

AA4937

25/02/2019 \$96.10 MCP



Memorandum of common provisions
Section 91A Transfer of Land Act 1958

Lodged by	
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Reference:	JMEM: 7480486.006
Customer code:	1167E

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

PRELIMINARY

This memorandum of common provisions contains mandatory items contained in the Marigold Design Guidelines.

In the event that requirements under the Marigold Design Guidelines contradict covenants defined within the plan of subdivision or this memorandum of common provisions, the plan of subdivision or the memorandum of common provisions shall prevail.

All provisions not addressed in this memorandum of common provisions are as required in the current building regulations.

This memorandum of common provisions will apply for 10 years from registration of the plan of subdivision in which the lot is contained.

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2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in instruments and plans.

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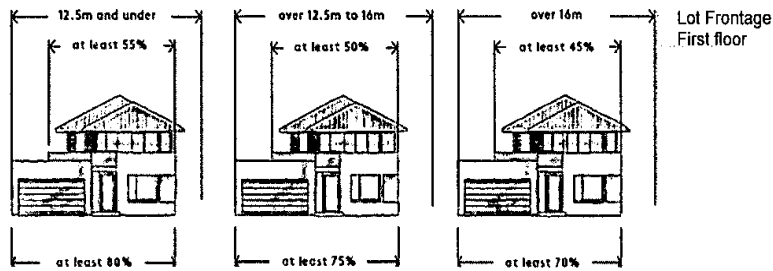
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1. DWELLING SIZE

All dwelling designs must comply with the following minimum front width elevations:

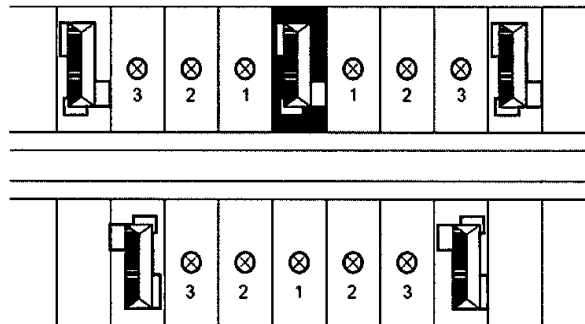


2. STYLE

Dwellings must support architectural designs that are modern and contemporary, including quality form and finishes.

3. STREETSCAPE

Dwellings with identical facades must not be built within 3 dwelling allotments along either side of the street. Provisions include either side, opposite and encompassing other street frontages where applicable (please see diagram below).



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In the event two applications request the same facade or similar design, approval will be granted to the first application received.

4. MATERIALS

Materials and finishes such as unpainted or galvanised metal, raw fibre cement sheet and reflective glazing are not permitted.

External walls with elevations facing a street or reserve must be constructed from at least 2 types of materials or colours to capture the modern and contemporary design concept for the dwelling:

- Up to 70% may consist of; brick, masonry veneer or other approved texture coated material.
- At least 30% may consist of; render, stack stone, weatherboard, tiles, natural stone, etc. (roof, garage door or windows cannot be included as a secondary material).
- Contrasting face brick is not permitted.

5. FACADE

Dwelling facades must be constructed using a mixture of external building materials and must include a minimum of 30% of materials other than brick. The 30% may be approved to be of full render, on the condition there is a contrast of colours to the rest of the facade.

Facades must include features such as a porch, veranda or balcony to add visual interest and articulate building features.

The entry to the home must be recessed from the main building line and located on the main front elevation. Entry doors flush with the main building line are not permitted.

Dwellings must have at least one habitable room window on the primary façade.

Materials used on the front facade must continue a minimum 1m along the adjoining side elevation for non-corner allotments.

6. CORNER LOTS

Dwellings on corner allotments must have a facade which incorporates matching design features that address both street elevations. These include feature windows, materials and articulation.

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Materials used on the primary facade must continue to the secondary facade a minimum of 3m and must be in front of the return fence.

Dwellings must have at least one room window on the secondary facade frontage.

7. ROOFS

Flat roofs are permitted but must include parapet walls.

External finishes such as air conditioning units and service-related equipment must be positioned to minimise visibility from the street and of a colour which blends in with the roof.

