

An aerial photograph showing a river meandering through a vast, dense forest. The river is a vibrant blue, contrasting with the deep green of the trees. The perspective is from a high angle, looking down on the landscape. The sky is a clear, pale blue with some light, wispy clouds near the horizon.

MAIDENS GREEN

MOAMA

COVENANTS

TERMS OF RESTRICTION FIRSTLY REFERRED TO IN ABOVEMENTIONED PLAN -Terms of restriction on the use of land numbered 2 in the plan

The Owner of a burdened lot shall not:

1.

erect or re-erect or allow to be erected or re-erected on the lot any building or part of a building which has previously been erected in another location nor use any second-hand building materials (except in accordance with clause 2) in the construction of any building on the lot;

2.

erect or cause or allow to be erected on the lot any building other than one private dwelling house (such expression to include any flat, unit or apartment) with outbuilding or garage in accordance with clauses 3 and 4 respectively and such dwelling house shall:

2.1

not be constructed without a garage being constructed at the same time and in accordance with clause 4;

2.2

any dwelling house which has a floor area of:

2.2.1

less than 160 square metres where the burdened lot has an area of 700 square metres or greater, or

2.2.2

less than 140 square metres where the burdened lot has an area of 500 square metres or greater but less than 700 square metres, and floor area is calculated by including the outer walls but excluding the area of garages, terraces, pergolas or verandahs;

2.3

not be constructed using second hand external wall cladding unless such material is recycled timber and does not comprise more than ten per cent of the total external wall area;

2.4

not be roofed with any material other than non-reflective Colorbond steel sheeting, concrete tiles, slate tiles or terracotta tiles;

2.5

not be used other than as a private residence, unless it is a display home;

2.6

not include a carport; and

3.

erect or cause to allow to be erected on the lot any outbuilding (other than a garage) which:

3.1

has a floor area of more than 40 square metres or a height of more than 4 metres where the burdened lot has an area of 500 square metres or greater but less than 750 square metres, or

3.2

has a floor area more than 60 square metres or a height exceeding 4 metres where the burdened lot has an area of 750 square metres or greater but less than 1,000 square metres, or

3.3

has a floor area more than 80 square metres or a height exceeding 4 metres where the burdened lot has an area of 1,000 square metres or greater.

3.4

is constructed of materials which are in conformity with those authorised in clause 2 (unless that outbuilding has a floor area of 10 square metres or less); and

3.5

is not fully enclosed.

4.

Erect or cause or allow to be erected on the lot any garage which:

4.1

if not attached to the dwelling, has a floor area of more than 60 square metres and a height of more than 4.00 metres from the natural ground level;

4.2

is not fully enclosed;

4.3

is not constructed of the same materials used in the construction of a private dwelling house erected or to be erected on the lot; and

4.4

is additional to any garage already erected on the lot.

5.

use or cause or allow to be used any reflective material as external wall cladding or roofing on any building erected on the lot;

6.

erect or cause or allow to be erected on the lot any fence (which expression shall include a wall or screen) unless:

6.1

such fence is constructed perpendicular to the street on a side title boundary and of Colorbond in the colour "Momentum" and is set back from the title boundary where it abuts the street by 400 millimetres;

6.2

such fence does not exceed 1.2 metres in height from the natural ground level tapering up to not more than 1.8 metres in height from the natural ground level at a distance which is more than 5 metres from the title boundary where it abuts the street; and

6.3

if a dwelling house has been erected on the lot and the lot has frontage to more than one street ("corner lot") then such a fence may only be erected within 5 metres of one of the title boundaries (excluding that portion of a title boundary which is a splay corner) abutting a street;

7.

erect or cause or allow to be erected on lots 2 or 3 where the boundaries of those lots abut the Public Reserve any fence except a fence which is constructed of timber posts and horizontal rails;

8.

erect or cause or allow to be erected on the lot any fence (other than a fence referred to in clauses 6 and 7 above) on a side or rear title boundary which is greater in height than 1.8 metres from the natural ground level and which is constructed of any material other than Colorbond in the colour "Momentum".

9.

use or cause or allow to be used on the lot any outbuilding, mobile home, caravan, tent or other moveable accommodation for living or residential accommodation;

10

keep or cause or allow to be kept on the lot any animals or birds other than those permitted by local government authority or authorities for the time being;

11.

use or cause or suffer the lot to be used for any trade, industry or commerce save and except a display home.

12.

subdivide or allow to be subdivided the lot or any building erected or to be erected on the lot.

13.

allow any rubbish including site excavations and building materials to accumulate on the burdened land or adjacent land (unless neatly stored in a suitable sized industrial bin or skip) or allow excessive growth of grass or weeds upon it.

14.

pending erection of a dwelling house on the lot, allow that lot to become a fire hazard or to be in a condition which has a detrimental affect on the amenity of the neighbourhood.

15.

call upon or require or seek any order of any Court or Tribunal that Murray River Council be responsible or liable for the construction, maintenance or replacement of any fencing on a common boundary between any of the public open space or drainage reserves created by the abovementioned plan and any of 102, 103, 111.122, 123, 201, 326. 401 and 616 on the said plan.