

AMALFI COVE – INDENTED HEAD

URBAN DESIGN GUIDELINES

AND

COVENANTS

October 2003

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1. INTRODUCTION

Amalfi Cove is a boutique development providing the opportunity for a unique residential lifestyle in a sought after bay side location. The objective of these Guidelines and Covenants is to set and assist in the delivery of the highest possible standards in contemporary design and construction, to produce a desired 'coastal' character.

These Guidelines and Covenants will protect the future amenity and investment of residents and owners by appropriately controlling the design and construction of dwellings, and some aspects of this future use and development of the lots.

2. PURPOSE

These Urban Design Guidelines and Covenants have been prepared to assist builders, land owners, residents and developers to construct dwellings and associated works on the Amalfi Cove lots, and protect the future amenity of the residents.

3. APPLICATION

The Guidelines and Covenants will apply to all lots within the Amalfi Cove Development. A Review Consultant will be appointed to consider all applications that are required by the Guidelines and Covenants.

4. COVENANTS

Protective covenants will be included on the plan of subdivision and/or the Contracts of Sale to control the following –

- Each lot shall not contain more than one dwelling.
- No fences forward of the building line to the lot frontage on all lots except Lots 3,4,9,10,11,17,22,24,37 and 41. The lot frontage is generally the narrowest boundary fronting a road reserve.
- Where allowed, front fences must not exceed the maximum height of 1.2m and must be of an open contemporary style and material approved by the Review Consultant.
- Side fences to a road reserve boundary must be approved by the Review Consultant.
- Minimum dwelling size on each lot is to be 130m² (excluding garage, carports, verandahs, balconies, and other unenclosed areas).
- The dwelling and other buildings must consist of contemporary and coastal design and materials as included in the attached Guidelines.
- All garages must have panel lift style doors or other alternative approved by the Review Consultant.
- All garages, carports and outbuildings that exceed 10m² in area shall have roof configurations of complimentary materials, external appearance design, colour and quality of construction to that of the main dwelling.
- No commercial vehicles with a carrying capacity of 1 (one) tonne or greater, or caravan, boat, trailers or the like may be placed, parked or maintained in a position or on a lot that is visible from the street abutments and must be screened from public view at all times.
- A landscape plan is to be lodged with Review Consultant for approval within one month of occupation. It is recommended that plant species be not only coastal tolerant but also low in water use and preferably indigenous to the region.

- Landscaping within the frontage setback and any other areas visible from the street must be established within three (3) months of occupation of dwelling. The construction of dwellings, outbuildings, fences and landscaping shall accord with the Urban Design Guidelines and be approved by the Review Consultant. The Review Consultant can charge a fee that accords with the attached Guidelines.
- The owner is required to lodge a bond with the Review Consultant prior to the commencement of construction on any lot. The bond is security for any damage to public works, including the drainage swale and landscaping caused during the building, and will be returned upon the owner's rectification of such damage or can be used to rectify such damage and any balance returned to or paid by the owner. The amount of the security bond shall be \$3,500 (2003) and reviewed annually to accord with CPI.
- Not relocate any existing dwelling house onto the land.
- Not permit any caravan or like accommodation to occupy the lot during construction phase of any dwelling house.
- Not permit the Lot to be maintained other than in a clean and tidy condition during construction phase of any dwelling house.

5. EXPIRY OF GUIDELINES AND COVENANT

The covenants and application of the Urban Design Guidelines shall expire and cease to have effect from the 31 December 2013.

6. URBAN DESIGN GUIDELINES

6.1 Approval Process

- The owner and architect/designer should review covenants and Guidelines prior to preparation of design.
- Designs must be lodged with the review Consultant for approval with the appropriate fees. The current fee is \$500 (2003) and will be reviewed annually to accord with CPI. These fees will be paid by the land developer for any application lodged prior to 2006.
- The Review Consultant must approve the plans within 14 days if they accord with these covenants and guidelines or provide reasons for not approving them.

Note: This process is separate and independent of the building permit process and approval must be obtained from the Review Consultant prior to the issue of a Building Permit.

6.2 Review Consultant

The initial Review Consultant will be Millar and Merrigan for a minimum term of twelve months from the issuing of a statement of a compliance for Stage 1 of the subdivision. Applications can be forwarded to Millar Merrigan PO Box 247 Croydon 3136, phone 03 9725 8866.

6.3 Review of Decision

Any decision made by the Review Consultant is subject to Review by an independent consultant appointed by a majority of the owners, and upon application and payment of a fee by the owner. This fee shall be a reasonable charge set by the independent consultant.

6.4 Design Objective

The objective of these guidelines and covenants is to assist owners, designers and builders to produce dwellings, gardens and outbuildings that are a modern and contemporary reflection of this unique coastal area.

The vision for the Amalfi Cove Estate is developed around a modern beachside or coastal architectural theme. These Guidelines encourage and direct a modern coastal urban architectural form which promotes both individualism and uniqueness, while maintaining a cohesive and balanced character.

6.5 Architectural Vision

The coastal architectural theme for this estate is designed to promote a relaxed lifestyle with all the benefits of the latest design techniques and conveniences. Residences should be designed to take advantage of the natural views, particularly the bay and the amenity of the beach and coastal area.

Housing designs should be creative and innovative, based on this coastal theme. The external design should use varied and interesting forms and proportions that reflect and contrast the coastal environment. The appropriate mix of materials and colours should be used to compliment this key principle.

The desired architectural theme can be described by the following points.

