

This Policy document is currently under review and could be subject to modification. It is recommended that the City's Planning Department be contacted to discuss the changes proposed.



BATAVIA COAST MARINA RESIDENTIAL PRECINCT
TOWN PLANNING SCHEME POLICY

BATAVIA COAST MARINA RESIDENTIAL PRECINCT
TOWN PLANNING SCHEME POLICY

TABLE OF CONTENTS

	<u>PAGE</u>
SECTION A	
- BACKGROUND	1
- PURPOSE	1
- OBJECTIVES	1
SECTION B	
- ADMINISTRATION	2
SECTION C	
- OVERALL MARINA DEVELOPMENT ARCHITECTURAL THEME . .	3
SECTION D	
- SUBDIVISIONAL STANDARDS	5
FIRST SCHEDULE	
- PROTECTIVE COVENANT	8
SECOND SCHEDULE	
- BUILDING REQUIREMENTS	16
THIRD SCHEDULE	
- PLAN APPROVAL PROCEDURE & APPLICATION FOR BUILDING APPROVAL	24
FOURTH SCHEDULE	
- EXAMPLES OF REGIONAL ARCHITECTURAL THEME & APPROVED MATERIALS & COLOURS	27
FIFTH SCHEDULE	
- PERIMETER RETAINING WALL/FENCE TREATMENT	28
SIXTH SCHEDULE	
- SUBDIVISION DEVELOPMENT PLAN	29

SECTION A

BACKGROUND

On 11th September, 1991 the Council of the City of Geraldton resolved to amend its Town Planning Scheme No.1 by introducing a new zone, being "Area 18 - Special Zone Marina Development", by way of Amendment No.43 to the Scheme. Amendment No.43 requires development and land uses within the marina site to accord with an adopted Development Guide Plan which provides for a number of sub-Areas. The Residential Precinct is one such sub-Area.

A Policy Statement for the Batavia Coast Marina Development was also adopted by resolution of Council on 11th September, 1991. That Policy Statement states that the intention of the City of Geraldton, the Department of Marine and Harbours and the Geraldton Mid West Development Authority is that "the Batavia Coast Maritime Concept" will be the main theme for development within the marina site. The Policy Statement also suggests that "the historic maritime influence should be reflected throughout the site and supported by consistent approaches to building and landscaping."

In respect of the Residential sub-Area, the Policy Statement specifies the need for the City of Geraldton to adopt a Town Planning Scheme Policy particular to that sub-Area which has regard to the design elements discussed in the main Policy Statement and which provides the mechanism for the comprehensive development and management of the site.

This Town Planning Scheme Policy for the Batavia Coast Marina Residential Precinct satisfies that requirement.

PURPOSE

The purpose of this Policy is to establish development standards for the subdivision of the land within the Batavia Coast Marina Residential Precinct and for the development of building allotments within the Precinct.

It is noted that the Residential Planning Codes are inadequate to cover all potential aesthetic matters and that such controls are specifically required to be set in place by the Batavia Coast Marina Development Policy Statement. This is particularly necessary to ensure that the development theme referred to in the latter is achieved in the physical development of the Residential Precinct.

OBJECTIVES

The objectives of the Batavia Coast Marina Residential Precinct Town Planning Scheme Policy are:-

1. To establish subdivisional standards within the Batavia Coast Marina Residential Precinct which will establish a high quality streetscape and thereby encourage the development of high quality single and/or double

storey residential accommodation, such standards to prevail over but to be supplemented by the "AMCORD Urban Guidelines for Urban Housing" (Commonwealth Department of Health, Housing and Community Services, October, 1992 or as updated from time to time).

2. To promote an architectural style in keeping with the overall Maritime and Geraldton architectural theme for the Batavia Coast Marina as described under the General and Urban Design sections of the Batavia Coast Marina Development Town Planning Scheme Policy.
3. To prescribe Design Guidelines and establish a process for their implementation and administration, such guidelines to prevail over but to be supplemented by "the AMCORD Urban Guidelines for Urban Housing (as updated from time to time).

SECTION B

ADMINISTRATION

The design elements covered by this Town Planning Scheme Policy fall into two domains of responsibility, namely the subdivisional works to be effected by the developer of the Residential Precinct and the residential development criteria hereby to be effected by individual builders and owners through compliance with the Design Guidelines herein. As such, they require two distinct methods of administration, as follows:

Sub-divisional Works

These standards will be applied by their inclusion within design documentation for the subdivision and their provision administered by the City of Geraldton through the clearance of survey documentation to effect the subdivision of the land.

Residential Development

These standards will be applied by the City of Geraldton in the consideration of plans lodged with it for approval to commence building on any allotment within the Residential Precinct. The implementation of the Building Guidelines shall be reinforced by the establishment of a Restrictive Covenant on the Certificate of Title for the site which comprises the Precinct which will flow to the Titles for individual subdivided allotments and which will dictate that all purchasers of those allotments (and, where relevant, their successors and assignees) cannot construct a dwelling thereon without the design of that dwelling being in compliance with the provisions of this Town Planning Scheme Policy.

Persons wishing to commence building on any allotment within the Residential Precinct are required to submit plans which comply with this Town Planning Scheme Policy to the City of Geraldton, who will assess and approve, where compliance is proven, such plans in accordance with the statutory provisions of Town Planning

Scheme No.1, this Policy, the Residential Planning Codes as applied by the City of Geraldton, the Building Code of Australia and relevant City of Geraldton By-Laws and Policies.

The plan approval procedure is detailed in the Third Schedule to this Town Planning Scheme Policy and submitted plans are required to be accompanied by a completed application form also detailed in the Third Schedule. It is noted that the City of Geraldton reserves the right to add, amend or alter this Town Planning Scheme Policy at any time in accordance with Clause 3.5 of Town Planning Scheme No. 1.

SECTION C

Overall Marina Development

ARCHITECTURAL THEME

Building proposals are to have regard for the Architectural Theme and the Design Guidelines referred to and prescribed herein.

