

# FLINDERS PRECINCT DESIGN COVENANT



SUNSHINE COVE  
MAROOCHYDORE

CREATED BY  
chardan  
development  
group



## CONTENTS

1. Introduction .....	4
Subdivision Plan .....	5
2. Design Vision .....	6
3. Approved Uses .....	7
4. Covenants .....	9
5. Building Appearance & Streetscape .....	11
6. Wall Materials .....	13
7. Colour .....	14
8. Fences .....	16
9. Boundary Walls .....	18
10. Retaining Walls .....	18
11. Estate Walls .....	19
12. Landscaping .....	19
13. Vehicle Access .....	19
14. Driveways .....	19
15. Other Considerations .....	20
16. Site Specific Considerations – Soho Allotment Lots 4 to 6, 9 to 14 .....	22
17. Site Specific Considerations – Soho Allotment Lots 7,8 & 15 .....	24
18. Site Specific Considerations – Soho Allotment Lot 1 .....	26
19. Site Specific Considerations – Soho Allotment Lots 2 & 3 .....	28
20. Additions and Extensions .....	30
27. Maintenance of Lots .....	30
28. Building Works .....	30
29. Advertising Signs .....	30
30. Public Use of Lakeway .....	31
31. Seller's Right to Vary or Exclude Any Covenant Conditions .....	30
32. Information Supplied by Seller .....	31
32. Legal Duty or Obligation .....	31
33. No Merger .....	31
34. Assignment .....	31
35. Inconsistency .....	31
36. Severance .....	31
37. Liquidation Damages .....	31
38. Flinders Precinct PLan .....	32

# 1. INTRODUCTION

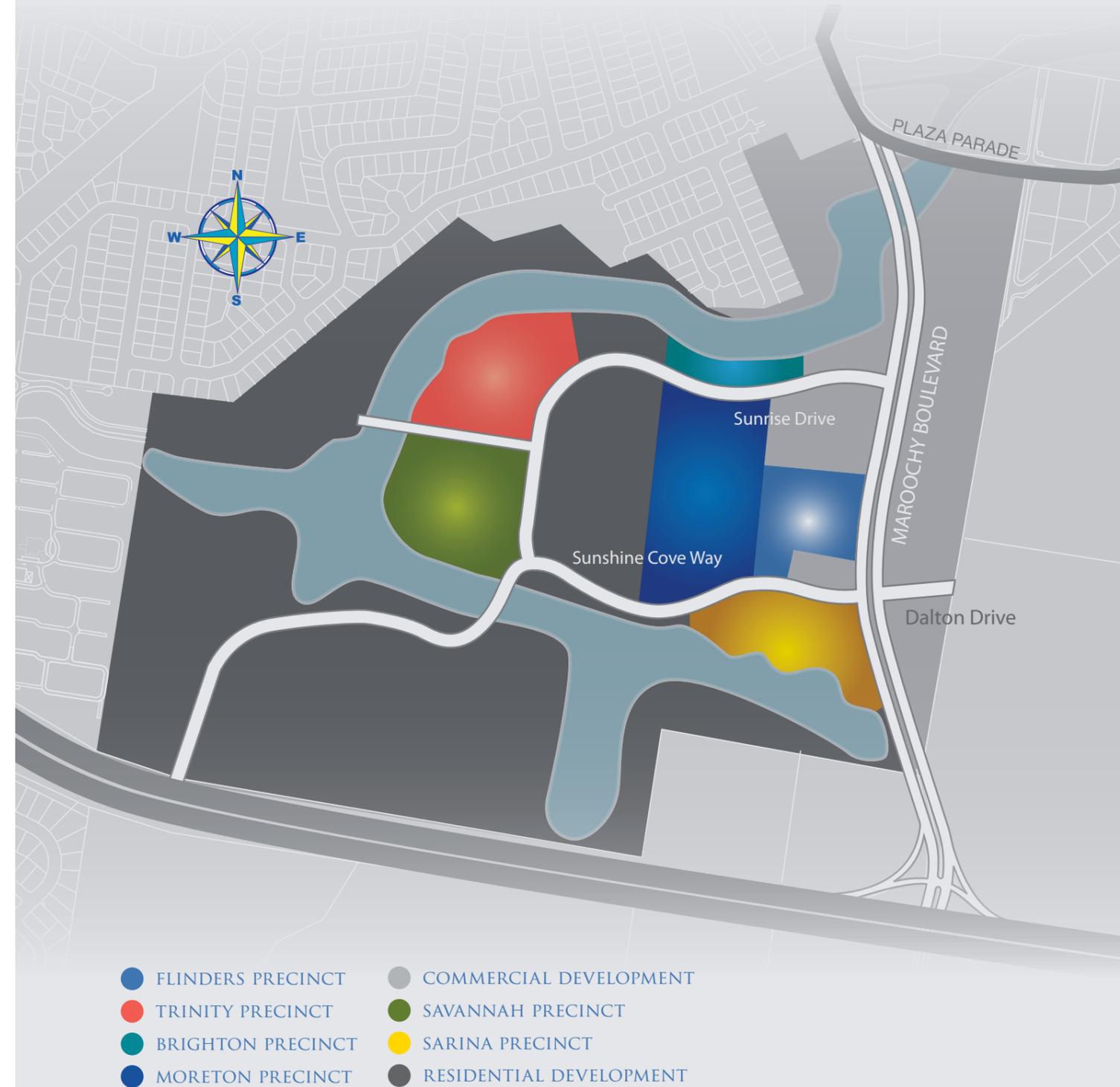
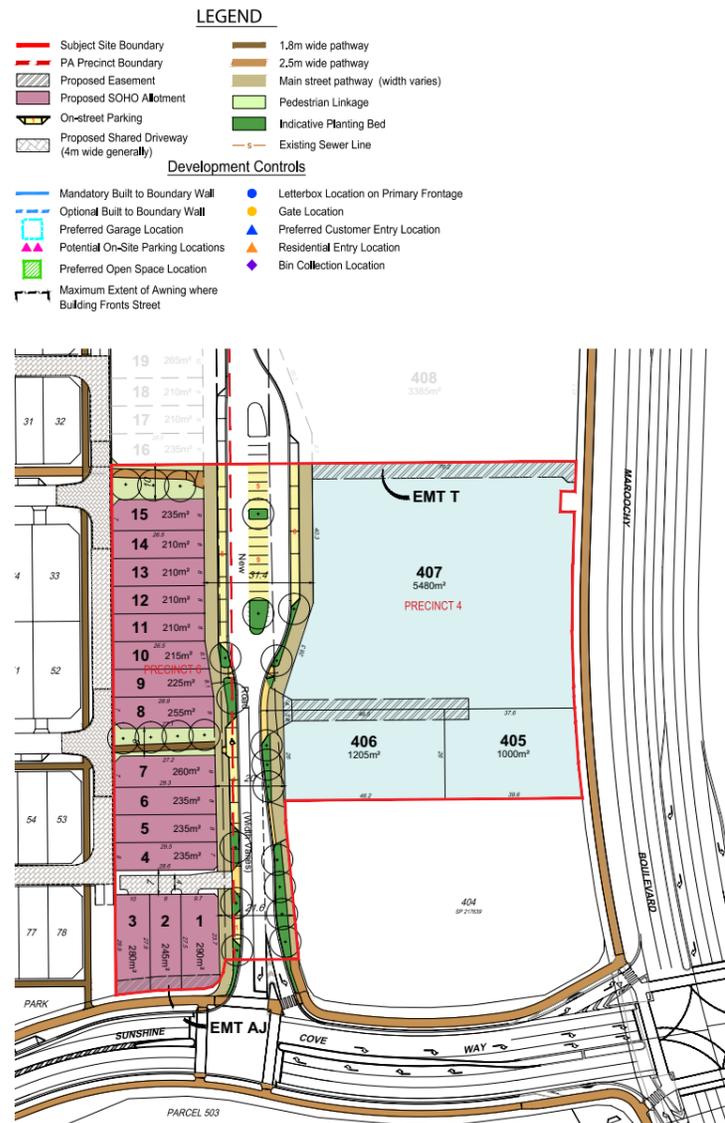
Over the next 10 years, Sunshine Cove will transform into a spectacular centre piece for Maroochydore in terms of both a new residential suburb as well as a bustling commercial precinct.

