Version 1.0

These Covenants apply to "Flagstone"

Stages 1A-1U

as at February 2016

Introduction

Purpose of the Covenants

The purpose of these Covenants is to ensure, amongst other things, that:

(a) the character of the Community is consistent across all lots in the Community;

(b) the building standards across all lots in the Community are of a consistent standard;

(c) each of the buildings on each of the lots in the Community conform to the Community's sustainability goals;

(d) a Registered Owner's use and enjoyment of their lot is not interfered with as a consequence of other registered owner's building activities;

(e) the value and desirability of each lot is maintained and enhanced through the adherence to a consistent standard, character and dimension; and

(f) each of the buildings in the Community comply with development approvals and laws.

How to Read This Document

This document is made up of two parts, ***Part I Building Design Covenants*** and ***Part II Post-Construction Covenants***.

Part I Building Design Covenants defines the criteria that Peet Flagstone City will use in order to assess your building plans for PFC residential covenant approval under these Covenants. This part controls the design outcome of your home (referred to as 'dwelling'), other improvements and landscaping to a minimum standard.

Part II Post-Construction Covenants are the various restrictions for the benefit of all landowners in Flagstone and are the criteria Peet Flagstone City uses to implement building time restrictions and other special conditions of sale.

You should read both parts of this document thoroughly and ensure your builder and/or dwelling designer has a copy prior to commencing the design of your dwelling.

Your lot may also have an **Individual Lot Plan**. This will be attached to the back of this document (if applicable). An Individual Lot Plan means there are additional design requirements applicable to your dwelling.

Application Process

Before undertaking any building work, you must apply for and obtain PFC residential covenant approval from the Flagstone Design Review Panel. Please make sure you include the following information in your application:

- Site plan including building envelope and dimensions setbacks, footing details for built to boundary walls, retaining wall details, fencing details (including height, material, colour and location), driveway details and location of outdoor structures;

- Floor plans including a schedule of areas in square metres;
- Elevations and sections at scale with natural ground level and finished ground level shown;
- Building finishes schedule, including colours if known; and
- Completed and signed PFC Residential Covenant Application Form (attached to these Covenants).

Please submit your plans to the Flagstone Design Review Panel for assessment and approval and allow 10 working days for a response. Further time will be required for non-conforming designs or to advise you of non-conforming items, which will require resubmission for approval.

The Flagstone Design Review Panel will contact you providing written approval (or otherwise) and a stamped set of plans confirming PFC residential covenant approval.

PFC Residential Covenant Approval

A copy of the stamped set of dwelling plans approved by the Flagstone Design Review Panel must be submitted (unamended) to a Private Certifier for your Building Permit.

Please note that an approval issued by the Flagstone Design Review Panel will not override statutory planning requirements or the development approval.

Other Requirements

Please note, in addition to these Covenants, you and your builder must comply with all of the following published documents:

- Any relevant Queensland building standards or codes;
- Greater Flagstone Urban Development Area Development Scheme (published by the Minister for Economic Development Queensland (EDQ));
- The Plan of Development (approved by Economic Development Queensland);
- Special conditions of your Contract; and
- Any other codes or standards that may be relevant.

Part I Building Design Covenants

1. General

1.1 These Covenants must be read in conjunction with:

(a) the relevant Plan of Development for your lot, a copy of which is included in your Contract, on the Flagstone website (www.flagstone.com.au) or attached to these Covenants (in Appendix A); and

(b) any Individual Lot Plan which may apply to your lot (in Appendix B, if applicable).

1.2 The design of the dwelling, fences and landscaping must be approved by the Flagstone Design Review Panel. The decision of the Flagstone Design Review Panel will be final in the event of dispute.

1.3 The use of stone in facades and landscaping which is visible to public spaces (streets, parks, laneways, etc) is desirable, to reinforce the Flagstone name, in particular the word "stone". Some stone elements are encouraged as feature building materials, driveway or footpath paving, wall cladding or in landscape decoration.

2. Setback and Siting Requirements

2.1 Setbacks and Site Coverage requirement are as per the relevant Plan of Development for your lot or as amended by the Site Plan. Refer to Appendix A.

2.2 The location of the built to boundary walls are indicated on the Plan of Development. Where built to boundary walls are not adopted, side setbacks shall be in accordance with the Plan of Development Table in the Plan of Development.

2.3 Boundary setbacks are measured to the wall of the structure.

2.4 Eaves cannot encroach (other than where dwellings are built to boundary) closer than 450mm to the lot boundary.

3. Private Open Space

3.1 Private open space must measure a minimum of $10m^2$ with a minimum dimension in any direction of 2.4 metres and be covered, uncovered (no roof) or a combination of covered and uncovered.