As stated in the Urban Design section of the Batavia Coast Marina Development Policy Statement, the architectural character of buildings within the marina site will be the province of individual Developers and Site Owners who will be directed by the City of Geraldton towards using a range of preferred building materials and architectural style in order to inter-relate the development within each of the marina sub-areas and to reflect the maritime location and the character of the Geraldton Region.

As stated in the introductory section of this Town Planning Scheme Policy, the main theme for development within the marina site is the "Batavia Coast Maritime Concept" and development throughout the site must therefore reflect the region's historic maritime influence. Key historical buildings include the Railway Station, Court House, Bill Sewell Centre and the Old Jail. The Fourth Schedule of this Town Planning Scheme contains sketches of selected facades of these buildings which, although not residential in scale, give an indication of the architectural influences which should be incorporated within the design of dwellings within the residential Precinct. Notable design features include red brickwork, local stonework, sandstone, rendered columns and wall bands, distinctive gables, square towers, lattice type verandahs, and pre-coated metal or orange tiled roofs.

Residential Architectural Theme

The Building Requirements following, which are augmented by a schedule of approved external wall, roof and trim materials and colours, are intended to encourage residential development to embrace this theme through commonality of building form and style and a general exclusion of darker colourings (other than red brick) in favour of lighter colourings.

The Schedule of Approved Materials and Colours detailed in the Fourth Schedule of this Town Planning Scheme Policy specifies bricks, roof tiles, metal roofing colours and trim colours which are considered to conform with the desired architectural theme. e.g. Local landscape colours & materials with feature and highlight colours for special purposes. This list will, necessarily, be subject to periodic update and amendment and will state that applications for materials/colours not specified may be assessed on their merits.

Control of roof pitch, building materials and colours for dwellings, garages, outbuildings and fences and encouragement of the use of verandahs, certain window shapes and screen fencing will create a consistency of appearance without the blandness and monotony created by over-prescription and lack of reasonable choice.

The major design elements which contribute to architectural theme and are controlled by the Building Requirements are:

Minimum dwelling size for single residences: a minimum floor area (excluding carports, garages, verandahs and store rooms) of 135 square metres is prescribed.

Roof form and pitch: Flat roofs and "A-frame" roofs are not permitted. Roof pitch must be within the range 25 o to 45 o. Gable ends or Dutch gables should be used in preference to hips where possible.

Use of verandahs: The use of verandahs is encouraged, particularly on all elevations overlooking the public domain.

Form and appearance of windows: To reflect the prevailing maritime and regional theme, windows should be rectangular, square or circular and not arched or pointed. Single pane windows with aluminium frames and sashes are considered most appropriate. The use of reflective glass is strictly prohibited.

External wall, roof and trim materials and colours: The schedule of approved materials and external wall, roof and trim colours, is intended to promote the architectural theme through commonality of building materials and colours, with a general exclusion of darker colourings in favour of lighter colourings based on local landscape colours and locally produced building materials with integral colours.

Location, form and construction of garages, carports and outbuildings: Garages and carports should preferably be located under the main roof, or integrated in design with the dwelling. The design, appearance and external colours and materials of all outbuildings should desirably be integrated with the main dwelling. Under no circumstances will unpainted galvanised iron be accepted as an external finish for any outbuilding.

Location, height and construction of fencing and courtyard walls: All boundary fencing shall be pretreated pine, painted jarrah or of materials to match the dwelling. Applications to use other materials will be considered on their merit, but in no circumstances will fibro-cement fencing be permitted.

The Building Requirements also control the location and appearance of other design elements of a more minor but potentially aesthetically displeasing nature. The Building Requirements should be referred to in their entirety.

SECTION D

SUBDIVISIONAL STANDARDS

The following standards are prescribed for the subdivisional works within the Residential Precinct:

1. Portions of the site are to be filled up to 1 metre above existing ground level, to create an undulating landscape, and retained where necessary by limestone retaining walls around the perimeter.
2. Submission to the City of Geraldton of a detailed engineering design plan depicting the compatibility of all subdivisional roads, crossing places to lots, services, landscaping proposed in the verges, accessway and access land and the cul-de-sac head design in accordance with the DPUD "Y" shape. Further, crossovers within cul-de-sac heads will need to be constructed during subdivision works.
3. Minimum reserve width for subdivisional roads to be 12 metres. Reserve width to be varied where practical.

Minimum pavement width in access places (cul-de-sacs) to be 5.5 metres and in access ways to be 2.5 metres. A combination of bituminous asphalt, brick or interlocking paving and mountable concrete kerbing to be utilised (eliminating the need for visitor parking bays).
4. The Developer is required to install crossovers of uncoloured (grey) concrete to serve allotments which abut the turning heads of cul-de-sacs within the Residential Precinct.
5. Signage and street furniture for residential development e.g. suitable vehicular barriers to be erected in pedestrian/cyclist zones and street lighting, to comply with the signage and street furniture elements to be used throughout the Marina Development. Signage and street furniture elements shall be a co-ordinated range of products of selected character.
6. The pedestrian accessway between cul-de-sac heads shall be designed to provide a high standard of residential amenity and a plan of development shall be submitted to the City of Geraldton for its approval that addresses paving, manoeuvring spaces, lighting, fencing, planting and construction of crossovers.

Pedestrian accessways shall be developed, paved and landscaped and development of the 10m wide pedestrian accessway down to the foreshore reserve and a beach entry statement is required.

7. The Developer is required to construct an entry statement at the road entry into the subdivision off Beagle Place and install suitable landscaping within all the subdivisional road reserves in accordance with the requirements of the City of Geraldton, and thereafter to maintain such landscaping until such time as individual houses have been built on lots or for a period of 24 months from the date of installation whichever is the lesser.
8. Semi-matured street trees (in conformity with overall landscaping policy for the Marina) to be planted within the verges and the frontage of selected allotments in consultation with the City of Geraldton's Superintendent of Parks and Recreational Facilities and to be watered and maintained by the Developer until such time as individual homes are built and occupied or for a maximum maintenance period of 24 months, whichever is the lesser. On completion of the maintenance period, the City of Geraldton will take responsibility only for formative and ongoing pruning and maintenance needs to ensure that healthy and safe management of trees is effected. It is envisaged that the remaining responsibility for watering of trees and verge maintenance will be that of the adjoining land-owner.

