

BAYVIEW DESIGN GUIDELINES



ASSESSMENT REPORT

PROPERTY OWNER:
LOT NUMBER:
DRAWINGS SUBMITTED:

**ITEMS**

Application Plans & Documents	<input type="checkbox"/>	Garage Doors	<input type="checkbox"/>
Good Siting	<input type="checkbox"/>	Screen Boats etc	<input type="checkbox"/>
Minimize Overlooking Neighbors	<input type="checkbox"/>	Screen side of Carports	<input type="checkbox"/>
One Dwelling	<input type="checkbox"/>	Store for Single Carport	<input type="checkbox"/>
Setbacks	<input type="checkbox"/>	Garage Setbacks	<input type="checkbox"/>
Building Height	<input type="checkbox"/>	Energy Efficiency	<input type="checkbox"/>
Building Size	<input type="checkbox"/>	Driveways	<input type="checkbox"/>
Site Coverage	<input type="checkbox"/>	Retaining Walls	<input type="checkbox"/>
Temporary Structures	<input type="checkbox"/>	Outdoor Structures	<input type="checkbox"/>
Waterfront Blocks	<input type="checkbox"/>	Boundary Fencing	<input type="checkbox"/>
Colours	<input type="checkbox"/>	Fencing to Waterway Sites	<input type="checkbox"/>
Wall Materials	<input type="checkbox"/>	Signs	<input type="checkbox"/>
Roof Materials	<input type="checkbox"/>	Air conditioners	<input type="checkbox"/>
Roof Pitch	<input type="checkbox"/>	TV Antenna etc	<input type="checkbox"/>
Two Storey Buildings	<input type="checkbox"/>	Solar HWS	<input type="checkbox"/>
Verandah Construction	<input type="checkbox"/>	Other Structures	<input type="checkbox"/>
Verandah Size	<input type="checkbox"/>	Incinerators	<input type="checkbox"/>
Glass Type	<input type="checkbox"/>	Mooring Structures	<input type="checkbox"/>
Carparking	<input type="checkbox"/>	Landscaping	<input type="checkbox"/>

# BAYVIEW

## APPLICATION FOR COVENANT APPROVAL

PROPERTY OWNER: .....

LOT NUMBER: .....

STREET: .....

POSTAL ADDRESS: .....

.....

PHONE NUMBER:.....

NAME OF APPLICANT:.....

OWNER

OWNER'S AGENT

POSTAL ADDRESS: .....

.....

PHONE NUMBER:..... FAX NUMBER:.....

DATE: .....

SIGNATURE:.....

Applicants to note three copies of drawings are to be submitted (A3 size preferred).

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## **1.0 INTRODUCTION**

### **1.1 Status of the Design Guidelines**

These Design Guidelines incorporate guidelines which will be secured through covenants entered into by purchasers of allotments within the Estate known as Bayview. They incorporate requirements and suggestions regarding siting and style of the home to ensure that homes are designed and built to complement each other and provide an attractive residential environment.

### **1.2 Application of the Design Guidelines**

These Design Guidelines will apply to all residential land zoned R0 within Bayview.

### **1.3 Purpose of the Design Guidelines**

Bayview offers a unique quality of life.

The estate features water views, parks, the Waterway, access to the ocean via a lock, a heritage parkland site and a high standard of housing.

To ensure that a high standard of housing is maintained, and accordingly that the value of your investment is secured, all purchasers of lots at Bayview are required to enter into a covenant with Dover which requires compliance with these Design Guidelines.

These Design Guidelines:

- will help to ensure that all dwellings, and other structures, including associated landscaping, within Bayview will be designed, constructed and maintained in a manner which enhances the character of Bayview and improves the value of land in the estate; and
- are additional to the requirements of statutory authorities (eg. Development Consent Authority, Darwin City Council, PAWA, NT Building Act etc.). Nothing in this document relieves you of your obligation to comply with such matters.

## 2.0 APPROVALS

### 2.1 Obtaining Approval

You must obtain prior approval from Dover for all Building Works at Bayview.

You will be required to submit to Dover, or its nominee, plans and specifications of all building works intended to be constructed on the land **before seeking approval from the NT Development Consent Authority, obtaining waiver from the Building Appeals Board or obtaining a building permit from a Building Certifier under the Northern Territory Building Act.**

If you are unsure of any aspect of these Guidelines or require clarification we recommend you contact our one of the panel architects Savvas Savvas (phone 89847371) or Ross Tonkin (phone 8941 0982) to discuss the matter prior to proceeding with detailed design and drawings.

### 2.2 Applications

To enable Dover to assess proposed Building Works three copies (A3 size preferred) of the following documents and plans must be lodged at the office of the panel architect of your choice:

Ross Tonkin & Associates, 7 Fannie Bay Place, Fannie Bay  
PA Group Pty Ltd Architects, 8 /52 Marina Blvd, Cullen Bay

who will, on behalf of Dover, assess the application

Remove the application form from the rear of this booklet; complete the details and sign. Failure to show the following details on the plans could possibly increase the time the architect will take to assess the plan.

Site plan at a minimum scale of 1:200 showing;

- north point and boundary dimensions; and
- the position of existing and proposed buildings and their distance from all boundaries; and
- details on site drainage including proposals related to the dispersal of roof water; and
- the position of any easements; and
- the existing contour levels at the time of issue of titles and any proposed new levels; and
- the location and dimensions of any driveways, crossovers and paved areas; and
- the position and extent of any fences, retaining walls, pools etc; and
- the location of the clothes drying areas.

Floor plans at a minimum scale of 1:200 showing;

- extent of roof over; and
- all rooms and covered areas.

All external elevations at a minimum scale of 1:200 showing;

- extent of all external finishes including location of external windows and external air conditioning units and;
- location of existing and proposed ground levels; and
- location of TV antenna and solar hot water systems.

Typical cross section through the proposed buildings and the site at a minimum scale of 1:200 showing;

- total height of the building above existing ground level; and
- total height of the habitable space above existing ground level; and
- existing ground levels, proposed ground levels and proposed floor levels; and
- roof pitch

Schedules indicating the following;

- external colours (paste a small sample on plans); and
- external materials including all finishes to the building, external fencing and paving; and
- allotment area, site coverage and size of enclosed floor area.

Elevations and details of all fencing and retaining walls at a minimum scale of 1:200 showing;

- heights and relationship to existing and proposed ground levels; and
- finishes and construction details.

Landscape plan at a minimum scale of 1:200 showing;

- site drainage; and
- layout and finish for all paved areas; and
- layout of lawns and garden beds; and
- schematic planting plan; and
- any external structures including swimming pools; and
- extent of retaining walls

The above documents and plans must adequately describe the proposed Building Works and be drawn accurately to scale showing all relevant dimensions and measurements.

Additional drawings and information may be requested to assist in the assessment of your application.

Should you require a waiver to a design requirement, a letter stating the reasons for such waiver or waivers should accompany the plans submitted.

A minimum of 10 working days should be allowed for the assessment of the application. This process may take longer if all documents and plans required are not supplied when lodging the application or if the documents and plans do not comply with these Guidelines.

## 2.3 Approvals

If the application is approved, Dover will return to you a stamped copy of the documents and plans provided by you along with an accompanying letter as evidence of Dover's approval.

Approval under the covenants is additional to and not instead of any Territory or local government, building or planning approval, requirements under the Building Code of Australia or any other Act, Regulation or By-law.

Approval from the NT Development Consent Authority is required for the construction of detached dwellings on R0 zoned land with an area less than 600 square metres at Bayview in accordance with clause 17.11 of the Darwin Town Plan 1990.

Approval is required from the Darwin City Council in relation to works outside your lot including the driveway crossover and storm water drainage connection. Details on Council requirements are available from the Darwin City Council. We recommend you obtain approval from the Darwin City Council over the location of your crossover prior to commencing design of your dwelling.

## **2.4 Construction Time**

To avoid unsightly sites during construction, all Building Works must be completed in accordance with the approved plans within 12 months of commencement of construction.

Where construction has not commenced within 12 months from the date of approval of the application, plans must be re-submitted for re-confirmation of approval to ensure those plans still comply with the Guidelines then being used.

These Guidelines may be altered at the discretion of Dover and subsequent applications or re-confirmation of approval of applications will be subject to the amended version of these Guidelines. The current version may be determined by checking with the Bayview Sales Office.

## **2.5 Conformance Inspection**

At the completion of the construction of your dwelling a representative of Dover will undertake an inspection to ensure that the building and site works are in accordance with the approved plans.

You are required to notify Dover and request an inspection prior to occupation of the dwelling.

### 3.0 BUILDING WORKS GUIDELINES

These elements of the Design Guidelines must be complied with unless variations have been approved by Dover.

These requirements are considered a minimum standard required for the allotments.

#### 3.1 Construction Activities

You are responsible for any damage caused to any land or structure in Bayview by your builders or other contractors involved in the construction of your dwelling.

Where your builders, their employees or other contractors damage or destroy roadways, kerbs or channels, irrigation, structures, trees or landscaping, Dover may take any reasonable steps to restore the damaged area and you will be liable for the cost of such restoration.

In addition, where builders or other contractors leave rubbish, rubble, excavation or surplus materials on adjacent or nearby sites not yet built on, Dover may remove such material and you will be liable to Dover for the cost of such removal.

The discharge of polluted water or any other material such as sand, gravel, silt and concrete is not permitted into the Darwin City Council drainage system, the Waterway or the road reserve and fines may be incurred for breaches.

#### 3.2 Design Guide for Residential and Commercial Development in the Northern Territory 2000 published by the Department of Lands, Planning and Environment (DLPE)

Designs for dwellings should address the elements contained in the DLPE Design Guide with particular emphasis on appropriate design for the climate.

#### 3.3 Tropical Design (Refer Indicative diagrams)

The design, siting and orientation of the dwelling is to consider the prevailing breezes and to maximise on natural ventilation.