3.2 Private open space must be directly accessible from a living space.

4. Building Design Requirements

4.1 The character of the dwelling must be of contemporary architectural aesthetic design or a Queenslander style dwelling (timber and tin).

4.2 All dwellings with a width of more than 10 metres that are visible from a street or park are to include articulation to reduce the mass of the dwelling by one or more of the following:

(a) Windows recessed into the façade or bay windows;

(b) Balconies, porches or verandahs;

(c) Articulation of roof lines;

(d) Window hoods; and/or

(e) Use of multiple cladding materials.

4.3 For traditional Queensland style dwellings, the front facades are to feature predominantly wide verandahs and timber cladding which must be a painted colour finish and the main roof pitches at least 25 degrees. Any exposed structural underfloor stumps or posts must be screened with horizontal or vertical battens.

4.4 Dwellings that do not comply may be assessed on architectural merit at the sole discretion of the Flagstone Design Review Panel.

4.5 Carports and garages are to be compatible with the main dwelling design in terms of height, roof form, detailing, materials and colours.

4.6 All building materials visible to public spaces must be suitably coloured, stained or painted, including retaining walls, fences, walls and roofs. Untreated or unpainted materials, such as zinc coated steel, bare metal, plain concrete block, untreated timber palings, untreated retaining wall timber or unfinished masonry panels are not permitted. Gutters, fascias and trimming must be finished or complementary to the roof and external façade.

4.7 Air-conditioners, gas bottles, hot water systems, clothes lines and other household services (including services on the external of the building except for downpipes) must be screened and/or located to minimise visual impact to public streets or parks.

4.8 Dwellings must include a clearly identifiable and addressed front door and undercover point of entry and:

(a) Any portico is to be a minimum of $3m^2$ which is measured under the roof; and

(b) Any verandah must have a minimum depth of 1.5m.

4.9 Screened drying and rubbish bin areas must be behind the main face of the dwelling.

4.10 At least two openings to all habitable rooms to facilitate cross flow ventilation are required.

4.11 Minimum façade width:

(a) For lots with only one street frontage, the minimum width is 70% of the Primary Road frontage measured to the outside of the walls;

(b) For corner lots, the minimum width can be reduced to 50%;

(c) For double storey lots, the minimum width can be reduced on approval by the Flagstone Design Review Panel and will be based on the dwelling complying with the above percentages if it was on an otherwise equivalent type of lot.

4.12 Obscure windows or windows to toilets and bathrooms must not front the Primary Road.

4.13 All facades are to include glazing to a minimum of 10% of the façade area to provide surveillance, interest and variation.

4.14 Walls over 9m in length without windows or articulation are not permitted.

4.15 Secondary Road façade design:

(a) Walls over 9m in length that have a public open space or a road frontage without windows or articulation are not permitted.

(b) Must have at least one variation in the Secondary Road façade with at least one substantial projecting feature element such as a portico, verandah or feature wall.

5. External wall material and colours

5.1 A minimum of two variations of colour and material (excluding windows, doors and garage doors) must be incorporated.

5.2 All materials must be new unless recycled and finished to an 'as new' condition or utilised as a feature only.

5.3 As noted in clause 1.3 above, the use of some stone elements is encouraged as feature building materials, driveway or footpath paving, wall cladding or in landscape decoration, where visible from a public space.

5.4 Secondary dwellings must have material, detailing, colours and roof form that are consistent with the primary dwelling.

6. Roofs

6.1 Hip and Gable roofs must have a minimum pitch of 25 degrees and a maximum pitch of 40 degrees.

6.2 Multiple pitch skillion roofs and parapet roofs are permitted with no minimum angles.

6.3 Single pitch skillion roofs are not permitted on dwellings.

6.4 All single storey dwellings are to have a minimum of 450mm eaves, whether hip, gable or skillion, or 300mm window hoods, to all publicly visible facades on ground level and a minimum of 450mm eaves must be provided to all elevations on the second storey. Zero lot lines and parapet roofs are excluded.

7. On-Site Parking and Driveway

7.1 On-site car parking is to be provided in accordance with the following minimum requirements:

(a) For lots up to 12.4 metres wide – 1 covered space per dwelling;

(b) For lots 12.5 metres wide or greater – 2 covered spaces per dwelling;

(c) For Multiple Residential Allotments (which are shown as such on both of the Plan of Development and the Sales Plan) - at least 1 covered space per dwelling, plus 0.5 spaces per dwelling (can be uncovered).

