

DESIGN COVENANTS



KINGSHOLME

MONTEGO
Hills

INTRODUCTION

PURPOSE OF THE COVENANTS

The Design Covenants have been prepared to ensure desirable standards for both the dwellings and landscape environment of Montego Hills to promote a boutique rural lifestyle.

These standards will be focused on form, style and detailing of all residences to ensure that sustainable quality Homes are constructed and maintained; and property values are protected.

The value and the desirability of each Lot is maintained and enhanced by each of the other Home Owners of Montego Hills through the adherence to a consistent standard, character and dimension as set out in these Design Covenants.

Adherence to these Design Covenants will also ensure the Buyers use and enjoyment of their Lot is not interfered with as a consequence of other Home Owners' building activities.

The implementation of these Design Covenants will be monitored by the Montego Hills Design Panel (MHDP). However, it is essential that future residents and/or potential purchasers are committed to adopt these standards to promote and protect the rural character of the Montego Hills community.

Plans, elevations, colours and materials selection will require approval by MHDP. However, the City of Gold Coast (COGC) will be the relevant authority for separate planning and building approvals.

Please ensure that you include the following in your online application (villawoodproperties.com.au/user);

- Site plan, including; setback dimensions (refer to your Disclosure Plan), slope contours in AHD, extent of earthworks, dwelling ground/pad and floor level information, location of existing trees, retaining wall details, fencing details, driveway details, rainwater tank location, shed
- Landscape plan including; planting areas, drying area, nominated rubbish bin location, letterbox location
- Floor plans and a schedule of areas in m²
- Elevations and sections with natural surface level
- Roof plan
- Schedule of materials and colours

Failure to submit all of the required information may slow the approval assessment process and possibly require resubmission or result in rejection by the MHDP.

BUILDING AND LANDSCAPE APPROVAL PROCESS

STEP 1 PRELIMINARY DESIGN REVIEW STAGE

Prior to the architect/designer/builder preparing detailed drawings, it is encouraged that the Buyer/builder/designer meet with the MHDP representative with at least a basic site plan and floor plan to discuss the basic building site issues.

This meeting will address fundamental issues such as driveways, building placement, setbacks, fencing, pools, large Shed/Ancillary Structures etc prior to preparing detailed design plans to be submitted to MHDP/COGC.

STEP 2 APPROVAL STAGE

The Buyer's designer or builder will prepare the design and construction documentation and submit this via the Villawood Builder Portal at villawoodproperties.com.au/builderportal/user

The MHDP will automatically be notified of the application and will advise its final approval of the working drawings within 10 working days of receipt thereof or require that the Buyer amend them to comply with the Design Covenants. The MHDP will indicate its approval or otherwise within 10 working days after receiving any amendments.

STEP 3 LOCAL AUTHORITY APPROVAL

Upon the Buyer receiving a written final drawings approval from MHDP, the Buyer shall submit identical documents to the local authority, or private certifier, to obtain planning approval building certification.

STEP 4 BUILD YOUR HOME

Ensure a copy of the Design Covenant approval issued by the MHDP and appendix 3 'builder responsibility' page is provided to the builder prior to construction commencing.

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RESIDENTIAL CHARACTER



“Our aim at **Montego Hills** is to retain the rural charm of Kingsholme and create a **unique place to live** through the successful design and integration of Homes, landscape and natural bushland.”

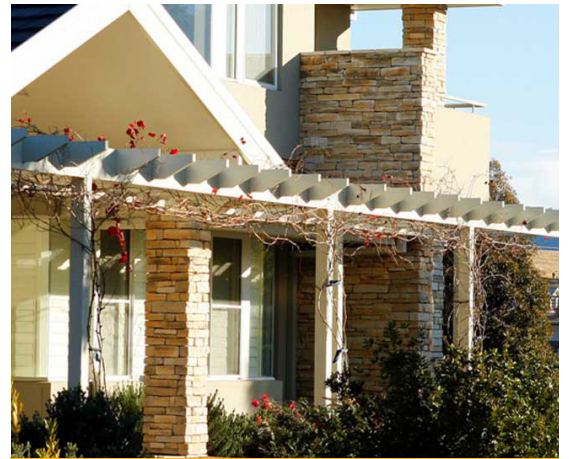
BOUTIQUE RURAL LIFESTYLE

The vision for Montego Hills is to create a rural lifestyle community which reflects contemporary homestead architecture integrated with landscape characteristics of the site. Homes should be carefully placed within the Lot to maximise the features of the natural environment and to create comfortable and enjoyable living environments.

In your discussions with the MHDP, you will be encouraged to incorporate simple architectural design principles with Articulated elements such as terraces, balconies, verandahs and pergolas to promote interest and variety to the streetscape.

Homes will be low-scale, using simple architectural design elements to create enjoyable and comfortable living environments. The Homes will maximise the potential of the Lot but will not encroach on the privacy of other Home Owners.

The Home must be responsive to the natural environment and local climatic conditions and will adopt a palette of colours and materials sympathetic to its rural setting. Roofs are to be a simple composition of shapes with the use of architectural elements to create interest in Home elevations.



- harmonious mixture of different materials and textures that reflect the landscape of Montego Hills.
- stepped walls to street frontage.
- Articulated masonry elements and the use of lightweight materials in design elements such as balconies, verandahs and pergolas.



- simple composition of roof forms.
- Articulation of design elements such as verandahs, balconies and pergolas.



- Homes will have natural bushland backdrop.

DWELLING ENVELOPE



1. BUILDING SITING

Each Home should be designed to maximise the natural characteristics of its surroundings. Important characteristics to consider are:

- Site orientation and prevailing breezes;
- Solar access;
- Topographic characteristics and drainage lines;
- Points of access;
- Views and vistas;
- The relationship to the adjoining allotments and Homes (existing or proposed); and
- Tree coverage, including preservation of desirable existing vegetation and tree planting.

All Homes are to address streets and public open spaces (when applicable) in order to provide opportunities for passive surveillance. Homes should have a width addressing the street appropriate for each Lot, to the satisfaction of the MHDP.

MHDP strongly encourages the use of balconies, pergolas, verandahs and living areas with windows facing the Primary and Secondary Street Fronts and public open spaces.

Corner Lots should address the Primary and the Secondary Street Frontages. Walls facing the Secondary Street Front must be stepped 0.5m in maximum segment lengths of 8.0m.

Homes, Garages and any Ancillary Structure are required to comply with the minimum requirements as presented on Table 1 (page 5).

There is to be no more than one dwelling per allotment - this includes home offices and granny flats.

