

## **Annexure “B”**

# **Design Guidelines**

## **WELCOME TO BAYSIDE MORETON BAY DESIGN GUIDELINES**

The Design Guidelines form part of your Purchase Contract and assist you when designing your home and landscaping. They are designed to create an attractive streetscape that results in a cohesive urban form, while not precluding individual design solutions.

The Developer encourages a variety of architectural styles and material in the design of your home. The Developer reserves the right to approve works which do not comply with the Design Guidelines where considered to be of merit and to vary the requirements of the Design Guidelines at its discretion.

The Design Guidelines apply in addition to, and not in lieu of other statutory requirements. Approval from your Local Government Authority or a registered building certifier will be required in addition to any approval given by the Developer.

### **THINGS YOU NEED TO KNOW...**

- Diversity and innovation of design of your home is encouraged. The Developer encourages the use of alternative architectural styles and building materials.
- You must have the approval of the Developer for your home before lodging any applications to Local Government or a private certifier for building approval.
- The design of your home must comply with the Design Guidelines otherwise penalties as stipulated in your Purchase Contract may apply.
- You must build your home and landscape your site within the specified timeframe. Please refer to your Purchase Contract.
- A high standard of presentation of Bayside Moreton Bay is a priority to you and your neighbours. By law you as the property owner are responsible for the environmental impact of all work undertaken on your site.
- The Developer may in its absolute discretion relax, vary, exclude or not enforce the Design Guidelines in this stage and/or any other stages of Bayside Moreton Bay.
- The Purchaser releases the Developer from all liability whatsoever from any action undertaken by the Developer pursuant to these Design Guidelines.

### **THE APPROVAL PROCESS**

#### **Step 1 – Obtain The Developer’s Design Approval**

Before undertaking any building work, you must first obtain the written approval from The Developer. In addition to these “Design Guidelines”, please discuss with your Local Council any specific codes or conditions which may apply to your lot.

Submit your design to The Developer inclusive of the information required for the Application Form included in the Design Guidelines. The Developer will issue a ‘Design Approval’ where the proposed building and landscaping plans appropriately complies with the Design Guidelines. Where proposed plans are not suitably in accordance with the Design Guidelines, the Developer will identify the items requiring further consideration. Where amendments are necessary, revised plans are to be submitted to the Developer for approval before you can proceed to building approval application.

## Step 2 – Obtain A Building Approval

Upon receipt of your approval from the Developer, an application can be made to the Local Government Authority or a registered building certifier for assessment to receive approval for building.

## THE DESIGN GUIDELINES

<b>Site Planning and Building Location</b>	<ul style="list-style-type: none"><li>• Homes are sited in accordance with the approved setbacks as per local authority approval.</li><li>• Only one (1) dwelling is permitted per lot.</li></ul>
<b>Front Elevation and Facade</b>	<ul style="list-style-type: none"><li>• Homes are designed to face the street and deliver a strong street address to primary and secondary streets.</li><li>• Architectural features such as verandas, porticos, feature windows, façade detailing, roof features and articulated building form are required.</li><li>• The primary entry is to incorporate a covered roof area of at least 2.5m<sup>2</sup> with a minimum depth of 1.5m.</li><li>• Homes must avoid long blank walls with small windows facing the street.</li></ul>
<b>Primary and Secondary Facade Articulation</b>	<ul style="list-style-type: none"><li>• Walls exceeding 8m in length are to be stepped a minimum of 450mm.</li></ul>
<b>Minimum Floor Area</b>	<ul style="list-style-type: none"><li>• The home must have a minimum internal floor area of 160m<sup>2</sup>.</li><li>• This includes garages and alfresco outdoor living areas (under roof) and excludes verandas and any outbuildings.</li></ul>
<b>Height of Buildings</b>	<ul style="list-style-type: none"><li>• The height must not exceed 8.5m above the natural ground level.</li><li>• A maximum of 2 storeys is permitted.</li></ul>
<b>Minimise Overlooking</b>	<ul style="list-style-type: none"><li>• Screening must be provided to upper floor windows that overlook windows of adjacent dwellings.</li></ul>
<b>Glazing to the Street</b>	<ul style="list-style-type: none"><li>• Entries must incorporate an element of glazing in the form of a side light, glazing above the door or glazing elements in the door itself.</li><li>• A minimum of 10% of the façade area (excluding the garage door) facing a street or public area is to be glazed.</li></ul>

