

Covenants Stage 9

RESTRICTIVE COVENANT LOTS 324 - 362 (Stage 9/B3)

And the said Transferee for himself, his respective heirs, executors, administrators and transferees the registered proprietor or proprietors for the time being of the said land hereby transferred and of each and every part thereof do hereby covenant with the Transferor and others the registered proprietor or proprietors for the time being of the Land comprised in Plan of Subdivision PS721373N and each and every part thereof (other than the Land hereby transferred) as follows:

1. Not to construct or allow to be constructed on the Land any building (excluding Lots 338, 339, 345, 346, 359 and 360):
 - (a) other than one only single storey or two storey private dwelling house with the usual outbuildings (which wherever appearing in this covenant shall be taken to mean a dwelling including an integrated garage) with a minimum dwelling house size of 120 square metres (12.9 squares) (excluding any integrated garage) but on lots with an area less than 400 square metres with a minimum dwelling house size of 90 square metres (9.68 squares) (excluding any integrated garage);
 - (b) unless the exterior walls of the building are constructed of new materials being exposed brick, brick veneer or render, timber or manufactured timber-look products or non-reflective corrugated iron cladding provided that if timber, manufactured timber look products or non-reflective corrugated iron cladding are used, they shall not cover an area of more than 50% of the external walls of the dwelling without obtaining approval from Integra (Alfredton) Pty. Ltd.;
 - (c) unless on lots with a frontage greater than 14 metres any dwelling is constructed not less than 4 metres from the front boundary of the Land and not less than 1 metre from the side boundaries (excepting any entry porch, veranda, eaves, balcony and pergola) ;
 - (d) unless on lots with a frontage of 14 metres or less any dwelling is constructed not less than 4 metres from the front boundary of the Land and not less than 1 metre from one side boundary (excepting any entry porch, veranda, eaves, balcony and pergola);
 - (e) unless on corner lots any dwelling is constructed not less than 4 metres from the front boundary of the Land and not less than 2 metres from the side boundary having a street frontage and not less than 1 metre from the remaining side boundary (excepting any entry porch, veranda, eaves, balcony and pergola);
 - (f) unless:
 - (i) it has eaves with a minimum width of 200 millimetres for the entire perimeter of the dwelling, or
 - (ii) the dwelling has parapet walls that return a minimum 3 metres along both sides of the return walls from the front of the dwelling; or
 - (iii) the façade is a combination of parapet walls and eaves with a minimum eave width of 200 millimetres around the remaining perimeter of the dwelling;
 - (g) unless the garage is constructed at least 450 millimetres behind the front building line of the dwelling house excluding any entry porch, veranda, eaves, balcony or pergola;
 - (h) unless on corner lots where both street frontages must be addressed in the design of the dwelling house and should feature articulation and/or a feature window along the secondary frontage to avoid long side walls without change;
 - (i) unless all plumbing pipes, apart from stormwater pipes, are installed in the internal walls of any building;
 - (j) which is an outbuilding that does not match the style of the dwelling. Garden sheds shall not be constructed of any materials other than colourbond, timber, brick or render;
 - (k) unless the floor of any veranda shall be constructed of timber, concrete, brick or paving stones;
 - (l) unless the stumps to any veranda shall not be left in an exposed state;
 - (m) unless the building of the dwelling house is completed not more than twelve months after the date of the issue of a building permit and landscaping of the area in front of the building line is completed within six months of the issue of the Occupancy Permit;
 - (n) which shall not be used as a Display Home without obtaining approval from Integra (Alfredton) Pty. Ltd.
2. Not to construct or allow to be constructed on Lots 338, 339, 345, 346, 359 and 360 any building unless any building plans and specifications have been approved by Integra (Alfredton) Pty. Ltd.
3. Not to construct or allow to be constructed on the Land any building unless it:
 - (a) has a rainwater tank that is 2 kl or larger installed ;
 - (b) unless at least 80% of the roof area on the Land drains to the rainwater tank;
 - (c) unless rainwater from the tank is the primary supply for all toilet, cold laundry and outdoor taps provided however that a mains water system can be used when rainwater is unavailable.