2. ENVIRONMENTAL COVENANT AREAS

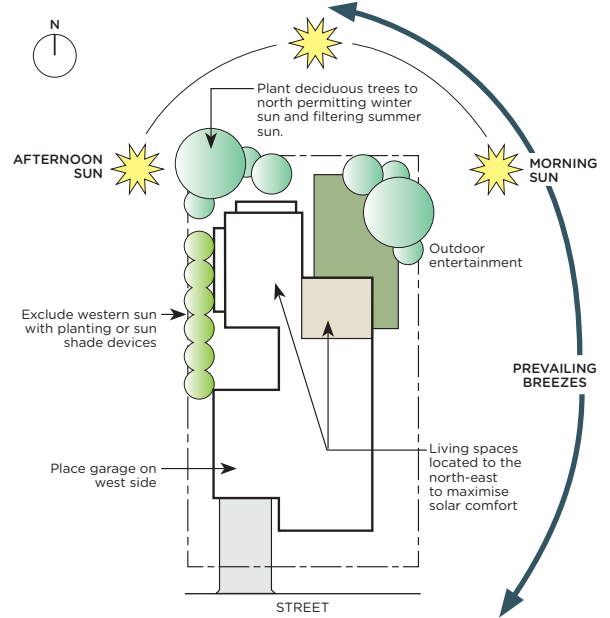
Some of the Lots at Montego Hills encompass an area subject to Environmental Covenant Areas. These areas have been retained in order to protect the scenic, landscape and environmental qualities of Montego Hills. The Environmental Covenant Areas also provide wildlife habitat and incorporate fire mitigation measures to protect Homes from bushfire. Refer to the Environmental Covenant Plan for further detail.

3. VARIATION OF HOUSING STYLE

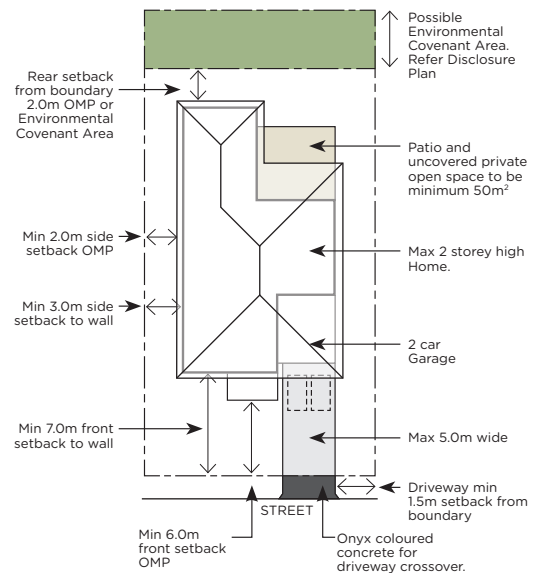
Two Homes with the same or similar elevations must not be established in close proximity. Close proximity is defined as being separation by three Lots or less, whether on the same or opposite side of the street. A minimum of six differences from the following list must be provided to distinguish between similar elevations:

- Roof lines
- Verandahs
- Entries
- Windows
- Gable treatments
- Front door
- Garage door
- Materials
- Colours

BUILDING ORIENTATION AND CLIMATE GUIDE



BUILDING CONSTRAINTS



DWELLING ENVELOPE

TABLE 1 - RESIDENTIAL DESIGN & SITING GUIDELINES

ITEM	REQUIREMENT
Site Cover	
including Garages, Carports & verandahs	maximum 40%, 2000m ² or area of BLE, which ever is the lesser. All buildings and structures are to be located within the Building Location Envelope (BLE).
Minimum Floor Area	
including Garages, Carports, verandahs, decks & pergolas but excluding Sheds	single level Homes - 300m ² minimum 2 level Homes - 225m ² minimum on ground level 10% can comprise verandahs, decks etc.
Building Setbacks	
Street	
Outer Most Projection (OMP)	6.0m minimum
Primary Structure Wall (PSW)	7.0m minimum
Garage	
Primary Street Front	8.0m minimum
Secondary Street Front	6.0m minimum
	Note: The Garage is to be setback behind the Primary Structure Wall (main building line) so that the Garage door does not dominate the streetscape.
Side	
Outermost Projection (OMP)	2.0m minimum
Primary Structure Wall (PSW)	3.0m minimum
Rear	
Outermost Projection (OMP)	2.0m minimum
Primary Structure Wall (PSW)	3.0m minimum
Eaves	
Minimum overhang	600mm
Building Height	
Number of storeys	2 storeys maximum
Height from Mean Ground Level	9.0m maximum
Landscaping	
Planting requirement for each road frontage	Turf, trees and low planting prior to occupation of Home
Density	
Number of Homes per lot	Maximum 1 single occupancy Home
Car Accommodation	
Minimum size of Garage	2 car
Driveways	
Driveways	minimum 3m wide, maximum 5m wide maximum 1:4 (25%) grade maximum cut or fill of 1m to establish driveway
Private Open Space	
Minimum private open space to be provided	Greater than 50m ² area 1:10 maximum grade accessible from living area. may include covered patio/verandah

BUILDING GUIDELINES

4. BUILDING COLOURS AND MATERIALS

The vision of Montego Hills encourages contemporary homestead architecture through the combination of solid wall materials and the use of lightweight elements. The body of the Home is to have a solid appearance with attached lightweight elements such as terraces, balconies, verandahs and pergolas to promote variety of building elevation treatment.

Colours for all Homes should reflect the colours of the Montego Hills landscape. The MHDP promotes use of non-reflective, natural earthy or green colours. The specification of highlighted colours and detailed building elements or feature elements may be approved by the MHDP based on the ability to create a harmonious diversification on the built form.

The following colours are not permitted: bright primary colours, pink, purple, blue, black or bright green.

The front facade of your Home must incorporate a mix of materials. No more than 70% (excluding roofs, windows and Garage doors) of the front facade is to be of any one material, except for lightweight building materials. Homes are to be constructed to reflect contemporary Queensland architecture and have regard to the climatic conditions of the area.

No raw and/or untreated materials are permitted for external building materials. This includes: unfinished and unpainted block work, fibre cement sheeting, polystyrene cladding, plain grey concrete, and plain sleeper retaining walls. Metal cladding is not permitted to any facade.

Face Brick is to be viewed as a feature element to any facade and is to be a maximum cover of 30% for each wall excluding windows, doors and garage door. Face Brick is to be applied with a coloured mortar - natural/grey mortar is not permitted.

Three or more of the following materials / Finishes must be included to the Primary and Secondary facade or any facade that faces a public space:

- Stone cladding
- Rendered masonry
- Timber columns or cladding
- Feature tiles
- Textured FC cladding
- Aluminium battens and louvres
- Other materials approved by the MHDP
- Face brick may be proposed as a feature element only and should be incorporated with a light coloured mortar.

