

## Subject

Precinct 2 Newington

## Job Description

Review of Community Management Statement

## Date

34 March 2011

Review of particular items as identified by the Precinct 2 Executive Committee and comment on suitability. We note that with a number of these items there may not be specific or clear rules but in providing a comment on suitability we have tried to explain the basis of the comment.

### Use of river pebbles white or coloured

The Landscape and architectural standards are silent on the use of pebbles whether white or coloured. There are no clauses that explicitly prohibit their use. However, the following statements in the controls do establish some basic principles;

- contribute to a streetscape character that *"complements the public domain"* (Landscape and Architectural Standards 2.3.1)
- contribute to a "sense of continuity",
- enhance "visual amenity"(2.3.1 strategies)

There are a series of 'public spaces' and walk throughs that use a crushed red/terracotta or dark gravel. These are the colours used in the public domain and therefore to complement the public domain and contribute to continuity it could be determined that the acceptable colours are set by those used in the public domain.

### Garbage bin locations

CMS 17.1

*"Each Owner and occupier must secure and store that person's container for garbage and recyclable materials so that it:*

*a) is hidden from view from outside the Lot; and..."*

The various documents provide a 'performance' requirement ie 'hidden from view from outside the Lot'. It does not state specific locations. However should they be positioned in the public domain and require screening the following assessment would then apply, does the screen;

- contribute to a streetscape character that *"complements the public domain"* (Landscape and Architectural Standards 2.3.1)
- contribute to a "sense of continuity",
- enhance "visual amenity"(2.3.1 strategies)

Screens for air conditioning units visible from outside the lot

There are a range of clauses that make reference to the installation of air-conditioning equipment and it is clear that it should not be visually obvious, it is not the intent of the controls to prevent the installation of AC units. If screening is required then that screening should be in keeping with the Architectural Standards and contribute to the streetscape and public domain. It seems that if screening does not uphold these standards then approval is required for any proposed screening.

The intention allows for review and approval of screening which upholds the Design Standards and the same considerations apply as per the previous items;

- contribute to a streetscape character that *"complements the public domain"* (Landscape and Architectural Standards 2.3.1)
- contribute to a "sense of continuity",
- enhance "visual amenity"(2.3.1 strategies)

Note the following clauses make reference to the installation of Air-conditioning

Landscape and Architectural Standards 3.1.4 - note also reference to Appendix 3

*If the air conditioning unit satisfies the above, then that air conditioning unit must not be installed on or in a Lot, Community Property or Subsidiary Body Property if that air conditioning unit can be seen from outside the Lot, Community Property or Subsidiary Property.*

CMS 4.1 - 4.2

clause 4.2 seems to imply approval is only required if the element being installed is not in-keeping with the architectural standards.

Satellite dishes

It seems that the installation parameters are clearly stated in CMS 4.3;

*'An owner or occupier of a lot, the Community Association or a Subsidiary Body must not construct, install or maintain on or in a Lot, Community Property or Subsidiary Body property any television, radio or other antenna, dish or tower or any other transmitting or receiving device:*

- a) which is constructed or installed above the front elevation of a roof in a Lot, Community Property or Subsidiary Body Property; or*
- b) which can be seen from outside the Lot, Community Association or Subsidiary Body Property.'*

#### Concrete paving, including concrete with stenciling and patterns

The Landscape and Architectural Standards under 2.3.3 fairly clearly states the material requirements for paving;

Driveway paving is to be brick paving

Backyard paving is to be 'soft set'

Side yard soft surfaces.

It is hard to see how concrete paving and stenciling complies with the intent of these clauses.

#### Carports on driveways that have enough room which are aligned with the architectural design of the building

Carports are not mentioned in the Landscape and Architectural Standards however clause 3.2.6 makes reference to building setbacks being defined elsewhere for different building types. We are still trying to confirm this reference because often design controls define no structures in the front setback, or limit the type of structures forward of the building line.

The definitions in appendix 2 defines what can be in a setback and also notes setbacks apply to buildings. A carport is a class 10 building by definition under the BCA and therefore typical building setbacks would apply to any building structure.

#### Existing pathways

Not sure of the specific clarification being sought but the following items are identified

Mentioned briefly under paving in relation to driveways (Landscape and Architectural Standards)

Landscape and Architectural Standards 2.3.3

- *paving patterns to be related to interior patterns (we understand this to mean generally orientation and size to match internal tiles, this seems to be more in relation to rear paving)*
- *use borders and banding of different colours and textures to define paving areas*
- *Do not pave within dripline of existing trees*
- *Incorporate path to front door separate to the driveway where possible*

#### Front entry doors

The main front door is not explicitly dealt with though to be in-keeping with the streetscape character the doors are an of an un-profiled (flat) solid-core nature, colors must comply with Landscape and Architectural Standards 3.1.5.

The colours are set out in the appendix. Examples of security screen doors are also set out in the appendix and define a simple style which should be used as a guide for selection.

### Window Tinting

Prohibited under Appendix 5 (architectural Materials and Finishes)

It is worth noting that under the state government BASIX controls 'body-tinted' glass offering environmental performance is often required for all new houses subject to performance. Our expectation is that this clause is intended to limit the after market application of 'highly reflective' tinting films or the replacement of clear glass with decorative coloured glass, both these situations could have impacts on neighbours or detract from the general character of Newington. It is our interpretation that this should not limit the use of subtle body-tint performance glass when being used for thermal reasons if the colour change is not immediately obvious and the reflectivity of the glass is not significantly different from that used in neighbouring dwellings.

### General Comments

Please note that these comments are related to the application of design principles and we are not offering 'legal' opinion about the interpretation of 'wording', or the 'order of precedence' in with the various documents apply, ie there are both design guidelines and 'by-laws' in use and if there is any question about interpretation between the 2 documents a legal opinion to the order of precedence will be required.

The comments above are provided to guide and assist your direction and use of the guidelines, we are more than happy to discuss these items further and provide additional clarification. Others may read these documents and draw different conclusions however we have applied our knowledge of these controls and our understanding of the original intent.

Regards,

Simon Thorne  
director