Acceptable species of landscaping are:

- Casuarina equisetifolia;
- Melaleuca lanceolata;
- Agonis flexuosa;
- Poinciana regia (deciduous);
- Prunus species (deciduous);
- Eucalyptus leucoxydon rosea;
- Norfolk Island pine;
- Metrosideros exelsa.

9. The Developer is to prepare and implement a Foreshore Improvement Plan for that portion of Crown Reserve 42069 Lot 2959 which adjoins the site in accordance with the requirements of the City of Geraldton.

The foreshore improvement plan should include the identification of landscaping, footpaths, paved areas, beach shelters and other public facilities, with agreement between the City of Geraldton and the Developer as to responsibility for construction and installation. If implementation of agreed works has not been completed when endorsement of Diagram of Survey is required, then the Developer will be required to enter into an agreement with the City of Geraldton whereby implementation will take place in accordance with the requirements of the City of Geraldton and at the Developer's cost.

10. The Developer making satisfactory arrangements with the City of Geraldton for the provision of a uniform style of fencing around the perimeter of the site where lots abut Public Open Space or any other public area.
11. The Developer making satisfactory arrangements with the City of Geraldton to ensure that prospective purchasers of the lots within the subdivision are made aware of:-
 - (a) the Department of Marine and Harbours Report No. DMH 4.88 - "Geraldton Foreshore Development, Coastal Engineering Studies"; and
 - (b) the State Planning Commission Policy No. DC 6.1 known as the "Country Coastal Planning Policy" dated December 1987,for potential known future risks associated with storm surges and coastal erosion which may affect the Residential Precinct.
12. The Developer making arrangements satisfactory to the City of Geraldton to ensure that prospective purchasers of the lots within the subdivision will be advised of the contents of the Town Planning Scheme Policy which relate to the use and management of the land.
13. The Developer complying with the terms and conditions of the City of Geraldton's Town Planning Scheme No.1 and the Town Planning Scheme Policy for the Batavia Coast Marina Residential Precinct.

The Sub-division Development Plan is shown in the Sixth Schedule.

FIRST SCHEDULE
PROTECTIVE COVENANT

THIS DEED is made the day of 199.

BETWEEN:-

THE CITY OF GERALDTON of Cathedral Avenue, Geraldton in the State of Western Australia ("the City")

AND

THE PURCHASER named and described in the First Schedule hereto ("the Purchaser").

AND

THE MORTGAGEE (if any) named and described in the First Schedule hereto ("Mortgagee").

WHEREAS:

- A. The City is the authority responsible under the provisions of the Town Planning and Development Act 1928 and Amendments for the administration of the City of Geraldton Town Planning Scheme No.1 Batavia Coast Marina Residential Precinct Town Planning Scheme Policy.
- B. Geraldton Development Corporation Pty Ltd (ACN 009 376 872) of care of 171 Marine Terrace, Geraldton in the said State and Home Credit Management Ltd (ACN 009 108 123) of 184 St George's Terrace, Perth in the said State ("the Developer") is or was the registered proprietor of portion of Geraldton Lot 2908, being the whole of the land in Certificate of Title Volume 1942 Folio 580 ("the land").
- C. The Developer has been granted approval to subdivide the land in accordance with the plan of subdivision attached hereto (Sixth Schedule) and upon certain other conditions as set out in the Second Schedule.
- D. The Purchaser has offered to purchase that part of the land more particularly described in the First Schedule ("the Purchaser's land").
- E. The Purchaser will (if a Mortgagee is named in the First Schedule) be granting to the Mortgagee a mortgage ("the Mortgage") which will be registered over the Purchaser's land upon the Purchaser becoming the registered proprietor of the Purchaser's land.

NOW THIS DEED WITNESSES that in consideration of the mutual covenants, representations, warranties and agreements hereinafter set forth and of the payments to be made in accordance with the provisions of this Deed, the parties hereto HEREBY AGREE each with the other as follows:-

1. THE PURCHASER'S COVENANTS

The Purchaser AGREES with the City:-

- (a) To fully comply with the conditions set out in the Second, Third, Fourth, Fifth and Sixth Schedules.
- (b) Not to build or cause to be built on the Purchaser's land any building other than:-
 - (i) in respect of lots other than those identified as lots 11 and 12 on Plan of Subdivision 19753, a single permanent non-transportable dwelling house comprising:
 - (A) external walls constructed predominantly with masonry materials;
 - (B) a roof which is tiled or painted or coated with non reflective material; and
 - (C) outbuildings of a material compatible with those used in the dwelling house; or
 - (ii) in respect of lots 11 and 12 on Plan of Subdivision 19753 one or more permanent, non-transportable grouped dwellings, each of which is to comprise:
 - (A) external walls constructed predominantly with masonry materials;
 - (B) a roof which is tiled or painted or coated with non reflective material; and
 - (C) outbuildings of a material compatible with those used in the grouped dwelling unit.
- (c) Not to build or cause to be built on the Purchaser's land any fencing forward of the building line (front setback).
- (d) To maintain the verge landscape of the Purchaser's land to the satisfaction of the City and in this regard to lodge a bond of FIVE

HUNDRED DOLLARS (\$500.00) with the City at the time of lodging an application for a building licence.

- (e) Not to sell assign or otherwise transfer or mortgage the Purchaser's land without first obtaining the execution by such transferee or assignee or mortgagee of an agreement with the City in the same terms as herein contained or otherwise in such form as the City and its Solicitor shall approve.
- (f) To charge in favour of the City the Purchaser's land with the due and punctual performance of the Purchaser's covenants contained herein and in this regard the Purchaser shall at the cost of the Purchaser permit the City to register a caveat against the title to the Purchaser's land.
- (g)
 - (i) That the Purchaser's land is situated in the Residential Precinct of the Batavia Coast Marina Development adjacent to the Geraldton Foreshore and acknowledges that as with most coastal developments, future storm surges and coastal erosion may occur.