The following features will be taken into account in assessing applications for Building Works:

- if the design incorporates windows on opposite or adjacent walls to improve cross ventilation;
- whether the design of habitable rooms incorporates natural ventilation;
- if the design incorporates protection for external windows from direct sunlight by the use of shade devices;
- whether the roof space is designed with ventilated louvre openings on gable ends and roof mounted ventilators;
- if the design incorporates generous verandahs and balconies;
- whether the dwelling is orientated to take advantage of prevailing breezes; and
- whether protection is proposed for outdoor areas from prevailing storms.



### **3.4 Privacy** (refer indicative diagrams)

To maintain a reasonable level of privacy all balconies, terraces, doors and windows should be carefully sited and designed to minimise overlooking neighbouring habitable rooms and private open space and to protect their privacy.

The design of two storey Buildings must not infringe on the privacy of the neighbouring properties' main outdoor living or entertainment areas.

Upstairs windows that would otherwise infringe on the privacy of neighbouring properties may be permitted if they incorporate corrective devices such as raised sills, fixed opaque glass or screens that minimize privacy intrusion.

### **3.5 Noise**

Noise generating equipment such as pool pumps, spa blowers and airconditioners are to be suitably located or screened to minimise noise transmission to the adjoining allotments. Consideration should be given to locate "noisy" rooms away from neighbours bedroom areas and your bedrooms away from neighbours "noisy" rooms.

### **3.6 Number of Dwellings**

Only one dwelling is permitted on each lot.

Subdivision of your lot, dual occupancy or multiple dwelling developments is not permitted.

### **3.7 Temporary Structures**

No temporary or relocatable house, shed, office, caravan or other structure is permitted unless for use as a site office that is ancillary to the construction of a dwelling, and in any event, must not be:

- used as a dwelling or to provide accommodation; or
- constructed on a lot earlier than fourteen (14) days prior to the commencement of construction of a dwelling.

### **3.8 Setbacks**

#### **3.8.1 Land Based Lots (except stages 7B, 8 A, 8 B & 9)** (refer indicative diagrams)

All dwellings must be located at least the distance specified from the boundaries listed below:

- front boundary - single frontage 7.5 metres;
- corner lots:
  - sides facing primary street - 7.5 metres;
  - sides facing secondary street - 2.5 metres;
- rear boundary - 3.0 metres

- dual frontage:  
front of dwelling 7.5 metres; and  
rear of dwelling 2.5 metres.

The following minimum setbacks also apply:

All eaves / fascia or gutters should be at least 600mm from side boundaries.

### **3.8.2 Waterfront Lots (except stage 7B, 8 A & 8 B)** (refer indicative diagrams)

All dwellings must be located at least the distance specified from the boundaries listed below:

- front boundary - generally 7.5 metres with dispensation for garages (refer clause 3.8.3);
- corner lots:  
sides facing primary street - 7.5 metres;  
sides facing secondary street - 2.5 metres;
- waterfront – 7.5 metres from revetment wall.

The following minimum setbacks also apply:

All eaves / fascia or gutters should be at least 600mm from side boundaries.

All other structures including swimming pools and pergolas are to be a minimum 7.0 metre setback from the revetment wall.

### **3.8.3 Garage Setbacks – Waterfront Lots (except stage 7B ,8 A, 8 B)** (refer indicative diagrams)

Garages may project forward from the front facade of the dwelling by no more than 6 metres; where the garage has a door or doors facing the side of the lot (i.e. where there is a "swing in" access).

Where the garage has a door or doors facing the street the garage setback from the front boundary may be reduced to 5.0 metres.

Approval for this waiver will be required from the NT Building Appeals Board where the layout contravenes the setback provisions of the NT Building Regulations.

### **3.8.4 Setbacks Stages 7B, 8 & 9** (refer indicative diagrams)

Building setbacks shall be those specified in the Bayview Stage 7B Lot Setback Plan (drawing number 01/1105/411A), Bayview Stage 8 Lot Setback Plan (drawing number 02/1105/522) and Bayview Stage 9 Lot Setback Plan (drawing number 01/1105/414A).

The Lot Setback Plans applies to all building walls and supporting structure and other structures including swimming pools and pergolas.

All eaves/fascia or gutters should be at least 1.0 metre from any boundary.

### 3.8.5 Zero Lot Line Boundaries – Stages 7B, 8 & 9

(refer indicative diagrams)

Dwellings should generally be built abutting the zero lot line boundary to maximise the use of the available space.

When a dwelling is built abutting the zero lot line boundary a minimum of 4 metres and a maximum of 15 metres of house wall is to be built on that boundary.

Where a dwelling, or part of the dwelling, is not built on the nominated zero lot boundary a minimum setback of 1.5 metres is required for that dwelling or parts of a dwelling from that boundary (including the roof line).

Two storey walls will not be permitted on the zero lot line boundary. No part of a second storey wall or roof is permitted within 0.6 metres of this boundary.

### 3.9 Building Height

(refer indicative diagrams)

The Darwin Town Plan restricts the height you may construct a dwelling. The requirements are summarised as follows.

No point of a building may exceed 8.5 metres in height excluding aereals. The height of any point of a building shall be measured from ground level immediately below that point, as established at the time of issue of title (but including the height of any mound specifically provided or made for the purpose of elevating a building above the surrounding ground level).

Note where a lot is excavated, the height is measured from the ground level immediately below that point, as established at the time of issue of title (but NOT including the depth of any excavation).

The height of the highest habitable space shall not exceed 7 metres. This is to be measured from ground level immediately below that point as established at the time of issue of title.

This will include the height of any mound specifically provided or made for the purpose of elevating a building above the surrounding ground level (but NOT including the depth of any excavation on the lot).

The above creates a 7.0 metre height envelope parallel with the ground that no habitable space should exceed.

We recommend you obtain clarification from the NT Development Consent Authority to ensure your dwelling complies with the Darwin Town Plan in relation to height restrictions.

### 3.10 Minimum Size of Dwellings

All dwellings must have an enclosed floor area of at least 160m<sup>2</sup> (which includes all internal living areas and lock up garages).

### 3.11 Site Coverage

The maximum permitted site coverage is 50% of the area of the land based component of the lot.

### 3.12 Waterfront Lots

(refer indicative diagrams)

Existing ground levels are to be maintained within a zone of 1.5 metres from side boundaries and for a distance of 7.0 metres from the Waterway. For stage 7B & 8 lots this distance may be reduced to 5.0 metres.

Paved areas, steps and walls may be constructed if they are in accordance with plans that have been approved by Dover in the remaining rear yard. Walls must not exceed 0.9 metres in height.

Structures such as pools, pergolas and elevated decking may not be built within 7.0 metres of the Waterway. For stage 7B lots this distance may be reduced to 5.0 metres.

Landscaping within 3 metres of the Waterway must be limited to low profile plant species. This provision does not prohibit the planting of low profile plant species to create a hedge along the side boundary.

Any lights from the property must be so placed as to not shine directly onto the Waterway and cause a possible navigation hazard.

Storm water run off must be picked up before it reaches the slope to the marina and piped down and then through the revetment wall. Allowance has been made in the centre of each revetment panel for a stormwater pipe outlet. See the Bayview Estate Manager for additional information.

Ensure no Building Work, including retaining walls, is undertaken over PAWA easements.

### 3.13 Colours

Colour schemes must be chosen to enhance Bayview's relationship to the Waterway and parks.

The colours of all Buildings must be approved by Dover and will be assessed at the time that any approval is sought. Light colours are recommended while shiny metallic finishes should be avoided on external surfaces.

### 3.14 Wall Materials

The external walls of all Buildings must be constructed with materials that conform to Dover's aesthetic and energy efficiency criteria. To enhance energy efficiency and create variety, the use of lightweight building materials is encouraged.

Approved materials include:

- smooth faced clay bricks;
- rendered and painted concrete lot work;
- painted weatherboard / timber cladding; and
- limited use of colorbond metal sheeting to achieve contrasting.

Dover may approve other materials subject to demonstration of design merits.

### 3.15 Roof Material

The roof of each Building must be constructed with materials that also satisfy Dover's aesthetic and energy efficiency criteria and must:

- be non-reflective and complementary to the style of the Building; and
- should have a minimum 900mm overhang.

Approved roof materials include:

- pre-finished corrugated colorbond (e.g. custom orb); and
- clay or concrete tiles.

Gutters, downpipes and other protrusions must be pre-finished or painted.

### 3.16 Roof Pitch

It is preferred that the roof pitch be at least 22.5° on all buildings, Dover will however look at a lesser pitch on its merits.

Further:

- roof planes must be visible from the street;
- curved roofs will be assessed on their merits; and
- flat roofs are not encouraged except for minor elements of roof design. However, if you believe that a flat roof is essential to your requirements, it is recommended that you apply to Dover for a waiver of this provision by presenting a conceptual drawing and outlining reasons as to why a flat roof is preferred before completing full drawings.

### 3.17 Verandahs, Porches and Sunshading

The materials used for posts which support;

- the upper level of a two storey Building; and
- shade structures, verandahs and porches

must be complementary to the balance of the Building.

Suggested materials include:

- clay brick;
- steel tube not less than 100 mm;
- rendered concrete block work; or
- painted or stained timber.

Verandah roofs that are not part of the main roof must have a complementary pitch to the main Building.

Verandahs and porches must have a minimum depth of 2 metres.

Shading devices to protect external windows from the sun and rain are encouraged.

### 3.18 Glass

The use of reflective glass is not permitted.

The use of tinted glazing may be permitted and will be assessed on its merits.

### 3.19 Parking, Garages and Carports

#### 3.19.1 Garages and Carports Generally

Provision must be made for car parking for at least 2 car-parking spaces per dwelling (of which at least one car space per dwelling must be covered).