The use of external materials and colours is subject to approval by the MHDP.

5. STREETFRONT DESIGN

All Homes must incorporate a highly visible and well defined front entry (this includes suitable features such as front facing entry doors, oversized entry doors, gatehouse, separate pedestrian entry, or feature walls defining entrance to the Home). Homes are also designed to provide casual surveillance of the adjoining streets to improve the safety of the neighbourhood.

All Homes must also incorporate three of the following

features to the street frontages of the Home:

- Architectural fins extending minimum 300mm forward of the main building line.
- Wall and roof alignment variation by at least 1m;
- Light and shadow recesses (e.g. window and door recesses) (minimum 200mm);
- Full height front windows or three quarter windows when incorporated with planter boxes or other architectural details;
- Full length front verandah to a minimum depth of 1.5m (excluding the Garage);
- A verandah or first floor projection built out over Garage for two storey Homes;
- Window hoods that extend a minimum of 300mm for all habitable room windows (window hoods to be constructed of durable materials as part of the Home, not canvas or retractable awnings).
- A vertical step in the eaves line of minimum 400mm for part of the roof (commonly for the porch)

In addition:

- The Home should include sufficient glazing (10% minimum recommended) to allow for passive surveillance of the Lot.
- The primary entry is to incorporate a covered roof area. The entry roof be at least 4m² with a minimum depth of 1.5m.
- Homes should have a width addressing the street appropriate for each Lot, to the satisfaction of the MHDP.
- The garage must not project forward of the main building wall. It is suggested that the Garage is setback 1m behind the Primary Structure Wall so that the Garage door does not dominate the front facade.



- 1 The use of lightweight materials in elements such as balconies, pergolas and screenings.
- 2 Combination of solid wall materials and non-reflective, natural earthy or green colours.

*Images on this page have been provided by Shane Denman Architects

BUILDING GUIDELINES



6. ROOF FORM AND MATERIALS

Roofs are to be a simple composition of shapes with the use of architectural elements to create interest in the elevations. Roof materials are restricted to Colorbond® custom orb profile roof sheeting or flat shingle profile concrete tile roofing only, of a natural colour that is sympathetic to the rural character of Montego Hills and must be approved by the MHDP. All other concrete roof tile profiles will not be approved.

Overly bright colours will not be permitted or consented to as they cause a lack of visual amenity to adjoining Home Owner's and may interfere with a person's use and enjoyment of another Home, for example, by causing glare.

Roof pitches for the main building shall be a minimum of 25 degrees for pitched roofs and 10 degrees for Skillion.

All gutter and down pipe treatments must complement the Home design.

Low pitch roof elements may be used on secondary parts of the building such as verandahs, links and projections from the Home bulk; and are subject to approval by the MHDP.

7. DRIVEWAYS AND CROSSOVERS

Only one driveway is permitted per allotment that is 3m minimum wide and to a maximum of 5m wide. It must be completed prior to occupation of the Home.

The driveway from boundary to Home will be constructed using concrete pavers, coloured concrete, textured concrete, plain concrete, stencil concrete, bitumen or exposed aggregate finishes. Gravel, grass, concrete track, timber sleeper, loose dirt and turf cell are unacceptable driveway finishes.

The driveway must be located a minimum of 1.5m from the side boundary and a minimum of 3m wide. Driveways are to be of natural colours and tones.

Driveways are to result in no cut or fill greater than 1m and are to be a maximum gradient of 1:4 (25%).

8. ADDITIONS AND EXTENSIONS

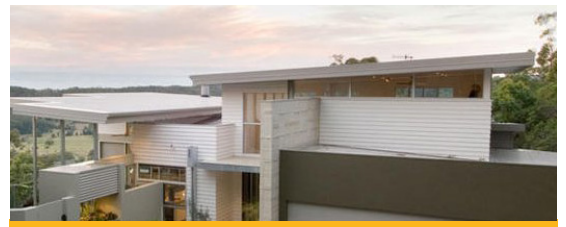
Any additions and extensions to occur within the Lot are subject to approval by the MHDP and require compliance to the Design Covenants in the same manner as the original Home application. Additions and extensions include new verandahs, pergolas, outbuildings, Sheds, swimming pools, retaining walls and garden structures.



- provide a step in the vertical eave line to help articulate elevation/porch.

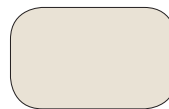


- minimum 25° for pitched roofs.
- minimum 600mm overhangs.



- minimum 10° for Skillion.
- minimum 600mm overhangs.

COLORBOND® SHED COLOUR PALETTE



surfmist



evening haze



paperbark



shale grey



windspray



wallaby



gully



woodland grey



monument

*Top image on this page provided by Metricon Homes.
Other Images on this page have been provided by
Shane Denman Architects

BUILDING GUIDELINES

9. ANCILLARY STRUCTURES, GARAGES, CARPORTS & SHEDS

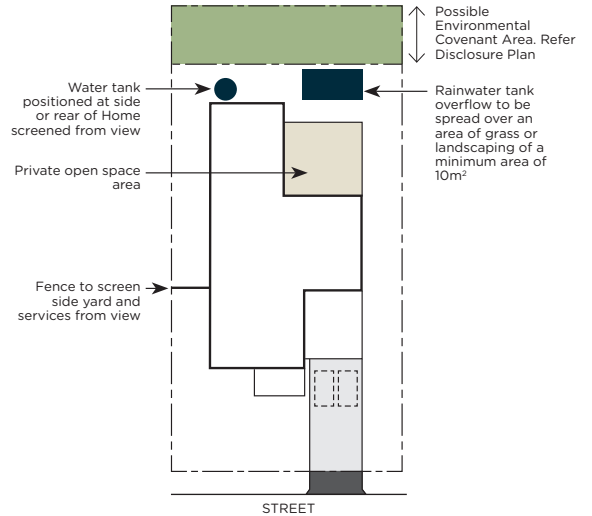
All Ancillary Structures, Garages, Carports and Sheds are required to be complementary to the character of the Home in colour, material and form. If a Carport is to be provided it must be screened on three sides.

