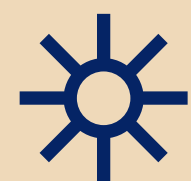


Design Guidelines

PREPARED BY
CLARENCE PROPERTY



Swell





WELCOME HOME TO COASTAL LIVING

The developers of Swell Woolgoolga wish to preserve the sought-after coastal lifestyle and the unique natural setting for all residents of the Swell community to enjoy for many years to come.

| | |
|--------------------------------------|----|
| 1. PURPOSE OF THE GUIDELINES | 2 |
| 2. PROPOSAL APPROVAL PROCEDURE | 4 |
| 3. HOUSE DESIGN GUIDELINES..... | 6 |
| 4. LANDSCAPE DESIGN GUIDELINES..... | 10 |
| 5. GENERAL | 12 |

01 Purpose of the Guidelines

These Design Guidelines have been produced to help create a well-designed and sustainable new community at Swell Woolgoolga and to protect your investment in your new home, without restricting your ability to create a unique home. To successfully deliver a first-class community, we require collaboration of all parties throughout the development and construction process. This will ensure a high standard of living is achieved. These guidelines apply in addition to, and not in lieu of, other statutory requirements and approvals.

All new landowners within Swell must seek design endorsement from the **Design Assessment Panel** (DAP) prior to seeking approval from the Coffs Harbour City Council (CHCC), or a registered building certifier. It is essential that future residents and/or potential purchasers are committed to adopting these standards to promote and protect the character of the Swell community for the benefit of all residents.

Plans, elevations, colours and materials selection will require approval by the DAP, however, the CHCC will be the relevant authority for planning and building approvals.



Design Guidelines



Proposal Approval Procedure

All works proposed on your land in Swell Woolgoolga must be approved by the DAP prior to you starting the works or seeking approval from a private certifier, CHCC or any other government agency. You must ensure that any proposal, and all works carried out in accordance with that proposal, complies with all laws and requirements, including (without limitation) the current Council Planning Scheme, the Standard Building Regulation and the Building Code of Australia.

What compromises a complete proposal?

A Complete Proposal is comprised of the following:

- Completed and signed Proposal Submission Form (refer to Appendix A of this document).
- Completed Colour and Material Schedule (refer to Appendix B of this document).
- Payment of the Construction Bond (refer to Payment Details in Appendix C).
- A full set of architectural plans including:
 - » **Site Plan** [including setback dimensions, slope contours, dwelling ground/pad and floor level information, driveway details].
 - » **Floor Plan(s)** [including schedule of areas in m²].
 - » **Roof Plan(s)** [including all roof pitches].
 - » **Building Elevations** [with natural surface level shown and overall building height].
 - » **Building Section(s)**.
- A full set of **landscape plans** including:
 - » All planting areas.
 - » All hard and soft surfaces.
 - » All fencing in accordance with the Guidelines.
 - » A full set of swimming pool drawing(s), if applicable.



DAP APPROVAL PROCESS

Gaining DAP approval is a simple process:

STEP 1

- Submit your proposal to DAP for assessment: **dap@swellwoolgoolga.com.au**
- Arrange payment of the Construction Bond and send receipt to: **dap@swellwoolgoolga.com.au**

STEP 2

- Your proposal will be assessed for compliance with the Design Guidelines by the DAP applying fairness, consistency and professional judgment.
- If your proposal does not comply, or is incomplete, it may be returned to you, in whole or in part, with the areas of non-compliance highlighted, and an amended proposal must be submitted for assessment.
- Should the DAP require an amended proposal to be submitted, please understand that this is required to achieve an optimum result for all.
- Submissions are assessed in the order in which they are received, and the assessment of your completed application may take up to ten (10) business days.

STEP 3

- Upon receipt of DAP approval, you must use identical documents to those contained in the approved proposal for use in seeking any required statutory approvals.
- If a statutory authority requires any alteration to your approved proposal, the alteration must be submitted to the DAP for reassessment and construction may commence only if and when the DAP has confirmed in writing that the alteration is approved.

