

**WY YUNG ACRES**

**30 CLIFTON WEST ROAD WY YUNG VIC 3875**

**RESTRICTIVE COVENANT**

The transferees with the intention that the benefit of this covenant shall be attached to and run at law and in equity with Lots 1 – 36 inclusive on Plan of Subdivision 905305H and that the burden of this covenant shall be annexed to and run at law and in equity with the lot hereby transferred **(the Land)** does hereby for themselves, their heirs, executors, administrators and transferees and other registered proprietors for the time being of the land hereby transferred and as a separate covenant, covenants with the transferor and the registered proprietor or proprietors for the time being all of every other lot on Plan of Subdivision 905305H other than the lot hereby transferred that the transferee, their heirs, executors, administrator and transferees will not at any time:-

1. Build, construct or erect or cause to be built, constructed or erected or remain on the Land or any part thereof more than one dwelling house;
2. erect, place, permit, license or authorise on the Land any relocated dwelling or outbuilding or any dwelling or outbuilding moved from other land;
3. build, construct or erect or cause to be built constructed or erected or remain on the Land or any part thereof any:
  - i) dwelling unless such dwelling has a minimum floor area of 160 square metres within the outer walls, calculated by excluding the area of any verandah, pergola, terrace, eaves, carport, garage or outbuildings; and
  - ii) outbuilding/s having a total maximum floor area greater than the total floor area of the dwelling, garage or carport provided such garage or carport are built under the same roofline as the dwelling; and
  - iii) such dwelling, garage, carport, outbuildings or other structures shall:
    - a. be constructed with new materials; and
    - b. have a roof of slate, clay tile, cement tile or colorbond material; and
    - c. not be constructed of unpainted or exposed metal, nor be constructed of more than 10% Hardiplank, cement sheet or like material except for the purpose of eave linings and infills and which must also be painted or finished in a permanent coating;
4. Live on the Land, occupy or allow occupation of the Land prior to completion of construction of a dwelling and the issue of an Occupancy Permit for any such dwelling;
5. Further subdivide the land so as to create an additional lot;
6. Conduct or allow the conduct of any commercial or business activity on the Land;
7. Store or site, or allow to be stored or sited on a lot any caravan, boat or other leisure vehicle, other than for personal use;
8. Store or site, or allow to be stored or sited on a lot any commercial motor vehicle having a registered carrying capacity of more than 1 tonne, or any heavy machinery or equipment unless within an approved building or screened from view from any road reserve by a structure that is in line with or behind the most forward line of the building abutting any road reserve;

AND IT IS INTENDED that the above covenant shall appear as an encumbrance on the Certificate of Title to the Land hereby transferred and shall run with the Land hereby transferred.