.5 has a roof with a pitch of greater than 30 degrees; and
 - 3.6 is additional to any outbuilding already erected on the Land which has a floor area of more than 10 square metres.

4. erect or cause or suffer to be erected on the Land any carport which:
 - 4.1 is not constructed in conjunction with the private dwelling house being concurrently constructed on the Land; and
 - 4.2 has a roof, the pitch of which is not identical to the roof pitch of the private dwelling house being concurrently constructed on the Land; and
 - 4.3 is not constructed of the same materials used in the construction of the private dwelling house being concurrently constructed on the Land; and
 - 4.4 is additional to any carport already erected on the Land.
5. erect or cause or suffer to be erected on the Land any garage which:
 - 5.1 is not constructed in conjunction with the private dwelling house being concurrently constructed on the Land; and
 - 5.2 is not fully enclosed; and
 - 5.3 has a roof, the pitch of which is not identical to the roof pitch on the private dwelling house being concurrently constructed on the Land; and
 - 5.4 is not to be constructed of the same materials used in the construction of the private dwelling house concurrently constructed on the Land; and
 - 5.5 is additional to any garage already erected on the Land.
6. erect or cause or suffer to be erected on the Land:
 - 6.1 any fence or wall constructed of other than "Colorbond monument"; and
 - 6.2 any such fence or wall on the road frontage boundary or between the road frontage boundary and the private dwelling house; and
 - 6.3 any such boundary fence or wall of a height greater than 1.8 metres measured from ground level to the top of such fence or wall.
7. use or cause or suffer to be used on the Land any outbuilding, mobile home, caravan, tent or other moveable accommodation for living or residential accommodation purposes or the operation of a business.
8. use or allow the Land to be used for any of the following purposes:-
 - 8.1 road transport terminal or depot;
 - 8.2 bus terminal or depot;
 - 8.3 displaying goods for hire or sale;
 - 8.4 panel beating or motor repair workshop;
 - 8.5 bed and breakfast accommodation or short-term accommodation or Air BNB accommodation or holiday accommodation and/or letting or tourist accommodation;
 - 8.6 commercial or business activity;
 - 8.7 installation or storage on the Land of any plant or material connected with a commercial or business activity.

9. 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 the Land, or on the Land between the front building line and the front boundary of the Land.
10. place or cause or allow to be placed on the Land any shipping container.
11. keep or cause or suffer to be kept on the Land any animals or birds other than those permitted by the responsible authority or authorities;
12. allow the Land and any structure thereon to become a fire hazard or to be in a condition which in the opinion of the Transferor may have a detrimental effect on the amenity of the neighbourhood;
13. allow a private dwelling house to be occupied prior to the issue of the Certificate of Occupancy;
14. allow the Land to remain unlandscaped for a period of more than 90 days from the date of issue of Certificate of Occupancy in respect of the private dwelling house constructed on the Land;
15. subdivide or allow to be subdivided the Land or any building erected or to be erected on the Land.