4. Not to construct or allow to be constructed on the Land any fence (excluding Lots 338, 339, 345, 346, 359 and 360):
 - (a) unless the material used in construction of any fence is colourbond fencing in Woodland Grey colour and is to a height not more than 1.8 metres above natural ground level;
 - (b) for front boundaries unless the fence is to a height of not more than 1200 millimetres above natural ground level without obtaining approval from Integra (Alfredton) Pty. Ltd.;
 - (c) for side boundaries unless the fence is raked or stepped to a height of not more than 1200 millimetres from 1 metre behind the front building line of the dwelling to the front boundary line;
 - (d) unless on corner lots along the side street frontage boundary the fence starts at a point not less than 3 metres behind the front building line and for the other side boundary unless the fence is raked or stepped to a height of not more than 1200 millimetres from 1 metre behind the front building line of the dwelling to the front boundary line;
 - (e) unless on Lots 338, 339, 345, 346, 359 and 360 any fencing to be constructed on the land is approved by Integra (Alfredton) Pty. Ltd.
 - (f) unless on Lots 333 and 348 the fence on the southern boundary:
 - (i) is set back 0.5 metres from the boundary line;
 - (ii) the fence is to a height of not more than 1.8 metres above natural ground level;
 - (iii) the area between the fence and the boundary line of the land is landscaped in keeping with the landscaping of the surrounding subdivision.
5. Not to further subdivide the Land hereby transferred.
6. Not to permit or allow the naturestrip to become unkempt or untidy or allow the naturestrip to be covered with any material other than grass.
7. No driveway or pedestrian pathway will be covered in materials other than brick, concrete or other similar sealed material.
8. Not to construct or allow to be constructed more than one single vehicular crossover per street frontage to the Land unless approved by Integra (Alfredton) Pty Ltd, and not to occupy any dwelling constructed on the land until such time as the crossover is constructed.
9. No prefabricated dwelling house shall be erected on the Land or any part of it and no constructed house or partly constructed house may be moved onto the Land without obtaining approval from Integra (Alfredton) Pty. Ltd.
10. Not to allow any tree planted in the nature strip of the land to be removed unless approved by the Responsible Authority.
11. Not to use or suffer to have used or permit the said land to be used for the following purposes:
 - (a) panel beating;
 - (b) motor vehicle repairs.
12. Not to permit or allow the Land hereby transferred to become or remain in an unsightly, untidy, unclean or unwholesome condition or appearance or be used in any manner which constitutes an annoyance, nuisance or disturbance to the registered proprietor or proprietors and occupiers for the time being of the Land comprised in the Plan.
13. Not to park or allow to be parked any vehicles, including cars, trucks, motor bikes, boats, trailers, buses, caravans and recreational vehicles on any nature strip or front yard.
14. Not to allow any antennas, air conditioning units, satellite dishes or radio aerials to be installed or allowed on the Land unless they are located at the rear of any roof structure and are no higher than the highest point of the roof of the dwelling house and further will not install any radio or similar mast on the Land.
16. Not to use or suffer to have used or permit the said land to be used for the carrying out of any noxious or offensive trade within the meaning of the Health Act 1958 (as amended) or for the keeping or maintenance of:
 - (a) Greyhounds; or
 - (b) Pigs; or
 - (c) Pigeons or Pigeon lofts; or
 - (d) Dog boarding kennels; or
 - (e) Cat boarding kennels; or
 - (f) Poultry.
17. Not to permit or allow any vehicular access from Lots 333 and 348 to or from Cuthberts Road.

AND IT IS HEREBY AGREED that the benefit of the foregoing covenant shall be attached to and run at law and in equity with the Land comprised in the Plan of Subdivision other than the Land hereby transferred and that the burden thereof shall be annexed to and run at law and in equity with the said lot hereby transferred and the same shall be noted and appear on every future Certificate of Title for the said lot and every part as an encumbrance affecting the same save and except for the provisions of Clauses 1(a) to (n) and 4 (a) to (f) which shall cease to apply or affect the burdened land as from the 1 January 2028.