STEP 4

Upon completion of the works detailed in your approved proposal, you must contact the DAP to arrange an inspection. If the DAP confirms all works have been completed in accordance with your approved proposal, and that no damage has been caused to any land or property not owned by you, the Developer will authorise the return of the Construction Bond to you.



You must ensure that works are undertaken strictly in accordance with your approved proposal and statutory approvals. If you wish to make any alteration to your approved proposal, the alteration must be submitted to the DAP for assessment as an auxiliary proposal and the alteration may be made only if and when the DAP has confirmed in writing that the alteration is approved and you have also obtained any statutory approvals required for the alteration.

03

House Design Guidelines

SITE PLANNING (BUILDING SITING)

Setbacks

Setbacks are measured to the outer edge of the wall or balcony. Eaves, hoods, screens and projected architectural elements may protrude a maximum of 0.6m into any setback.

Street (Front) Setback

- 4.5m to any building wall or balcony.
- 3.0m to any secondary streets on corner blocks.

For lots with an Asset Protection Zone (APZ) along their street (front) boundary:

- APZ line **is** the setback line. No part of the dwelling (not even eaves, hoods or screens) can protrude into the APZ.

Shared (Side) Setback

- 0.9m to any ground level wall or balcony.

Rear (Back) Setback

- 3.0m to any building wall or balcony.

For lots with an Asset Protection Zone (APZ) along their rear (back) boundary:

- APZ line **is** the setback line. No part of the dwelling (not even eaves, hoods or screens) can protrude into the APZ.

Site Cover

- Maximum 50%.

Minimum Building Size

- 150m² (inclusive of the garage, porch and covered outdoor space).

Site Planning

- Note that any Class 10a Structure (such as garage, carport, gazebo, BBQ and pool house) will, for the purpose of its location on the Lot and setback requirements, be considered as though it is a Class 1a Structure (main building), unless specified otherwise in these Guidelines.
- Any additions and extensions to occur within the Lot are subject to approval by DAP and require compliance with the Guidelines 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.



HOUSE DESIGN (ARTICULATION AND FACADE DESIGN)

- Maximum building height must not exceed 2 storeys.
- Maximum building height must not exceed 9.0m when measured from the natural ground level.
- The design of homes is to incorporate a high level of articulation to provide an interesting streetscape.
- Two homes with the same or similar elevations must not be established in close proximity. Close proximity is defined as being separated by five lots or less, whether on the same or opposite side of the street. The dwelling design which is submitted first will have priority over subsequent submissions.
- The entry to the house must be highly visible and well defined by use of articulation, insets, projections, and/or a covering canopy.
- Corner and park front lots are to address both street frontages by providing the following on secondary street and park frontages: windows from habitable rooms, decorative fencing, quality landscaping, and wall and roof alignment variation.
- All service pipes, such as for sanitary plumbing, electrical conduits, air conditioning, etc. must be accommodated within the building walls and not exposed, with the exception of downpipes.
- The DAP strongly encourages the use of balconies, pergolas, verandahs and living areas with windows facing the street and public open spaces.
- Dual key accommodation will not be supported.
- Any additions and extensions to occur within the lot are subject to approval by the DAP and are required to comply with design guidelines 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.



03

House Design Guidelines (continued)

Roof design

- Roofs are to be a simple composition of shapes with the use of architectural elements to create interest in the elevations.
- All gutters, roof penetrations and rainwater goods are to match the roof colour except for wall mounted elements such as downpipes which are to complement the dwelling colour. Preference will be given to light, non-reflective roof colours.
- Roof pitches for the main building shall be 10 - 25 degrees for pitched roofs and 4 - 15 degrees for skillion roofs.
- Other roof pitches may be considered and approved based upon architectural merit for secondary parts of the building such as verandahs, patios and secondary roof elements. Parapets are acceptable, and a lower than the minimum roof pitch for the main roof is acceptable, if hidden from view from a park or street.