All the Lots should carefully address the criteria as described below:

- Rainwater tanks, hot water systems, pool filtration pumps, clothesline, barbeques, rubbish bins and satellite dishes are to be screened from the street and public view and not located along the Primary and Secondary Street Frontage;
- External TV antennae and other aerials must be unobtrusive and located towards the rear of the Home;
- Solar panel installation must be integrated with the roof design;
- Letter box designs should suit the Home and be located adjacent to driveway. Letter boxes should be completed within one month of residency;
- Incinerators are not permitted within Montego Hills;
- Air-conditioners are to be located below Eaves-lines and concealed from public view; and
- Garden sheds and tool sheds are separated from the Home. Sheds should be constructed and clad in coloured metal, less than 12m x 8m in size, less than 4.5 metres in height, and concealed from public views. Galvanised or highly reflective coloured material should not be used. The colour of any metal walling or roof should be chosen from the Shed colour palette (page 7) and should be in a colour sympathetic to natural surroundings and the Home itself.

10. RAINWATER TANKS

Each Home requires a 22,500L water tank. It is to be screened from view, under the ground or behind the Home. The overflow from the tank needs to be spread onto an area of 10m² minimum of grass or landscaping. Refer to sketch 'example location of watertanks'.



• Example location of water tanks.



• Example of screening Ancillary Structures from view.



• If Garage is separated from Home, it needs to be of a design, colours and materials sympathetic to the Home.

BUILDING GUIDELINES

11. SLOPE SENSITIVE DESIGN

When planning and designing your Home you should minimise the earthworks and retaining required. This will result in a number of benefits including reduced impact on neighbours, existing structures and services, better lot drainage, and reduced visual impact of retaining walls to the street.

1. Proposed cut or fill is to be a maximum of 1.0m in depth outside of the Building Footprint area and a maximum of 2.7m in depth within the Building Footprint area;
2. Generally earthworks on your Lot should result in equal cut and fill levels;
3. Fill is not to be imported or exported to alter the natural surface level of your Lot prior to commencing earthworks for preparation of a building platform;
4. The import or export of fill is acceptable within brick build-up and split level construction;
5. Where retaining walls are retaining cut or fill associated with a single Lot, the retaining wall is to be located wholly within the subject Lot;
6. Retaining walls are a maximum of 1.5m in height, this excludes retaining walls within the built form which are a maximum of 2.7m;
7. Retaining walls that front and are visible from a public street or park are heavily landscaped to soften their appearance and are to be constructed from: stone or masonry; or concrete sleepers; or approved bush rock;
8. The earthworks are undertaken in a manner which is in compliance with a geotechnical report, which is certified by a registered professional engineer, that:
 - a. Identifies the stability risk;
 - b. Addresses potential stability problems;
 - c. Demonstrates that the proposed earthworks will be geotechnically stable.
9. Retaining structures are:
 - a. Designed and constructed in accordance with the relevant Australian Standard (ie. AS4678);
 - b. Covered by a consultant's structural certification if they are 1.0 metre in height or greater.
10. Retaining walls and embankments are to be terraced where possible and suitably landscaped;
11. Retaining walls are to be located so as not to impact upon adjoining Lot;
12. Full details of heights, materials and location of all retaining walls and embankments are to be submitted to the MHDP for approval;
13. Appropriate approvals are to be obtained where required from the local council or regulatory body;
14. Where site retaining walls protrude forward of the front of the home, they must be tapered to meet the finished ground line;
15. Retaining walls constructed by the Seller must not be altered or removed without written permission by MHDP;
16. Existing levels must be maintained at all boundaries and all cut and fill faces kept to a minimum of 1.5 metres clear of each boundary;
17. A maximum of 40% of the Lot can be subject to cut and/or fill;
18. Where a retaining wall adjoins a park or street frontage and a fence is to be located above the wall, a 500mm wide landscaped area is to be planted with ground covers and/or shrubs between the wall and the fence;
19. Undercrofts - if a suspended floor design is used to deal with a sloping Lot then the understorage of the same should be screened from view with either landscape or fixed screening. Undercrofts are to be a maximum of 8.0m high from lowest part of the floor to the ground. The part of the undercroft greater than 4.0m in height is to be screened by fixed screens, e.g. battens;
20. Where batter is greater than 1:4 the embankment is to be retained by a retaining wall;
21. Retaining walls are to be erected before construction of the Home commences;
22. Drainage shall be provided at the base of each embankment or retaining wall. (Check the need for specific controls for sloping sites if required).

Due to the sloping nature of many of the Lots it is encouraged that Home design utilises a combination of slab on ground and suspended floor construction to minimise earthworks and retaining walls. Diagrams A - C (page 10) indicate construction strategies which are appropriate given different slope conditions that limit the cut and fill required to establish your Home.