That the Purchaser is fully aware of firstly the Department of Marine & Harbours Report No. DMH 4.88 - "Geraldton Foreshore Development, Coastal Engineering Studies" and secondly the State Planning Commission Policy No. DC 6.1 known as the "Country Coastal Planning Policy dated December 1987 for potential known future risks associated with storm surges and coastal erosion which may affect the property and acknowledges the provisions thereof.
 - (ii) That the Purchaser accordingly forever holds harmless the City of Geraldton and the Developer against any loss or destruction of or damage to property, consequential loss, liability of whatsoever nature, directly or indirectly caused by or contributed to by or arising from water inundation, storm, flood, tempest, undermining, erosion, loss of foundation, water from or action of the sea, tsunami, tidal wave and high water to the land or any improvement thereon.
 - (iii) That the Purchaser will notify any occupier of the Purchaser's land of the terms and provisions of clause 1(g)(i) hereof.
- (h) That the Purchaser's Land is located within the Arrowsmith Groundwater Area and that there is a need to obtain a Licence from the Western Australian Water Authority before a bore or well

can be constructed. The Licence (if granted) will contain a number of conditions including the maximum quantity of water that can be pumped each year.

- (i) That no claim whatsoever shall be made by the Purchaser pursuant to the Dividing Fences Act 1961 against the City or the Developer. Such rights under the Act shall be as between ultimate adjoining Purchasers of the Land.

2. THE CITY'S COVENANTS

The City AGREES:-

- (a) Upon the Purchaser making application to the City and establishing to the reasonable satisfaction of the City that the provision of sub-clause (d) of clause 1 hereof has been complied with the City shall refund the bond referred to therein to the Purchaser.

3. MUTUAL COVENANTS

The parties hereto MUTUALLY AGREE as follows:-

- (a) Unless otherwise expressly provided, all covenants and agreements on the part of two or more parties hereto, or on the part of two or more persons who comprise a single party hereto, shall be deemed to bind them jointly and each of them severally.
- (b) This Deed may be amended or varied only by agreement in writing signed by the parties hereto. Unless the context otherwise so requires, a reference to this Deed shall include a reference to this Deed as amended or varied from time to time.
- (c) Except as otherwise herein expressly provided, all questions and disputes which shall arise between the parties hereto and whether during or after the termination of this Deed and whether in relation to the interpretation of the terms hereof, to any act or omission of either of the parties in dispute, to any act which ought to be done by such parties or to any matter whatsoever touching upon these shall be referred to the arbitration of a single Arbitrator (if the parties can agree upon one) and otherwise to two Arbitrators one to be appointed by each party in accordance with and subject to the provision of the Commercial Arbitration Act, 1985 of the State of Western Australia.

4. THE MORTGAGEE'S COVENANTS

The Mortgagee agrees with the City that:-

- (a) in the event of it exercising any of its powers as Mortgagee under its mortgage it will comply with the provisions of clauses 1(a) to 1(e) inclusive hereof provided always that the Mortgagee shall have no obligation to build or cause to be built any building on the Purchaser's land;
- (b) it acknowledges the provisions of clause 1(g)(i) and accordingly forever holds harmless the City of Geraldton against any loss or destruction of or damage to property, consequential loss, liability of whatsoever nature, directly or indirectly caused by or contributed to by or arising from water inundation, storm, flood, tempest, undermining, erosion, loss of foundation, water from or action of the sea, tsunami, tidal wave and high water to the land or any improvement thereon;
- (c) it acknowledges the provisions of clause 1(h) hereof.

IN WITNESS whereof the parties hereto have executed this Deed the day month and year first herein before written.

FIRST SCHEDULE

The Purchaser : (Name/s in full and if a company its ACN)

(Address/es) _____

The Purchaser's Land : All that land contained in Certificate of Title
Volume Folio situated at and known
as

The Mortgagee : (Name in full and if a company its ACN)

(Address) _____

ATTESTATION OF THE CITY

THE COMMON SEAL of)
THE CITY OF GERALDTON)
was hereunto affixed)
by a resolution of)
the Council in the)
Presence of:)

MAYOR

TOWN CLERK

ATTESTATIONS OF THE PURCHASER

SIGNED by the said)
)
in the presence of:)

Witness Signature:
Full Name:
Address:
Occupation:

SIGNED by the said)
)
in the presence of:)

Witness Signature:
Full Name:
Address:
Occupation:

SIGNED by the said)
)
in the presence of:)

Witness Signature:
Full Name:
Address:
Occupation:

THE COMMON SEAL of)
_____ PTY LTD)
is affixed in accordance with)
its articles of association:)

Signature of authorised person

Name of authorised person

Office held

Signature of authorised person

Name of authorised person

Office held

ATTESTATION BY THE MORTGAGEE

SECOND SCHEDULE

BUILDING REQUIREMENTS

INTRODUCTION

In order to foster design excellence and for the protective investment benefit of all prospective land purchasers within this unique subdivision, the following Building Requirements for development within the Residential Precinct are prescribed.

These Guidelines set out the standards and conditions under which building development within the Batavia Coast Marina Residential Precinct will be approved by the City of Geraldton.

These Guidelines should be read in conjunction with the Plan Approval Procedure and Application for Building Approval (Third Schedule).

1. BUILDING LICENCE

No dwelling or any other permanent structure shall be constructed on the Purchaser's Land without the Purchaser having first obtained from the City of Geraldton a Building Licence for the proposed structure(s).

2. DWELLINGS

2.1 Approvals

Compliance with these guidelines is a prerequisite for the issuing of a Building Licence by the City of Geraldton.

2.2 Type of Dwelling Permitted

In respect of lots other than those identified as lots 11 and 12 on Plan of Subdivision 19753, a single occupancy residential dwelling with a floor area of no less than 135 square metres, such area to be measured from the outside walls of the dwelling excluding carports, garages, verandahs and store rooms, is permitted on any residential allotment within the Precinct subject to all necessary approvals.