Destined to become a unique and vibrant mixed use development Sunshine Cove, will offer architecturally inspiring lifestyle options, from cool urban residential apartments to expansive home sites. Potentially, some 6,000 people will live and work within the Sunshine Cove community that will include numerous local and national businesses, commercial precincts and small pockets of retail right in the heart of Maroochydore.

The Sunshine Cove Flinders Precinct Design Covenant has been developed to provide purchasers, designers and builders with clear and concise design requirements and consideration.

The Flinders Precinct Design Covenant is about our vision for a sustainable, profitable, active and diverse community and will enhance the investment and liveability of Sunshine Cove.

## FLINDERS PRECINCT PLAN





## 2. DESIGN

Our vision for Sunshine Cove will see it evolve as the Sunshine Coast's premier master-planned community. Designed around Sunshine Cove's expansive and picturesque lake and numerous parklands, leading architects and builders will emulate the beauty of the Sunshine Cove lifestyle in their individual and stylish designed homes, offices, shops and commercial buildings.

The design character of Flinders Precinct should recognise and take advantage of the enviable Sunshine Coast lifestyle, be considerate of environmental and sustainable living practices such as cross ventilation, solar orientation, use of recycled water and solar energy generation whilst being open and welcome to enhance and facilitate commercial opportunities.

Two and three storey SOHO's will provide a modern and cosmopolitan edge to Sunshine Cove. Street elevations will provide defined elements, which ensure each commercial premise is clearly distinguishable.

External walls will feature a composite of finishes and materials and roofs will feature corrugated metal or slate style tiles as evidenced in urban and regional architecture.

## 3. APPROVED USES

The Approved Plan of Development issued by Sunshine Coast Regional Council defines the approved use on the Flinders Precinct allotments (SOHO allotments) as a Shop, Restaurant or Office forming part of a single detached dwelling.

The SOHO tenancy must be sited and constructed in accordance with the approved building envelopes and dwelling controls (ie. the Plan of Development) shown on the Approved Plans.

The commercial component of the single dwelling SOHO must not be used for any purpose other than the following uses as defined in the planning scheme:

- (a) Shop
- (b) Office
- (c) Restaurant.

The approved commercial use within each detached dwelling SOHO must not exceed 60m<sup>2</sup> and be located in accordance with the approved plan of development. All business activities must be conducted entirely within the premises as shown on the Approved Plan of Development, except for the parking, loading and unloading of vehicles which may occur within the existing road reserve way to the east.

The approved use may be operated by non-resident employees, but must remain as part of a single combined residential/commercial use.

All stored equipment, goods or materials used in association with the approved business must be located within the approved use area of 60m<sup>2</sup>.

Any storage of flammable and/or combustible liquids must comply with the minor storage provisions of Australian Standard AS1940 – *"The Storage and Handling of Flammable and Combustible Liquids"*.

The approved use must not interfere with the amenity of the neighbourhood from the operation of machinery or electrical equipment, or from light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, grit, oil, dust, waste water, waste products, electrical interference or other.

Non-residential uses on the premises must not operate outside the hours of:

- (a) 7am to 9pm Monday to Thursday
- (b) 7am to 9pm Friday and Saturday
- (c) 9am to 9pm Sunday or any public holiday

Service vehicle movements associated with non-residential uses on the premises (including loading and unloading) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. All service vehicles associated with the commercial component must not occur on the western street frontage (residential area).

The commercial use within each detached dwelling must not be separately titled.



## 3. APPROVED USES

### 3.1 STREET FRONTAGES INCLUDING DISPLAY SIGNAGE AND STREET IDENTIFICATION

The street address of the Office, Shop and Restaurant must be clearly visible and discernible from the primary frontage Flinders Lane by the use of street numbers and the building name. Customer entrances are only allowed from the primary frontage and Council will not permit the western side of the allotments as customer access or servicing access.

The entrance and windows into a ground floor sales area or an office should dominate the street frontages and upper floors must have windows and or balconies overlooking the street.

The use of awnings are encouraged and these may be constructed over the street verge, up to the extend and maximum depth as shown on the Plan of Development. These awnings may extend the full width of the lot or may be constructed over entrances and street level windows. Any awnings proposed to the street shall be cantilevered at 2.5m from the finished footpath level.

During operating hours, all pedestrian areas and entrances/exits to all stairwells, lifts, foyers must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of "Australian Standard AS1158 – Public Lighting Code".

### 3.2 CUSTOMER PARKING

Customer or visitor parking is NOT permitted at the rear of the lot, in the adjoining laneway or in the shared driveway to Lot 1 to 3.

### 3.3 FOOTPATH DINING

A permit is required from Council for a business wishing to use Council controlled road reserve or footpath areas for outdoor dining purposes. In general terms, the area for seating of diners should be accommodated within the confines of private property. If a business seeks to seat additional patrons on Council land, an application must be made and assessed by Council. Not all applications made will be approved, and factors such as pedestrian access, street scaping compatibility, DA conditions, capacity of kitchen and toilet facilities, number of tables and chairs etc will be taken into account in assessing each application.

## 4. COVENANTS

The Developers of Sunshine Cove will require Buyers to abide by these protective covenants as detailed in the Flinders Precinct Design Covenant. These covenants will facilitate high standards of design for individual SOHO dwellings and streetscapes without limiting choice and opportunity for independent design or sustainable commercial and living considerations.

### 4.1. DETAILED SOHO PLANS

Detailed SOHO plans will be required as part of the building approval process. These plans will be prepared by the Buyer, at the Buyer's cost, to illustrate elements such as building envelope locations, outdoor living areas and courtyard locations, garage locations, and building heights.

### 4.2. ACOUSTIC COMPLIANCE

Due to the cosmopolitan locale, homes and or offices constructed within the Sunshine Cove development will be required to meet acoustic compliance. A detailed Acoustic Report advising on use of materials, room design and window treatments, garnered through an Acoustic Assessment will be required to be provided along with plan details (refer to section 4. Approval Process) to the Developer for approval and endorsement and to either the local government or a building certifier as evidence of compliance upon lodgement of plans for building approval.

Any fixed plant and equipment\* that causes either tonal (Leq) sound (e.g. from exhaust ductwork, air conditioning units or refrigeration units), or impulse (Lmax) sound, must be enclosed, shielded and/or positioned to ensure that sound pressure does not exceed the following levels for habitable rooms within dwellings:

- (a) 45 dB(A) Leq for living and work areas
- (b) 40 dB(A) Leq for sleeping areas
- (c) 50 dB(A) Lmax for all areas

Note: Measurement of sound pressure levels (adjusted for tonality and impulse) must be in accordance with Australian Standard AS1055.1 – Acoustics - Description and measurement of environmental noise - General procedures".

### 4.3 RESTAURANT KITCHEN EXHAUST

Any kitchen exhaust point as a result of the development (e.g. restaurant as part of the SOHO units) must be located and operated in accordance with Australian Standard AS1668.2-2012 "The use of ventilation and air-conditioning in buildings", specifically Section 3.10 - Air Discharges to ensure the exhaust point is correctly designed, constructed and positioned in accordance with the standard to prevent a noise or odour nuisance.

Kitchen exhausts for any commercial kitchens must be located away from neighbouring properties.

### 4.4. OTHER APPLICABLE DOCUMENTS

The Flinders Precinct Design Covenant is to be read in conjunction with any other relevant and current statutory documents including, most particularly, Plan of Development (RPS Setbacks Plan 22153- 166), the Queensland Development Code, Building Code of Australia and Standard Building Regulation.