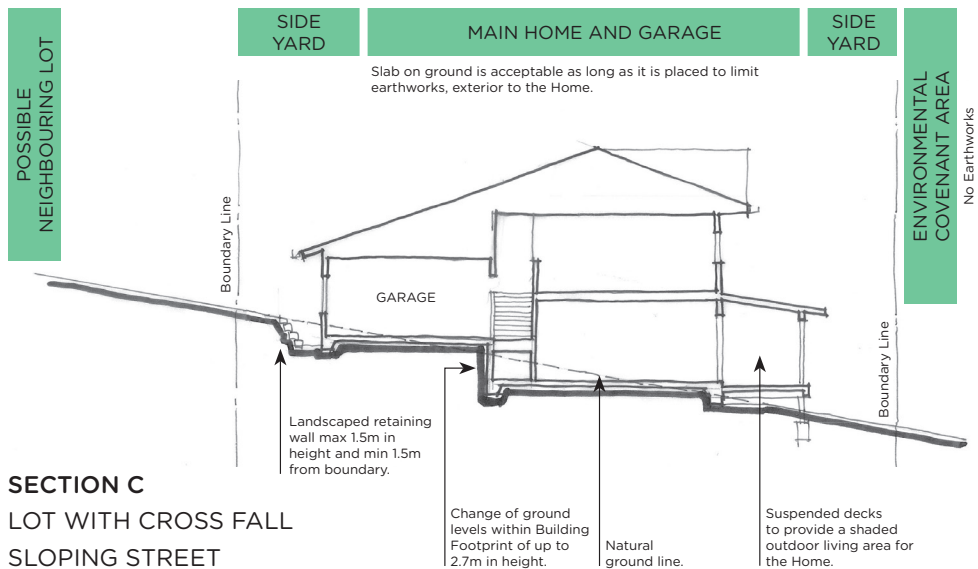
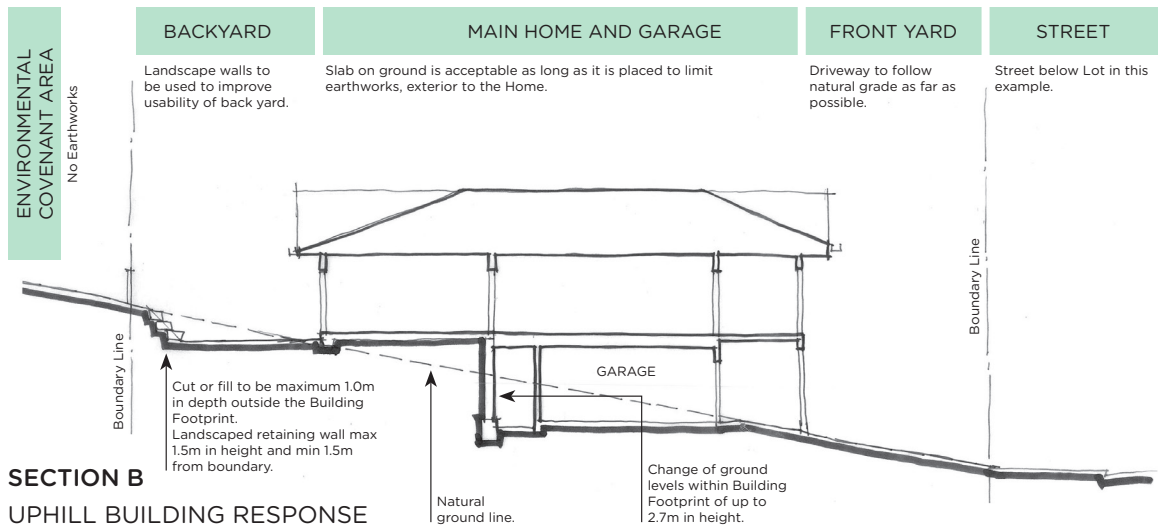
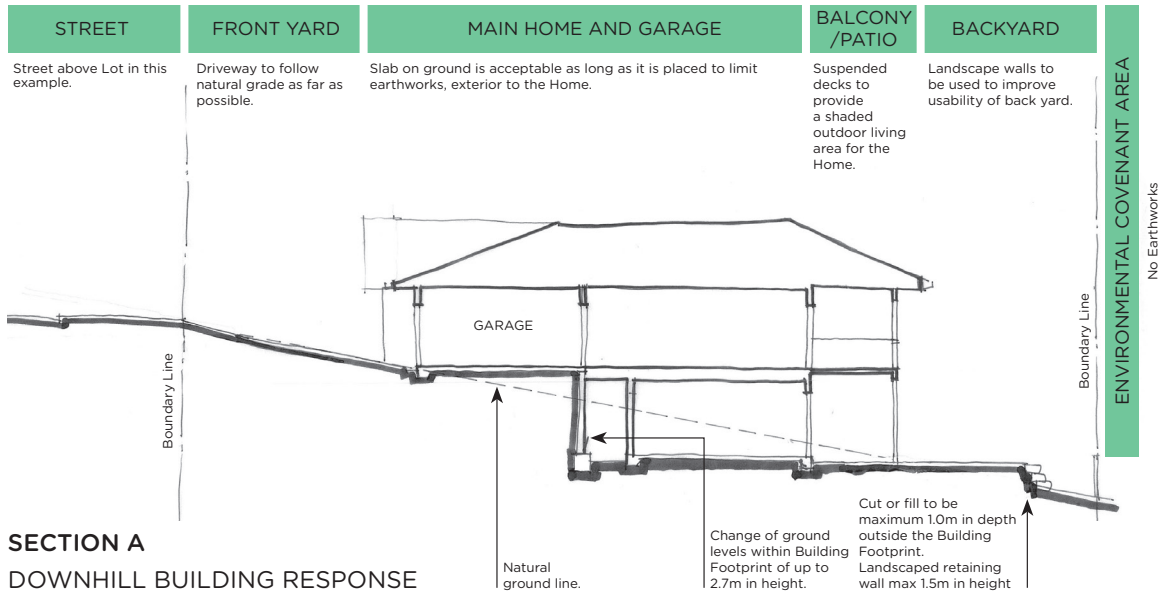


• Home to utilise a combination of suspended floors and slab on ground to minimise earthworks.

BUILDING GUIDELINES



SLOPE SENSITIVE DESIGN



BUILDING GUIDELINES

12. LANDSCAPING

Landscaping contributes to the visual amenity and rural character of Montego Hills. The landscape should be designed with consideration of the 'zone' of the Lot it is on; as per the landscape zone diagram.

Landscape to road frontages includes:

- High quality grass cover throughout;
- Mass planting areas to be mulched and maintained, free of weed and rubbish;
- Secondary Street Frontages are to be similarly landscaped to Primary Street Frontage.

Removal of trees from the Lot is not permitted unless necessary to site the Home and Ancillary Structures and is subject to council approval/vegetation laws. Vegetation within the Lot but more than 10m from the Home is not permitted to be damaged unless necessary for bushfire management purposes and subject to Council approval/vegetation laws.

Landscaping employs less flammable plant species for any landscaping within the Building Location Envelope area (as indicated on the Disclosure Plan) where required in accordance with the recommendations of the Bushfire Management Plan.

New plantings on the Lot will not include plant species prohibited by the local council.

13. OUTDOOR LIVING AREA

All Homes must incorporate an outdoor living space which is located adjacent to indoor living areas.

Your outdoor living space must:

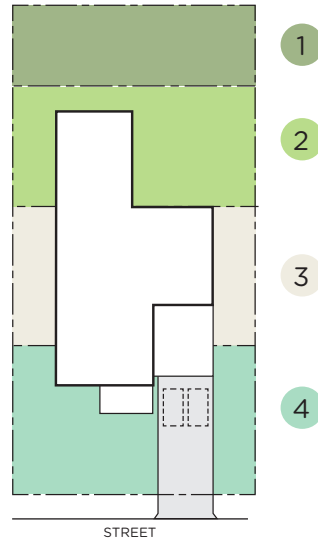
- Be a minimum single area of 50m²;
- Be a minimum dimension of 5m;
- Be a minimum dimension of 2m for second floor balconies;
- Have a slope no greater than 1:10 (10%).

Your private open space can be roofed and enclosed on three sides.

It is strongly suggested that this outdoor living space incorporates a covered area/paved area of a minimum 15m² to provide greater functionality of your outdoor living space and increase the total living area of your Home.

Note: Private open space includes unenclosed usable areas such as grassed/paved areas, balconies and decks.

LANDSCAPE ZONES



- 1 **Covenant Zone** - keep free of weeds and encourage the growth and maintenance of native flora and fauna.
- 2 **Backyard** - landscape to be designed to maximise the recreational use of this area.
- 3 **Side Yards** - neat and tidy grass and ground covers.
- 4 **Road Frontage** - high quality well maintained grass and mass planting that contributes positively to the rural character of Montego Hills.



- landscape should be designed to fit into the bushland context.