<p><b>Design for Slope</b></p>	<ul style="list-style-type: none"> <li>• Homes should be designed to prevent unsightly earthworks and retaining walls, and be sympathetic to the topography and landscape.</li> <li>• Homes developed on sloping sites should consider suspended floor construction methods which minimise the need for significant earthworks.</li> <li>• Undercroft areas must be suitably screened and designed to minimise viewing from the street and neighbouring properties.</li> <li>• Where earthworks do not permit traditional single plane 'slab on ground' construction, homes shall be constructed as 'Hillside Homes'.</li> </ul>
<p><b>Nominated Level Change</b></p>	<ul style="list-style-type: none"> <li>• Works associated with any building construction shall limit earthworks (e.g. building platforms) to a maximum level change of 400mm to the main dwelling and a maximum of 1.0 metre level change to garages from the finished surface levels approved by any Operational Work Development Permit.</li> <li>• Where earthworks detailed above do not permit traditional single plan 'slab-on-ground' construction techniques, dwellings shall be constructed utilising alternative construction techniques that minimise the need for any surface disturbance and the need for earth works by incorporating split levels or elevated construction techniques.</li> </ul>
<p><b>Exterior Wall Finishes</b></p>	<ul style="list-style-type: none"> <li>• The finish of front &amp; secondary facades must comprise a minimum of two (2) building materials inclusive of the below.</li> <li>• All other exterior walls must be at least one (1) of the below.</li> <li>• Acceptable exterior wall finishes: <ul style="list-style-type: none"> <li>○ Rendered masonry</li> <li>○ Face brick (where used as a feature material and comprising no more than 80% of the total façade area)</li> <li>○ Timber battening as a feature element on the front elevation (e.g. timber posts on a portico or a gable infill feature detail)</li> <li>○ Weatherboard (or similar profiled claddings), plywood or fibre cement wall sheeting with timber battened joints, all with a paint or stained finish to a maximum of 30% of the facade area</li> <li>○ Stone facing</li> </ul> </li> <li>• The use of more extensive lightweight claddings (in excess of the above requirements) which provide a quality architectural finish will be considered on slope sites where the design of the home responds sympathetically to sites slope conditions (e.g. pole frame or other designs built with a suspended floor).</li> <li>• It is advised that such design proposals are discussed with the developer prior to proceeding to detailed design.</li> </ul>

<p><b>Exterior Colours</b></p>	<ul style="list-style-type: none"> <li>• The exterior wall, roof, window and trim colour of the home must complement the natural environment. Earthy, natural, muted hues and tones are to be used in conjunction with complementary trim colours and materials or feature elements. Bold bright colours or materials are not acceptable.</li> <li>• All building materials and colours are required to be identified on the plans submitted to the Developer for Design Approval.</li> </ul>
<p><b>Housing Diversity</b></p>	<ul style="list-style-type: none"> <li>• Identical or similar designs within the same streetscape (assessed as within 4-5 dwellings either side of the proposed dwelling) will not be approved with the same front elevation design or colour scheme.</li> <li>• Variation in colour scheme, landscaping and façade treatments may be incorporated into the design to ensure significant variance in front elevation design and streetscape address.</li> <li>• In any given streetscape, no two (2) houses with the same street elevation are permitted to be established, unless otherwise approved in writing by the Development Planning Manager.</li> <li>• Heritage replica, federation adaptations and a themed approach to building design is not acceptable, such as Mediterranean, French Provincial or Tuscan.</li> </ul>
<p><b>Roof Pitch</b></p>	<ul style="list-style-type: none"> <li>• The minimum pitch for conventional hipped roofs will be</li> <li>• 22.5 degrees.</li> <li>• Modern and contemporary roof forms with reduced roof pitches are encouraged.</li> </ul>
<p><b>Roof Overhang (Eaves)</b></p>	<ul style="list-style-type: none"> <li>• Eaves or roof overhang is provided on all elevations to habitable rooms at a minimum of 450mm projected from the face of external walls to provide shading over windows and maintain high visual amenity.</li> <li>• Dwellings without eaves or overhang are not an acceptable design solution unless hoods are provided to all habitable rooms as a minimum or outstanding architectural merit and sufficient climate comfort can be demonstrated. Hoods will not be accepted on primary &amp; secondary street frontages.</li> </ul>
<p><b>Roof Materials</b></p>	<ul style="list-style-type: none"> <li>• The following roof materials are acceptable: <ul style="list-style-type: none"> <li>○ Metal corrugated roof sheeting with matt finish</li> <li>○ Colourbond non-reflective</li> <li>○ Concrete roof tiles</li> </ul> </li> <li>• Copper and zinc roof sheeting is not an acceptable design solution.</li> </ul>