Vehicle accommodation

- At least a double lock-up garage must be provided, with further parking areas incorporated for any additional vehicles that are to be accommodated on the Lot on a permanent basis.
- Walls containing a garage door must be set back a minimum of 1.0m from the most forward building element of the house.
- Where covered vehicle accommodation for more than two vehicles is proposed, the design of these facilities must demonstrate articulation through the use of varied wall and roof lines. If a third garage or carport is to be incorporated into the design the third garage or carport must be set back 0.5m from the most forward line of the main garage.
- Any recreational vehicles that are to be accommodated on the Lot on a permanent basis must be housed or otherwise satisfactorily screened from view from outside the Lot.





Design Guidelines

Screening

- All services and utility items including rainwater tanks, hot water systems, air conditioning units, pool filtration pumps, clotheslines, rubbish bins, and gas bottles to be screened from the street and public view. They must not be located on the primary street frontage and must not be visible from a park or street.
- Clotheslines are to be located below the top of the adjacent fencing so that they are less visible from the neighbour. It is recommended that the clothesline is located on the side boundary fence where possible.
- If a shed is permitted, it must be concealed from public view from the street, be a maximum of 10m² and maximum 2.5m high. Galvanised or highly reflective coloured material is not permitted. The colour of the walling and roof should be complementary to the home itself.

Colours and materials

- Raw and/or untreated materials will not be permitted for external building materials, such as unfinished and unpainted block work.
- Face brick is not permitted except for feature elements (maximum 10% of the façade area).
- Metal wall cladding is not permitted unless part of the roof element.
- Bold, bright colours or materials are not acceptable on front façade.
- The use of external materials and colours is subject to approval by the DAP and a colour schedule must be submitted as part of the application (Appendix B). Colours must be graphically represented in your submission.
- Diamond security grilles on the front façade are not permitted (mesh security/fly screens are acceptable).
- Fibre optic will be available throughout the community and as such, antennae/aerials are not permitted. Starlink and Austar dishes may be permitted if they are a small/streamlined design.
- Roof materials permitted:
 - » Colorbond roof sheeting.
 - » Concrete or ceramic roof tiles (flat profile only, curved profiles are not permitted). Terracotta colour not supported.
 - » Galvanised/zinc roof sheeting subject to special approval by the DAP.

Landscape Design Guidelines

GENERAL LANDSCAPING

- Landscaping plans are to be submitted with the DAP application.
- Landscaping must form an integral component of the overall design of the Lot, combining with architectural elements to provide privacy, shade, visual screening, decoration, colour and an enduring finish to all external surfaces.
- All garden beds must be designed with quality plants.
- New plantings on the Lot cannot include plant species prohibited by the local council.
- High quality grass cover required to all front areas not mulched or paved.
- All portions of the Lot containing planting or turf must be provided with an automatic irrigation system designed and installed by a competent person.
- 30% of the front yard is to be mass planting areas that are mulched and edged to define the boundary and maintained, free of weed and rubbish.
- Non permeable surfaces are to be limited to driveways, patios and footpaths and cannot dominate the road frontage.
- Secondary street frontages are to be similarly landscaped to primary street frontage.
- High quality synthetic grass is permitted in the rear yard but not permitted in the front yard.

DRIVEWAYS

- Generally, only one driveway and crossover are permitted per home.
- The driveway must be constructed of either pavers, coloured concrete, tiled concrete, or concrete with an exposed aggregate finish. Gravel, grass, concrete track, timber sleeper, loose dirt and plain grey concrete are unacceptable driveway finishes. The DAP may approve stamped or stencil concrete.
- The driveway must be located 600mm from the side boundary with landscaping between the driveway and the side boundary.
- Driveway crossovers must be designed in compliance with relevant council regulations.
- Street trees may not be removed to accommodate driveways.