## 4. COVENANTS

### 4.5 SUNSHINE COVE DESIGN ENDORSEMENT BOARD

Development and construction proposed for SOHO sites will require the approval of the 'Sunshine Cove Design Endorsement Board'(SCDEB). The Board appointed by the Developer, will comprise of a representative from the Developer, an architect and a town planning professional, who will each review the Development and Construction Application to ensure compliance with the Flinders Precinct Design Covenant.

Three (3) copies of a Development and Construction Application are to be submitted to the Board for approval, and must include information pertaining to proposed site use along with site plans, floor plans, elevations including the proposed built form, external material and finishes / colours and include location of air conditioning units, TV antennas, solar heating panels with a detailed design for landscaping and fencing.

Each application must also be accompanied by an Acoustic Report, prepared by a recognised Acoustic Engineer, providing design and material compliance.

### 4.6 BUILDING APPROVAL

Upon approval by SCDEB, an approval letter will be provided to the Buyer from the Developer. Once approval is received, the plans will need to be submitted for building approval through the Sunshine Coast Regional Council or alternatively a private certifier. It is the applicant's responsibility to ensure appropriate documentation and fees are submitted for approval.

A copy of the approved Development and Construction Application will remain the property of the Developer for the purpose of future lot specific referencing. The Buyer acknowledges that the Developer may provide a copy of elevation detail to adjoining property owners to enable complimentary designs to be enacted. Copyright of approved designs remains the property of the Buyer or the Buyers architect / designer and the Buyer indemnifies the developer against any breach of this.

## 5. BUILDING APPEARANCE AND STREETScape

Building designs should, in regional architectural language, fit to the Sunshine Cove urban context. Building elevations should feature a composite of external wall finishes with elevations to be articulated to provide visual interest as well as maximising sustainable construction opportunities. Blank facades are to be avoided through the provision of projections and indentations on floor plans with resultant shadow effects and corresponding roof elements. The street or 'public face' of the building should be detailed to provide visual richness as well as enabling sustainable and environmental considerations to be implemented (variety and reflective of individual identity).

This can be achieved through:

- The application of colour, texture and changes in materials;
- The use of elements such as awnings, balconies and glazing.
- Dwellings should facilitate passive surveillance from living rooms and balconies and also incorporate the garages;
- Front entries are clearly identifiable from the street through expressed elements such as porticos, porches, entry statements etc;
- Elevations, which reflect the desired character through the application of a mix of materials and colours as, outlined in the introduction and section 6.2 Wall Materials.

Direct overlooking between dwellings must be minimised by;

- (a) building layout;
- (b) location and design of windows to be predominantly to front and back boundaries;
- (c) location and design of balconies; and
- (d) Screening devices and landscaping where required.

The street address of the commercial use must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and where appropriate the building name.

### 5.2 SECONDARY STREET ELEVATIONS

To promote sustainable building practices and enhance aesthetics, diversity and security, construction on corner lots is required to address both the primary and secondary streets. The secondary street elevation is to be articulated and feature suitable level of detail including windows consistent with that of the primary street elevation as well as maximising sustainable construction opportunities.

### 5.3 PRIVATE OPEN SPACE

Each design is required to include private open space of at least 16m<sup>2</sup> in size, that is accessible from the living area of the dwelling.

### 5.4 ROOF FORM

- Pitches lower than 30° should be limited to secondary roofs such as verandas and awnings to enable adequate and suitable areas for the placement of solar or electrical panels etc;
- For habitable spaces within a roof, the pitch maybe broken by dormer windows;
- At gables the roof verge is to have a minimum 200mm overhang;
- The minimum eaves overhang is 450mm except at nil side setbacks, or where limited by side setback requirements, or at areas of extended roof cover such as verandas, entry porticos and awnings, or at non-habitable areas such as garages and stores.
- Flat roofs shall generally be hidden behind parapets.

For walls not built to boundary, eaves are permitted to extend:

- Up to 450mm from a boundary shared with a rear laneway or adjoining lot; and
- Up to the property boundary otherwise.



## 5. BUILDING APPEARANCE AND STREETScape

### 5.5 BUILDING HEIGHT, SITE COVER AND SETBACKS

Single dwelling units (including any business tenancy on site) are limited to 3 storeys and 12 meters above natural ground level (where roof top terraces are defined as a storey) and for 3 storey buildings, the third storey:

- Is an integral part of the overall design of the building; and
- It setback as per the second storey in the allotment setback table; and
- The site cover of the third storey does not exceed 60% of the total site area.

Multiple Dwelling Units including mixed use and other commercial premises are limited by the height controls specified in the Wisers Farm PAD (2006).

The maximum allowable height for all dwellings, the site cover and setbacks for individual allotments is to be as shown on the approved Conics Setbacks Plan 22153-166 for all created allotments.

### 5.6 SITE LEVELS AND RETAINING WALLS

To maintain views and avoid overlooking issues additional retaining on existing retained boundaries is not permitted. Existing site levels may not be raised by more than 200mm without the specific written approval of the developers of Sunshine Cove.

### 5.7 FILL

It is acknowledged that the lots may have been filled. It is the Buyers responsibility to make their own investigations to satisfy any proposed building operation as to the suitability of any footing, foundations or proposed construction given the nature of the lot as to any requirements in that regard. All costs associated with this will be at the Buyers expense.

## 6. WALL MATERIALS

Walls visible from a street or other public space should feature a composite of construction finishes. A dominant material such as painted or coloured render/bagging, face brickwork, stone, rammed earth or block work is to be complemented by minor elements of alternative materials with selections from the following:

- Face and rendered/painted brickwork/block work of contrasting colours;
- Stone cladding;
- Clear glazing;
- Weatherboards, painted or natural finish;
- Corrugated sheet metal cladding in custom or mini orb profile in Colorbond or Zinalume finish;
- Compressed fibre cement cladding.

Tilt up or precast concrete will only be approved for internal walls or where the design exhibits sufficient components of detail and glazing to satisfy the spirit of the guidelines and must comply with the Queensland Development Code.

The use of recycled building materials is also encouraged, to compliment the environmental sustainable philosophy of Sunshine Cove.

### 6.1 WINDOW MATERIALS

All ground floor shopfront glazing must be protected against vandalism by the use of a form of safety glass such as toughened or laminated glass.

Security screens and doors fitted to external windows and doors on all external and visible faces are to be wire mesh only with no visible reinforcing to enhance natural ventilation.



## 7. COLOUR

The use of colour will be a valuable means of unifying buildings within Sunshine Cove. In keeping with regional architectural and sustainable 5 star building practice, base colour indicators should be derived from the local natural elements. The intent is not to stifle expression, rather to provide compatible base colours, which can be accentuated through the application of tonal variations and accent colours.





## 8. FENCES

Notwithstanding the Dividing Fences Act 1953 as amended to the contrary, the Buyer shall not make any claim against the Seller / Developer for contribution to the construction of any dividing fences on or within boundaries or between the Lot, or any adjoining lot owned by the Seller.

Fencing to all boundaries of the land other than those to which fencing is restricted by these covenants should be erected before occupation of the dwelling.

### 8.1 FRONT STREET FENCES

In order to enhance the sense of community fostered at Sunshine Cove, fencing proposed for a primary street boundary is to be low to maintain an open streetscape which facilitates visibility and casual cross surveillance. This is preferred to be in the form of low rendered masonry to a maximum height of 0.9m for piers and 0.8m for permeable panels.

### 8.2 SECONDARY STREET FENCES

In line with the requirement for corner SOHO's to address both streets, any fencing along the corner truncation and at least to the setback of the front boundary of the first habitable room of the secondary street boundary is required to be a continuation of low or visually permeable front fencing. The balance of secondary street fencing may be solid to suit particular privacy requirements (to a maximum height of 2m adjoining external courtyards).



