



clarindapark

CRANBOURNE

MCP Requirements

For Stages 1D, 5, 6, 7, 8, 9, 10, 11 & 12

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Introduction

- A. In order to maintain quality and achieve a consistent character in the neighbourhood all building plans must be approved by a Design Assessment Panel (DAP) set up by the Developer. This Memorandum comprising all the provisions in the attached pages numbered 2-6 (inclusive) together with restriction on your plan of subdivision give guidance to the type of dwelling you may construct. No buildings or works may be constructed or carried out on a lot other than in conformity with this Memorandum unless prior written approval is obtained from the DAP.
- B. The DAP comprises a representative of Abiwood Fields Pty Ltd (ACN 161 713 355) and other appointed members, which at times, may vary. The contact details for the DAP are beveridgewilliams.com.au/design-application/ or **Abiwood Design Assessment Panel**
2/44 Weatherall Road Cheltenham VIC 3192.
- C. The requirements in this Memorandum apply to all lots larger than 250m² that do not comprise part of a superlot, or other such lot, which would require a planning permit for development approval.
- D. Where the siting restrictions in this Memorandum are contrary to Regulation 409 as detailed in the Building Regulations, no consent and report of the relevant council is required, as this Memorandum has been prepared with regard to Regulation 406.
- E. The Building Regulations apply to all matters that are not addressed in this Memorandum.
- F. The Memorandum does not apply where more than one dwelling is to be constructed on a lot.



Approved Building Envelopes

Any building must be sited within the Approved Building Envelope, apart from the specific encroachments allowed outside the Approved Building Envelope pursuant to this Memorandum.

1. Text of Restrictions

THE MATTERS WHICH ARE RESTRICTED ARE:

1.1 Recycled Water / 'Third Pipe'

If South East Water make Class A recycled water supply available to the lot, the owner of the lot may be required to connect the recycled water supply to the lot at the same time as they connect the mains supply of potable water.

1.2 Fibre to the Premises Network

All homes must install or make allowance for optic fibre cabling. To access this high-speed broadband and telephone service, homes need to comply with the NBN Co In-Home Wiring Guide (or any subsequent NBN Co guidance). Failure to comply may prevent connection to the NBN network infrastructure or may require the homeowner to incur additional costs in order to connect.

1.3 Exceptions to Front Setbacks

The encroachments permitted by Regulation 409 of the Building Regulations and unroofed balconies may encroach into the specified front setback distances by not more than 1.5 metres to a maximum height of 4.5 metres.

1.4 Built Form

The external walls of a dwelling shall not be constructed other than in brick, stone, concrete, glass or timber or any combination thereof. The facade of the building facing the Primary Frontage, must not comprise only face brick. A mixture of materials and/or finishes (excluding windows and garage doors) is encouraged. Where the lot is on a corner, the materials used on the front façade must be incorporated along the façade of secondary frontage at least until the fence line. Alternate external wall construction materials will be considered by the DAP if they can be demonstrated to display a high degree of architectural merit.

Facia boards, trim and exposed metalwork must be colour-coordinated with the dwelling. Unpainted metalwork is not permitted.

Reflective glazing and excessively tinted glass is not permitted.

The external plumbing of any dwelling (including hot water units, though excluding stormwater drainage downpipes) must not be visible from an adjoining street.

A Primary Frontage facade design cannot be used where the same (or a substantially similar) facade design has been built or approved within three (3) lots of the relevant lot on either side of the same street.

The main pedestrian entry (front door) or access way to the main pedestrian entry must be visible from the primary street frontage.

1.5 Rooflines

Where hipped roof forms are displayed they must be a minimum of 22.5 degrees from the horizontal. Alternate roof forms are encouraged where it can be demonstrated that they display a high degree of architectural merit.

With the exception of walls on boundaries and parapet wall designs, buildings with pitched roofs must have extended eaves to a minimum of 450 millimetres of the street elevation. Eaves to the street must return and continue for a minimum distance of 1.5 metres along the connecting wall and/or walls. Secondary frontages to corner lots are treated as non-corner lots and must have a return of 1.5 metres.

The dwelling must not be roofed with any material other than non-reflective Colorbond steel, clay tiles, cement tiles or slate tiles. Alternate materials will be considered by the DAP if they can be demonstrated to display a high degree of architectural merit.

Roof mounted air-conditioning and/or heating units, satellite dishes and antennae must not be visible from the Primary Frontage or public areas. This requires units, satellite dishes, antennae to be located:

- in the rear fifty percent (50%) of roof area.
- for Corner Lots, in the rear fifty percent (50%) of roof area and not on roof area facing the Secondary Frontage.

Solar panels must be integrated with the roof design and must not be highly visible from roadways.