LETTERBOXES

- Letterboxes must have unhindered access for Australia Post.
- Rendered brick or stone letterboxes are encouraged, to match the home design.

FENCING

- All fencing, unless otherwise specified, must be constructed in the design, colour, material and finish to match the house.
- All fencing must be constructed prior to the occupation of the home.
- **Pool fencing** must comply with all relevant regulations and standards.
- **Side (shared) boundary fencing** and **back (rear) boundary fencing** are both mandatory and must:
 - » Be 1.8m high as measured perpendicular to the natural surface level or, where the natural surface level is sloping.
 - » Be constructed of painted concrete tilt-up panel, rendered and painted blockwork, treated timber (good neighbour fence) or powdercoated Colorbond aluminium.
- **Side return fencing** (fence between the building and the side boundary fence) is required at the front of the house and must:
 - » Be either solid concrete to match the side fencing or timber or aluminium batten fences with a maximum of 30% openings.
 - » Terminate 1m behind the front wall of the home.
- Any **fencing to the front boundary** of a lot must:
 - » Be a maximum height of 1.8m only where enclosing a pool area, and 1.2m elsewhere.
 - » Be articulated to create visual relief, with landscape planting between the fence and road.
 - » Be in a colour to match the side boundary fence and in keeping with the colours of the home. No timber paling fences will be permitted to the front boundary.
 - » Pool type panels are not permitted to the front boundary.

ACCEPTABLE FRONT FENCE TYPES INCLUDE:

Fence Type 1

0.9m-1.2m rendered masonry or stone pier with 0.3m base and 0.9m hardwood timber or aluminum battens (in a colour to complement the house) with a maximum of 50% transparency.

Fence Type 2

Timber picket fence (painted or stained in a colour to complement the house) with square batten top at a maximum 1.2m height with a maximum of 50% transparency.

Fence Type 3

Metal picket fence (in a colour to complement the house), with square picket top at a maximum 1.2m height with a maximum of 50% transparency.

05

General

THE LOT OWNER'S ACKNOWLEDGMENTS

The Lot Owner acknowledges that:

- They are bound by the sale contract by which they acquired their site in Swell Woolgoolga to abide by these Design Guidelines and by the decisions of the DAP.
- Under the sale contract by which the Lot Owner acquired their site in Swell Woolgoolga, the Seller is entitled to vary, exclude, elect not to enforce and to interpret these Design Guidelines in any way it determines in its discretion.
- The Lot Owner has limited rights to object to any variation or interpretation of these Design Guidelines by the Seller.
- No duplex or secondary dwelling permitted, unless otherwise approved by DAP.
- Homes may not be used as a display home unless approved by DAP.
- Relocated homes, manufactured homes and recycled materials are not permitted unless otherwise approved by DAP.
- Driveways, fencing, landscaping and letterboxes must be completed within 3 months of occupational certificate of the home.
- If the Lot or existing home is on sale, the Design Guidelines must be included in the sale contract.

CARE & MAINTENANCE OF YOUR LOT

Normal maintenance

The Lot Owner must:

- Maintain the Lot, free of excessive weeds, rubbish or garbage and keep all turfed garden areas presentable.
- Not store car bodies, mechanical equipment, machinery, tanks, construction materials (after construction completed), shipping containers etc. on the Lot.
- Store the garbage bins in areas screened from public view. Location and detail to be provided on the landscape plan.

Obligatory slashing, maintaining and clearing

- Should DAP or the Seller notify the Lot Owner that mowing, maintaining or clearing of the Lot is necessary to maintain the tidy presentation of Swell Woolgoolga, the Lot Owner must carry out the work within 14 days.
- If the Lot Owner fails to comply with the request to mow, maintain or clean the Lot, DAP or the Seller may employ a contractor to carry out the request and the Buyer must pay the Seller the costs incurred by the Seller.

Caravans, campervans, trailers, commercial vehicles and boats

- Caravans, campervans, 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 DAP.
- 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 home or ancillary structures and then must be removed immediately on completion of construction.



