

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	L415 PS701136 13 Daley Court, Beaconsfield
The application is for a permit to:	Variation to the Covenant
The applicant for the permit is:	Creative House Plans
The application reference number is:	T160712
You may look at the application and any documents that support the application at the office of the Responsible Authority:	<p>Cardinia Shire Council 20 Siding Avenue Officer 3809</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website www.cardinia.vic.gov.au.</p>

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

- An objection must
- * be sent to the Responsible Authority in writing, at Cardinia Shire Council, PO Box 7, Pakenham, Vic, 3810 or email at mail@cardinia.vic.gov.au
 - * include the name and address of the objector/ submitter
 - * include the application number and site address
 - * include the reasons for the objection, and
 - * state how the objector would be affected.

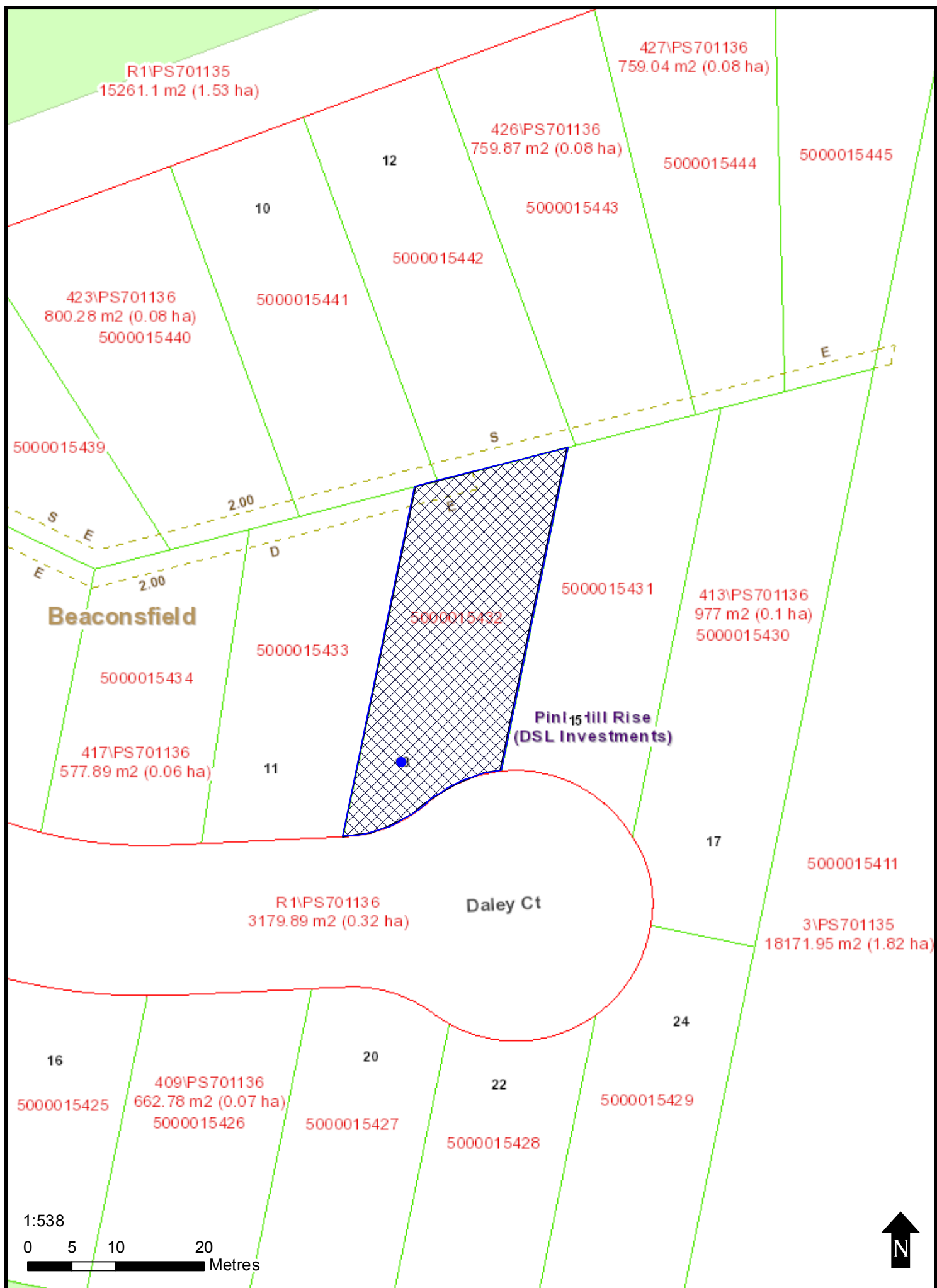
The Responsible Authority will not decide on the application before:	23 January 2017
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If you object, the Responsible Authority will advise you of its decision.

Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process.

For additional information or advice contact Cardinia Shire Council, Planning Department on 1300 787 624 or mail@cardinia.vic.gov.au

Your objection/ submission and personal information is collected by Cardinia Shire Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987*. If you do not provide your name and address, Council will not be able to consider your objection/ submission. Your objection/ submission will be available free of charge at the Council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the *P&E Act*. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.





PLANNING COVER LETTER

APPLICATION
FOR
VARIATION TO COVENANT
AT
Lot 4151 No 13 Daley Court
BEACONSFIELD, VIC, 3807



15th October 2016
(Updated 1st December 2016)



REGISTERED
Building Practitioner

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MEMBER



Building Designers
Association Victoria

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www.creativehp.com.au

The proposal is to remove Covenant condition 2.8 as noted in Permit No T110443.

Condition 2.8 states that;

“at least 85% of the buildings on the lot must be constructed from brick. The use of other materials (render, weatherboard, etc) should be limited to 15% of the structure.”

The proposal is to have the following breakdowns of materials as shown on Drawings Ref 415B Dated 29-08-16.

Brick	48.6%
Alucabond	9.7%
Tiles	4.1%
Render	24.7%
Striated Cladding	12.9%

Total 100%

Request has been made from the original developer via their Lawyers. Attached is email confirming that the developers are satisfied with the design as submitted. There email is very simple however can be verified via email noel@waterlawyers.com.au.

Beneficiaries to covenant are the 27 lots as listed on Plan of subdivision PS701136R(copy attached)

There are only a hand full of lots that have commenced construction however there are 2 lots in particular that have been constructed with zero brick. Both dwellings are built from Hebel with render finish and one of them has a reasonable amount of weatherboard to the façade. Photos and details attached below.



**Lot 425 Pink Hill Boulevard
Beaconsfield- Full Hebel Construction
with Weatherboard Front**



**Lot 411 Daley Court Beaconsfield- Full
Hebel Construction**

Creative House Plans

15th October 2016

APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME

Permit No.: T110443

Report: 1 of 1

Approved by: Samantha Mustey
CARDINIA SHIRE

Date: Wednesday, 20 August 2014

**BUILDING DESIGN & FENCING CONTROL
GUIDELINES**

JULY 2014

PINK HILL RISE RESIDENTIAL ESTATE

13 MAY ROAD, BEACONSFIELD

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1. PURPOSE

These Guidelines set out the requirements of the project developer, to maintain the quality of development and to protect the aesthetic value and amenity of the estate for the benefit of its residents.

Building Design Guidelines will appear as a creation of restriction on the Plan of Subdivision.

2. GENERAL

- 2.1 Lots shown on Plan of Subdivision PS701136R shall not be further subdivided.
- 2.2 Lots may not be amalgamated.
- 2.3 Only one dwelling per lot is permitted (apart from a dependent persons unit).
- 2.4 All lots must be provided with a garage meeting the provisions detailed in Sections 3, 6 and 7 of these Guidelines.
- 2.5 No dwelling having split log walls or any kit home, relocatable home, transportable or temporary dwelling structure or caravan is permitted to be occupied on the land.
- 2.6 Dwellings must have a clearly defined entry point visible from the street, where articulation expresses the entry point in the form of porticos, canopies, etc.
- 2.7 Dwellings shall be designed to respect neighbourhood character through use of materials and colours, façade articulation and detailing, window and door proportions and roof form.
- 2.8 At least 85% of the buildings on the lot must be constructed from brick. The use of alternate materials (render, weatherboard, etc.) should be limited to 15% of the structure.
- 2.9 The primary street frontage and secondary street frontage, where applicable, must incorporate at least one habitable room window to each facade.
- 2.10 Outbuildings shall be constructed from Colorbond or similar material.
- 2.11 Letter boxes should be designed to complement the dwelling using similar colours and materials.
- 2.12 External fixtures (clothes-lines, external plumbing, air-conditioning units, antennae etc.) must be located so as to minimise visibility from any street and public view.