1.6 Minimum Dwelling Size

- (a) Each dwelling constructed on a lot must have a Floor Area of at least 150.0 square metres. The Floor Area does not include the garage, portico or verandah for the purposes of this calculation.
- (b) Dwellings on lots with a site area of 450.0 square metres or less must have a Floor Area of at least 120.0 square metres. The Floor Area does not include the garage, portico or verandah for the purposes of this calculation.

1.7 Outbuildings and Other Structures

A garage for at least one motor car is to be erected on each lot.

Where it is essential that a garage side boundary wall face the Front Boundary, the wall in question must contain windows of a size and proportion matching that of the general dwelling facade.

A single garden shed may be constructed on each lot provided that the garden shed:

- (a) has gross floor area of 9.0 squares metres or less;
- (b) is a maximum height of 2.0 metres; and
- (c) is located to the rear of the dwelling constructed on the Lot.

Outbuildings must be fully enclosed structures. The design, appearance and external colours and materials should be aesthetically integrated with the house.

Clotheslines must be screened from view from public areas.

Externally mounted equipment (spa or the like) attached to side boundary walls or any dwelling must endeavour to be positioned out of public view and in all cases be painted in a colour matching the adjoining wall surface.

1.8 Extensions

All additions and extensions to the dwelling, outbuildings, other structures including verandahs, pergolas, garden structures and swimming pools must comply with this Memorandum and any other necessary statutory approvals (including but not limited to planning and building permits).

1.9 Gardens and Landscaping

The nature strip abutting each lot and any trees planted therein must not be damaged at any time and if damaged must be reinstated to its previous condition.

The street frontage area of each lot must be cleared of any waste building material and landscaped in accordance with the succeeding paragraphs within 3 months after an Occupancy Permit is issued for the dwelling on that lot.

All gardens and landscaped areas visible from streets or parks must be well maintained and all parts of the lot which are not built upon or paved must be landscaped with grass, garden beds, shrubs and trees.

Shrubs within 1.0 metre from the Primary Frontage must not exceed 1.2 metres in height. Plants and trees within the remainder of the Primary Frontage are unlimited in height.

No weed species may be planted within the Lot (refer to "Weed Identification Guide" published by City of Casey, Cardinia Shire Council and City of Greater Dandenong).

No artificial grass may be laid on any part of the Lot hereby transferred that is in public view, that is the front yard or in the case of the Corner Lot, the front or side yard.

1.10 Driveways and Paths

Only one driveway or cross-over per lot is permitted, a driveway or cross-over shared between two lots is counted as one per lot.

Driveways and cross-overs on all lots must be:

- (a) Constructed to meet Council Standards;
- (b) Constructed of pavers or coloured concrete or concrete with exposed aggregate or stamped or stencilled surfacing; and
- (c) fully constructed prior to the issue of the Occupancy Permit.

1.11 Fencing

Side and rear fencing must comprise of timber palings and must have timber capping with timber posts exposed to both sides of the fence. Fences between adjoining lots must be 1.8 metres in height above the natural ground level of the lot and must finish a minimum of 1 metre behind the front façade. A wing fence of 1.8 metres in height can return between the side boundary and dwelling at that point.

1.12 Retaining Walls

Any retaining wall constructed of concrete blockwork other than textured interlocking concrete blocks and located on the front boundary or within the setback area must be treated with a bagged or rendered finish and be colour co-ordinated with the dwelling.

1.13 Letter Boxes

Letter boxes must reflect the character of the dwelling, be structures not exceeding 1.2 metres in height and must be constructed of brick or masonry or a similar commercially available alternative.

1.14 Bins and Compost

Storage areas for garbage bins must be accommodated within the garage or an enclosed and screened area. Compost bins must not be visible from the street.

1.15 Signs

- (a) Except as noted in paragraph 1.17 a sign must not be erected on or displayed from a lot without all necessary council permits and the prior written approval of the DAP.
- (b) Where a dwelling is constructed (or is in the course of construction) on a lot, the approval of the DAP will not be required for a sign advertising the sale or lease of that lot.

1.16 Parking of Heavy Vehicles

No plant, machinery, recreational or commercial vehicle, caravan, boat, box trailer, boat trailer, commercial trailer or car trailer shall be left or parked on the roadway, nature strip or footpath or on the land between the front building line and the Primary Boundary of the lot.

1.17 Display Home

No dwelling constructed on the land may be used for the purpose of a Display Home or for the purposes of marketing display homes save and except the lots comprised in the Display Village and in respect of such lots only during the period permitted by any valid Planning Permit issued for such purpose.

1.18 Signage and Hoarding Boards

Signage and Hoarding Boards advertising businesses and products are not permitted. Builder's signs of maximum size 600mm by 600mm are permitted as required on allotments during the course of construction and must be removed upon completion of construction.

1.19 Temporary Structures

No caravan, tent or other temporary living shelter of any kind may be erected before and during construction of any dwelling.