In respect of lots 11 and 12 on Plan of Subdivision 19753 being allotments designated for medium density housing, residential development shall be in accordance with the Residential Planning Codes as applied by the City of Geraldton with a maximum density of R40 being applicable.

2.3 External Appearance

The design, external colours and materials, and appearance of any dwelling must comply with the Schedule of Approved Materials and Colours (Fourth Schedule) and be compatible with other dwellings within the Precinct.

Flat roofs and "A-frame" roofs are not permitted. Roof pitch must be within the range of 25 o and 45 o. Gable ends or Dutch gables should be used in preference to hips where possible.

The use of verandahs is encouraged, particularly in respect of those elevations fronting the public domain.

No Purchaser shall fill any allotment more than 300mm above the level of fill provided by the Developer without the approval of the City of Geraldton.

2.4 Split-Level and Two-Storey Dwellings

Split-level or two-storey dwellings must be designed so that infringement upon neighbours' privacy from upstairs windows and balconies or from elevated rooms, decks and verandahs is avoided as per the Town Planning Scheme and R Codes.

Alternatively, adjoining Owners' consent to such overlooking may be considered by the City of Geraldton as acceptable.

It is advisable for persons considering the construction of two-storey dwellings or medium density housing to present preliminary sketches to the City of Geraldton for comment before final plans are drawn.

2.5 Wall Materials

Dwellings, extensions and renovations to dwellings shall be of materials and colours approved by the City of Geraldton and in accordance with a range of Approved colours adopted by the City and attached hereto (Fourth Schedule). However, applications to use other materials will be considered on their merit.

2.6 Roof Materials

Dwellings, extensions and renovations to dwellings shall have roofs of clay or concrete tiles, or metal roofs all of a pitch and colour approved by the City of Geraldton and in accordance with a range of Approved colours adopted by the City and attached hereto (Fourth Schedule). Applications to use other materials will be considered on their merit, but under no circumstances will unpainted galvanised iron or any other reflective metal be accepted as an external finish for any roofing.

2.7 Windows

To reflect the prevailing maritime and regional theme, windows should be rectangular, square or circular and not arched or pointed. Single pane windows with aluminium frames and sashes are considered most appropriate.

The use of reflective glass is strictly prohibited.

2.8 Floor Level

The minimum floor level of dwellings shall be not less than Australian Height Datum Reduced Level (A.H.D. R.L. 3.0 metres).

3. CARPORTS AND VERANDAHS

Carports and verandahs should preferably be located under the main roof. If not under the main roof, the material, colour and pitch of the roof must be integrated with the main dwelling.

4. OUTBUILDINGS (DETACHED GARAGES, SHEDS, TOOLSTORES, ETC)

4.1 Design and Appearance

Each dwelling must be provided with a tool store of 6.0 square metres minimum area, preferably under the main roof. (This condition will not apply to dwellings which incorporate a lockable garage.)

The design, appearance, external colours and materials of all outbuildings should be integrated with the main dwelling. Under no circumstances will unpainted galvanised iron or any other reflective metal be accepted as an external finish for any outbuilding.

The eaves height of any dwelling measured from the highest fill level of the land provided by the Developer shall not exceed 6.5 metres.



5. SETBACKS FOR DWELLINGS

5.1 Single Residential Lots

Front, side and rear boundary setbacks shall conform with the Residential Planning Code R20 as applied by the City of Geraldton. The average front setback is 6.0 metres and a minimum of 4.5 metres applies including garages and carports. An absolute minimum rear setback of 4.5 metres applies and there is no requirement to average 6.0 metres. Refer to the Subdivision set out in the Sixth Schedule. Minimum permissible setbacks are shown on the Subdivision Development Plan (Sixth Schedule).

On lots nominated for "Alternative Zero Lot Line Development" on the Development Plan for the Precinct, buildings will be permitted adjacent to, or abutting, one side boundary which, unless otherwise determined by the City of Geraldton, shall be that boundary so nominated upon the Development Plan.

However, no part of any building (including verandahs but excluding garages, carports and unroofed pergolas) will be permitted closer than 1.5 metres to any other side boundary.

In addition, windows to habitable rooms facing the side boundary of an allotment shall be no closer to the boundary than 1.5 metres in the case of single-storey dwellings and 3.0 metres in the case of two-storey dwellings. Windows to habitable rooms shall not overlook outdoor activity spaces on neighbouring lots - unless specifically consented to by the adjoining owners.

5.2 Medium Density Housing

Front, side and rear boundary setbacks shall conform with the Residential Planning Codes as applied by the City of Geraldton with a maximum density of R40 being applicable.

6. SETBACKS FOR GARAGES

Garages and carports shall not be permitted within 4.5 metres of the street boundary and shall have roller, concertina or tilt doors.

The setback for garages or carports on any allotment may be affected by the requirements of these guidelines in respect of visitor parking and applicants should give consideration to the "Vehicle Accommodation" section below.

7. SETBACKS FOR OUTBUILDINGS

Unless otherwise provided for in these guidelines, setbacks for outbuildings shall be as prescribed by the City of Geraldton's Building Department.

Outbuildings shall be screened from public view.

8. FENCING AND COURTYARD WALLS

- 8.1 All boundary fencing shall be in accordance with the City of Geraldton By-Laws. Where conflict exists between the By-laws and this Policy, this Policy shall prevail.

Fences shall be constructed of treated pine, painted jarrah or masonry fencing to match the existing dwelling. Application to use other materials will be considered on their merit, but in no circumstances will fibro-cement fencing be permitted.

A perimeter retaining wall and fence has been provided by the Developer (generally to the dimensions shown in the Fifth Schedule) on Lots 19 to 45 inclusive, that is a retaining wall not greater than 900mm, the fence on top not greater than 900mm so that the total dimension is not more than 1.8 metres from external ground level.

Any future modifications to the existing retaining wall and fence shall not be carried out without the approval of the City of Geraldton. Such approval if granted shall be (interalia) conditional that the dimensions and character of the retaining wall shall be as shown in Fifth Schedule.