Garages, carports and hard stand parking areas should have a minimum internal dimension of:

- covered; 3 metres wide and 6 metres long; and
- uncovered; 3 metres wide and 5.5 metres long.

Garage doors must:

- incorporate design features to minimize the visual impact on the streetscape; and
- not be wider than 5.4 metres.

Where double garages are proposed, design features such as the use of wall and roof forms (to break up the mass of the doors) are recommended.

Heavy commercial vehicles must not be parked within the Estate. Recreational vehicles or boats must be parked in such a way that they are not visible from the street and may not be parked permanently on road verges within the Estate.

Detached garages and carports must be constructed of materials and have a roof pitch and colour which complements the main Building.

Where the side of a carport faces the street, panels or painted timber boarding that is consistent with the dwelling must be provided which screens any vehicle from view from the street.

Where a carport provides the only covered car accommodation for a dwelling, then a lockable, waterproof storage room must be provided for that dwelling. The storage room must:

- be within the roofline of the dwelling or carport and be constructed of materials and have a form which complements the dwelling; and
- have a minimum useable floor area of 4m<sup>2</sup>; and
- be accessible from outside the dwelling.

### **3.19.2 Garages and Carports – Stages 7B, 8 & 9**

(refer indicative diagrams)

The provisions of clause 3.19.1 apply.

Two car park spaces are to be located within the allocated building envelope of your lot.

Additional visitor parking is to be available on the driveway in front of your dwelling.

### **3.20 Driveways**

Each lot must have only one driveway.

Driveways must:

- not be wider than 4 metres where they cross the footpath; and
- be positioned to ensure the crossover location is agreed to by the Darwin City Council; and
- not be located within 1 metre of a side or rear boundary; and
- have a maximum gradient of 1 in 5.5; and
- be constructed of an all weather material, which has been approved by Dover; and
- be constructed in accordance with any relevant requirements of statutory authorities.

Approved finishes include:

- exposed aggregate concrete;
- unit paving; and
- patterned concrete.

Plain concrete, concrete drive strips and bitumen driveways will not be permitted.

The strip between the driveway and the nearest side boundary must be screen planted.

Approval from the Darwin City Council is to be obtained for the street crossover.

### 3.21 Earthworks and Retaining Walls

As a general rule earthworks which do not exceed a depth of 1 metre will be permitted. Any proposal to exceed this depth will be considered on its merits however Dover must approve any filling or excavation of existing ground levels. Retaining walls should not exceed 900 mm in height.

Retaining walls must use materials that:

- complement the natural environment (for example; rock, stone, timber sleepers, etc.); or
- match the construction of the dwelling.

Where earthworks are undertaken, any necessary retaining walls must be completed within fourteen (14) days of completion of those earthworks.

### 3.22 Outdoor Structures

Outdoor structures, such as garden sheds, pergolas, swimming pools and spas, will generally be permitted if:

- they do not exceed 12 square metres in area (excluding swimming pools). Any application to construct an outdoor structure which exceeds 12 square metres in area, will be considered on its merits; and
- they complement the design of the dwelling; and
- the wall and roof cladding is non-reflective and complies with the materials and colours which have been approved for the main dwelling; and
- they are adequately screened to ensure they are not visible from the street.

### 3.23 Fences

#### 3.23.1 General Requirements for Fencing

Fences are not compulsory in Bayview other than to satisfy statutory requirements however; you must obtain approval before commencing construction of any fence.

In considering applications for fencing works, Dover may take into account:

- how a fence might affect the overall appearance of Bayview; and
- the merits of the proposed fencing.

The finish and materials used must complement the materials and finishes used in the dwelling. All perimeter fencing must be completed prior to occupation of any dwelling.

#### 3.23.2 Boundary Fencing

(refer indicative diagrams)

Boundary fencing between dwellings on the site and at adjoining lots and to secondary frontages of corner sites must:

- have a minimum height of 1.2 metres; and
- have a maximum height of 1.8 metres; and
- terminate at least 0.9 metres behind the front building line of the dwelling; and



- be constructed of material that, as a minimum standard, is plastic coated chainwire with rails of a matching colour, although other materials may be approved by Dover subject to demonstration of merit.
- be setback 1.5 metres from the street boundary for secondary street frontages and be screened by vegetation.

### **3.23.3 Front Fencing – Land Based Lot**

(refer indicative diagrams)

Subject to clause 3.23.1 no fences are permitted between a Building and the front boundary. This provision does not prohibit the planting of low profile plant species to create a hedge along the front boundary.

### **3.23.4 Front Fencing - Waterfront Lot**

(refer indicative diagrams)

Where a lot is contiguous with the Waterway, a service court fence may be constructed between the dwelling and the front boundary (or any boundary contiguous with a street).

Front service court fencing will be likely to be permitted if it :

- adequately screens clothes drying facilities etc; and
- is no more than 1.8 metres high if transparent in form; and
- is no more than 1.2 metres high if solid in form; and
- extends for no more than 50% of the frontage of the lot; and
- is set back 1.5 metres from the front boundary and side boundaries of the lot; and
- the finish used is consistent with the materials used in the dwelling; and
- uses vegetation as a screen for the fence from the front boundary.

### **3.23.5 Rear Fencing - Waterfront Lots**

(refer Indicative diagrams)

Fencing will not be permitted within 3.0 metres of a boundary that is contiguous with the Waterway.

Rear fencing situated between the dwelling and the Waterway must:-

- be set back at least 3.0 metres from the Waterway edge; e.g. landscaping, steps etc down the revetment wall slope is encouraged and boundaries may be planted with low profile plant species but no fencing is permitted. Should you be planning a pool in the backyard ensure you make provision for it to be fenced per statutory requirements; and
- not exceed 1.2 metres in height; and
- be constructed from metal vertical rods and flat metal capping; and
- be black or dark green powdercoat in colour finish.

### 3.23.6 Side Boundary Fence Between Dwelling and Revetment Wall - Waterfront Lot (refer indicative diagrams)

Side boundary fencing situated between the rear of the dwelling and the Waterway must:

- be set back at least 3 metres from the revetment wall; and
- not exceed 1.2 metres in height; and
- be constructed from metal vertical rods and flat metal capping; and
- be black or dark green powdercoat in colour finish.

Where a waterfront lot adjoins either public open space or any lot zoned R2 then the side boundary fence of that lot may be fenced down to the revetment wall.

### 3.24 Site Drainage

Ensure consideration is given to the correct dispersal of stormwater from your lot. Concentration of your stormwater onto adjoining properties is not permitted.

Where an Inground drainage system is proposed, obtain approval from the Darwin City Council for connection to the Council stormwater system.

Stormwater run off from roofs without gutters is not to discharge directly onto adjacent properties.

### 3.25 Private Open Space

A private ground level open space screened from public view is required for all dwellings. The minimum requirement is 35m<sup>2</sup>. The minimum width of the private open space is to be 4 metres.

A private outdoor living area is required as part of the open space. This living area should be at least 18m<sup>2</sup> with a minimum width of 3.0 metres. The outdoor living area should be located to reduce the impact on adjacent dwellings, be directly accessible from the living areas and be covered to provide all weather use of the space. For elevated dwellings the outdoor living area can be a deck or balcony.

As part of the private open space include a utility area for clothes drying. This utility area is to be screened from public view.

## **4.0 ANCILLARY PROVISIONS**

### **4.1 Sewerage**

A number of lots within the estate are connected to an "Air Vac" sewerage system as opposed to the traditional "gravity" sewerage system.

Your plumber must be approved by Dover to perform this connection. An incorrect connection may damage the system. The plumber must certify in writing to Dover that the connection has been done correctly. This certification is held as a matter of record.

### **4.2 Clothes Drying Areas**

Clothes drying facilities should be provided in a secure, dry and convenient location and be adequately screened from the street public areas. If it is necessary to locate your clothes drying facility in a location to the side or front of your dwelling, ensure screening is provided.

### **4.3 Illumination**

Any lighting on lots must be positioned so as not to illuminate the waterway or cause navigation problems. Lighting on berths must be directed downwards.

### **4.4 Signs**

No signs and hoardings advertising products or businesses are permitted on any lot, with the exception of:

- display home signage, which may only be erected with the prior approval of Dover;
- a maximum of two real estate signs for sale or lease of the lot;
- a maximum of two builders' or tradespersons' signs (which are permitted on lots during construction only); and
- any sign required by law.

In any event no more than a total of three such signs are permitted on any lot at any one time.

### **4.5 Air Conditioners**

Air conditioners must be:

- located at ground level; and
- be screened from public view; and
- positioned to minimize transmission of noise to neighbouring properties.

Where air conditioners face neighbouring properties and are located within 3 metres of the boundary a solid noise barrier is to be provided.

#### **4.6 Television/Radio Antennae & Satellite Dishes**

As a general rule only internal or under the roof antennae will be permitted. All other applications for external antennae will be considered on their merits.

The installation of satellite dishes will only be approved if located below the roofline and they are screened from public view.

#### **4.7 Swimming Pool/Plunge Pool/Spa**

No above ground swimming pool, plunge pool or spa is permitted on a lot. Any in-ground pool must comply with any relevant statutory authority requirements.

#### **4.8 Solar Water Heaters**

Any solar water heaters must be located on roof pitches and must be positioned to minimize their visibility from public places and the Waterway, so far as practically possible. Where possible storage tanks must be detached and concealed from view by locating them within the roof space.

Positioning of solar collector panels should be done so as not to reflect back to any dwelling within the Estate.

#### **4.9 Incinerators**

The construction or use of incinerators is not permitted.

#### **4.10 Other Structures**

Hot water systems or gas system tanks must be positioned to minimize their visibility from public places and the Waterway, so far as practically possible.

Garbage bin enclosures, mail boxes and other site facilities should complement the dwelling, and such structures should be adequate in size, durable, waterproof and avoid visual clutter.

Statutory requirements such as electricity meters should be easily accessible.