### 8.3 LANEWAY AND TERRACE DIVIDING FENCES

All fences dividing adjoining properties shall be a maximum height of 1.8m and constructed of masonry or similar. Such fencing shall not project past the adjoining front building line. Dividing fencing in front of the building line shall be low or visually permeable as required for a front fence.

This fence must be articulated (maximum length of unarticulated fence is 4m) without a landscape recess or feature panel of 2m in length.

### 8.4 FENCING PROVIDED BY THE DEVELOPER

Where desirable, the Developer, at their discretion may construct front boundary fencing where it is determined that consistency of design and materials will be beneficial to the amenity of the project. It will remain the responsibility of the Buyer to provide all visually permeable infill panels.

### 8.5 FENCING MATERIALS

Colorbond capped metal, corrugated fibre cement, standard wooden paling boundary fencing is not permitted.





## 9. BOUNDARY WALLS

Built to boundary wall is mandatory where shown on plan. Where optional built to boundary walls are not adopted side boundary setbacks shall be in accordance with the Allotment Setback Table for non-built to boundary walls detailed herein and also as documented on the Approved Plan of Development.

For SOHO lots built to boundary walls shall not exceed the front or rear setbacks for the lot. Terrace boundary walls must be fire resistant.

On corner SOHO lots, optional built to boundary walls fronting the street or lane shall not exceed two storeys of 7.5m in height.

## 10. RETAINING WALLS

- (a) Retaining walls constructed of concrete block work and located on the front boundary or within the front boundary setback area must be treated with a rendered finish and colour coordinated with the main building on the Lot.
- (b) The Buyer acknowledges that the Seller may have caused the construction of a retaining wall on the boundary of the Lot. The Buyer or someone acting on its behalf shall not, when excavating or building on the Lot, interfere with or undermine the structural integrity of the retaining wall. The Buyer agrees to indemnify and keep harmless the Seller and any other affected person (eg. adjoining land owner) from any breach of this covenant.



## 11. ESTATE WALL

Estate walls that have been installed by the Seller/Developer, for the purpose of enhancing the value of the Lot and also the Estate generally, will not be permitted to be removed, changed, damaged or altered.

## 12. LANDSCAPING

All landscaping works are to be of high quality and complementary to the SOHO design, are to be submitted for approval by the SCDEB along with SOHO building designs and should be completed prior to occupation or completion of the premises, whichever is the sooner.

## 13. VEHICLE ACCESS

No direct vehicular access is permitted to or from the site along its boundaries with Maroochy Boulevard. All vehicular access must be obtained via the internal road network.

### VEHICLE ACCESS, GARAGES AND DRIVEWAYS

For lots serviced by a rear laneway, including but not limited to lots 1 to 15 inclusive, vehicular access must be and is required to be off the rear laneway with vehicular access not permitted off the front or secondary street. Garages are to be used by residents or staff of business/es onsite.



## 14. DRIVEWAYS

Driveways should be paved or constructed of concrete with exposed aggregate or stamped or stencilled surfacing. Driveways should be completed prior to habitation or completion of the property, whichever is the sooner.

### 14.1 LOCATION

Driveways to individual allotments must be located clear of and must not interfere with any bio-retention pods or landscaped water quality management areas that may be located between the property boundary and the alignment of the road.



## 15. OTHER CONSIDERATIONS

### 15.1 SUSTAINABLE BUILDINGS

Buildings must comply with Queensland Development Code MP4.1 Sustainable Buildings for water conservation, energy efficient lighting and hot water.

### 15.2 SITE SERVICES

All piped and wired services including waste and vent pipes, refrigerant lines and cable ducts are required to be built into walls and are not to be visible from the street or adjoining properties.

### 15.3 LETTER BOXES

For laneway lots, letterboxes shall be located at the primary street or public open space frontage as shown on the approved plan of subdivision. Letterboxes are not permitted to be located on the laneway boundary.

### 15.4 RUBBISH BINS AND WASTE MANAGEMENT

PVC or bulk rubbish bins should not be visible from public areas except on rubbish collection days. Bins shall be located in a screened storage area and shall not be located along the primary street frontage of the lot. All laneway allotment Buyers are required to install bin pads accessible from the laneway as per the approved Plan of Development (Conics Setback Plan 22153-80B).

Refuse storage, removal and collection facilities must be provided in accordance with the approved plans and the following:

- (a) Provision two 240L wheelie bins for each dwelling unit.
- (b) Provision of separate bins for general and recyclable waste for each dwelling unit.
- (c) Provision of a level area at the kerbside of the service road at the rear of the dwelling units for the temporary storage of bins on collection days, having minimum dimensions of 0.36 m<sup>2</sup> (600mm x 600mm) per bin.

(d) Provision of the temporary storage bin area in a manner that allows the service of wheelie bins via a side bin lift waste collection vehicle\*.

(e) The temporary storage bin area must be designed and constructed in a manner that will, whilst bins are stored in the area not obstruct the safe manoeuvre of vehicles along the service road at the rear of the dwelling units.

### 15.5 AIR CONDITIONERS

As air conditioning units are noise generating and often unsightly, its impact on adjoining properties and public areas is to be mitigated. Air conditioning units and other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened to minimise the impact on neighbours and is to be visually concealed from public areas. Any roof mounted air conditioning or evaporative cooling plant is required to be located so as to not be visible from a street or public open space and is to be finished in a colour to match that of the roof.

Any balcony plant is to be visually and acoustically screened from adjacent dwelling units and visually screened from streets and other public areas.

### 15.6 TV ANTENNAE AND SATELLITE DISHES

TV antennae are to be located within the roof space or to the rear of the roof, wherever reception permits but not visible from any principle street frontage.

### 15.7 SOLAR COLLECTORS

In line with sustainability principles, the use of gas boosted solar hot water and swimming pool heating systems is encouraged, however solar collectors should not be visible

from public spaces unless there is no other location which affords suitable solar exposure. In this case they should be installed on the plane of the roof, with water tanks ideally located within the roof space.

### 15.8 CLOTHES LINES AND DRYING AREAS

These should be located to access winter sunshine and prevailing breezes and shall not be visible from public areas and not located on the primary street frontage and must be screened from view from any adjoining public space.

### 15.9 PARKING, TRAILERS, CARAVANS AND SIMILAR VEHICLES

All cars are required to be parked within individual garages. Any other vehicle, including but not limited to caravans, trailers, boats, jet skis, motorbikes, are to be parked/ housed within the property boundaries and should not be visible from public areas.

### 15.10 RAINWATER TANKS

Rainwater tanks are in line with the Sunshine Coast Regional Council and at the time of writing (October 2013) are optional. Rain water tanks to be located outside private open space area or underground.

## ALLOTMENT SETBACK TABLE

ALLOTMENT TYPE	SOHO lot
Allotment Width	8m+
Front Setback (Eastern Lot Boundary)	
Habitable Rooms	0.0m (Optional)
Rear Setback (Western Lot Boundary)	
First Storey	0.5m
Second Storey	0.5m
Third Storey	0.5m
Garage	0.5m
Side Setback	
Built to Boundary Wall	
First Storey	0.0m
Second Storey	0.0m
Third Storey	0.0m
Non Built to Boundary	
First Storey	0.0m (Optional)
Second Storey	0.0m (Optional)
Third Storey	0.0m (Optional)

## 16. SITE SPECIFIC CONSIDERATIONS

SOHO ALLOTMENT 8.0m wide Lots 4 to 6 & 9 to 14

Built to Boundary Walls are mandatory where shown on plan.

### Building Height:

Maximum Building height shall be 3 storeys (12m above natural ground level) with a minimum height being 2 storeys.

### Private Open Space:

At least 16m<sup>2</sup> (not roofed) in size provided at ground level of the dwelling and includes a deep planting zone.