- Mixture of external materials
- Articulation of facades
- Careful consideration of colours which avoid bright, primary colours and attention seeking features
- Expanses of glazing to create openness and lightness, and the avoidance of traditional punched openings to all facades
- Roof forms to be non-traditional or not primarily of one type to encourage a variation
- Consideration of all principles of passive solar design
- Respect for potential or existing neighbouring residences, in particular regard to overlooking and overshadowing
- The design should reflect the site and the environment in which it is located
- The design should embrace passive energy strategies, making the most of solar access and northern light and warmth. The use of appropriate construction and insulation methods is encouraged
- The design should demonstrate respect for any future or existing neighbouring properties. Overshadowing and overlooking of private open spaces is not acceptable.

6.6 Built form

- Articulation of the façade
- Articulation to be emphasized by the use of colours and variety of materials
- The use of balconies, verandahs and the like is encouraged to provide articulation to the front and rear elevations
- A sense of entry for both vehicles and pedestrians
- Formal symmetrical designs are inappropriate. Parapet style 'Georgian', Victorian and Federation styles are also considered inappropriate
- The development seeks to achieve a relaxed coastal atmosphere. House forms associated with inner city and suburban style are not appropriate
- Careful consideration of the proportions of the elevations should be considered when selecting the windows size and type
- The theme encourages the use of large open glazing panels balanced by solid walls with smaller windows.

6.7 Roof Form

- Roofs to shown variety in their form
- Roof forms may include pitched gable, skillion and hips. Parapets, curved and flat roofs may also be included but should not dominate the built form

- Roof forms that are exclusively curved, parapet or flat may not be accepted.
- 'Colourbond', ultra-galvanised or stainless steel roof sheeting is preferred.

6.8 Materials

- The fundamental principle of the coastal urban theme is the variety and mix of materials
- Careful consideration should be given to the percentage and proportion of the appropriate materials to provide a balanced mix.

Appropriate materials:

- masonry
- natural stone
- timber
- weatherboards
- glass
- steel

Appropriate finishes:

- render
- paint
- natural

6.9 Colours

- colours should be muted tones from the lighter end of the spectrum with darker tones as a contrast to assist with articulation, a 'splash' of colour as a highlight is acceptable.
- masses of bright contrasts should be avoided, as should attention-seeking features

6.10 Landscaping

- should reflect the theme by the use of a variety of plants and materials
- encourage the use of native planting, with specific reference to the location of the development
- concrete paving should be kept to a minimum
- the use of porous paving is encouraged, e.g. gravel, river pebbles
- careful consideration in the selection and siting of large trees with respect to structural implications and the visual amenity of neighbouring properties.
- water sensitive landscape design is encouraged.

6.11 Water Sensitive Urban Design

The Amalfi Cove Estate has been developed using water sensitive urban design techniques including swales and bioretention trenches. The approach results in a treated and reduced runoff from the estate which will assist in protecting the environment of this sensitive coastal area.

- The owners and builders must protect the swale and bioretention trenches during the construction of the dwelling and into the future.
- The swales, bioretention trenches and nature strips must not be used for storage of any materials or vehicles, or for vehicular access to any lots.

- The vegetation within the swale and bioretention area must only be established and maintained in accordance with the landscape plans approved by Council.

RESTRICTIVE COVENANT

"And the said transferees with the intention that the benefit of this covenant shall be attached to and run at law and in equity with every lot on the said Plan of Subdivision other than the lot hereby transferred and that the burden of this covenant shall be annexed to and run at law and in equity with the said lot hereby transferred does hereby for themselves their heirs executors administrators and transferees and as separate covenants covenant with the said Transferor and the registered proprietor or proprietors for the time being of every lot on the said Plan of Subdivision and every part or parts thereof other than the lot hereby transferred that the said Transferees their heirs executors administrators and transferees shall:-

1. Not build construct or erect or cause to be built constructed or erected or remain on the land or any party thereof a dwelling house other than a single dwelling house having a minimum floor area of not less than 130 square metres excluding eaves, verandahs, garages and other unenclosed areas.
2. Not construct any dwelling house other than in accordance with the Amalfi Cove – Intended Head Urban Design Guidelines.
3. Not relocate any existing dwelling house onto the land.
4. Not permit any caravan or like accommodation to occupy the lot during or preceding construction of a dwelling house.
5. Not permit the Lot to be maintained other than in a clean and tidy condition during construction phase of any dwelling house.
6. Not keep, place or maintain any caravan, boat, trailer or commercial vehicle with a carrying capacity of one ton or greater on the land in a manner that such vehicle or boat is visible from the roadway and not screened from public view at all times.
7. Not erect a fence forward of the building line to the Lot frontage on all Lots except Lots 3, 4, 9, 10, 11, 17, 22, 24, 37 and 41 and not erect front fences on Lots 3, 4, 9, 10, 11, 17, 22, 24, 37 and 41 exceeding a maximum height of 1.2 metres of an open contemporary style and material approved by the Transferor's Review Consultant and not erect side fences abutting a road reserve boundary without prior approval by the Transferor's Review Consultant.
8. Not erect any garage or garages without panel lift style doors or other alternative approved by the Transferor's Review Consultant provided that any garage, garages, carports and out buildings that exceed 10 square metres in area shall have roof configurations of complimentary materials, external appearance design, colour and quality of construction to that of the main dwelling.

9. Not lodge a landscape plan for approval by the Transferor's Review Consultant later than one month from the issue of the Certificate of Occupancy in respect to any dwelling and not complete landscape works within three months of approval of the landscape plan by the Transferor's Review Consultant.
10. Not commence construction of a dwelling without first lodging a Bond with the Transferor's Review Consultant in accordance with the Amalfi Cove – Intended Head Urban Design Guidelines.
11. Not commence construction of a dwelling house without first obtaining approval of the Plans and Specifications from the Transferor's Review Consultant which approval shall not be withheld provided the Plans and Specifications of the dwelling are in accordance with the Amalfi Cove – Intended Head Urban Design Guidelines.”