#### **4.11 Mooring Structures**

Lots with a frontage to the Waterway are limited to a single mooring structure as outlined in the Marina design plan that can be obtained from the Bayview Sales Office.

Such structures must:

- accommodate no more than one vessel; and
- take one of the forms of designs approved by and acceptable to Dover; and
- be used only for the mooring of watercraft to the maximum approved size for the lot; and

- not be used by a vessel for any commercial activity.

#### 4.12 Salinity

Remember you are in a marine environment and in some areas there is fill that has been recovered from below sea level that will have various levels of salinity.

It is therefore important in planning both the construction of your building and choosing plant species that you allow for salinity in the soil. You should make your own independent inquires on this matter.

#### 4.13 Landscaping

Landscaping is an important feature of Bayview and residents planting trees, shrubs and flowers and maintaining their gardens to a reasonable standard can enhance the high standard of presentation of the estate.

Residents can enhance their own and their neighbours' quality of life by carefully planning the landscape of their lot.

The positioning and selection of plants, mulch and other vegetation must be located a safe distance from the Waterway to ensure that they are not washed into the Waterway or cause pollution to the Waterway.

Landscaping that is visible from public places or the Waterway must be completed in accordance with the approved landscape plan prior to occupation of the dwelling. A reasonable standard of finish for publicly visible areas shall include:

- completion of the driveway and any other surface for car accommodation;
- lawn areas sowed or turfed and established; and
- garden beds planted and mulched.

The following principles are recommended in designing your garden:

Respect the natural environment. Choose plants and landscape materials that are appropriate to the local environment.

Respect the local and regional character. Your garden can be designed to enhance the local character, helping to create a special sense of place.

Plan your garden to ensure low water usage. This can be achieved through the use of native plants, which are adapted to local conditions, using mulches on shrub beds, minimizing the area of irrigated grassing and the use of water efficient irrigation systems (such as dripper irrigation systems).

Plan your garden to be compatible with your home. Your garden should be viewed as an extension of your home. In this way you can make the best use of your house and your garden so that both enhance your lifestyle.

#### 4.14 Exposed Drainage Pipework

Conceal drainage pipework wherever possible by locating into service ducts or within the walls.

Drainage pipework is not permitted to be exposed on two storey dwellings.

#### 4.15 Cable TV

We recommend provision is made in your design to incorporate a conduit from the street boundary to the inside of your dwelling and across your driveway to allow for future cable TV connection.

#### 4.16 Variations

Notwithstanding the provisions of these Guidelines, Dover reserves the right, in its sole, absolute and unfettered discretion, to:

- replace, modify or vary the provisions of these Guidelines; or
- waive the provisions of these Guidelines,

Generally or in any particular case or circumstance.

#### 4.17 Chemicals

Notwithstanding the provisions of any Statutory Regulations, where there is a danger of water contaminated by chemicals running off into the marina, **Dover or the Body Corp in its sole, absolute and unfettered discretion** has the right to take whatever action deemed necessary to prevent such contamination or rectify the marina waters already contaminated. The cost of this action will be recovered from the owner of the lot where the contamination originated.

**Builders should note that there is real danger of run off contamination occurring when rain is forecast.**

## 5.0 GLOSSARY OF TERMS

In these Guidelines:

### **“Bayview”**

means Lot 5988 Town of Darwin and any subdivision thereof and any other land that Dover may, in its sole, absolute and unfettered discretion, include as part of that estate;

### **“Bayview Estate Manager”**

means the person or corporation appointed by Dover from time to time to manage the Bayview Estate;

### **“Building”**

includes (without limitation) any of the following:

- a dwelling, garage or garden shed, a shade cover or pergola, a fence or retaining wall;
- a swimming pool, spa, tennis court or other outdoor facility for recreational activities;
- a satellite dish or antenna;
- any poles to support flood lights or spot lights;
- a jetty or mooring;
- all pathways and hard standing area, including a driveway;
- the physical elements of the landscaping, including all deep and shallow planting; and
- earthworks involving a cut or fill in excess of 100mm in depth; and
- includes any repairs (including painting or changing colours), alteration or additions to same.

### **“Building Works”**

means the construction of any Building or any part of a Building;

### **“Construct”**

means to construct, erect, install, place on, alter, add to or remove; and grammatical derivations have a corresponding meaning;

### **“Covenant”**

means the covenant registered or intended to be registered on the Certificate of Title to your lot under the provisions of the Real Property Act;

### **“Design Guidelines”**

means the plans, drawings, guidelines, specifications, principles and concepts issued and amended by Dover from time to time relating to the proposed nature of development of Bayview, including without limitation:

- the nature, size, location and specification of Buildings on any particular lot or on the whole or part of Bayview;
- the nature of the materials (including whether new or second hand) to be used in the Construction of any Building;
- the colour of Buildings;
- visibility of Buildings from the street frontage, the Waterway or public places; and
- the prohibition of particular Buildings.

**‘Dover’**

means Dover Investments Pty Ltd (ABN 75 009 637 914) and its successors and assigns;

**“Estate”**

means Lot 5988, Town of Darwin and any subdivision thereof and any other land that Dover may, in its sole, absolute and unfettered discretion, include as part of that estate;

**“Land Based Lot”**

means an allotment which does not have a waterway boundary;

**“Stages 7B, 8 & 9”**

means the lots developed under stages 7B and 9 and defined on drawings prepared by Earl James & Associates numbered 01/1105/411A, 02/1105/522 & 01/1105/414A;

**“Waterfront Lot”**

means an allotment which has a waterway boundary;

**“Waterway”**

is that part of the estate development which forms or is intended to form part of Bayview, which is or is constructed to be, covered by water and is generally navigable by vessels;

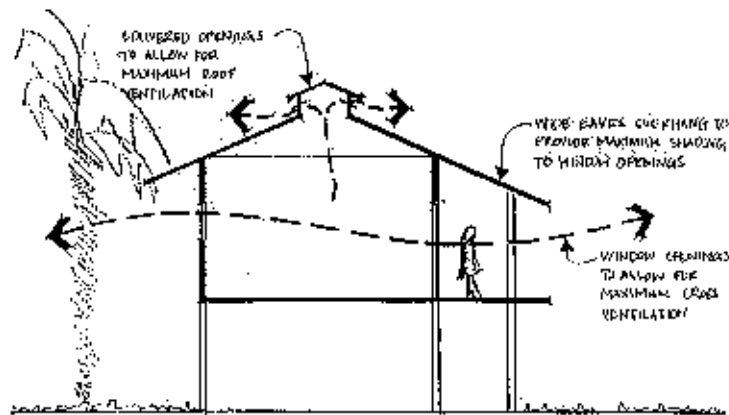
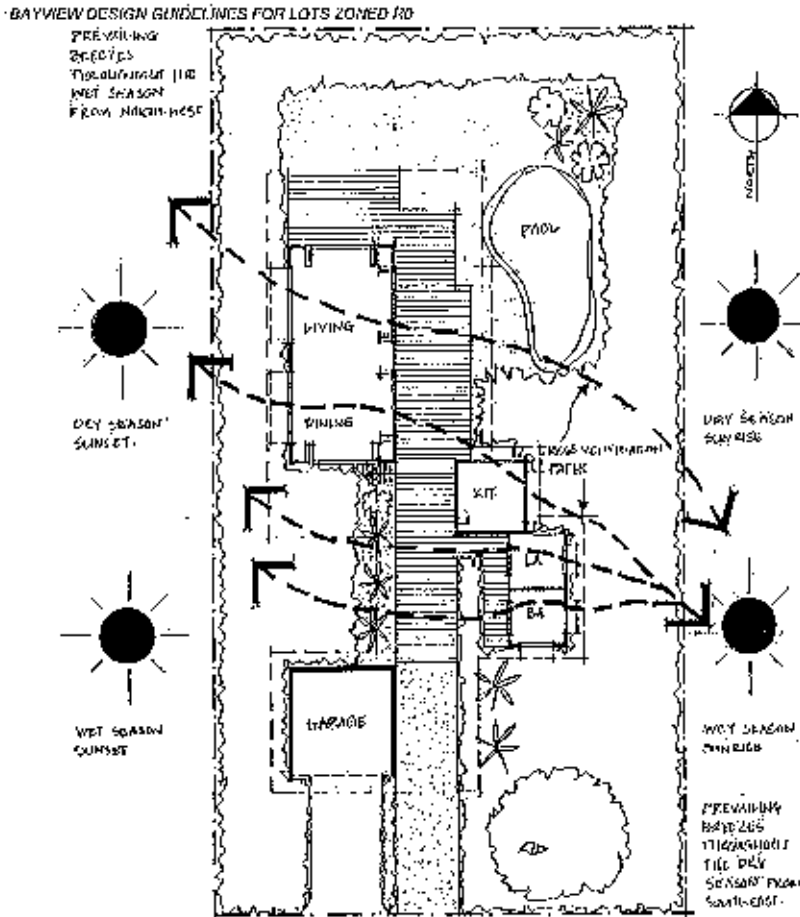
**“you”**

means the registered proprietor of an estate in fee simple of a lot in Bayview, and includes successors and assigns of such persons; and grammatical derivations have a corresponding meaning.