BUILDER RESPONSIBILITY

In order to successfully deliver a first-class community, we require cooperation by all parties involved throughout the development and construction process. All Lot Owners must comply with, and procure that their builders comply with, the following:

- Lot Owners and their builders have an obligation to keep Swell Woolgoolga tidy.
- Comply with plans, specifications, and all legal requirements.
- Construction should be performed with reasonable diligence.
- It is the Lot Owner's 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 Guidelines.
- All Lot Owners and their builders must ensure that all overburden, building materials and fittings are stored wholly within the Lot at all times and that no building materials or overburden are stored on the nature strip of the Lot.
- Lot Owners and their builders must provide a skip bin on the Lot for the storage of all site refuse generated by works on the Lot and keep all such site refuse within such bin and ensure that it is emptied whenever full.
- The Lot Owners 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 the Lot number.
- DAP will impose a non-littering requirement as a standard clause of any approval granted by DAP 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.
- Lot Owners and their builders must, prior to commencing construction on the Lot, provide a working toilet and running water, until completion of the building works.
- Lot Owners and their builder, prior to the commencement of any building work, must ensure that a site fence is erected on each Lot.
- Lot Owners 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.
- Lot Owners 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.
- Lot Owners 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.
- Lot Owners and their builders must comply with any notice issued by or on behalf of the Seller/ DAP specifying breaches of the "Builders' Site Guidelines" and rectify such breaches, failing which the Seller may take action, including under the Enforcement Provisions.
- Lot Owners 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 detergent.

05

General

(continued)

CONSTRUCTION BOND

Before submitting a Principal Proposal to the DAP, the Lot Owner must provide to the Developer the Construction Bond as security for any damage or costs (including legal, consultant and internal administration costs) suffered or incurred by any person (including the Developer) for:

- Any failure by you or any third party that you engaged to comply with the Developer's requirements.
- The costs of the Developer in remedying any non-compliance by you in relation to these Design Guidelines or an approval issued by the DAP (that have not been waived by the DAP or Developer).
- A breach by you (or any third parties engaged by you) of these Design Guidelines and/or any by-laws of the Body Corporate that relate to these Design Guidelines.
- Any damage to any land and/or property not owned by you resulting from any act or omission of you or your employees, agents, or contractors.

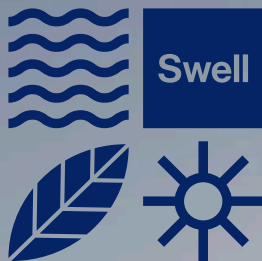
In the event of a failure to comply with the Design Guidelines by the Lot Owner, the Lot Owner forfeits the Construction Bond to the Developer as liquidated damages. You agree that this amount is fair and reasonable compensation and an accurate assessment of the damages due to the Developer due to your breach and is not a penalty.

The Lot Owner can only claim the return of the Construction Bond after the improvements (including landscaping) under the Approved Proposal have been completed according to the Approved Proposal within the required time frame.

The Assessment Fee and/or Construction Bond must be paid before a proposal will be accepted for assessment.







All DAP applications must be sent to:
dap@swellwoolgoolga.com.au

Appendices

- A. Proposal Submission Form
- B. External Colour Scheme Schedule
- C. Payment Details

Swell Woolgoolga
is proudly developed by



Clarence Property Corporation
PO Box 1478
Ballina NSW 2478

www.clarenceproperty.com.au

Disclaimer

These Design Guidelines are subject to change.

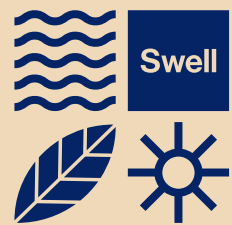
The annexures are current at the time of preparing these Design Guidelines, however landowners should conduct their own enquiries with the designer, certifier or town planner to ensure that the latest regulations are considered when preparing home designs. It should also be noted that this annexure document provided is a summary only, and therefore landowners should refer to the full details contained within the current legislation.