<p><b>Garages</b></p>	<ul style="list-style-type: none"> <li>• Garages are not to be a dominant feature in the streetscape.</li> <li>• Enclosed garage accommodation is provided for a minimum of two (2) cars, except on lots less than 12.5m wide, where a single-car garage is acceptable.</li> <li>• Enclosed garage accommodation is provided for a maximum of three (3) cars.</li> <li>• As the driveway grade can dictate the level of the home and result in excessive earthworks, consideration should be given to splitting the level of the garage from the home itself. This may even include detaching the garage.</li> </ul>
<p><b>Driveways</b></p>	<ul style="list-style-type: none"> <li>• Driveways are not a dominant feature in the streetscape</li> <li>• Driveways are no wider than 5.5m</li> <li>• Appropriate materials may include pavers, exposed aggregate and stamped, stencilled and coloured concrete</li> <li>• Driveway colour is to complement the building and landscape design</li> <li>• Undecorated grey, broom finished concrete driveways are not an acceptable design solution</li> </ul>
<p><b>Landscaping</b></p>	<ul style="list-style-type: none"> <li>• The minimum landscaping that must be provided in the front yard will have: <ul style="list-style-type: none"> <li>○ Three (3) trees of 45 litre stock (2.0 m high at planting)</li> <li>○ Six (6) plants of 15 litre stock (1.0m high at planting)</li> <li>○ Mulched, mounded and edged garden beds that are a feature of the front yard area</li> <li>○ Good quality turf to the remainder of the landscaped area including the road verge</li> </ul> </li> <li>• All trees retained on the lot must not be removed unless a Development Permit of Vegetation Clearing is granted by the Local Council. This is the responsibility of the Purchaser.</li> <li>• Any street tree planting provided by the Council or the developer must be retained and maintained.</li> <li>• Landscaping works are to be completed prior to the occupancy of the house.</li> <li>• Privately owned landscaping and vacant lots are maintained to a good standard and at no cost to the Developer.</li> <li>• All letterboxes must be of an architectural style.</li> </ul>
<p><b>Fencing to Front Streets</b></p>	<ul style="list-style-type: none"> <li>• Fencing to the primary street frontages is no higher than 1.2m and at least 30% transparent.</li> <li>• Front fencing is designed as modern adaptation of the picket fence incorporating masonry piers with timber or tubular metal infill panels.</li> <li>• Fibro-sheeting, metal or colourbond sheeting products are not acceptable design solutions unless outstanding architectural merit can be demonstrated.</li> <li>• Fencing constructed by the Developer must be retained in its original form and maintained to present a high-quality finish.</li> </ul>