Has no dimension less than 3m

### Store:

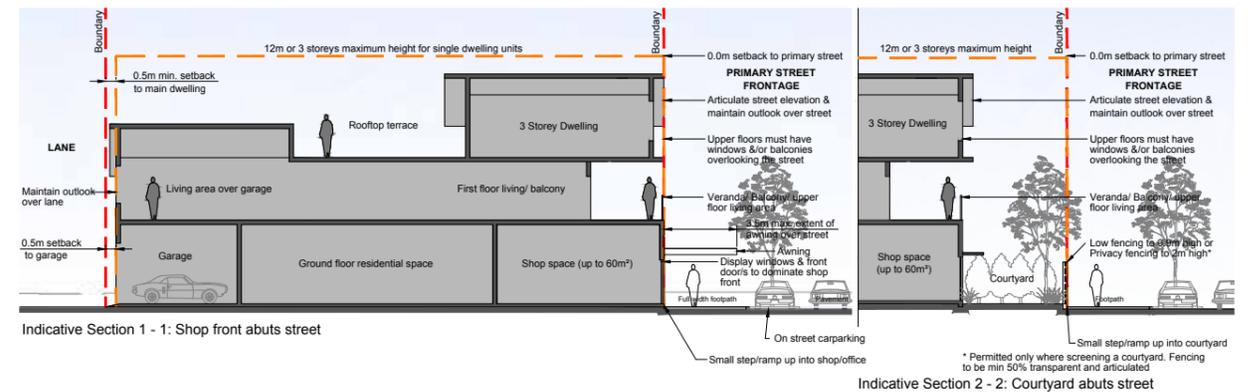
Each dwelling should have a store area (Min 4m<sup>2</sup>) provided under the main or garage roof, accessible from either outside the dwelling or within the garage area and where possible that shortage area should be shielded from public view.

### Parking:

Minimum of 2 onsite covered spaces required in a garage with a segmented panel lift or roller door.

### Additional Information

- Site cover for third storey cannot exceed 60% of the total site area.
- One window (min.) to a habitable room per level is to address the street
- Street elevation is to be articulated. This may include allowable protrusions into the setback area.
- In the event of a conflict between the information shown here and the approved Plan of Development (RPS Setbacks Plan 22153-166) the approved Plan of Development shall override.
- Boundary setbacks are measured to the wall of the building or structure;
- Minor variations to the approved Plan of Development for individual lots to suit specific conditions are to be assessed as alternative provisions for design and siting under the Building Act 1975 (as amended);
- # Garages to be located along built to boundary wall unless otherwise indicated by the Plan of Development. Tandem parking is permitted.



### Indicative Plan



### Legend

Allotment Boundary	Separate Residential Entry	Private Open Space (size shown is nominal)	Service easement
Indicative Building Footprint	Shop Entry onto Street/ Courtyard	Garage	Screen fencing 1.8m high
Optional Built to Boundary Wall	Letterbox Located on Primary Street Frontage	Alternative Tandem Garage	Low fencing to 0.9m high
Setback to Main Building	Bin Collection on Lane	Driveway	Shop (indicative)

Note: drawings are not to scale

## ALLOTMENT SETBACK TABLE

ALLOTMENT TYPE	SOHO lot
Allotment Width	8m+
Front Setback (Eastern Lot Boundary)	
Habitable Rooms	0.0m (Optional)
Rear Setback (Western Lot Boundary)	
First Storey	0.5m
Second Storey	0.5m
Third Storey	0.5m
Garage	0.5m
Side Setback	
Built to Boundary Wall	
First Storey	0.0m
Second Storey	0.0m
Third Storey	0.0m
Non Built to Boundary	
First Storey	0.0m (Optional)
Second Storey	0.0m (Optional)
Third Storey	0.0m (Optional)

## 17. SITE SPECIFIC CONSIDERATIONS

SOHO ALLOTMENT 8.0m+ wide Lots 7, 8 & 15

Built to Boundary Walls are mandatory where shown on plan.

### Building Height:

Maximum Building height shall be 3 storeys (12m above natural ground level) with a minimum height being 2 storeys.

### Private Open Space:

At least 16m<sup>2</sup> (not roofed) in size provided at ground level of the dwelling and includes a deep planting zone.

Has no dimension less than 3m

### Store:

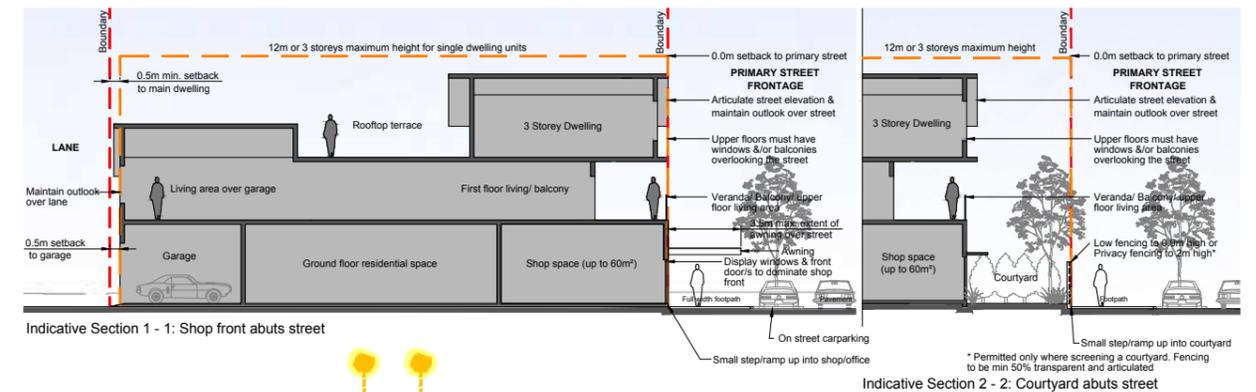
Each dwelling should have a store area (Min 4m<sup>2</sup>) provided under the main or garage roof, accessible from either outside the dwelling or within the garage area and where possible that shortage area should be shielded from public view.

### Parking:

Minimum of 2 onsite covered spaces required in a garage with a segmented panel lift or roller door.

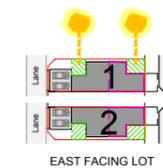
### Additional Information

- Site cover for third storey cannot exceed 60% of the total site area.
- One window (min.) to a habitable room per level is to address the street
- Street elevation is to be articulated. This may include allowable protrusions into the setback area.
- In the event of a conflict between the information shown here and the approved Plan of Development (RPS Setbacks Plan 22153-166) the approved Plan of Development shall override.
- Boundary setbacks are measured to the wall of the building or structure;
- Minor variations to the approved Plan of Development for individual lots to suit specific conditions are to be assessed as alternative provisions for design and siting under the Building Act 1975 (as amended);
- # Garages to be located along built to boundary wall unless otherwise indicated by the Plan of Development. Tandem parking is permitted.

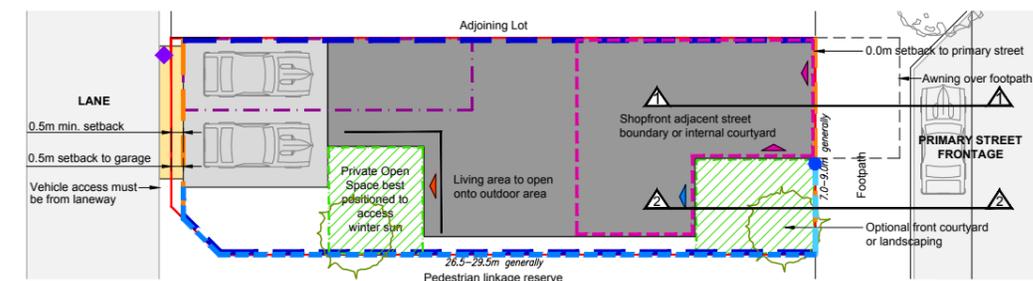


### Solar Orientation Diagrams

- 1 Lots: 7 & 15
- 2 Lot: 8



### Indicative Plan



### Legend

Allotment Boundary	Separate Residential Entry	Private Open Space (size shown is nominal)	Service easement
Indicative Building Footprint	Shop Entry onto Street/ Courtyard	Garage	Screen fencing 1.8m high
Optional Built to Boundary Wall	Letterbox Located on Primary Street Frontage	Alternative Tandem Garage	Low fencing to 0.9m high
Setback to Main Building	Bin Collection on Lane	Driveway	Shop (indicative)