7.2 Double car width garages are permitted on a single storey dwelling on a lot less than 12.5m wide if:

(a) a Laneway Allotment and the double garage faces the laneway; or

(b) where a habitable room of the building projects forward of the garage door alignment, and a pedestrian entry path is separately provided from the front door to the property boundary (not combined with the driveway), and where the driveway is narrowed to be not more than 3.0 metres wide at the property boundary and kerb..

7.3 Garages must not project forward of the main building line.

7.4 Garages, which obtain access from a laneway, must be setback 0.9 metres from the Laneway Allotment boundary.

7.5 Driveways are to accord with Logan City Council's ('LCC') standards as well as these Covenants. Prior to construction, approval from LCC for Vehicular Access to Residential Premises is required.

7.6 The maximum width of a driveway at the lot boundary shall be 4.8 metres for a lot with a double car width garage and 3.0 metres for a lot with a single car width garage.

7.7 A maximum of one driveway per dwelling unless it is a Multi Residential Allotment.

7.8 A minimum distance of a driveway from an intersection of one street with another street is 6.0 metres. The driveway must be laid at the grade of the adjacent verge area. No grade changes to the verge for the driveway will be allowed.

7.9 Where there is a footpath within the verge, the footpath should be cut at the nearest joint and the footpath reinstated to the driveway without compromising the structural integrity of the footpath.

7.10 Driveways must be completed prior to occupation of the dwelling.

7.11 Carports are not permitted unless located at the rear of the lot or screened from the street on two sides and fitted with a garage door, unless the house design replicates

a traditional Queenslander style (timber and tin), in which case an attached carport is permitted where it:

(a) is located at least 500mm behind the main building line; and

(b) complimentary with the house design.

8. Entry Paths

8.1 Separate pedestrian entry paths are highly desirable and make your dwelling more appealing, rather than pedestrians using the vehicle driveway.

8.2 Single garage dwellings must have a pedestrian entry path direct from the front door to the lot front boundary.

9. Fences and Retaining Walls

9.1 Fencing erected by Peet Flagstone City must not be altered, modified or removed without prior written approval from Peet Flagstone City.

9.2 Fencing on all park or street frontages must have a maximum height of 1.2 metres where solid or must have a maximum height of 1.8 metres where containing openings that make the fence more than 50% transparent above 1.50 metres.

9.3 Fencing on all park or street frontages is constructed with visible posts, which are at least 100mm x 100mm and 100mm higher than the infill palings or panels. Colorbond® (or other pre-fabricated metal panels), bamboo, chain and wire and untreated timber paling fences are prohibited (the latter must be painted or stained).

9.4 Fencing on Laneway Allotments can be screen fencing at 1.8m high where along private open space, car parking and service areas.

9.5 Fencing on corner lots is to be designed as front fences addressing both streets (rather than a front and a side fence) and suitably painted or stained on both street frontages.

9.6 Notwithstanding the above, solid front fences and walls may be 1.8 metres in height if the dwelling has a frontage to a street with traffic volumes in excess of, or projected to exceed, 10,000 vehicles per day.

9.7 Fencing protruding beyond the face of the dwelling must be constructed and finished in the same materials and specifications as the front fence, otherwise fences must not protrude beyond the face of the dwelling.

9.8 Retaining walls must not exceed more than 1.0 metres where fronted to a public street or park. Retaining walls to side and rear boundaries (which are not adjoining a public street or park) can be up to 2 metres high. Retaining walls in excess of this must use terraced retaining.

9.9 No timber retaining walls over 1.0m are permitted where adjoining parks or public streets.

9.10 Retaining walls over 1.0m require RPEQ certification.

9.11 Treated timber sleepers to landscape areas are not permitted within view of public areas unless painted or stained.

10. Garden Sheds and Outbuildings

10.1 Garden sheds and outbuildings are permitted, provided they conform to the following conditions:

(a) Must be located behind the dwelling and screened from public view;

(b) Must not be located between the dwelling and any road; and

(c) Must be painted or coloured to suit the colour scheme of the dwelling, plain zinc coated metal sheds are not permitted.

11. Landscaping

11.1 A minimum of one tree must be provided to the landscape areas between dwellings and the verge.

11.2 Landscaping to the front yard must be installed within 3 months of occupation of the dwelling.

11.3 Turf to the main area between the lot boundary and the road must be established and maintained free of weeds and with full coverage within 3 months of occupation of the dwelling.

12. Sustainability

Sustainability is a crucial characteristic of modern Queensland dwellings as it reduces living costs and contributes positively to the environment. Peet Flagstone City has made a commitment to a sustainable Community. The following sustainability requirements are not mandatory, however they are strongly encouraged.