BUILDING GUIDELINES

14. BUSHFIRE

An overall Bushfire Management Plan has been developed for Montego Hills. All Home Owners/Buyer are required to be aware of this plan, and be sure to carry out the recommended actions to protect their Lot from bushfire. Each Lot may be subject to differing levels of bushfire risk and the Buyer, designer and builder need to be aware of this, when designing and building a Home or Ancillary Structure.

The Home design should not expose the Buyer to unnecessary risk from bushfire; by adopting passive protection measures including appropriate siting, layout, vegetation management and building materials. On-going maintenance of a Home and Lot is vital to reducing fire risk.

15. FENCING

The MHDP will only approve fencing materials, forms and colours as demonstrated in Appendix 2 'Fencing Types'. The following types of fences are permitted:

- Type A - to front, side and rear boundaries (including street frontage);
- Type B - to front, side and rear boundaries (including street frontage), excluding/prohibited for Environmental Covenant Area/s. This fence type has been designed for the purpose of keeping domestic animals or livestock contained within the BLE or the Lot; and
- Type C - to side and rear boundaries, excluding Primary and Secondary Street Frontages.

Responsibility for side and rear fencing is between the Buyer and adjoining Home Owner unless the adjoining neighbour is the Seller.

Environmental Covenant Areas can only be fenced off with the Fence Types A & C to allow native fauna to be able to move through the Environmental Covenant Areas.

A fauna friendly fence is a fence that does not inhibit the movement of native fauna between properties. If the Buyer is considering fencing the Environmental Covenant Area, the fauna friendly fence required needs to:

- be Fencing Type A (Appendix 2); or
- be Fencing Type C (Appendix 2); and
- not exceed 1.2m in height.

Please note that if the Buyer has domestic animals or livestock, the fence-line between the Home yard and the Environmental Covenant Area needs to keep domestic animals/livestock in, rather than be a fauna friendly design (refer Fence Type B).

Fencing of the Lot is encouraged and is required if you have domestic animals or livestock.

16. SCREENING UNDERCROFTS

The area between ground floor and/or deck of the Home and the ground is to incorporate landscape or fixed screening (e.g. timber battens or lattice) to screen these areas from view of streets or public open space.

17. SIGNS

Site signage shall not exceed two square metres in area and shall be of a good design. Only one professionally made "For Sale" sign and one "Builders" sign, may be erected on the Lot.

18. EFFLUENT DISPOSAL AREAS

All Homes need to provide a water treatment system and an effluent disposal area. The effluent disposal area is to be located as indicated on your Disclosure Plan unless otherwise approved by the MHDP. The treatment system is to be screened from view from the street or located underground.

19. LETTER BOXES

Generally a rendered brick, stone-faced, stone or coloured non-reflective metal letter box is permitted. Letter boxes must be of a colour to compliment the dwelling and its surrounds. However, letter boxes of a unique design, specifically coordinated with the design of the Home will be considered.

20. GENERAL

Lots cannot be subdivided.

Homes may not be used as a Display Home unless approved by the MHDP.

Relocated homes and recycled materials are not permitted unless otherwise approved by the MHDP.

Covenant areas are for revegetation purposes only. No earthworks or building works other than boundary fencing (Type A or C) to occur in this zone. Please refer to Covenant Management Plan for further detail.

BUILDING GUIDELINES

21. CARE AND MAINTENANCE OF YOUR LOT

NORMAL MAINTENANCE

The Buyer shall:

- Maintain the Lot free of excessive weeds, rubbish or garbage and keep all turfed garden areas presentable; and
- Not store car bodies, mechanical equipment, machinery, tanks, construction materials (after construction completed), etc on the Lot.

OBLIGATORY SLASHING, MAINTAINING AND CLEARING

Should MHDP or the Seller notify the Buyer that slashing, maintaining or clearing of the Lot is necessary to maintain the tidy presentation of Montego Hills, the Buyer shall carry out the work within 14 days.

If the Buyer fails to comply with the request to slash, maintain or clean the Lot, the MHDP or the Seller may employ a contractor to carry out the request and the Buyer shall pay the Seller for the costs incurred by the Seller relating thereto.

CARAVANS, CAMPERVANS, TRAILERS, COMMERCIAL VEHICLES AND BOATS

Caravans, camper vans, trailers, commercial vehicles and boats may not be parked in the street, footpath or driveway. If stored on the Lot these vehicles are to be parked in the Garage or suitably screened to the satisfaction of the MHDP. Unregistered cars must be garaged.

Provisions must be allowed for the proper screening and housing of watercraft.

TEMPORARY STRUCTURES

No temporary or re-locatable structures are to be erected or located on the Lot, unless for use in conjunction with the construction of the Homes or Ancillary Structures and then must be removed immediately on completion of construction.

APPENDIX 1 - DEFINITIONS



Ancillary Structures are structures that are not part or attached to the body of the Home, i.e. Sheds, pergolas, pools, tanks, pool pump, retaining walls, pool shelters, etc.

Articulation/Articulated as used in this document, refers to the distribution and variation of elements in a building facade to create visual interest and character. Articulation may be achieved through stepping of walls, incorporating building elements such as balconies, verandahs, pergolas, varying setbacks, window shades, awnings and feature walls in combination with a variety of building finishes, textures, and materials.

BLE (Building Location Envelope) is defined as the area of the Lot excluding the Environmental Covenant area, or as defined on the Disclosure Plan.

Building Footprint refers to any area proposed to accommodate a dwelling house and ancillary structure (extending to a maximum of 2 metres from the outermost projections of the dwelling house).

Bushfire Management Plan refers to the Bushfire Management Plan prepared by Gassman Development Perspectives for Villawood Properties dated May 2015.

The **Buyer** means the buyer defined in the Contract subject to these Design Covenants, and includes any successors and assigns.

A **Carport** is defined as a car accommodation space that is not fully enclosed on all sides.

COGC (City of Gold Coast) refers to the City of Gold Coast Council.

Contract means the Contract of sale of the Lot in Montego Hills to which these Design Covenants are attached.

Design Covenant means these Design Covenants.

Environmental Covenant Areas are the areas indicated as covenant areas on the Lot Disclosure Plan.

Environmental Covenant Plan means the document with the same name in relation to the use of the Lot (including matters such as fencing, building envelopes, effluent disposal and setbacks) which is to be prepared by the Seller's consultants by settlement and which will be provided to the Buyer upon request after it has been prepared.

Disclosure Plan given to the Buyer in the disclosure statement or in the Contract and will indicate any Environmental Covenant Areas and effluent disposal area relevant to your Lot.

Display Home has the meaning given to that term in 'Domestic Building Contracts Act 2000 (Qld)'.