Gates and pedestrian accessways (but not vehicular) are permitted between individual lots and the public land abutting the perimeter boundary. On lots which have frontage to the outer perimeter of the Precinct, side boundary fences will be permitted between the building line and the perimeter boundary and shall rise from 0.9 metres in height at the perimeter boundary to not less than 1.65 metres and not more than 1.80 metres in height at a point 3.0 metres from that boundary.

No front or side fence shall be erected forward of the front boundary setback (building line).

8.2 Courtyard Walls

Courtyard walls may be constructed to a height of 1.80 metres behind the average front setback line, using material integral with the design of the dwelling.

Courtyard walls will not be permitted along the street boundary of any allotment.

9. VEHICLE ACCOMMODATION

- 9.1 For each single residential allotment, off-street, covered parking shall be provided for a minimum of two vehicles by way of garages or carports. In addition to this provision, visitor parking for at least one vehicle shall be accommodated on the combined crossover/driveway surface, such accommodation to be a minimum of 5.5 metres in length. (Depending on street verge width and, therefore, crossover length, this may affect the permissible setback of garages or carports.)

When designing garages and carports, consideration should be given to the parking of boats, caravans, trucks, trailers and other vehicles and machinery to ensure that they are behind the setback line and are in suitably screened positions on the lot. The parking and storage of the foregoing is discouraged.

The storage and maintenance of fishing gear and boats etc. will be permitted only behind the front setback line (and, in the case of lots which have rear frontage to the perimeter of the Precinct, the rear setback line) and within an area not exceeding 100 square metres and must be screened so as to be not visible from the street or public areas outside the Residential Precinct.

For medium density housing, off-street parking and the accommodation of boats and other vehicles and machinery shall be provided in accordance with the Residential Planning Code R40 as applied by the City of Geraldton.

- 9.2 No street or verge parking of trucks, large commercial vehicles, construction equipment, farm machinery, boats, trailers, caravans or unroad-worthy vehicles shall be allowed.

10. CROSSOVERS

One crossover/driveway only must be provided to each allotment except some corner lots and grouped dwelling sites.

Driveways shall be no wider than 5.5 metres at the street boundary of an allotment and no closer than 0.6 metres to any side boundary.

All driveways shall be constructed of a material and colour which integrates with the dwelling and streetscape.

Crossovers may be constructed of uncoloured (grey) concrete and, unless pre-constructed by the Developer, shall be installed at the individual landowner's request prior to the occupation of the dwelling in accordance with the City of Geraldton's policy for crossing places.

Preferred crossover positions are shown on the Subdivision Development Plan (Sixth Schedule).

11. RAINWATER TANKS

Only tanks of colour matching the main dwelling will be permitted, and in positions sited away from public view.

12. CLOTHES LINES

Clothes lines must be screened from public view.

13. LETTERBOXES

Letterboxes must be made of brick, wrought iron (of Maritime Theme), timber or other approved materials which match the type and colour of materials used on the dwelling. Letterboxes should be located adjacent to the driveway and be numbered clearly. The dimensions must not exceed 1.0 metre in height, 600mm in width and 600mm in depth.

14. RUBBISH DISPOSAL CONTAINERS

Rubbish disposal containers must be screened from public view.

15. INCINERATORS

Incinerators will not be permitted.

16. TV ANTENNAE

All TV antennae and satellite dishes etc. are to be reasonably concealed from public view unless otherwise approved by the City of Geraldton.

17. SOLAR WATER HEATERS

Solar water heaters should be integrated with the main roof profile of the dwelling and be matched to the colour of the roof. If integration with the main roof profile is not feasible, then such heaters shall be located to be reasonably screened from public view.

18. AIRCONDITIONERS

Airconditioners must be located below eave lines and screened from public view. Evaporative coolers must be located below ridge lines and be matched to the colour of the roof. Noise levels shall not exceed EPA prescribed levels.

19. **LANDSCAPING**

For the benefit of the overall appearance of the area, all gardens within public view are required to be reasonably landscaped within six months of construction of the dwelling.

20. **SIGNAGE AND ADVERTISING**

Signage shall be limited to domestic matters only. ie. Street Numbers, Owner's/Occupier's name, 'Beware of the dog' etc. Lettering size shall not be greater than 100mm high. No commercial or advertising signs are permitted.

THIRD SCHEDULE

PLAN APPROVAL PROCEDURE & APPLICATION FOR BUILDING APPROVAL

A) PLAN APPROVAL PROCEDURE

1. Prior to the commencement on any Land of any structural building work whatsoever, (including outbuildings, fencing, external renovations or any other structures), plans and specifications describing the proposed works in respect of that Land shall be submitted to the City of Geraldton for approval.
2. Each submission shall include the following:-
 - (a) Completed Application for Building Approval in the form prescribed by the City of Geraldton (2 copies of plans required).
 - (b) Completed Application for Building Approval to the design and materials used on the form attached hereto.
3. The City of Geraldton will then process the plans and issue a permit in accordance with the requirements of Town Planning Scheme No. 1, this Town Planning Scheme Policy, and the Building Code of Australia and relevant City of Geraldton By-Laws and Policies.

If the City of Geraldton considers that the plans do not comply with these requirements, the Applicant will be advised to contact the City to discuss any amendments required prior to re-submission for final approval.

4. Any alterations or additions to the approved plans which affect the external design of any structure are to be approved by the City of Geraldton.

Plans for any future alterations or extensions to the original building or any new structures, (ie. outbuildings, garages, fences, screen walls, swimming pools, etc.), are to be submitted to the City of Geraldton for approval as in (1) to (3) above.

