



WHITSUNDAY
GREEN

SpyglassHill

THE CODE

BUILDING, LANDSCAPING & FENCING DESIGN
REQUIREMENTS FOR MEMBERS & LOT OWNERS

MAY 2020



WHITSUNDAY
GREEN

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1. INTRODUCTION

Whitsunday Green East (formally Regatta Waters East) (the “BC”) is a body corporate established pursuant to the Body Corporate and Community Management Act 1997, Queensland (see <https://www.legislation.qld.gov.au/view/pdf/2017-07-03/act-1997-028>).

The BC is envisaged to eventually comprise approximately 110 members (Members) each of whom will own a freehold title home site (here after referred to as a “Lot”) within a defined part of the Whitsunday Green (“WG”) project. Further information on WG can be found at www.whitsundaygreen.com.au.

This booklet contains the building, landscaping and fencing design requirements for Members and Lot owners (the “Code”) and it forms part of the Community Management Statement (“CMS”) registered with the titles office for the BC. This means this Code has legal force and effect and penalties can apply for non-compliance by Members and Lot owners.

It is a requirement of this Code that no land use, buildings or works (“Development”) can commence on a Lot unless first approved by the BC appointed Architectural Review Committee (“ARC”).

This Code outlines the process to be followed to gain ARC approval for Development and provide a guide to the type and style of Development the ARC is either requiring or encouraging.

2. THE ARC

The BC appointed Committee has day to day responsibility for administering the BC. In turn, the BC has appointed the ARC and delegated it with the responsibility of administration of this Code including the consideration of Lot Development applications. All decisions made by the ARC are fixed and final and the Committee will not intervene or influence the ARC in its deliberations.



3. APPLYING FOR DEVELOPMENT APPROVAL

3.1 PREPARING AND LODGING AN APPLICATION FOR DEVELOPMENT

All applications for Development approval must be lodged with the ARC in digital form using the template application form as provided in Appendix 1. This form must be fully completed and signed by the BC Member(s) and/or Lot owner(s). The application form should include the following attachments, if applicable:

- A complete set of the proposed construction plans, elevations and external finish schedules for the Development at a scale of 1:100 reproducible in A3 format;
- 3 site plans clearly identifying the proposed development on the Lot at a scale not greater than 1:200 reproducible in A3 format;
- Any other relevant information that you consider may assist the ARC in its deliberations.

Development applications should be forwarded by email to: arc@whitsundaygreen.com.au

3.2 THE PROCESS

Provided the ARC receive the Development application in a complete form and the proposed Development is fundamentally compliant with the design guidelines in this Code, a formal approval should be forthcoming within approximately 3 weeks. The Development approval will be forwarded to you by email.

Should the lodged documentation be incomplete, or non-compliant, the ARC may seek additional information from you. Please note this may significantly delay the issue of any Development approval.

3.3 THE FEE

The ARC requires all applicants for Development Approval to pay an application fee ("Fee") to the ARC to assist the BC in covering the costs of processing the application. The Fee amount payable varies dependant on the type of Development approval sought. The following schedule describes the fee structure currently approved by the ARC.

TYPE OF DEVELOPMENT	DESCRIPTION	PRESCRIBED FEE (INC GST)
A	Dwelling and all associated works proposed to be constructed at the same time	\$500.00
B	Any other Development requiring separate ARC consent	\$100.00

Schedule 1 – Development Application Fee structure adopted by the ARC October 2018

NOTE: No Development application shall be considered by the ARC until the prescribed fee has been paid. Fees should be remitted electronically to: ARC Fee Account, BSB 013 231, A/C 230573533 clearly identifying the Lot #, Street address, BC member name(s) and date of application.