<p><b>Fencing to Side and Rear Boundaries</b></p>	<ul style="list-style-type: none"> <li>• Side and rear fencing between adjoining lots is a maximum of 1.8m high and of timber paling construction.</li> <li>• Side boundary fencing does not extend beyond the front face of the building into the front yard.</li> <li>• Any fences extending beyond the front of the building line are a maximum of 1.2m high and must meet the requirements specified for a front fence.</li> <li>• Where no front fence is installed, the side boundary fence must return to the house a minimum of 1.0m behind the front fence.</li> </ul>
<p><b>Fencing to Corner Lots</b></p>	<ul style="list-style-type: none"> <li>• Fencing to the primary street frontages is limited to 1.2m and maintains at least 30% transparent.</li> <li>• Fencing to secondary street frontages is a maximum of 1.8m high and constructed as quality fencing that complements the dwelling design.</li> <li>• Acceptable designs include: <ul style="list-style-type: none"> <li>○ Lapped and capped timber paling fences with expressed posts and painted finish</li> <li>○ High quality designs incorporating masonry piers with timber or tubular metal infill panels</li> <li>○ Painted timber paling fencing</li> </ul> </li> </ul>
<p><b>Retaining Walls</b></p>	<ul style="list-style-type: none"> <li>• Retaining walls constructed by the Developer must be retained in original form and maintained to present a high-quality finish.</li> <li>• It is your responsibility to comply with and obtain any statutory requirements and approvals from Local Council for any retaining wall to be constructed.</li> <li>• Retaining walls are terraced and landscaped to not appear overbearing.</li> <li>• Retaining walls visible from the street or public areas are to be constructed from one of the following materials: <ul style="list-style-type: none"> <li>○ Stacked masonry (linked blocks)</li> <li>○ Boulders or painted blockwork masonry.</li> <li>○ Timber sleepers are permitted where proposed height is less than 300mm</li> </ul> </li> <li>• Retaining walls constructed in the front yard of any lot are to be constructed from one of the following materials: <ul style="list-style-type: none"> <li>○ Stone boulders</li> <li>○ Painted blockwork masonry</li> <li>○ Timber sleepers are permitted where proposed height is less than 300mm</li> </ul> </li> <li>• It is your responsibility to discuss any proposed retaining walls with your adjoining neighbour prior to construction to ensure that the height of the retaining is appropriate to suit the finished ground levels on adjacent lots.</li> </ul>

# GENERAL GUIDELINES

These general requirements apply to all lots within Bayside Moreton Bay:	
Use of Dwelling and land	No dwelling house may be used as a display home without the developer's written consent.
Existing or Temporary Structures	The Purchaser shall not erect, bring upon or permit to remain upon the Lot any structure previously erected on another lot or any caravan, tent or living shelter of any kind.
Completion of Works	Dwelling construction is to commence within 12 months of settlement of the purchase and is to be completed within 12 months of commencement of construction
Ancillary Structures	Bins, storage areas, garden sheds, rainwater tanks, clothesline, hot water and gas systems, air conditioners, satellite dishes and antenna should not be visible from the street frontage. Where possible it is requested designs be submitted for approval show locations and treatment for these various elements
Signage	Signs and hoarding advertising products and businesses will not be permitted on residential allotments with the exception of approved display homes. Builder tradesperson's identification signs are permitted (up to 0.06m <sup>2</sup> – for example 100cm x 60cm) where they are required on allotments during construction. These signs must be removed at completion of construction. It is not intended to prevent placement of signage on completed and occupied dwellings for the purpose of a home-based business, and carried out in accordance with Council requirements.
Letter Boxes	The design of letter boxes must be complementary to the dwelling and located adjacent to the pedestrian entry and are to be constructed of rendered masonry or hardwood timber. Letter boxes are to be installed prior to occupation of the main dwelling.



# Design Approval Application

Prior to lodging your application for Design Approval, please take the time to fill in the Application Form including contact details and compliance checklist and post or e-mail (PDF) together with a full set of A3 Proposal Plans (Site Plan, Floor Plan, Elevations and Landscaping and Fencing Plans) to the Covenant Administrator.

## **Please ensure that the following key compliance measures are identified on the Proposal Plans:**

- Specifications of setbacks, site cover, landscaping, proposed fencing, all external building materials colours and finishes;
- Location of all proposed ancillary structures e.g. rainwater tank, antennae, solar panels;
- Eaves;
- Roof pitch and material;
- Driveway location and materials;
- Letter box;
- Proposed cut and fill; and
- Retaining walls (location, extent and height).

Where any item is missing, the Developer may withhold commencement of the review process until all requested information is supplied.