3. SETBACKS

3.1 Front Setbacks:

Daley Court

- Dwelling: Minimum setback 4.5m
Maximum setback (Minimum + 1.5m) = 6.0m
- Garage: To be recessed 1m from the front wall of the dwelling

The setback from the Daley Court for Lots 412 and 413 shall be taken from the arc of the frontage and shall reflect the foregoing principles.

The dwellings and garages on Lots 412 and 413 shall be offset a minimum of 4.0m from the common boundary between the lots.

Pink Hill Boulevard

- Dwelling: Minimum setback 6.0m
Maximum setback (Minimum + 1.5m) = 7.5m
- Garage: To be recessed 1m from the front wall of the dwelling

3.2 Side Setbacks:

Where a building is not on or within 200mm of a boundary, 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.

3.3 Side Setbacks to Reserves (Lots 401 and 421):

2m (minimum) setback to facilitate landscape treatment.

3.4 Rear Setbacks:

3m (minimum)

The rear wall of a dwelling that has a height of more than 3.6m must have a setback of not less than 5.5m

Note: Allowable side and rear encroachments (no more than 0.5m) include:

- Porch or verandah;
- Masonry chimney;
- Screen which prevents direct overlooking;
- Domestic water tank;
- Heating and cooling equipment (must be located such that it is not visible from any road on the Plan of Subdivision and;
- Any other services.

4. DWELLING SIZE

- 4.1 The minimum dwelling floor area is to be 150m² measured at the external face of the external walls (excluding garages, porticos, verandahs, alfresco areas and other outdoor areas).
- 4.2 The site area covered by buildings must not exceed 60% of the area of the lot.
- 4.3 Two storey components of dwellings must incorporate architectural features within the street elevation and be setback a greater distance from the boundaries than the ground floor.

5. LOTS WITH OPEN SPACE/RESERVE ABUTTAL

- 5.1 Windows on the front portion of the dwelling must address both the front street and the side abuttal to the open space reserve. Articulation and front façade finishing materials must be continued to the side boundary frontage of the dwelling for at least the length of the first room within the dwelling.
- 5.2 Particular fencing requirements apply to lots with abuttal to open space or reserve areas (see Section 8.3).

6. GARAGES

- 6.1 Garages must not dominate the streetscape or occupy any more than 50% of the width of the front façade of the dwelling.

- 6.2 Particular setback requirements apply to garages (see Section 3).

Note: 1 or 2 bedroom dwellings must provide 1 car parking space.

3 or more bedroom dwellings must provide 2 car parking spaces.

7. CROSSOVERS/DRIVEWAYS

- 7.1 Only one standard width crossover will be permitted for each lot.

- 7.2 Crossovers must be fully constructed prior to occupancy.

- 7.3 Driveways shall not exceed the width of the garage opening and shall be setback a minimum 0.5m from the side lot boundary to facilitate landscaping with low level plants.

8. FENCING

- 8.1 No fencing is to be provided to the front boundary of any lot.

- 8.2 Fencing located on inter-lot boundaries 1m behind the front façade of the dwelling on the lot is to be wooden capped paling fencing constructed to a maximum height of 1.8m.

- 8.3 The maximum height of inter-lot fencing in front of the dwelling façade will be 1m and shall be capped paling fencing.

- 8.4 Fencing located on the side boundary of lots with abuttal to public open space or reserve areas must:

- Have a maximum height of 1m for a minimum distance of 20m from the front lot boundary;
- Have a maximum height of 1.8m for the remainder of the boundary alignment to the interface with the rear lot boundary.

- 8.5 Fencing located on the rear boundary of Lots 401-412 (inclusive) shall be constructed of 1.8m high capped paling fencing.

9. RETAINING WALLS

- 9.1 Retaining walls visible from the public areas shall be finished with material which compliments the dwelling.

- 9.2 The vertical face of any retaining wall structure that is visible from the public realm must not exceed 1.0 m in vertical height.