Note: drawings are not to scale

## ALLOTMENT SETBACK TABLE

ALLOTMENT TYPE	SOHO lot
Allotment Width	8m+
Front Setback (Eastern Lot Boundary)	
Habitable Rooms	0.0m (Optional)
Rear Setback (Western Lot Boundary)	
First Storey	0.5m
Second Storey	0.5m
Third Storey	0.5m
Garage	0.5m
Side Setback	
Built to Boundary Wall	
First Storey	0.0m
Second Storey	0.0m
Third Storey	0.0m
Non Built to Boundary	
First Storey	0.0m (Optional)
Second Storey	0.0m (Optional)
Third Storey	0.0m (Optional)

## 18. SITE SPECIFIC CONSIDERATIONS

SOHO ALLOTMENT 8.0m+ wide Lots 1

Built to Boundary Walls are mandatory where shown on plan.

### Building Height:

Maximum Building height shall be 3 storeys (12m above natural ground level) with a minimum height being 2 storeys.

### Private Open Space:

At least 16m<sup>2</sup> (not roofed) in size provided at ground level of the dwelling and includes a deep planting zone.

Has no dimension less than 3m

### Store:

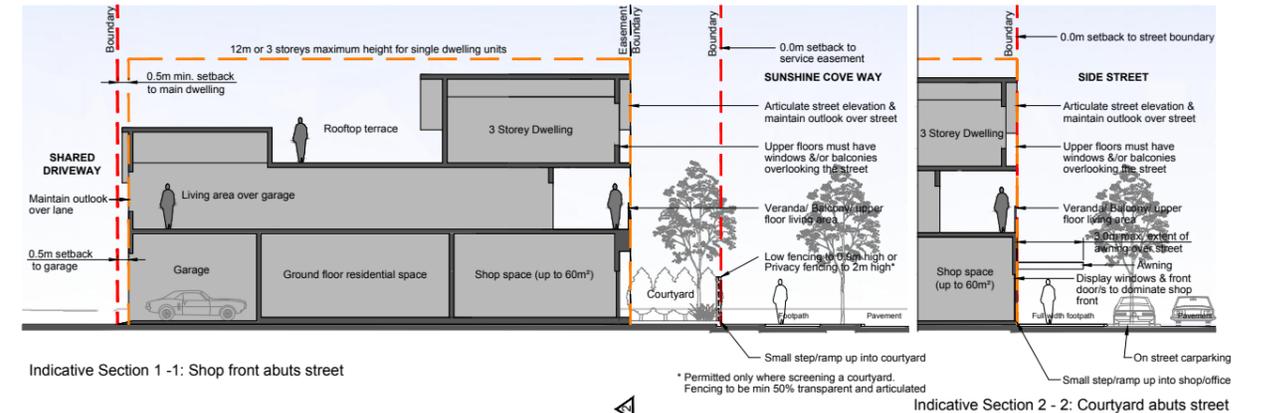
Each dwelling should have a store area (Min 4m<sup>2</sup>) provided under the main or garage roof, accessible from either outside the dwelling or within the garage area and where possible that shortage area should be shielded from public view.

### Parking:

Minimum of 2 onsite covered spaces required in a garage with a segmented panel lift or roller door.

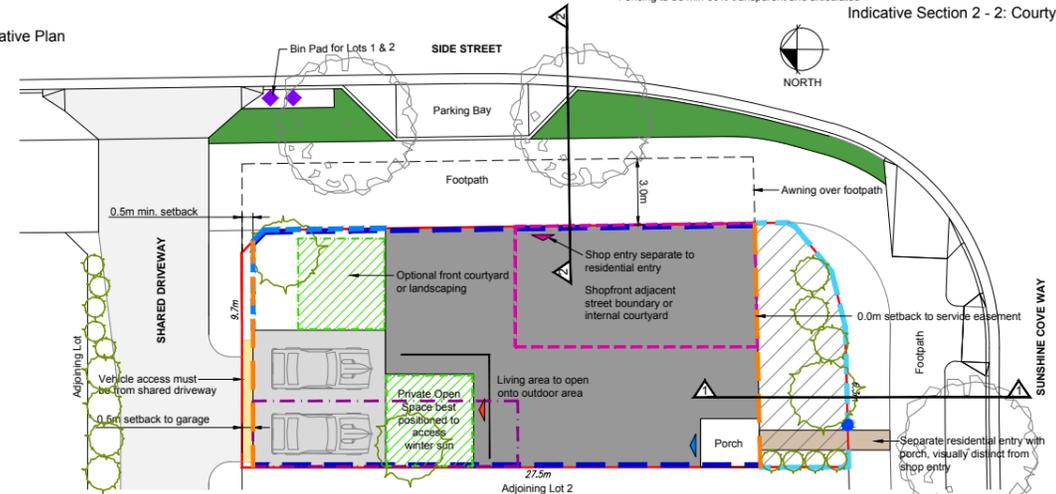
### Additional Information

- Site cover for third storey cannot exceed 60% of the total site area.
- One window (min.) to a habitable room per level is to address the street
- Street elevation is to be articulated. This may include allowable protrusions into the setback area.
- In the event of a conflict between the information shown here and the approved Plan of Development (RPS Setbacks Plan 22153-166) the approved Plan of Development shall override.
- Boundary setbacks are measured to the wall of the building or structure;
- Minor variations to the approved Plan of Development for individual lots to suit specific conditions are to be assessed as alternative provisions for design and siting under the Building Act 1975 (as amended);
- # Garages to be located along built to boundary wall unless otherwise indicated by the Plan of Development. Tandem parking is permitted.



Indicative Section 1 - 1: Shop front abuts street

Indicative Plan



### Legend

Allotment Boundary	Separate Residential Entry	Private Open Space (size shown is nominal)	Service easement
Indicative Building Footprint	Shop Entry onto Street/ Courtyard	Garage	Screen fencing 1.8m high
Optional Built to Boundary Wall	Letterbox Located on Primary Street Frontage	Alternative Tandem Garage	Low fencing to 0.9m high
Setback to Main Building	Bin Collection on Lane	Driveway	Shop (indicative)

Note: drawings are not to scale

## ALLOTMENT SETBACK TABLE

ALLOTMENT TYPE	SOHO lot
Allotment Width	8m+
Front Setback (Eastern Lot Boundary)	
Habitable Rooms	0.0m (Optional)
Rear Setback (Western Lot Boundary)	
First Storey	0.5m
Second Storey	0.5m
Third Storey	0.5m
Garage	0.5m
Side Setback	
Built to Boundary Wall	
First Storey	0.0m
Second Storey	0.0m
Third Storey	0.0m
Non Built to Boundary	
First Storey	0.0m (Optional)
Second Storey	0.0m (Optional)
Third Storey	0.0m (Optional)

## 19. SITE SPECIFIC CONSIDERATIONS

SOHO ALLOTMENT 8.0m+ wide Lots 2 & 3

Built to Boundary Walls are mandatory where shown on plan.

### Building Height:

Maximum Building height shall be 3 storeys (12m above natural ground level) with a minimum height being 2 storeys.

### Private Open Space:

At least 16m<sup>2</sup> (not roofed) in size provided at ground level of the dwelling and includes a deep planting zone.

Has no dimension less than 3m

### Store:

Each dwelling should have a store area (Min 4m<sup>2</sup>) provided under the main or garage roof, accessible from either outside the dwelling or within the garage area and where possible that shortage area should be shielded from public view.