Eaves are the portion of a roof that overhangs the external wall of the Home.

A **Fascia** is a flat horizontal board used to conceal the end of roof rafters.

A **Garage** is defined as a roofed car accommodation space that is fully enclosed on all sides including the street front.

The **Home** is the structure to be built on the Lot.

Home Owners are the registered proprietor on the title of the Lot or mortgagee in possession of a Lot within Montego Hills other than the Buyer.

A **Lot** is land that the Buyer/Home Owner owns.

Mean Ground Level is the level of the ground when the Buyer completes the purchase of the Lot.

MHDP is the Montego Hills Design Panel and the responsibility of Kingsholme Developments Pty Ltd (ACN 169 797 531) to manage.

Montego Hills means the residential land development known as "Montego Hills" at 62 and 97-105 Upper Ormeau Road, Kingsholme.

OMP (Outermost projection) is defined as the most outer point of a building or structure. In the case of a roof, this applies to the outside face of a Fascia, but does not include retractable blinds, fixed screens, rainwater fittings or ornamental attachments.

The **Primary Structure Wall** (PSW) is measured as the main front wall of the Home. It excludes Eaves, awnings, verandahs, balconies, entry or shade structures.

For corner allotments, the **Primary Street Front** is defined as the street front elevation which contains the front door, letter box and street number to your Home. The **Secondary Street Front** refers to all other street front elevations.

Road Verge is the strip of land forming part of the public road reserve from the road curb to the Lot boundaries.

Seller is Kingsholme Developments Pty Ltd (ACN 169 797 531) and includes successors and assigns.

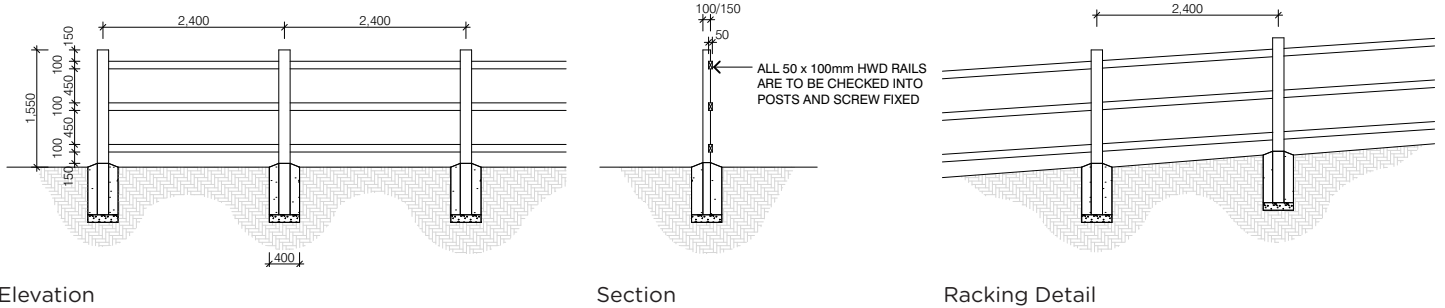
A **Shed** is a simple enclosed structure that is separate to the Home and is used primarily for storage purposes. These structures are to be hidden from view from the street.

Site Cover is expressed as a percentage of the area of your Lot that the footprint of your Home covers. The total area/footprint of your Home includes enclosed spaces including the outside wall and unenclosed spaces where covered to a line 600mm in from the Lot perimeter of the covered space.

A **Skillion** is a sloping roof without a ridge or a peak.

APPENDIX 2 - FENCING TYPES

FENCING TYPE A - TYPICAL POST RAIL FENCE



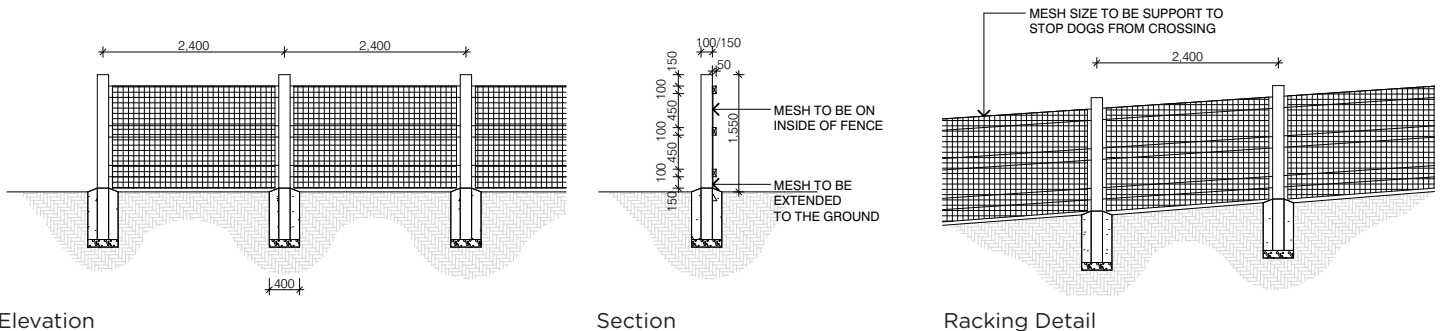
Elevation

Section

Racking Detail

- 100mm x 100mm HW in line posts
- 150mm x 150mm HW corner/gate posts
- 100mm x 50mm HW rails
- Rails fixed to face of post with galvanised batten screws
- Footings and post centres remain unchanged

FENCING TYPE B - TYPICAL DOMESTIC ANIMAL PROOF FENCE



Elevation

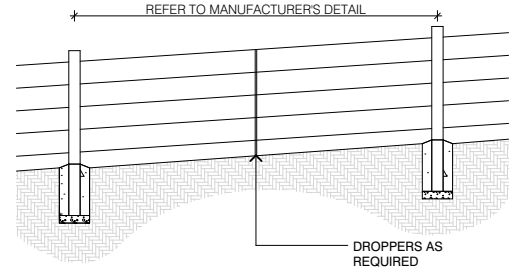
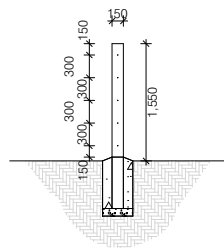
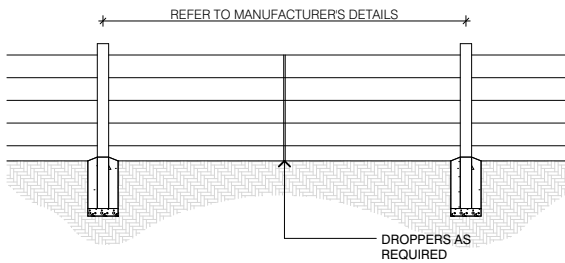
Section