- 9.3 Retaining walls higher than 1.0m in height located anywhere on the lot must be designed and have construction signed off by a certified structural engineer and a building surveyor.

10. LANDSCAPING

- 10.1 A minimum of 20% of the lot area shall be permeable surfaces.

- 10.2 Landscaping within the front setback of lots must be undertaken within 6 months of the issuing of Certificate of Occupancy for the dwelling. At least 40% of the front setback is to be landscaped with trees (including a canopy tree), shrubs, tufted plants, groundcovers and lawn (see Suggested Plant Palette).

- 10.3 Secondary street frontages are to be landscaped (see Suggested Plant Palette).
- 10.4 Lawn areas should use turf varieties that have a high drought tolerance.
- 10.5 Locate utility areas out of sight of living areas, or screen with fencing or planting.
- 10.6 Use simple screening or planting to prevent overlooking.

SUGGESTED PLANT PALETTE

BOTANICAL NAME	COMMON NAME	HEIGHT X WIDTH AT MATURITY
TREES		
Callistemon 'Hannah Ray'	Hannah Ray Bottlebrush	5-7 x 4-5m
Coymbia 'Summer Beauty'	Dwarf Flowering Gum	6-8 x 5-6m
Lagerstroemia indica 'Natchez'	Crepe Myrtle	7-8 x 5-6m
Tristanopsis laurina	Kanooka	6-8 x 5-7m
Ulmus parvifolia 'Todd'	Chinese Elm	8-9 x 7-8m
LARGE SHRUBS		
Agonis 'Burgundy'	Purple Willow Myrtle	3-4 x 2-3m
Cordyline australis 'Red Sensation'	Red cabbage Palm	2.5-3 x 1.-2m
Grevillea 'Ivanhoe'	Ivanhoe Grevillea	3-4 x 2-3m
Kunzea ericoides	Burgan	3-4 x 2-3m
Leptospermum 'Starry Night'	Starry Night Tea Tree	3-5 x 2-4m
Syzigium 'Bush Christmas'	Dwarf Lilly pilly cultivar	3-5 x 1-2m
SMALL & MEDIUM SHRUBS		
Acacia cognata 'Mini Cog'	Mini Cognata	0.75 x 1m
Brachyscome multifida	Native Daisy	0.3 x 0.6m
Callistemon 'Little John'	Little John Bottlebrush	1 x 1m
Callistemon 'White Anzac'	White Flowering Bottlebrush	1.5-2 x 1.5-2m
Convolvulus cneorum	Silver Bush	0.8 x 1m
Correa 'Dusky Bells'	Correa Dusky Bells	0.6 x 1m
Grevillea pressie ssp. glabrillimba 'Seapsray'	Seapray Grevillea	0.8 x 1.2m
Leucophyta brownii	Cushion Bush	1 x 1m
Philotheca myoporoides 'Profusion'	Waxflower cultivar	1.5x1.5m
Westringia 'Wynyabbie Gem'	Wynyabbie Gem	1.2 x 1.2m
TUFTED PLANTS & LOW GROUNDCOVERS		
Anigozanthus 'Bush Ranger'	Kangaroo Paw cultivar	0.5x0.5m
Dianella tasmanica	Tasman Flax Lily	0.8 x 1m

Carpobrotus rossi	Native Pig Face	0.1 x 0.8
Dietes bicolor	Spanish Iris	1 x 1m
Liriope muscari	Turf lily	0.3x0.4m
Lomandra 'Tanika'	Dwarf mat Rush	0.4 x 0.5m
Myoporum parvifolium	Creeping Boobialla	0.1 x 1.5m
Orthrosanthus multiflorus	Morning Flag	0.4 x 0.4m
Phormium 'Bronze Baby'	Dwarf Flax	0.8 x 0.8m
Poa labillardieri	Tussock Grass	0.8 x 0.8m

11. TERMINATION

- 11.1 This restriction as it relates to the siting of dwellings/structures on lots within the plan of subdivision approved within Planning Permit T110443, will cease to apply to any lot within the subdivision after the issue of a Certificate of Occupancy for the constructed dwelling (or the like) under the Building Regulations 2006 or similar legislation.
- 11.2 All the conditions of these Design Guidelines shall cease to apply to developed lots within the subdivision, 10 years from the Registration of the Plan of Subdivision by the Registrar of Titles.