3.4 THE BOND

A sum of \$5,000 should be electronically paid into the ARC Bond Account, BSB 013 231, A/C 230573533, (clearly identifying the Lot # and Member name(s)) on lodgement of any Development approval application for a Dwelling and associated works. This will be held as a security bond ("Bond") by the ARC to provide the ARC with immediate recourse should you or any contractor completing works for you (directly or indirectly) or otherwise involved in the construction of the Development fail to fulfil all obligations under, and pursuant to the ARC issued Development approval. If damage occurs during the construction process to any BC assets, you must rectify this as a matter of priority. The ARC may deduct monies from the Bond as it deems fit for the purpose of:

- a. reimbursement of the cost of handling and disposal of any construction waste emanating from your building works or originating from your Lot; and/or ;
- b. reimbursement for repairs/rectification to any BC assets or other Lot property damaged by you or any contractor engaged to complete construction on your Lot (including but not limited to maintenance/upkeep of the turf and all landscaping to footpaths in front of your Lot and adjoining lots).

Bond monies (less deductions) will be returned within thirty (30) days of inspection of the construction works by or on behalf of the ARC establishing completion of all the construction and landscaping works to the satisfaction of the ARC. The ARC will carry out the inspection of the construction and landscaping works in this regard as soon as reasonably practical after a request by you in writing certifying that all the building works have been completed.

3.5 COUNCIL BUILDING APPROVAL

Once your Development approval has been issued by the ARC, you should lodge your plans with a private certifier or council and seek a Building Permit before the commencement of any on site works or construction.



4. GENERAL BC MEMBER OBLIGATIONS

4.1 LOT MAINTENANCE

As a Lot owner, you must ensure that your Lot is kept clear of excessive weeds and rubbish and maintained to an acceptable standard at all times.

4.2 SITE COVERAGE

The maximum site coverage of any dwelling is:

- a. 50% for all single storey dwellings;
- b. 40% for all 2-storey dwellings.

Site coverage refers to the portion of the site which is covered by a building under roof area excluding eaves, pergolas, gazebos or the like and paved landscape areas.

4.3 EARTHWORKS & RETAINING WALLS

Site excavation on any lot must be a maximum of 1m cut and 1m fill without specific ARC approval. The ARC may request you to provide specialist technical advice to support any proposal for a variance to this standard.

ARC approval must be obtained before fill can be imported or exported to alter the natural surface level of your Lot prior to commencing any earthworks. The import or export of fill is acceptable within brick build-up and split-level construction.

Retaining walls must be constructed from the same material as the existing retaining walls on other Lots nearby with a minimum of 1.0 of separation between each wall.

It is recommended that you discuss with your neighbour a combined or shared retaining wall for your side/rear boundaries. The combined wall height allowed, is the sum of the average heights of the two Lot boundaries but cannot exceed a maximum height of 1.8m.

4.4 WATER METERS

All water meters must be buried below ground level and housed in an underground box.

4.5 ELECTRICITY CONNECTION AND METERS

The electricity supply network and infrastructure within the BC is owned and managed by the BC. The BC purchase bulk electricity from Ergon and distribute it to account holders usually being the occupiers of dwellings on the Lots in the BC.

During the construction of any dwelling on a Lot, you must install an all-weather electricity meter cabinet in an easily accessible position from the street. The installation of an electricity meter is to be by an ARC nominated and approved electrician at your cost. Application for meter installation should be made by the Lot owner to:

M2C - Meter2Cash Solutions Pty Ltd

PO Box 404, Nundah Qld 4012

Phone: (07) 3350 5999

Email: enquiries@meter2cashesolutions.com.au

4.6 ADDITIONAL VEHICLES

To maintain an attractive overall streetscape, trucks, commercial vehicles, caravans, boats, trailers, golf buggies or recreational vehicles are not permitted to be parked on your Lot unless they are completely housed within a garage or carport or otherwise screened from public view.



5. DWELLING DESIGN GUIDELINES

5.1 ROOF PITCH & MATERIALS

Hip and gable roofs are to have a minimum of 20 degree to a maximum of 25 degree pitch. Skillion roofs are to have a minimum pitch of 10 degrees and a maximum of 15 degrees for the main roof. More than one roof plane is encouraged and lower pitches may be considered if the span of the roof is more than 6.0m.

Flat or curved roof forms must demonstrate articulation and will be considered on architectural merit.

5.2 EXTERNAL MATERIALS

Acceptable roof materials are Colorbond or concrete tiles with a low reflective finish.