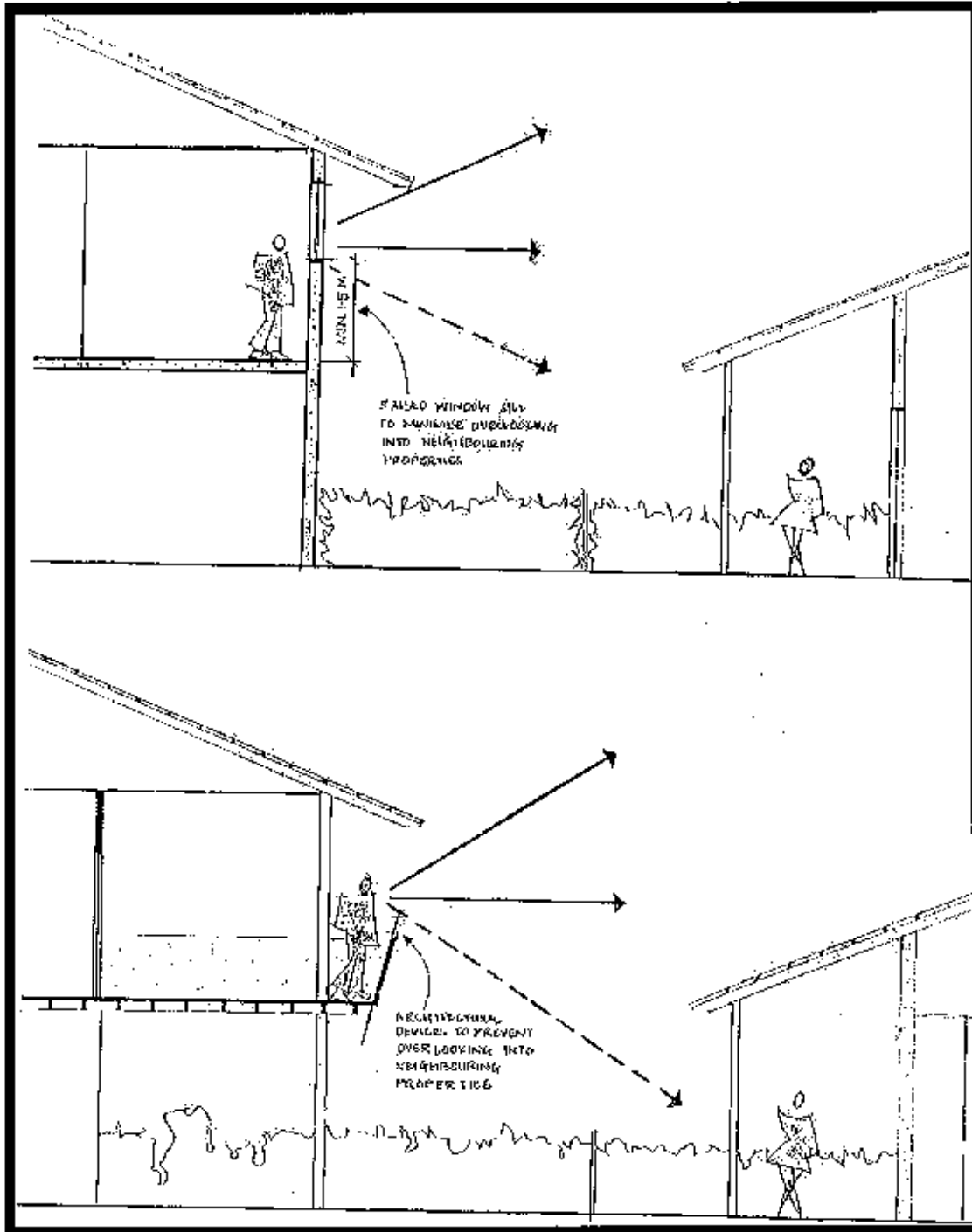
## 6.0 INDICATIVE DIAGRAMS

# TROPICAL DESIGN

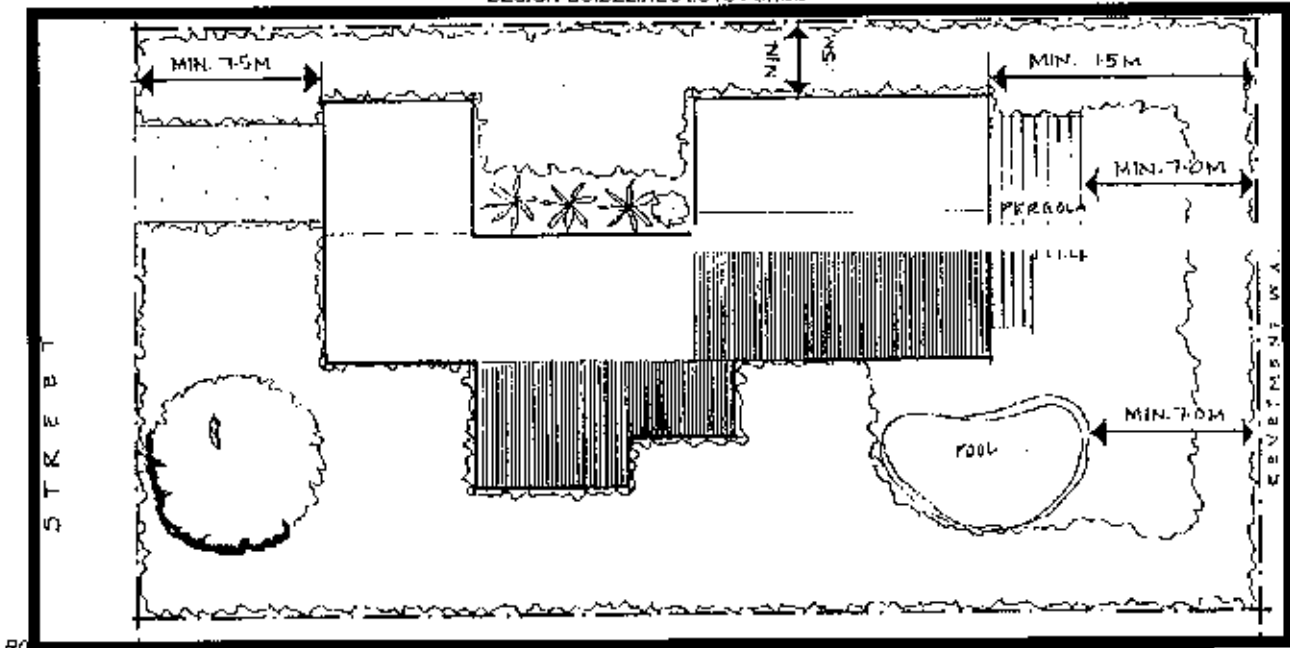


TROPICAL DESIGN

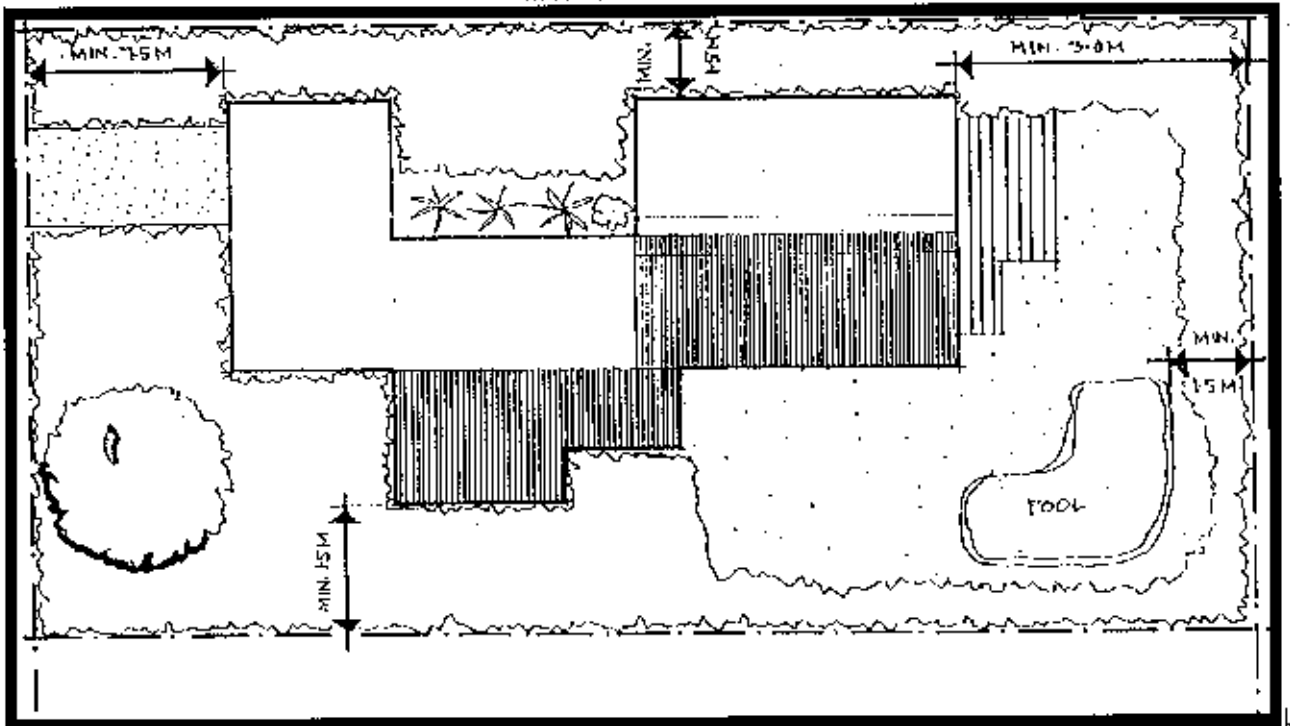
# PRIVACY



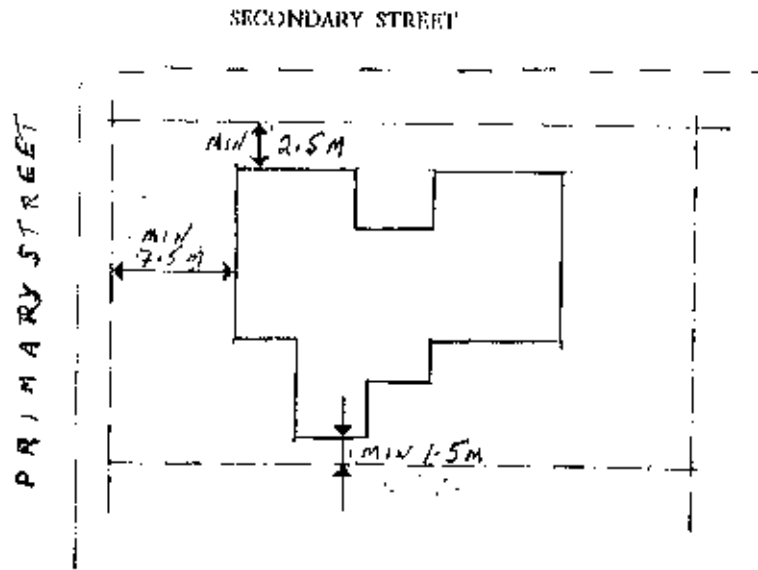