12.1 Waste and Water Reduction

(a) Reducing your household waste and water consumption is a simple and easy way to decrease water, energy bills and lessen your household's impact on the environment.

(b) All household owners are encouraged to:

(i) Become water smart by installing water-efficient appliances and fittings (minimum 4 Star WELS rated). For more details visit **http://www.waterrating.gov.au/about-wels;** and

(ii) Install rainwater tanks where lots are greater than 400m^2. Above ground rainwater tanks must be corrugated steel "Colourbond®", "aquaplate" poly or equal material.

Bonuses may be available for household owners who meet water saving criteria. Visit www.flagstone.com.au for more information. As at February 2016, no bonus is currently available.

12.2 Energy Reduction

(a) All residents are encouraged to use peak smart metering. There are also peak smart air-conditioners that could be installed which would help manage peak demand. Households installing peak smart air-conditioners are also eligible for rewards. For more details visit **https://www.energex.com.au/residential-and-business/positive-payback/positive-payback-for-households/households**; and

(b) Roof top solar panels and solar hot water units are permitted and encouraged.

12.3 Urban Heat Islands

An Urban Heat Island is a metropolitan area that's significantly warmer than its surrounding rural areas due to human activities. The annual temperature of a city with 1 million people can be 1-3 degrees warmer than its surroundings. Therefore, it is recommended that light and medium coloured roofs are used and where reflective roofs will not affect other properties.

Bonuses may be available for household owners who meet energy saving criteria. Visit www.flagstone.com.au for more information. As at February 2016, no bonus is currently available.

Part II Post-Construction Covenants

Once your dwelling is complete and you are occupying the dwelling, the following restrictions apply and must be adhered to until the earlier of (a) 30 June 2046, and (b) 12 months after the date which Peet Flagstone City has sold and settled all residential lots in the Community.

1. Landscaping

Must be well maintained in accordance with your Covenant approval.

2. Recreational Vehicles

No plant or machinery or any recreation vehicle or commercial motor vehicle (including without limitation a caravan, boat, box trailer, boat trailer and car trailer but excluding any motor cycle, motor car, motor station wagon or utility or four wheel drive car registered for use on a highway) must be parked on a turfed or landscaped area.

3. Removal of Existing Items

You must not mutilate or remove in whole or part from a lot or a reserve any tree or part of any tree, fence, irrigation pipe, underground pipe, conduit or any drainage easement which may exist on the lot.

4. Signage

Must be displayed in accordance with government requirements.

5. Sale by Registered Owner

(a) You must not sell, transfer, dispose of, assign, lease or in any other way part with possession of the lot, without first delivering to Peet Flagstone City a deed poll in favour of Peet Flagstone City (in the form of the Deed Poll attached to these Covenants) signed by the buyer, transferee, disponee, assignee or lessee ("Assignee"). The deed poll must contain:

(i) a covenant by the Assignee agreeing to be bound by and to comply with these Covenants; and

(ii) a covenant that the Assignee will ensure any subsequent Assignee will obtain a further deed poll on these terms.

(b) You, as the Registered Owner, indemnify Peet Flagstone City for any costs or damages Peet Flagstone City may suffer as a result of Assignees not being bound to these Covenants due a breach of the Registered Owner of this clause.

6. Construction Requirements

You, as the Registered Owner of a lot, must:

(a) commence construction of a dwelling on the lot (in accordance with these Covenants) by the date 12 months after the Settlement Date (in the Contract between Peet Flagstone City and the first Registered Owner);

(b) not have the building of the dwelling left at any time without substantial work being carried out for more than one month;

(c) complete construction of the dwelling, fencing, driveway and landscaping on a lot by the date 12 months after the date you commenced construction of the dwelling; and

(d) not allow any building materials to be delivered or stored on the nature strip or anywhere else outside the title boundary of the lot upon which the dwelling is being constructed and not allow any rubbish to remain unsecured on the lot,

as determined by Peet Flagstone City acting reasonably.

7. Reservations of Peet Flagstone City

Peet Flagstone City at its discretion has the authority to approve on its merits any innovative or diverse designs that do not meet the requirements of these Covenants. You as the Registered Owner acknowledge that Peet Flagstone City has the right to vary, exclude or elect not to enforce any of the Covenants in respect of the Community. The Registered Owner specifically absolves Peet Flagstone City from any liability of any nature for any action taken in varying, electing not to enforce or excluding any Covenants. All calculations and measurements in these Covenants will be determined by Peet Flagstone City in its sole discretion and will be the correct calculations or measurements in the absence of manifest error.