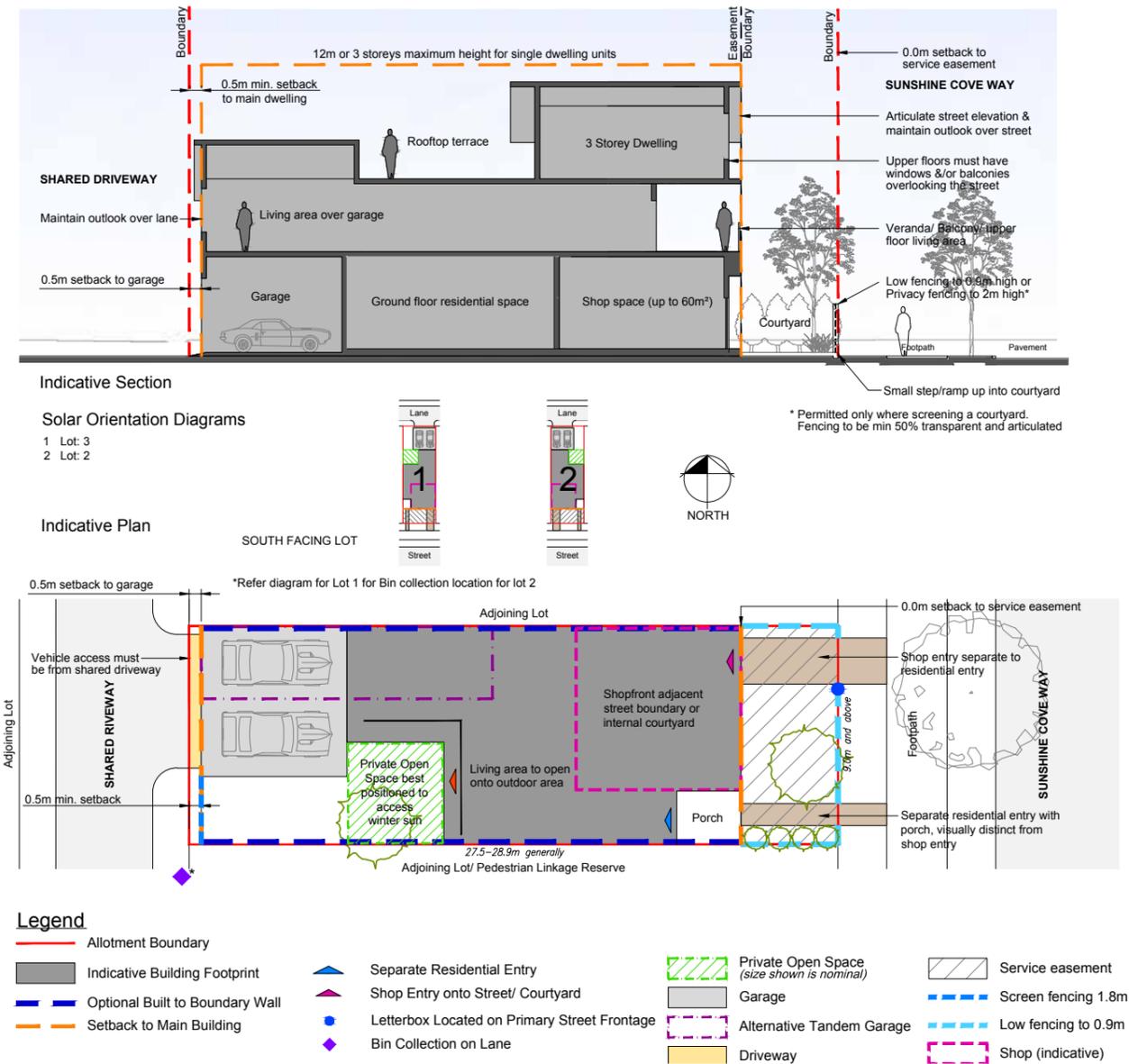
### Parking:

Minimum of 2 onsite covered spaces required in a garage with a segmented panel lift or roller door.

### Additional Information

- Site cover for third storey cannot exceed 60% of the total site area.
- One window (min.) to a habitable room per level is to address the street
- Street elevation is to be articulated. This may include allowable protrusions into the setback area.
- In the event of a conflict between the information shown here and the approved Plan of Development (RPS Setbacks Plan 22153-166) the approved Plan of Development shall override.
- Boundary setbacks are measured to the wall of the building or structure;
- Minor variations to the approved Plan of Development for individual lots to suit specific conditions are to be assessed as alternative provisions for design and siting under the Building Act 1975 (as amended);

# Garages to be located along built to boundary wall unless otherwise indicated by the Plan of Development. Tandem parking is permitted.



## 20. ADDITIONS AND EXTENSIONS

Additions and extensions to the SOHO property, outbuildings and other structures, including new verandas, pergolas, outbuildings, sheds, swimming pools and garden structures are subject to the same covenant requirements and application for approval must be made to the Seller in the same manner as the original building applications.

## 21. MAINTENANCE OF LOTS

During construction it will be the responsibility of the Buyer to ensure that rubbish including site excavations and building materials is kept in such a manner that the community presentation and safety is not effected. Excessive growth of grass or weeds upon the Lot will also need to be maintained to up hold the visual amenity of Sunshine Cove.

## 22. BUILDING WORKS

It is the Buyers responsibility to ensure that their builders / contractors working on site comply with environment controls that are reflective of current best practice, meet Sunshine Coast Regional Council standards and work health and safety measures. During construction of either terrace or laneway homes, access will only be permissible from the rear of the Lot and Buyers will be responsible for any necessary rectification works to adjoining property, parklands, streetscape or land owned by the Developer.

It is the responsibility of the Buyer and the Buyers builder / contractor to install appropriate sediment control measures onsite prior to construction commencing and ensure they are maintained accordingly. The Buyer agrees to substantially commence construction in accordance with the approved Development and Construction Application within six months from the date of settlement.

## 23. ADVERTISING SIGNS

Sunshine Cove's community quality presentation standard is to be held in regard in consideration of the use of advertising signs on individual lots.

Signage representing business(es) operating on the allotment may address the street frontage. This signage may be integrated into the design of the building or be associated with an awning or front fence where applicable but it must not visually dominate.

Signage may not front the rear boundary of these allotments

## 24. PUBLIC USE OF LAKEWAY

Swimming and water activities based on or around the lake or water way at Sunshine Cove are prohibited and are not encouraged or advisable.

The Developer will not be held liable for any injury, accident or death to members of the public swimming or undertaking water activities.

The use of motorised activities on the waterways is also prohibited by the Sunshine Coast Regional Council.

## 25. SELLER'S RIGHT TO VARY OR EXCLUDE ANY COVENANT CONDITIONS

The Seller reserves the right at the request of a Buyer or at its own discretion to vary or exclude any of the obligations under the Covenants provided that such action will only be taken by it in keeping with the aims to establish a well-designed premier residential community. The Buyer hereby absolves the Seller from any liability whatsoever for any action taken in the variation or exclusion of any Covenant including a Covenant with any other Buyer in the Estate.

The Seller acknowledges that new products designed as substitutes or alternatives for the various materials listed herein will be marketed from time to time and provided these products, in its opinion, are not inconsistent with the aims of the covenant, they will at the absolute and sole discretion of the Seller be acceptable.

## 26. INFORMATION SUPPLIED BY SELLER

The accuracy of any information supplied is not warranted by the Seller and the Buyer acknowledges that it has entered into this Contract solely on the basis of the Buyer's own investigation. The Seller will not be liable in Contract or in Tort for the accuracy, adequacy or suitability of any information, documents or advice in relation to the condition of the Lot or its surroundings.

## 27. LEGAL DUTY OR OBLIGATION

The Buyer and the Seller acknowledge and agree that these provisions relating to building covenants do not create any legal duty or obligation for the benefit of or enforceable by a third party in terms of Section 55 of the Property Law Act 1974 as amended and the operation of that section is hereby expressly excluded in respect of this Contract.