## **Covenant Administration for Bayside Moreton Bay**

Please do not hesitate to contact Covenant Administration via phone or e-mail should you require further clarification on any of the requirements within this document on details provided below.

Contact: Gallery Group  
PO Box 855  
Sanctuary Cove QLD  
E-mail: [designapproval@gallerygroup.com.au](mailto:designapproval@gallerygroup.com.au)

# Design Approval Application Form

<b>Property Address</b>			
<b>Lot Description</b>			
	<b>Name &amp; Postal Address</b>	<b>Phone</b>	<b>E-mail</b>
<b>Owner/Purchaser</b>			
<b>Builder</b>			
<b>Building Designer</b>			
<b>Person to Contact</b>			
<b>Details to be provided on the proposal plans include the following compliance measures</b>			
Streetscape variety is provided through inclusion of covered balconies, verandahs, decks and / or walkways.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Walls and rooflines have been designed so as to minimise impacts to neighbouring properties and retain aesthetic amenity.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Internal floor areas are shown - minimum of 160 square metres. (This includes garages and excludes verandas and any outbuildings).	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Dwelling height is identified and is a maximum of 8.5m and two storeys.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Walls to the secondary street frontages step in plan no less than once every 8.0m and include a minimum of 10% glazing.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
All external building materials are shown and comprise of a minimum of two (2) acceptable finishes. Face brick does not exceed 80% and weather board or cladding systems do not exceed 30%.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Roof eaves or acceptable alternative shade devices have been provided.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Roof materials are shown and are either non-reflective (Matt finish), corrugated colorbond, or concrete roof tiles.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
All gutter & downpipe materials and colours complement the dwelling design.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Roof pitch is identified and is 22.5 degrees for conventional hipped roofs or where modern and contemporary roof forms have been utilised, reduced roof pitches are provided and pitch identified.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Enclosed garage accommodation provided for a minimum of two cars.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Garage doors do not dominate the appearance of the dwelling from the street.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Where a third parking space is provided for storage of boats, caravans or similar, this area is concealed from the primary access street.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Outdoor Living Areas compliment the main dwelling, have a minimum dimension of 3m x 3m and are constructed of appropriate materials.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
All ancillary structures are not visible from the street or are suitably screened from public view.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Front fencing is a maximum 1.2m height and is at least 30% transparent.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Landscaping meets the minimum requirements outlined.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

Boundary fencing is provided to a maximum of 1.8m in height (side and rear boundaries only).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Side boundary fencing does not extend beyond the front face of the building into the front yard and is returned to the dwelling.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
All fencing proposed is shown and has a finished appearance that compliments the dwelling, contributes to privacy, security and amenity and does not dominate the streetscape.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Specific Requirements (Where applicable)		
The Home and any other buildings are sites in accordance with the nominated Setbacks.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The maximum site cover requirement is not exceeded.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Dwellings located on a lot with a slope are constructed as Hillslope Homes utilizing alternative construction techniques as necessary.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Please forward Application Form with required documents to:**

Gallery Group  
PO Box 855  
Sanctuary Cove QLD  
E-mail: [designapproval@gallerygroup.com.au](mailto:designapproval@gallerygroup.com.au)

Office Use:

Date Received:

Date Approval Issued:

Issuing officer:

**ANNEXURE “C”**  
**ESTATE COVENANTS**

**1. PRELIMINARY**

- 1.1 These Estate Covenants form part of the Contract and the definitions contained in the Contract will apply to these Estate Covenants.
- 1.2 For the purposes of these Estate Covenants:

**Bond** means a cash payment to the Seller, payable within 7 days of a request from the Seller, in an amount to cover any or all of the following:

- (a) the Seller's estimate of its additional Consultant's costs, including legal fees on an indemnity basis;
- (b) the Seller's estimate of the cost to make good any breach; and
- (c) the Seller's costs in retaining a Consultant to consider any Design Guidelines Application.

**Building Works** means any work carried out on the Land including, excavation, construction and fencing.

**Completed** means the relevant Building Works have been constructed and completed in accordance with this Contract (including the Design Guidelines and Estate Covenants), the terms of any approvals given and to the reasonable satisfaction of the DAP.