Racking Detail

- 100mm x 100mm HW in line posts
- 150mm x 150mm HW corner/gate posts
- 100mm x 50mm HW rails
- Rails fixed to face of post with galvanised batten screws
- 100mm x 100mm x 2.5mm galvanised dog wire fixed to posts and rails with u-nails
- Footings and post centres remain unchanged

APPENDIX 2 - FENCING TYPES

FENCING TYPE C - 5 STRAND WIRE FENCE



Elevation

Section

Racking Detail

- 100mm x 100mm HW in line posts
- 150mm x 150mm HW corner/gate posts
- 6 strands of 3.15mm gal wire with droppers between posts
- Posts concreted in @ 4.8m centres
- 150mm x 150mm HW gate/corner posts

Optional Type D (for street fronts) - optional

- - all specs are the same as Type A except all posts to be 150mm x 150mm HW

GENERAL NOTES:

- Maximum height of fence to be 1.2m if fencing a Covenant Area.
- Maximum height of fence to be 1.5m for non-Covenant Areas.
- All fencing to be minimum 50% transparent.
- Fencing is to be positioned along the building envelope line or the property boundary.
- All corner and street frontage posts to be minimum 150mm square hardwood.
- All rails to be minimum 100mm x 50mm hardwood.
- Fence Types A & C to have a minimum 150mm gap between the ground level and the first rail or strand followed by a series of 300mm gaps.
- Concrete footings to be provided to all fence posts.
- Boundary posts to be 100mm x 100mm.

APPENDIX 3 - BUILDER RESPONSIBILITY

BUILDER & BUYERS RESPONSIBILITY

In order to successfully deliver a first class community we require cooperation by all parties involved throughout the development and construction process.

Listed below are “Montego Hills Home Owners’ & Builders’ Site Guidelines”. These guidelines have been implemented to benefit the aesthetic feel and integrity of Montego Hills.

All Home Owners/Buyers must comply with the following:

- Home Owners/Buyers and their builders have an obligation to keep Montego Hills tidy.
- Comply with plans, specifications and all legal requirements.
- Construction should be performed with reasonable diligence.
- It is the Home Owners/Buyers responsibility, prior to the commencement of construction of the Home on the Lot to ensure the builder complies with and is provided with a copy of the Design Covenants.
- All Home Owners/Buyers and their builders must ensure that all overburden, building materials and fittings are stored within the Lot at all times and no building materials or overburden are permitted to be stored on the nature strip of the Lot.
- Home Owners/Buyers and their builders must provide a bin on the Lot for the storage of all site refuse generated by the Lot and keep all such site refuse within such bin and ensure that it is emptied whenever full.
- The Home Owners/Buyers builder must erect and maintain at their own cost and keep in good condition a sign at least 600mm x 400mm and not >2m² on the Lot during the period of construction works on the Lot that is clearly visible and legible from the road. The sign must include the name and registration number of the builder, name and contact details of the site supervisor and Lot number.
- The MHDP will impose a non-littering requirement as a standard clause of any approval granted by the MHDP in respect of building works. The builder will be required to be diligent in the control of all site litter and to protect adjoining Lots and verges from use by on-site construction workers and sub-contractors.
- Home Owners/Buyers and their builders must, prior to commencing construction on the Lot, provide a working toilet and running water, until completion of the building works.
- Home Owners/Buyers and their builder, prior to the commencement of any building work, must ensure that a site fence is erected on each Lot.
- Home Owners/Buyers and their builders must ensure that access to and from the Lot for any purpose related to the construction works on the Lot is to be only at the allocated crossover point.
- Home Owners/Buyers and their builders must not access or park vehicles on adjoining Lots, parkland and/or footpath for any purpose related to construction works on the Lot.
- Home Owners/Buyers and their builders must ensure a temporary vehicle crossing of crushed rock is placed where the crossover is to be located between the back of kerb and Lot boundary or footpath, prior to commencement of construction. Maintain the crossing during construction and ensure that all vehicles access to the building site occurs only over this temporary vehicle crossing. If footpaths have been constructed they must be protected by a temporary wooden vehicle crossing.
- Home Owners/Buyers and their builders must comply with any notice issued by or on behalf of the Seller/MHDP specifying breaches of the “Builders’ Site Guidelines” and rectify such breaches, failing which a Home Owner/Buyer and its builder will be exposed to prosecution by the Seller.
- Home Owners/Buyers and their builders must ensure that all building works use best environmental practices to minimise dust and sedimentation runoff, to contain all hard rubbish and to prevent runoff into the stormwater drainage system of any hazardous substances and domestic chemicals and detergents.



• Home to be fenced during construction, kept neat and tidy, and damage to existing vegetation, footpaths and roads to be minimised.



BUILDING CONTRACT

Building Contract to bind builder to comply with this Design Covenant.

It is recommended that the Buyer include in the Special Conditions of the building contract entered into by the Buyer for the construction of a Home, Garage, Shed, fence, swimming pool, or Ancillary Structure to any of the foregoing shall contain a clause which states:

“The builder shall comply with the requirements of the Design Covenant for the Lot for the duration of works under contract and will not commence work on the site unless the builder has sighted or is in possession of a copy of the Design Covenant approval issued by the MHDP and a copy of the “Builder Responsibility - Appendix 3.”

An approval issued under these Design Covenants is not an approval under the requirements of the Building Act, or any other Act or Regulation. The documents provided by the Buyer to the MHDP have not been checked for compliance with any structural, health, or planning requirements, or for the suitability of the building for the use to which it may be put. Accordingly, the MHDP or its representatives do not accept any responsibility for the suitability or soundness of construction of the completed structures or buildings or the associated development works.

SALE BY BUYER

If the Buyer (or any successor in title of the Buyer) sells their Lot (or an interest in their Lot), they must obtain a deed of covenant from the subsequent Buyer to be bound by the Design Covenants prior to disposing of their interest in the Lot - refer to the special conditions in the Contract.

These Covenants are subject to change at any time by the Seller.

The Seller reserves the right to vary, alter, remove, or disregard any of these Design Covenants at any time in respect of the sale or development of any other Lot in Montego Hills.

The Buyer shall have no claim against the Seller or any of the Seller’s agents in respect of any changes made by the Seller to the Design Covenants.

The Seller is not liable for any action resulting in the alteration of these Design Covenants.

The Seller is not required to enforce the Design Covenants on any Home Owner/Buyer. These Design Covenants are valid and enforceable until 12 months after the Seller has sold all of the Lots it owns in Montego Hills.

Any void, voidable or illegal term of these Design Covenants may be severed unless to do so will result in a change to the basic nature of these Design Covenants.

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Hills

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