The Buyer has no claim against the Seller in respect of any changes made to the Design Guidelines. It is recommended that the buyer includes a clause in the Special Conditions of any Building Contract which binds their builder to comply with these Design Guidelines. An approval issued by the DAP is not an approval under the requirements of the Building Act 1975 (Qld), or any other legislation. If the Buyer (or any successor in title of the Buyer) on-sells their lot, they must obtain a deed of covenant from the subsequent buyer to be bound by the Design Guidelines and the relevant Contract provision prior to disposing of their interest in the lot.



Appendix A

PROPOSAL SUBMISSION FORM



Lot Owner

Lot Number

| | | | |
|------------------------------------|----------------------|--------|----------------------|
| Name | <input type="text"/> | | |
| Postal Address | <input type="text"/> | | |
| Phone | <input type="text"/> | Mobile | <input type="text"/> |
| Email | <input type="text"/> | | |
| Contact preference / other details | <input type="text"/> | | |

Designer / Architect / Builder

| | |
|--------------------|---|
| Designer/Architect | <input type="text"/> |
| Builder | <input type="text"/> |
| Contact person | <input type="text"/> |
| | <i>(person nominated to receive correspondence for this submission)</i> |
| Phone | <input type="text"/> |
| Email | <input type="text"/> |
| Comments | <input type="text"/> |

Application Checklist

Full set of architectural plans including but not limited to:

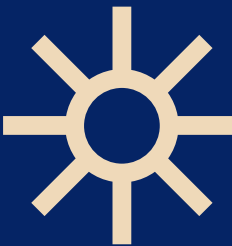
- ☐ Site Plan [setback dimensions, contours, driveway details]
- ☐ Floor Plan(s) [including schedule of areas in m²]
- ☐ Roof Plan(s) [including all roof pitches]
- ☐ Building Elevations [with natural surface level shown and overall building height]
- ☐ Building Section(s)

Full set of landscape plans including but not limited to:

- ☐ All planting areas
- ☐ All hard and soft surfaces
- ☐ All fencing in accordance with the Guidelines
- ☐ A full set of swimming pool drawing(s), if applicable

Signature

Signature of Owner/Representative



Email DAP submissions to

dap@swellwoolgoolga.com.au

Appendix B

EXTERNAL COLOUR SCHEME SCHEDULE

Please add colour samples / images in relevant boxes below

House Materials & Colours

Main Wall Render Colour

Feature Material

Feature Material

Roof Colour

Gutter and Downpipe Colours

Entry Door

Garage Door Colour

Driveway Finish

Pathway Finish

Fencing Materials & Colours

Masonry side fencing colour

Rear & side return fencing;
and gate material & colour

Screen colours

Pool Materials & Colours

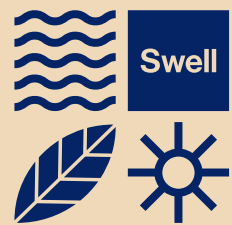
Pool Coping

Pool Lining

Pool Fence

Appendix C

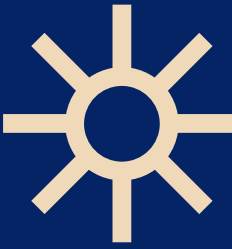
PAYMENT DETAILS



| Fee Type | Fee Amount |
|-------------------|------------|
| Construction Bond | \$7,000 |

The Contruction Bond is paid as part of the Complete Proposal Submission and must be paid before an application will be assessed.

| Account Type | Account Details |
|---------------------------|---|
| Construction Bond Account | <div>Account Name: Foott Law & Co Trust Account</div> <div>- Bank: Westpac</div> <div>- BSB: 032537</div> <div>- Account Number: 252968</div> <div>- Reference: [Lot Number] & [Purchaser Name]</div> |



Email DAP submissions to

dap@swellwoolgoolga.com.au