The use of face brick as a primary external finish will not be permitted. Front facades and areas forward of fencing are to be a combination of at least two of the following materials:

- Render is to be the primary material and should form a minimum of 70% of front facade forward of the fence line setback
- Feature brick with rendered elements; painted, stained or pre-finished cladding with rendered elements;
- Feature panels of natural stone or treated and stained timber.

Behind the front fence, being sides and rear of your home, all materials must have a minimum of bagged and painted finish.

For elevated construction the underside of the floor structure must be screened and landscaped to minimise the visual impact of under-house services.

5.3 PROHIBITED MATERIALS

No raw or untreated materials are permitted. This includes galvanised iron and zincalume; unfinished and unpainted lot work; fibre cement sheeting; polystyrene cladding; and plain grey concrete.

5.4 VARIATION TO DESIGNS

Two homes with the same or similar elevations must not be established in close proximity. Close proximity is defined as being separated three lots or less, whether on the same or opposite side of the street.

5.5 HOMES ON CORNER LOTS

Homes situated on corner lots must consider their dual street frontage and private open space. The design must address the visibility from public areas and provide an interesting residential facade that supports a high quality streetscape.

5.6 HOMES ON GOLF FRONTAGE LOTS

Golf front elevations of homes must be designed to appear as feature facades, displaying visual interest and form that integrate with the landscape of the golf course.

5.7 CAR ACCOMMODATION

Car accommodation must include a minimum of two car parking spaces, be incorporated in the home design and must not be greater in height to the home measured to mid-set of the roofline.

5.8 GARAGE LOCATION

All garages and car accommodation must be setback at least 4.5m from the front Lot boundary.

5.9 DRIVEWAYS AND FOOTPATHS

Only one front driveway is permitted on each lot. It must be a maximum of 4.5m wide at the boundary and a maximum of 6m long within the lot.

The driveway must be constructed at the same time as the home and of materials including pavers, exposed aggregate, stamped coloured concrete or coloured textured concrete. Plain concrete is not acceptable.

6. LANDSCAPING

6.1 FENCING TO FRONT

While the fencing of street front spaces is generally not a preferred treatment, it is recognized that in some instances owners may wish to secure this space. Permitted fencing includes 1.2m-1.5m high consisting of feature piers (with a minimum of 300mm base) in materials to compliment the home with timber slats or varying infill materials achieving 50% transparency. No pool or see through fencing is allowed.

6.2 FENCING TO SIDES & REAR

A fence from the boundary to both sides of the dwelling at the front of the lot with a gate is compulsory thus enclosing the backyard. This fence must be located 1 metre back from corner front boundary of the house. It must be constructed reflective of the style of the house (masonry in-fills/timber/Colorbond). The gate must hang from a masonry pillar with a height no less than 1.5m and not greater than 1.8m high. The fence on the other side of house may be painted timber again complimenting the style and colours of the front facade of the dwelling.

Acceptable fencing to side and back of the dwelling is to be "Good Neighbour" ensuring that no residence views the back of a fence. Treated and finished timber palings erected 1.8m high either side with a continuous top timber cap are preferred and must finish a minimum of 1 metre behind the front corner of the home.

Erection of fencing adhered to retaining walls is not permitted unless approved by the ARC.

Colorbond metal fencing will not be permitted.

6.3 FENCING TO CORNER LOTS

In the case of fencing to corner lots, front fencing types will be permitted on the secondary road frontage boundary but not to extend greater than 50%. The type of fencing must reflect the style and colours of the materials used on the dwelling.

6.4 OPEN SPACES & GOLF COURSE

Homes with boundaries facing open spaces or the golf course must be black powder coated aluminium square-topped fencing 1.2m high.

6.5 GARDENS

A minimum of 50% of the area between the front building line and the front boundary (excluding the driveway) must be a landscaped area other than turf. The garden must include a minimum of three mature trees with a minimum height of 1.5m; with suitable ground shrubs planted around the mature trees. All other areas surrounding the dwelling must be turfed. If the front yard is enclosed by a fence, a garden bed must be placed the full length of the fence containing suitable shrubbery with a minimum height of 500mm. All landscaping must be completed before the Bond can be returned.