B) APPLICATION FOR BUILDING APPROVAL

In accordance with the requirements of the Batavia Coast Marina Residential Precinct Town Planning Scheme Policy as adopted by the City of Geraldton and the Covenant entered into with the City of Geraldton, I/we hereby seek approval to the design and materials proposed to be used for the building as set out hereunder:-

Signed: _____ (Applicant) Date: _____

Name of Applicant:(Print) _____

BUILDING OWNER: _____

PRESENT ADDRESS: _____

_____ Postcode: _____ Tel. No.: _____

BUILDER: Name: _____ Tel. No.: _____

SITE ADDRESS: Lot No.: _____ Street: _____

DESIGN & MATERIALS INFORMATION

HOUSE

ROOF: Type: _____ Pattern: _____ Colour: _____

WALLS: Type: _____ Pattern: _____ Colour: _____

PAVING:(Incl Driveway if applicable) Brick/Concrete/Other*

Please specify colour: _____

CLOTHES HOIST: Yes/No

HOT WATER SYSTEM: Gas/Electric/Solar*

GROSS FLOOR AREA: _____ m² (measured from outside walls and excluding carports, garages, verandahs and store rooms)

HOUSE VALUE: Less than \$40,000
(Please circle)

- \$40,001 - \$50,000
- \$50,001 - \$60,000
- \$60,001 - \$80,000
- \$80,001 - \$100,000
- \$100,001 - \$125,000
- \$125,001 - \$150,000

\$150,001 and over

OUTBUILDINGS

I propose building:-(* strike out whichever is not applicable, and provide details of the product and/or type of construction proposed.)

Garage/Carport/Other* _____

Store: Internal/Detached* _____

SwimmingPool: _____

Fences/Brick Screenwalls/Other* _____

RetainingWalls: _____

COMMENTS:

FOR OFFICE USE ONLY:

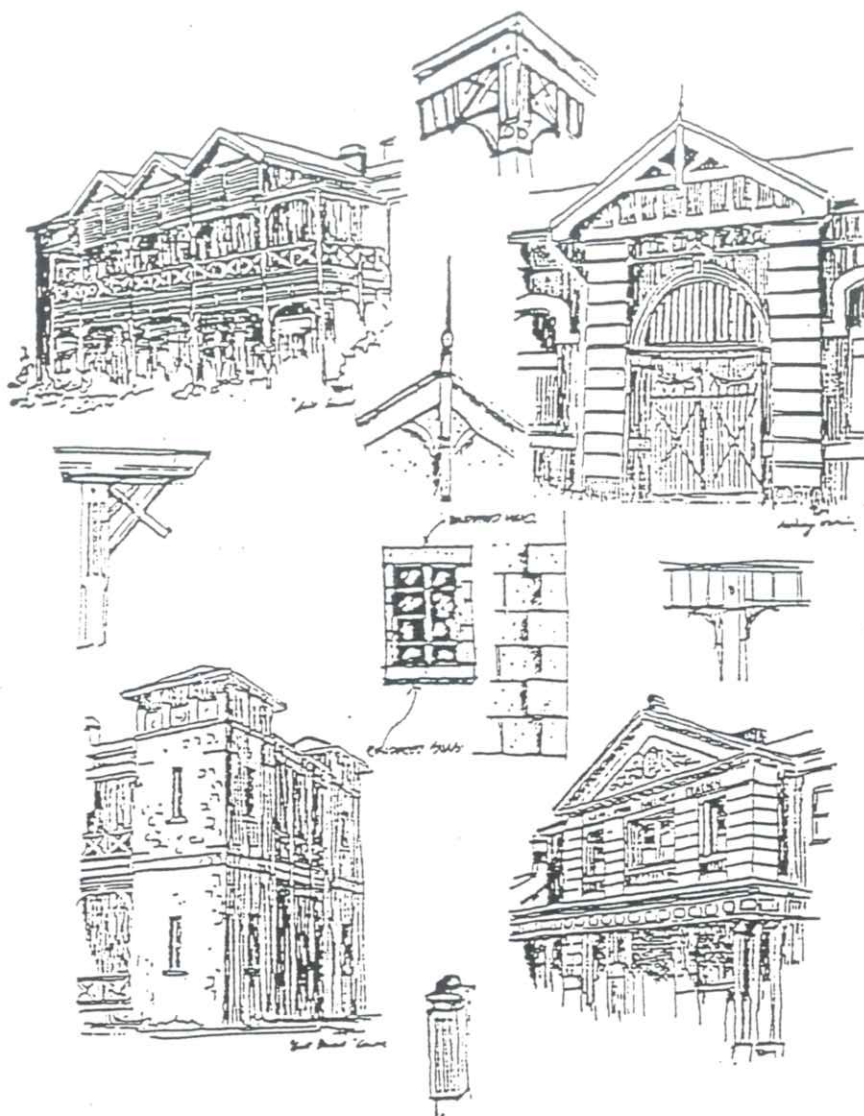
RECEIVED:Date: _____ By: _____

FORWARDED:Owner: _____

Builder: _____ Date: _____

EXAMPLES OF REGIONAL ARCHITECTURAL THEME & APPROVED MATERIALS & COLOURS

A) EXAMPLES OF REGIONAL ARCHITECTURAL THEME



B.) APPROVED MATERIALS & COLOURS

1.0 External Walls Including Courtyard Walls

- Red face brick with off-white mortar
- Sandstone, cream or ochre coloured bricks with light and/or matching colour mortar. Bricks not to have sharp machined edges.
- Bagged and painted brickwork, painted with light pastel cream or ochre colourings.
- Off-white or cream render.
- Limestone or local sandstone.

2.0 Carpports

- As above for external walls
or
- supporting posts to match verandahs.
- Appropriately arrised and painted in heritage trim colours.

3.0 Fences

- As for external walls
- Treated pine - lapped or lattice.