8. Fencing and Retaining Walls

You the Registered Owner of a lot agrees, notwithstanding any other covenant contained in the Covenants, not to:

(a) Remove any fencing on a lot without the prior written approval of Peet Flagstone City or the registered owner of the lot immediately adjacent to the fence; and

(b) Remove, damage, interfere with or in any way change the structural integrity of any retaining wall on a lot.

9. Compliance with the PFC Residential Covenants

9.1 Compliance with Covenants Generally

You as the Registered Owner:

(a) acknowledge that Peet Flagstone City has a significant investment in the Community and a failure to comply with the Covenants will diminish the value of that investment and the value of lots with the Community;

(b) acknowledge that a failure by the Registered Owner to strictly comply with the Covenants will diminish the value and desirability of:

(i) unsold lots in the Community in the hands of Peet Flagstone City; and

(ii) lots sold by Peet Flagstone City to other owners within the Community;

(c) agree that in the event that the Registered Owner does not strictly comply with the Covenants without prior written approval, Peet Flagstone City will have legally enforceable rights against the Registered Owner in accordance with the terms of the Contract.

10. Severance

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

Glossary

Community: means the Flagstone estate community.
Contract: means the contract for the purchase of the lot by the Registered Owner from Peet Flagstone City which contained these Covenants or the contract for the purchase of the lot by the Registered Owner from a third party which contained these Covenants or a requirement for the Registered Owner to be bound by these Covenants by deed poll.
Covenants: this document entitled PFC Residential Covenants including all attachments.
Flagstone Design Review Panel: means the Peet Flagstone City panel from time to time who reviews and approves all Covenant applications.
Façade: Elevation of a building visible from a Public Area. The primary facade is the elevation fronting the Primary Road.
Laneway Allotment: means a laneway allotment as nominated on the Sales Plan.
lot: means all lots owned by the Registered Owner from time to time in Flagstone.
Multi Residential Allotment: Means the use of premises for residential purposes if there are two or more dwelling units on any one lot. Multiple Residential Allotment units may be contained on one lot or each dwelling unit may be contained on its own lot subject to community title schemes. Multiple Residential is only permitted on lots where noted as Multiple Residential Allotments on the approved Plan of Development as well as being noted as such on the Sales Plan.
Peet Flagstone City: Peet Flagstone City Pty Ltd ACN 151 187 594 (the developer of the Flagstone estate) or any of its related bodies corporate within the meaning of section 50 of the *Corporations Act 2001 (Cth)* and its successors and assigns.
Primary Road: The road fronting the lot where the lot has only one road frontage; or for lots with two or more road frontages the wider road; or road with the shorter boundary to the lot if the road widths are the same.
Public Area: Any land available for public use. For example roads, verges/nature strips (footpath areas), parks, public access ways etc.
Registered Owner: means the registered owner of a lot including its successors and permitted assigns.
Sales Plan: means stage release sales plan published for Peet Flagstone City for each stage.
Secondary Road: Applies to lots with more than one road frontage and is the road which is not the Primary Road.
Site Coverage: Is the area including any ancillary areas/structures (e.g. covered alfresco, porch, shed etc) contained under a fully impermeable roof expressed as a percentage of the total lot area. Open pergola structures are exempt from the calculation.

Interpretation

Terms not defined in this document but which are capitalised have the same meaning as in relevant legislation including but not limited to the *Building Act 1975*, *Sustainable Planning Act 2009* and *Economic Development Act 2012*.

PFC Residential Covenant Application Form

Lot Number _____ Street Name _____

Landowner Details

Name _____

Street Address _____

Suburb/City _____ State _____ Postcode _____

Email _____

Phone _____ Mobile _____

Builder Details

Company _____ Contact Person _____

Street Address _____

Suburb/City _____ State _____ Postcode _____

Email _____

Phone _____ Mobile _____

I consent to my contact details and dwelling plans being shared with my neighbours upon request. (Peet Flagstone City recommends this to improve design outcomes.)

☐ Yes

☐ No

To receive approval within 10 working days, submit this application form along with:

- ☐ Site plan including building envelope and dimensions setbacks, footing details for built to boundary walls, retaining wall details, fencing details (including height, material, colour and location), driveway details, and location of outdoor structures;
- ☐ Floor plans including a schedule of areas in square metres;
- ☐ Elevations and sections at scale with natural ground level and finished ground level shown; and
- ☐ Building finishes schedule, including colours if known,

to the Flagstone Design Review Panel: **designreview@peet.com.au** or GPO Box 1114, Brisbane QLD 4001.

Appendix A
Plan of Development

Appendix B

Individual Lot Plan

(If applicable)

(Attach Individual Lot Plan to this page if applicable)