## 28. NO MERGER

The Buyer agrees that the provisions of this Covenant will not merge on the completion of this Contract.

## 29. ASSIGNMENT

The Buyer will not sell, transfer or otherwise dispose of the Land without first delivering to the Seller a Deed of Covenant given by the Buyer, Transferee or Disponee in favour of the Seller containing covenants on the same terms (mutatis

mutandis) as are set forth herein including liability to obtain such Deed of Covenant from any further Buyer, Transferee or Disponee. Such documentation is available by contacting the Seller and or the Seller's solicitor.

## 30. INCONSISTENCY

If there is any inconsistency between these covenants and a contract of sale between the Seller and the Buyer, the terms of the contract of sale will prevail to the extent of any inconsistency.

## 31. SEVERANCE

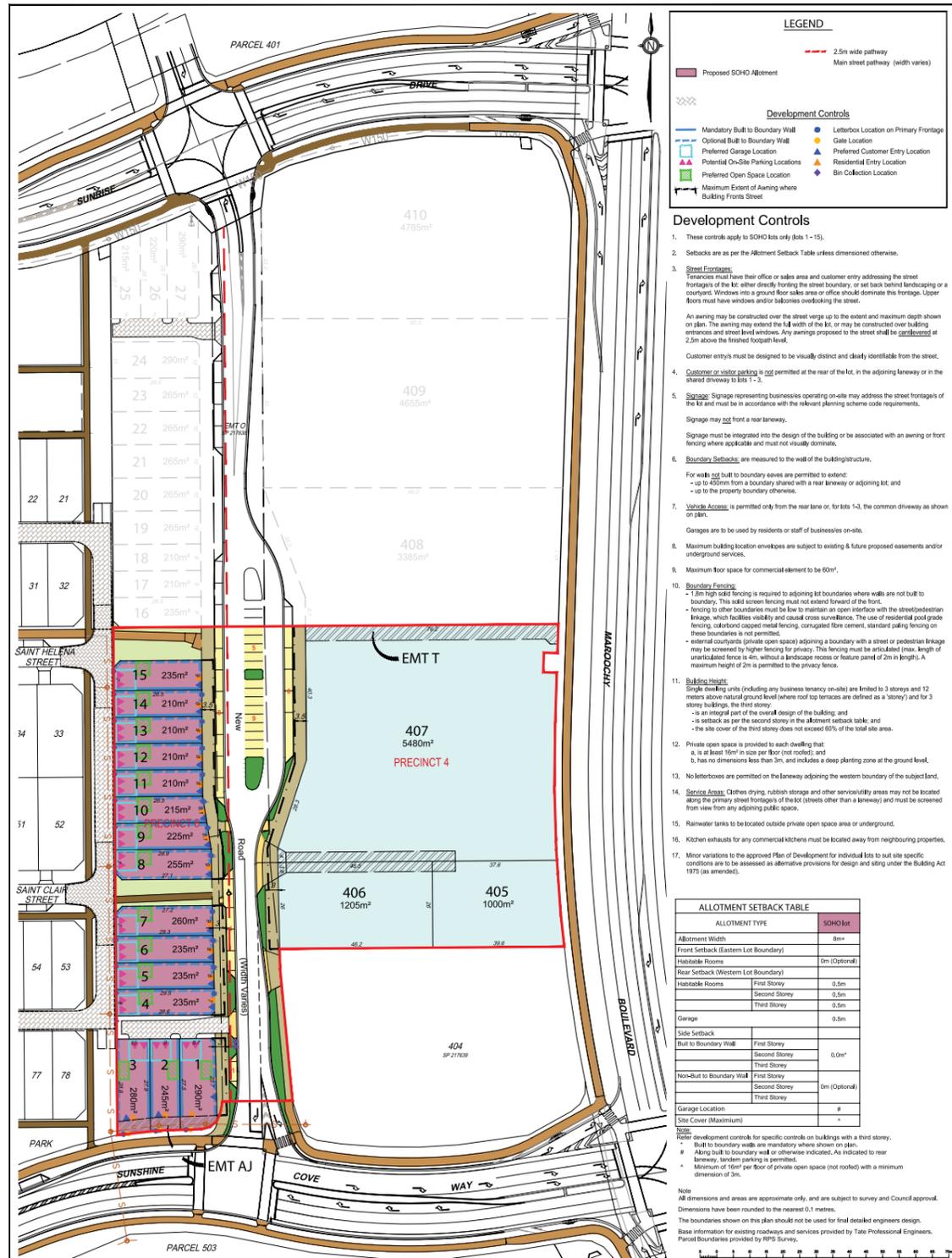
If anything in these covenants:

- (a) is unenforceable, illegal or void; or
- (b) makes any covenant unenforceable, illegal, void or voidable, then it is severed and the rest of the covenants remain in force. If it is held by a court that part of these covenants are:
  - (a) void, voidable, illegal or unenforceable; or
  - (b) makes these covenants void, voidable, illegal or unenforceable, that part will be severed from this document.

## 32. LIQUIDATED DAMAGES

The Buyer and Seller hereby agree that in the event of a breach by the Buyer of any of the provisions of this covenant, the Seller shall suffer loss, which each of the parties hereto presently estimate to be an amount of not less than ten thousand dollars (\$10,000.00) and the Buyer hereby covenants in the event of such breach, the Buyer shall pay to the Seller the sum of ten thousand dollars (\$10,000.00) (by way of liquidated damages and not as a penalty), or, at the election of the Seller, such greater sum as may represent the actual loss and damage suffered by the Seller as a result of such breach.

# FLINDERS PRECINCT PLAN



The illustrations and imagery included within this document are for illustrative purposes only, and as such are subject to change. Architectural drawings by Dimond Architects. This publication was designed and produced by Carlosus.



**DEVELOPER:**

Chardan Development Group  
PO Box 1408  
Maroochydore Q 4558  
Tel: 07 5443 2766  
Email: [admin@chardan.com.au](mailto:admin@chardan.com.au)  
[www.chardan.com.au](http://www.chardan.com.au)

**SELLING AGENT:**

Sunshine Cove Realty  
PO Box 1408  
Maroochydore Q 4558  
Tel: 1800 619 194  
Email: [scott@sunshinecoverealty.com](mailto:scott@sunshinecoverealty.com)  
[www.sunshinecoverealty.com](http://www.sunshinecoverealty.com)

**ENGINEERS:**

Tate Professional Engineers  
PO Box 1092  
Mooloolaba Q 4557  
Tel: 07 5457 5300  
Fax: 07 5477 6100  
Email: [engineers@tate.net.au](mailto:engineers@tate.net.au)

**PROJECT MANAGERS:**

KD Development Management  
PO Box 1408  
Maroochydore Q 4558  
Tel: 07 5443 2766  
Email: [admin@chardan.com.au](mailto:admin@chardan.com.au)  
[www.chardan.com.au](http://www.chardan.com.au)

**URBAN PLANNERS:**

RPS Australia East  
743 Ann Street  
Fortitude Valley Q 4006  
Tel: 07 3237 8899  
Fax: 07 3237 8833  
Email: [receptiondesk@rpsgroup.com.au](mailto:receptiondesk@rpsgroup.com.au)

**TOWN PLANNERS:**

Innovative Planning Solutions  
PO Box 1043  
Maroochydore Q 4558  
Tel: 07 5443 1444  
Email: [james@ipsptyltd.com.au](mailto:james@ipsptyltd.com.au)

**LANDSCAPE ARCHITECT:**

Place Design Group  
Suite 3/132 Bulcock Street  
Caloundra Q 4551  
Tel: 07 5499 6188  
Fax: 07 5499 6711  
Email: [sunshine@sc.placedesigngroup.com](mailto:sunshine@sc.placedesigngroup.com)



[WWW.SUNSHINECOVE.COM.AU](http://WWW.SUNSHINECOVE.COM.AU)

CREATED BY  chardan  
development  
group