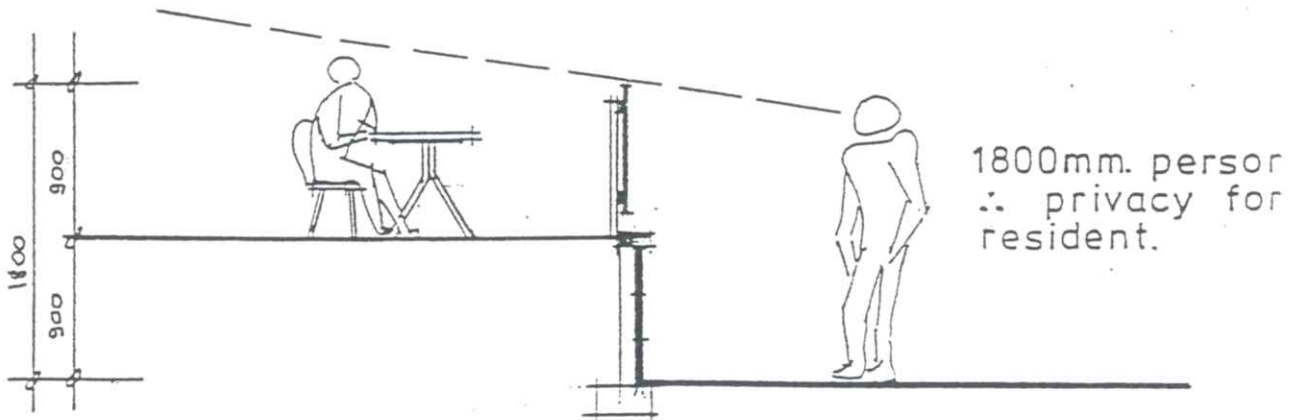
4.0 Roofing

- Metal roofs shall be pre-finished "custom orb profile".
- Colours to be heritage red, off-white, beige, birch grey, merino, homestead, mist green.
- Tile roofs may be clay in orange colour or concrete in orange or light pastel colours similar to metal roofing colours.

FIFTH SCHEDULE

PERIMETER RETAINING WALL/FENCE TREATMENT

CLEAR DEMARCATION OF PRIVATE AND PUBLIC DOMAINS.
∴ EASY MANAGEMENT.

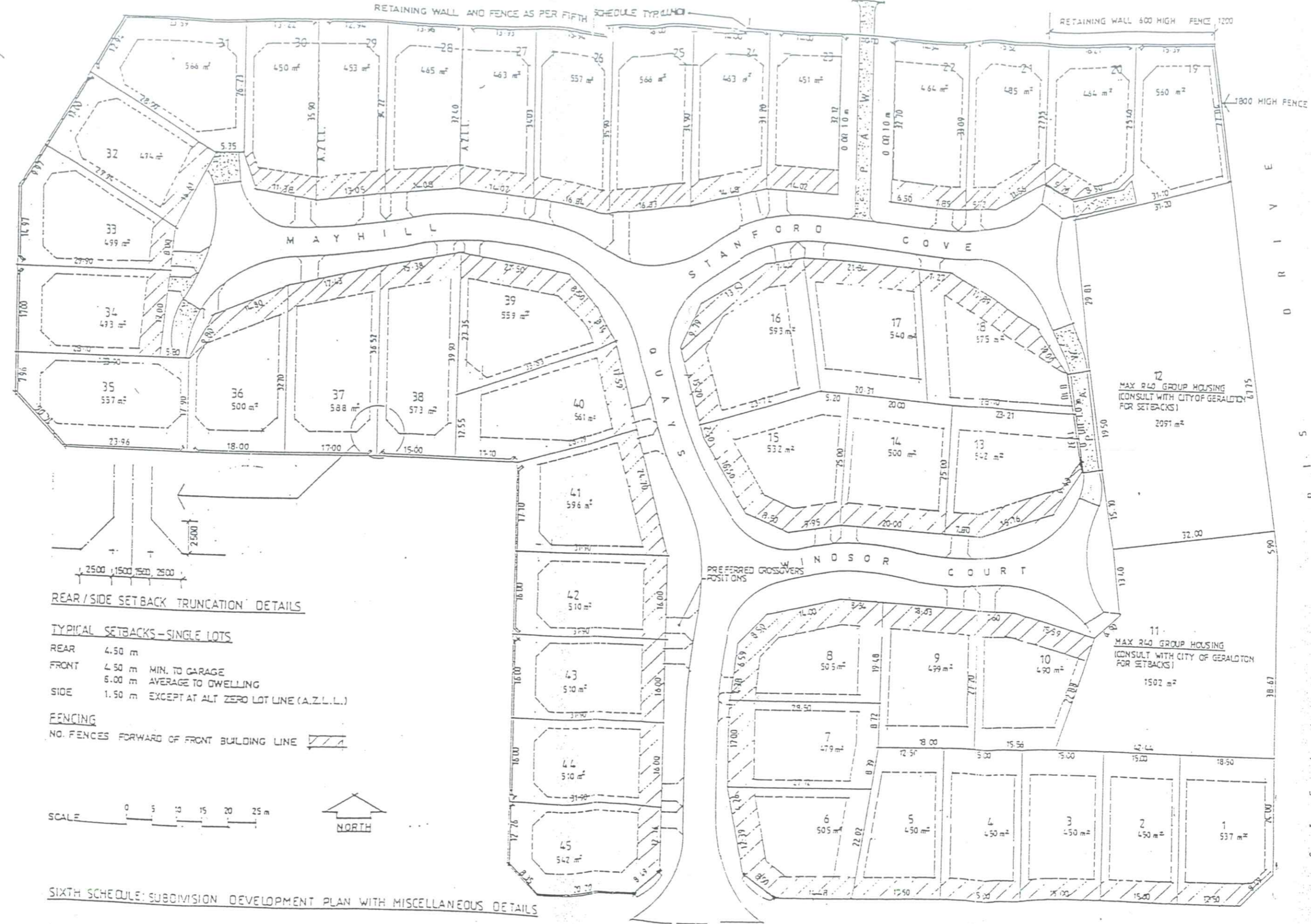


distance determines degree of residents interaction with the street. fully determined by the resident.

fill/edge condition. eg. shenton park. mindari.

(ref. jan gehl. "life between buildings.")

- Please note when referring to Schedule 6 that:
1. The Schedule contains errors in the description of a number of lots;
 2. These errors are in the process of being corrected; and
 3. In the meantime, the correct details of each lot should be ascertained from the appropriate Certificate of Title.



TOWN PLANNING SCHEME POLICY — BATAVIA COAST RESIDENTIAL PRECINCT

50% PRO RATIO

GERALTON DEVELOPMENT CORPORATION LTD
 171 MARINE TERRACE GERALTON WA 6530 PHONE (099) 21 222

S T E L L A M A R I S O R I V E