Skillion and curved roofs must have a minimum roof pitch of 10 degrees.

Where eaves are used, the eaves must be a minimum depth of 450mm and return and continue for at least 1m along the adjoining wall/s.

8. GARAGES

Garages must not dominate the streetscape or façade and must be constructed of materials which match and complement the façade.

Garages must be set back from the dwelling frontage (facade wall) a minimum of 0.5m for regular allotments.

For single storey dwellings, the width of the garage door must not exceed 50% of the lot frontage.

Garage doors must be an electrical, sectional, panel or tilt lift door (roller doors are prohibited where visible from the public realm).

Lots with a frontage of 12.5m or greater must have a double garage.

Double garages must not exceed 6.5m.

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9. FENCING

9.1 FRONT

Gates that form part of the front fencing must complement the style and material of the front fence.

Front fencing must be completed within 90 days from the occupancy certificate being issued.

9.2 SIDE, REAR & RETURN

Side and rear fencing must be constructed as specified below:

- Total height of 1.9m (+/- 50mm)
- Bottom plinth of 150mm
- Exposed timber posts with 2.4m spacing
- Timber palings with a 20mm overlap

Side fencing must terminate a minimum of 1m behind the closest front wall

Return fencing must be set back a minimum of 1m from the building line and match the height and materials of the side fence.

Side, rear and return fencing must be completed prior to occupation of the dwelling.

9.3 CORNER

A corner lot is any lot that has more than one boundary that abuts a road.

Corner lot fencing must have exposed posts with caps along any boundary, other than the front boundary, that does not abut another residential lot.

Corner fencing must be set back 3m behind the closest front wall for regular allotments.

All other aspects remain the same as side and rear fencing.

Fencing forward of the building line will only be accepted if an integrated front fence is built.

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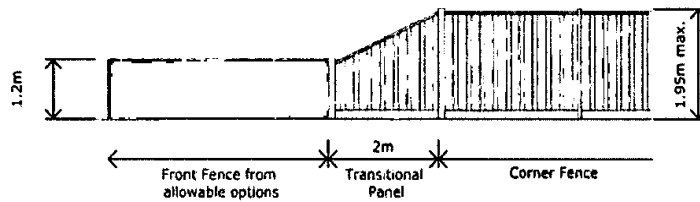


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Gates that form part of the fence must match height and materials of the side fence.

9.4 TRANSITIONAL

Where the side boundary meets the front fence, fencing must rake down to a height of 1.2m over a 2m wide panel and must meet the front fence as shown below.



10. LANDSCAPING

The front garden must have at least one tree with a minimum installation height of 2m planted between the front building line and street boundary.

11. DRIVEWAYS

Only one crossover per allotment is permitted.

Driveways and any public paths that are visible from the public realm must be constructed with either exposed aggregate, natural stone, brick/concrete pavers, or coloured concrete. Unfinished natural concrete or painted concrete is not permitted.

The design and finish of the driveway must complement the overall design of the dwelling and not dominate front landscaping elements.

Driveways must be completed prior to occupation of the dwelling.

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12. ANCILLARY ITEMS

12.1 Storage & Services

Sheds must be no greater than 10m² in area and be no higher than 3m from natural ground level. Materials and colours used should be consistent with and complement the dwelling.

Sheds must be screened away from any street and/or public view.

Solar panels must not be installed on the front elevation of the dwelling.

Solar hot water systems must not be installed on the front elevation and must be screened from public view.

Roof mounted evaporative cooling units must be low profile, located below the roof ridgeline, and not visible from the public view (preferably to the rear of the dwelling). All units must be coloured to blend with the roof of the dwelling.

Air-conditioning units must be located below the eave line and must not be visible from public view.

Clotheslines, bin storage, rainwater tanks, heating and cooling equipment, spa equipment and service areas must not be visible from the street frontage or public view.

Refuse bins must not be stored where visible from the street.

Exposed plumbing must not be visible from the front or side street or neighbouring public view (excluding gutters and downpipes).

12.2 Advertising

Builders are permitted to one advertising sign (maximum 600mm x 600mm) per allotment during the construction of a dwelling. The sign shall be removed within 30 days from construction completion.

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