DESIGN GUIDELINES LOTS ZONED



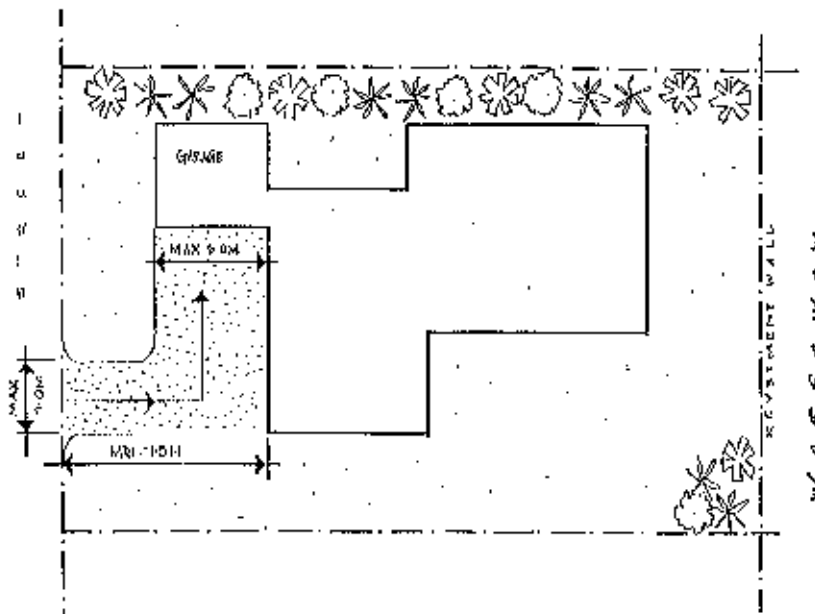
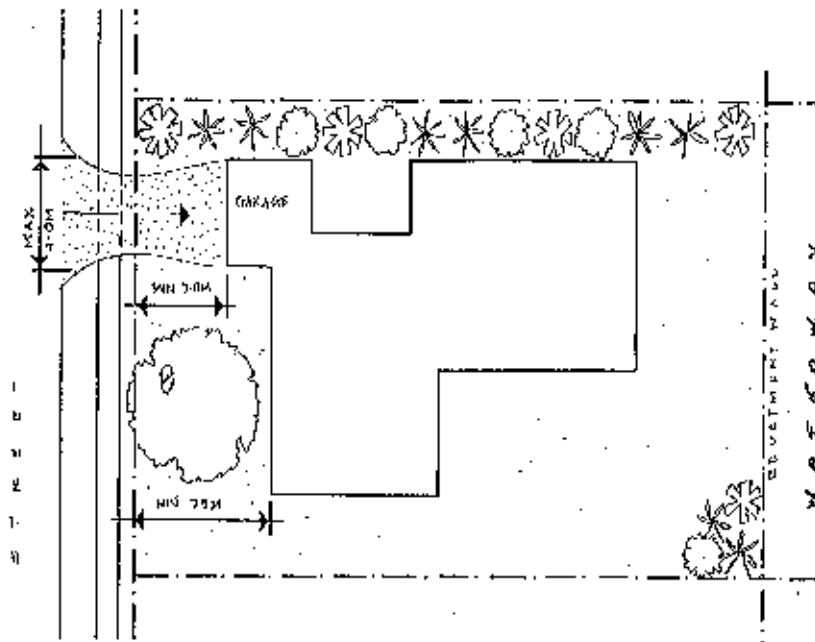
WATERFRONT LOTS



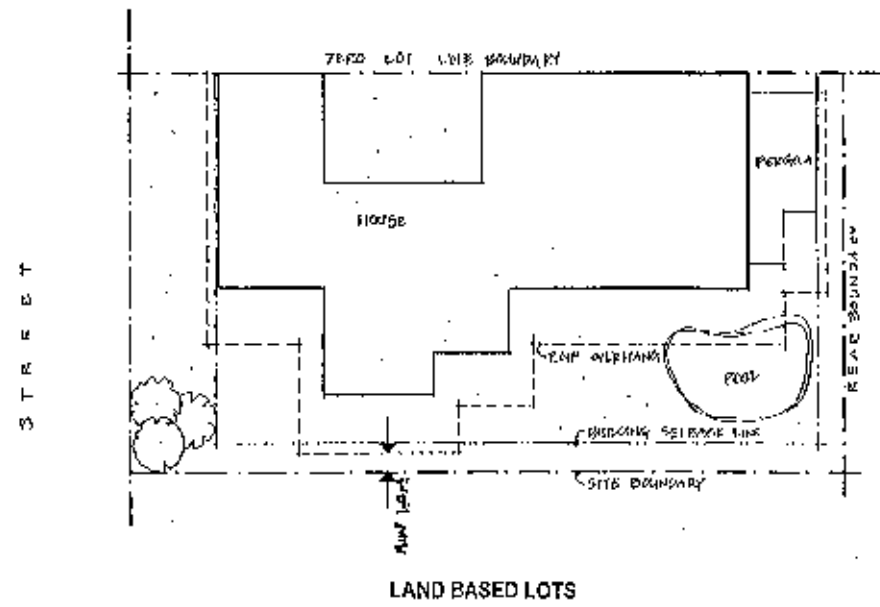
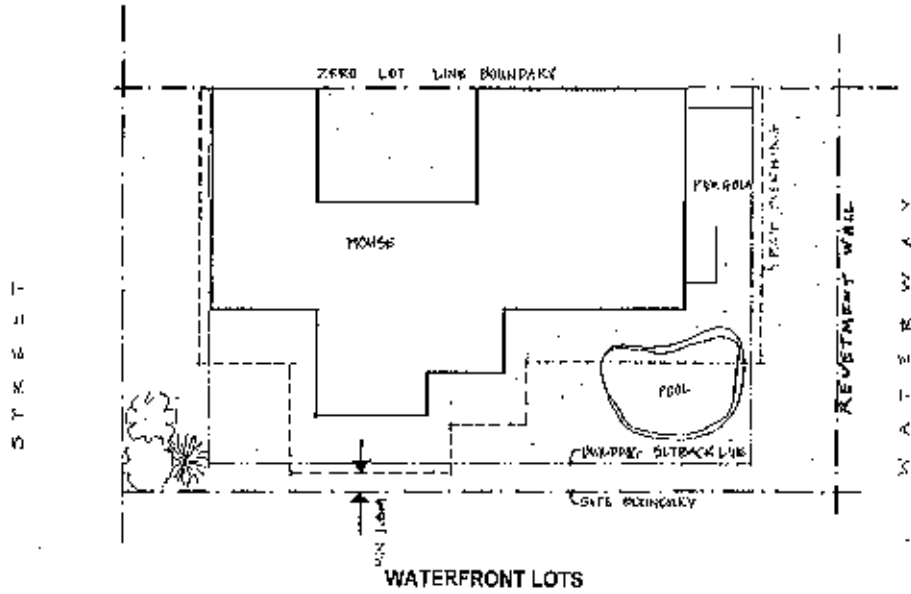
AND BASED LOTS SETBACKS - EXCEPT STAGES 7B & 9