Building structures such as site sheds, site toilets and power generators are permitted as necessary on allotments during the course of construction and must be removed upon completion of construction.

1.20 Rubbish Disposal and Allotment Maintenance

The owner is to ensure rubbish, including building materials and site excavation material is to be stored in the correct bins and collected promptly. Dumping of rubbish including building materials and site excavation materials on vacant allotments or in any waterway is not permitted. Owners must not allow grass or weeds on vacant allotments to exceed 200 millimetres in height.

The Vendor or its Agent may enter upon and have access over a lot at any time without creating any liability for trespass or otherwise to remove rubbish, maintain, slash or mow a lot and the Purchaser agrees to meet the Vendor's reasonable costs of doing so.

1.21 Damage During Building Works on a Lot

The lot owner is responsible for repair and reinstatement of all subdivisional infrastructure damaged as the results of the building works on their lot. This includes but is not limited to cross-overs, kerb & channel, footpaths, public lighting and nature strips, including replacement of street trees of the same species and planting height.

2. Definitions and Interpretations

2.1 In this Memorandum:

- (a) **Corner Lot** means a lot contiguous to two intersecting streets, which has access to both streets.
- (b) **Design Assessment Panel** or **DAP** means a panel appointed by the Developer and comprising representatives of the Developer and, if the Developer determines, a qualified architect, for the purposes of assessing compliance by lot owners with the Memorandum of Common Provisions.
- (c) **Eave** means the overhanging lower edge of the roof.
- (d) **Floor Area** means the useable enclosed floor area of a dwelling after deducting verandah, carport and garage.
- (e) **Planning Scheme** means the Casey Planning Scheme.
- (f) **Primary Frontage** means,
 - (i) in the case of a lot where only one boundary of that lot abuts a street, the boundary that abuts the street.
 - (ii) in the case of a corner lot where two boundaries of a lot abut a street, the boundary with the greater offset on the building envelope.
- (g) **Regulations** means the Building Regulations 2006.
- (h) **Secondary Frontage** means the boundary of a lot (other than the Primary Frontage) that abuts a street.
- (i) **Setback** means the minimum distance which a wall face is required to be from a property boundary measured as the horizontal distance between the proposed wall and the boundary. All structures (including porches, verandas, carports and garages) must comply with the setback requirement unless specifically exempted in this Memorandum.
- (j) **Side Boundary** means a boundary of a lot that runs between and connects the street frontage of the lot to the rear boundary of the lot.

2.2 General Definitions

If not defined above, the words shall have the meaning attributed to them in the document identified:

- (a) In the Building Act 1993;
 - (i) "Building"
 - (ii) "Occupancy Permit"
 - (iii) "Lot"
 - (iv) "Owners"
- (b) In Part 4 of the Regulations;
 - (i) "Height"
- (c) In the Planning Scheme:
 - (i) "Frontage" (Clause 72)
 - (ii) "Display Home" (Clause 74)
 - (iii) "Dwelling" (Clause 74)
 - (iv) "Sign" (Clause 52)

2.3 Street

For the purposes of determining street Setbacks, street means any road other than a footway or carriageway easement.

2.4 On the boundary

A Setback of up to 200mm from the lot/property boundary is deemed to be on the boundary.



Design Approval Application Form



Your Details

Lot Number _____

Owners Name _____

Current _____

Postal Address _____

Telephone Home _____ Work _____

Mobile _____ Other _____

Builder's Name _____

Contact Name & _____

Number _____

DOCUMENTATION REQUIRED TO BE SUBMITTED FOR APPROVAL TO ABIWOOD DESIGN ASSESSMENT PANEL (A3 SIZE):

Design and Siting Guidelines Check List (to be submitted with application)

Attached

- 1. Site Plan** (min scale 1:200) indicating setback dimensions for all buildings, total footprint and floor areas, vehicle crossover, driveway and building envelope.
- 2. Floor Plans** (min scale 1:100) showing key dimensions, window positions and roof plan.
- 3. All Elevations** (min scale 1:100) indicating building heights, roof pitch, eaves depth, schedule of all external finishes and colours and all external building equipment (eg: garden sheds, pergolas, BBQ areas).
- 4. Fence design** drawings where relevant, showing location, height and materials
Note: If submitted via the post, all the above must be provided in A3 format.
- 5. Schedule of external colours and materials** including pavement sample.

The DAP will endeavour to assess proposals in the shortest possible time and generally within ten (10) working days of receipt of application, if all of the above documentation is provided.

Applications cannot be assessed until all of the above information is available. No facsimile submissions will be accepted. The Vendor also reserves the right to request further information.

Please submit the above documentation to:

Via Internet: beveridgewilliams.com.au/design-application/

Via Post: Abiwood Design Assessment Panel – Clarinda Park
2/44 Weatherall Road, Cheltenham VIC 3192