**Consultant** includes a valuer, architect, builder, energy efficiency consultant, lawyer and/or landscape architect.

**DAP** means the design assessment panel appointed by the Seller.

**2. BENEFIT OF ESTATE COVENANTS AND DESIGN GUIDELINES**

- 2.1 The Buyer acknowledges that the Land forms part of the Estate which has been designed to create a high value, well presented housing estate for the benefit of the Seller, the Buyer and other owners in the Estate.

**3. BUILDING WORKS**

- 3.1 The Buyer must only construct Building Works on the Land in accordance with the approval granted by the DAP, the Development Approval and the Design Guidelines.
- 3.2 Excavation is to be kept to a minimum and no fill is to be placed on any site.
- 3.3 No incinerators shall be erected, placed or operated on the Land.

**4. MAINTENANCE**

- 4.1 The Buyer shall maintain the Land and the Works to a high quality standard, including:
- (a) keeping all landscaping regularly manicured, weeded and lawns mowed;
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- (b) not erecting any structures separate from the house unless it is a high quality shed of non-reflective material or finished in the same materials and colour as the house and otherwise has all necessary Local Authority approval.

## **5. APPROVAL OF BUILDING WORKS**

5.1 The Buyer must obtain the written approval of the DAP prior to commencing construction of any dwelling or structure or commencing any Building Works on the Land. The Buyer must comply with the application process specified in the Design Guidelines and these Estate Covenants.

5.2 In electing to grant or refuse its consent, in its absolute discretion, the DAP may:

- (a) consider the sustainability of the design proposed by the Buyer;
- (b) consider the requirements of any Local Authority or other relevant authority (including but not limited to the Development Approval, any relevant legislation, regulation or standard);
- (c) any other consideration that the Seller or DAP deems relevant; or
- (d) refer the Buyer's application to a Consultant.

5.3 If the DAP elects to refuse its consent, the DAP is not required to give reasons for the refusal.

## **6. CONSTRUCTION**

6.1 The Buyer must ensure that construction of a dwelling:

- (a) is commenced within 12 months of the Settlement Date;
- (b) continually progresses in a timely manner;
- (c) is not delayed unless there is a reasonable cause for the delay; and
- (d) is in accordance with the Development Approval, Design Guidelines, Estate Covenants and the terms of any approval granted by the DAP.

6.2 The Land must be kept clean, tidy and secure until the construction of the dwelling, and fencing is completed.

6.3 The Buyer must pay to the Seller a Bond prior to construction which is to be held until the construction of the dwelling is Completed. The Seller may waive this requirement in their absolute discretion.

6.4 If the Buyer Completes construction of the dwelling by the date that is 9 months after the Settlement Date, the Seller will refund the Bond to the Buyer.

6.5 If the construction of the dwelling is not Completed by the date that is 9 months after the Settlement Date, the Buyer's Bond will be retained by the Seller indefinitely and not refunded to the Buyer until such times as the construction of the dwelling is Complete.

## **7. VARIATIONS/ADDITIONS WITHOUT CONSENT**

7.1 If the Buyer varies or makes any additions to the dwelling house or structure without the prior approval of the DAP the Buyer must request the approval of the DAP in accordance with this Contract.

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**8. GENERAL**

- 8.1 These Estate Covenants may be waived or amended by the Seller or the DAP at any time in its absolute discretion.
- 8.2 No "for sale" sign may be exhibited on the Land at any time without the prior written consent of the Seller until the Seller has settled the sales of all the lots in the Estate. Any such signs will be forfeited to the Seller and the Seller is authorised to enter the Land and remove such signs.
- 8.3 If any requirement, covenant or condition contained in the Design Guidelines or Estate Covenants is or becomes invalid or unenforceable for any reason, the Seller reserves the right to amend the relevant requirement, covenant or condition and the Buyer agrees to be bound by the amended requirement, covenant or condition. The remaining requirements, covenants or conditions will continue to apply and be valid and enforceable to the fullest extent permitted by law.
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