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7. ANCILLARY STRUCTURES

7.1 AIR CONDITIONING UNIT

Air conditioning units must be located and screened so that they are not visible from the street, golf course or open space. Roof-mounted or window mounted units are not permitted if they are facing the street, golf course or open space.

7.2 CLOTHESLINE

The clothesline must be located and screened so that it is not visible from the street, golf course or open space.

7.3 LETTERBOX

The letterbox must be made of materials and colours consistent with the home design. A temporary or makeshift letterbox is not to be used. The letterbox must also display the house number.

7.4 RAINWATER TANK

A rainwater tank of 5,000 litres is strongly encouraged, this must however be located behind the front fence; and not visible from street, golf course or open spaces.

7.5 TV ANTENNAE & SATELLITE DISH

Approval for non-standard antennae or satellite dishes larger than 500mm is required.

7.6 FIBRE TO THE PREMISES

NBN Co will be providing Fibre Optics to the estate. This advanced technology will enable each home to have up to four telephone lines, broadband internet access and Pay TV all delivered on a single optical fibre to the home. We suggest your builder designs around this.

7.7 TEMPORARY STRUCTURES

No temporary structures or relocatable buildings are to be erected on any lot for the use of building a home.

7.8 OTHER STRUCTURES

Children's play equipment, dog kennels, hot water systems and gas systems should be located behind screening or away from public view including golf course and open space.

7.9 GARDEN SHEDS

All sheds must be designed in a style, colour and materials to complement the main dwelling. They must be a maximum area of 100m² and must be located behind the front fence; and not visible from street, golf course or open spaces. The garden shed cannot dominate neighbouring dwellings view, please position the shed being mindful of the neighbouring boundaries.





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8. CONTACT DETAILS

8.1 WHITSUNDAY GREEN ARC

Shute Harbour Road & Regatta Boulevard
Cannon Valley QLD 4800

P: 03 9535 0500

E: arc@whitsundaygreen.com.au



APPENDIX 1

WHITSUNDAY GREEN ARC DEVELOPMENT APPLICATION

1. APPLICANT NAME:

(Insert Full Name of Lot Owner)

First Name

Surname Name

2. AUTHORISED AGENT FOR THE APPLICANT (IF APPLICABLE):

(Insert details of the person who has lodged this application on your behalf)

First Name

Surname Name

3. LOT ADDRESS:

(insert the Street Address of the Lot)

Street Name

4. TYPE OF DEVELOPMENT:

(Please tick either Box A or B)

☐ **A** Dwelling and all associated works proposed to be constructed at the same time (Fee = \$500)

☐ **B** Any other Development requiring separate ARC consent (Fee = \$100)

5. DOCUMENTS DIGITALLY ATTACHED AS PER 3.1 OF THE CODE:

(Please tick appropriate boxes below)

☐ **A** Lot Plan @1:200 scale clearly indicating the location of all proposed Development on the Lot

☐ **C** A schedule containing detailed information on all proposed external building materials and colours

☐ **B** Plans, elevations, sections of the proposed dwelling and all associated works @1:100 scale

☐ **D** Other material you consider will assist the ARC in its deliberations

6. DATE THE APPLICATION FEE PAID TO THE ARC AS PER 3.3 OF THE CODE:

(Insert the date you paid the Development application fee to the ARC account)

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
DD		MM		YEAR



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WHITSUNDAY GREEN ARC DEVELOPMENT APPLICATION (CONTINUED)

7. DATE THE \$5,000 BOND LODGED WITH THE ARC AS PER 3.4 OF THE CODE:

/

/

DDMMYEAR

8. YOUR CONTACT DETAILS:
(Insert the most convenient contact details for us to get hold of you quickly)

☐ A - Mobile Phone

☐ B - Email

MobileEmail Address

APPLICANT SIGNATURE(S)
(MUST BE SIGNED OR WITNESSED BY THE ACTUAL LOT OWNER(S))

APPLICANT

Name

First NameSurname

Company (if applicable)

Authority of Company Representative (if applicable)

Signature

Date Signed

/

/

DDMMYEAR

APPLICANT 2 (if applicable)

Name

First NameSurname

Company (if applicable)

Authority of Company Representative (if applicable)

Signature

Date Signed

/

/

DDMMYEAR