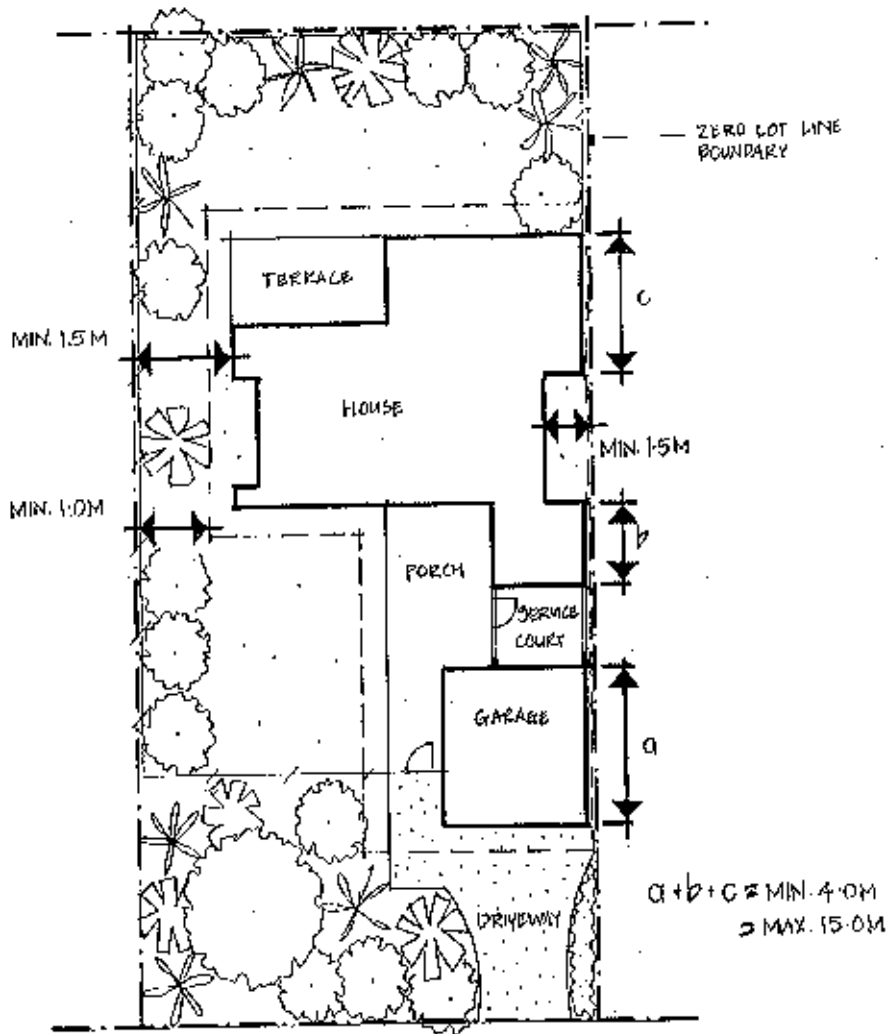
**SETBACK CONRNER LOTS**



**GARAGE SETBACKS – WATERWAY  
(EXCEPT STAGES 7 B, 8 A, 8B)**

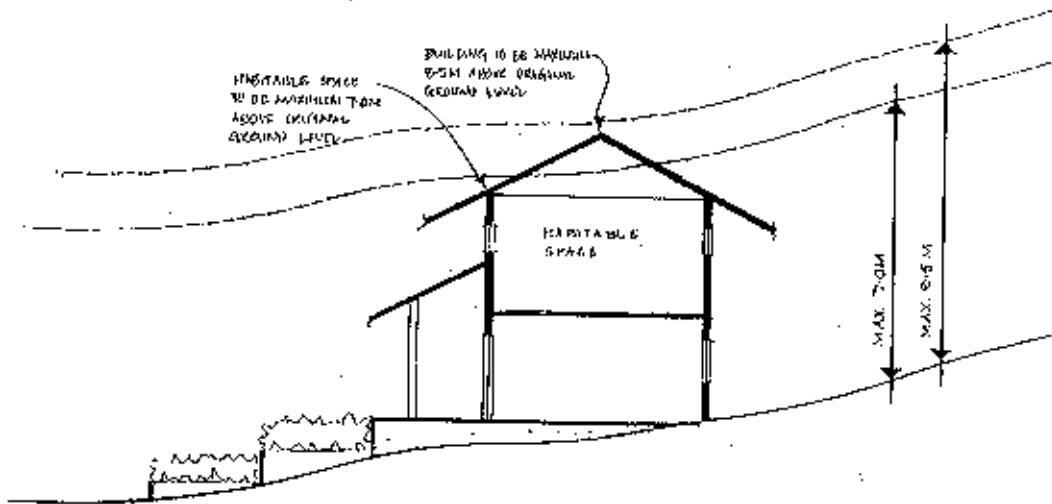
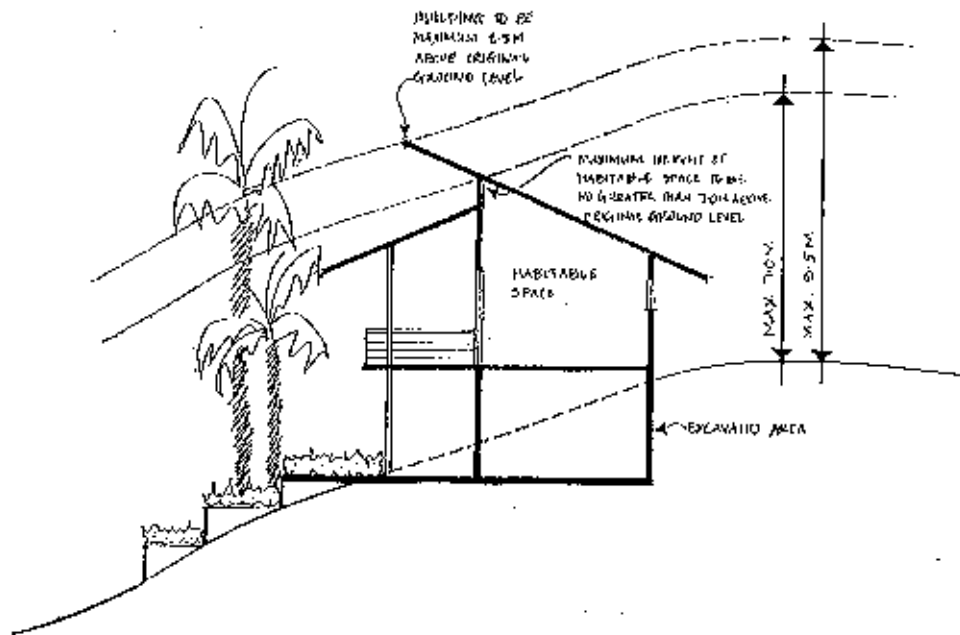


**SETBACKS - STAGES 7 B AND 9**



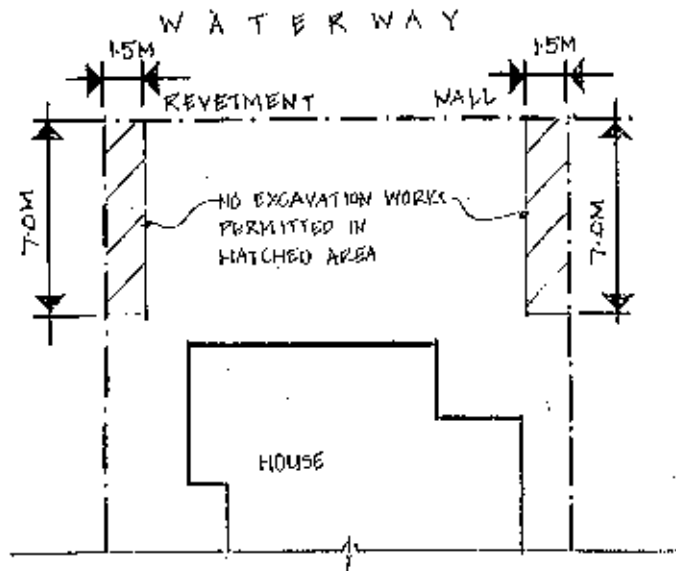
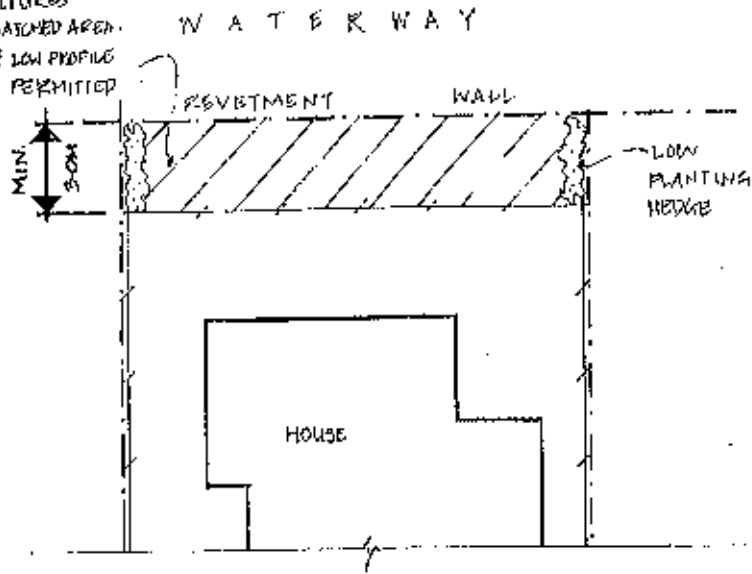
**ZERO LOT LINE BOUNDARIES – STAGES 7 B, 8 A, 8 B AND 9**





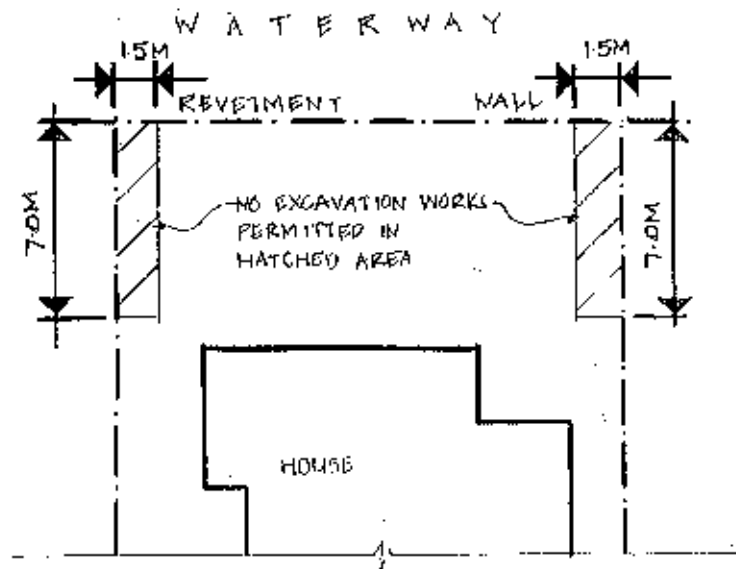
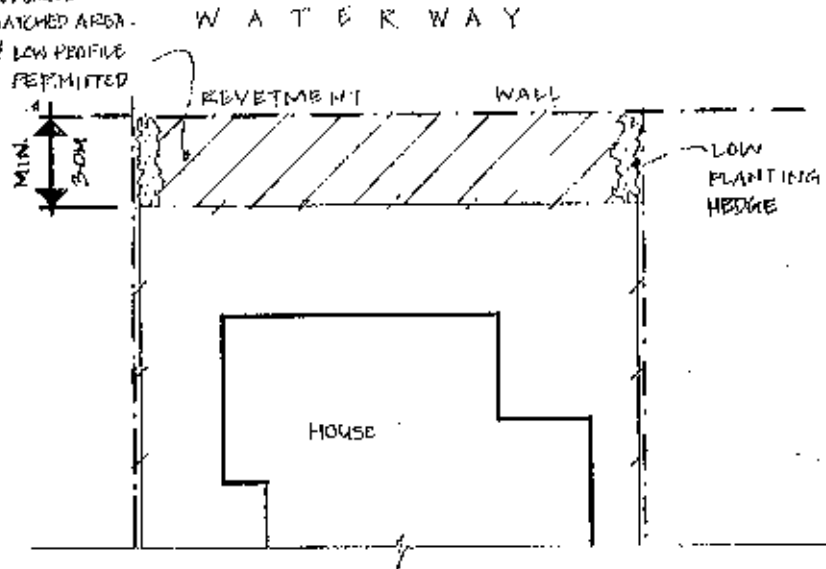
### BUILDING HEIGHT

NO RETAINING WALLS,  
FENCES, ELEVATED DECKING  
OR OTHER STRUCTURES  
PERMITTED IN HATCHED AREA.  
GRASS, PAVING & LOW PROFILE  
PLANTING ONLY PERMITTED

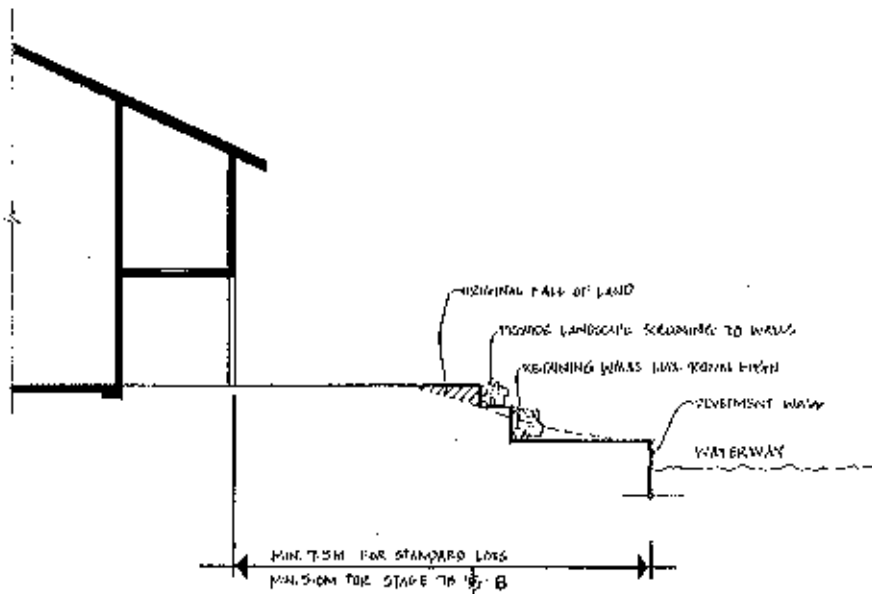


**WATERFRONT LOTS  
EXCEPT STAGES 7B, 8A AND 8B**

NO RETAINING WALLS,  
FENCES, ELEVATED DECKING  
OR OTHER STRUCTURES  
PERMITTED IN HATCHED AREA.  
GRASS, PAVING & LOW PROFILE  
PLANTING ONLY PERMITTED

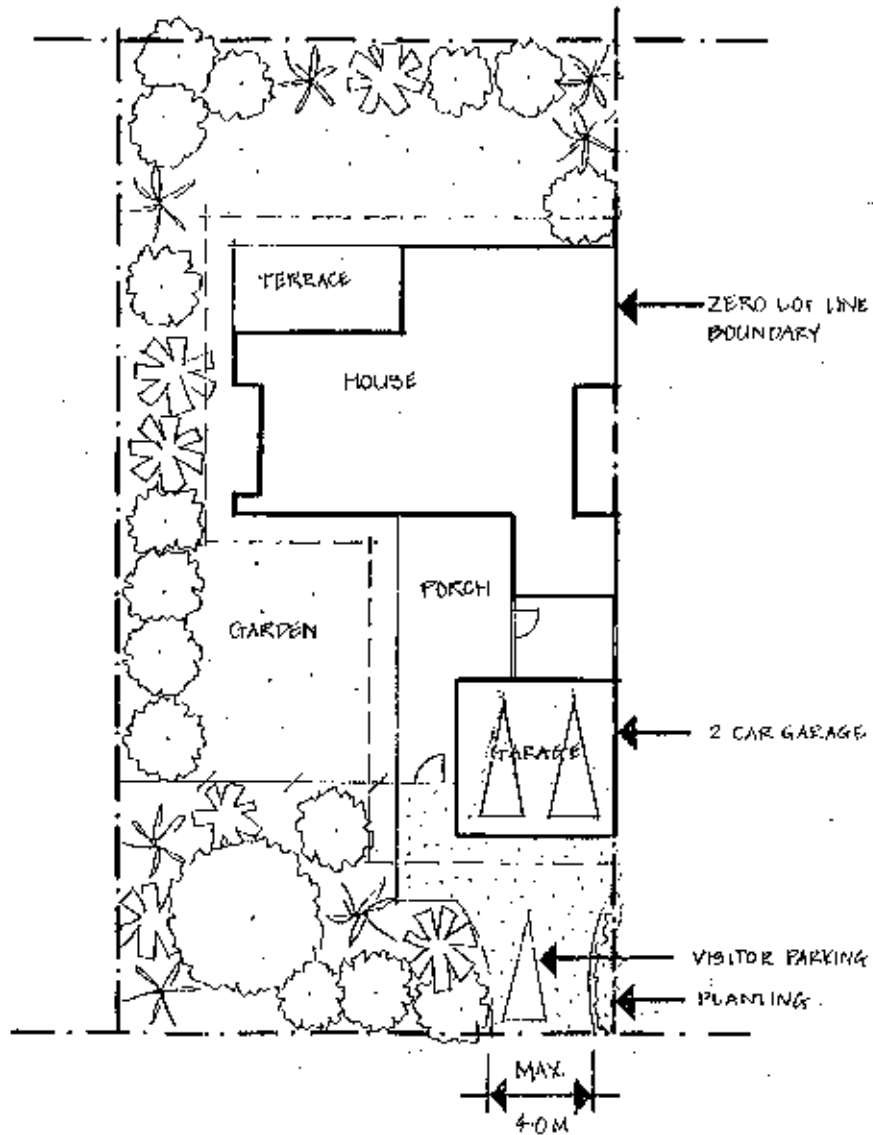


**WATERFRONT LOTS - STAGES 7 B, 8 A AND 8 B**

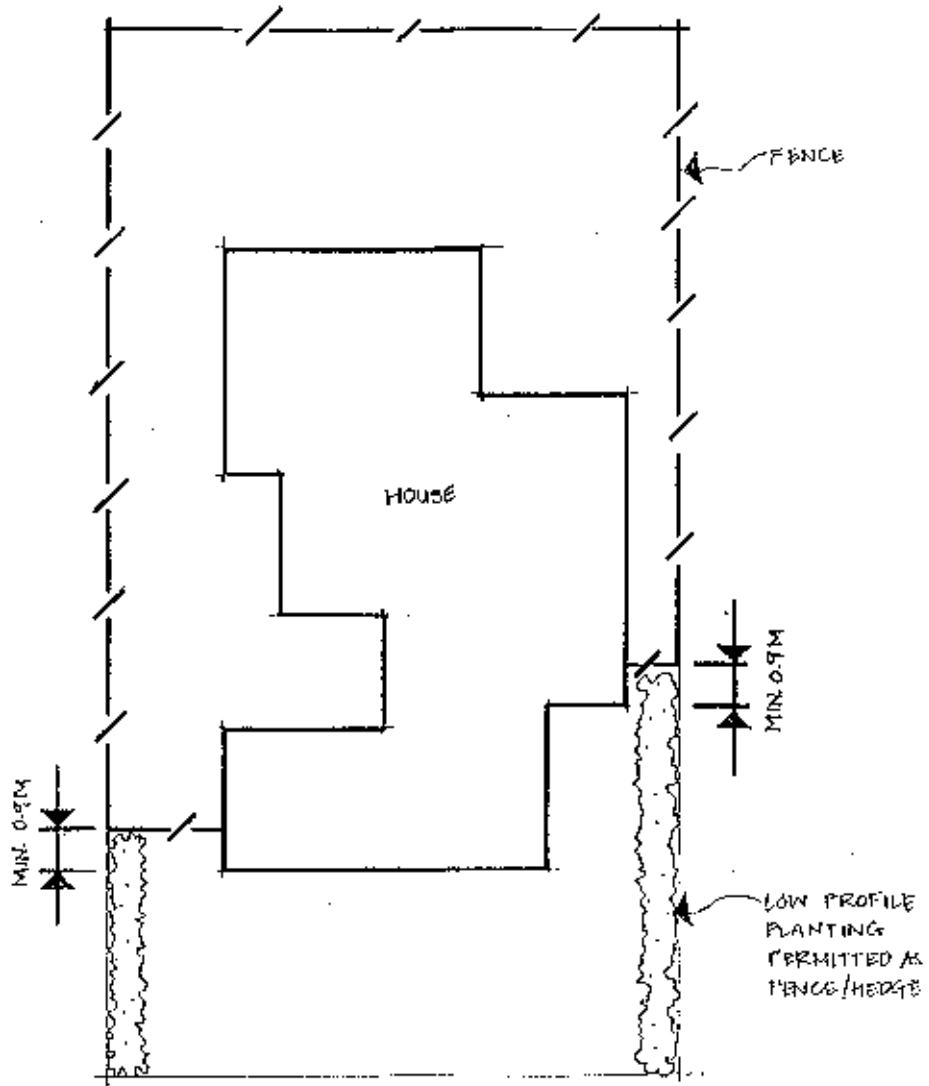


**CAUTION:**  
SOME WATERFRONT LOTS HAVE SEWER  
& IRRIGATION LINES BEHIND THE  
RETAINMENT WALL.  
CHECK WITH POWER WATER AND THE  
ESTATE MANAGER BEFORE EXCAVATING

## WATERFRONT LOTS

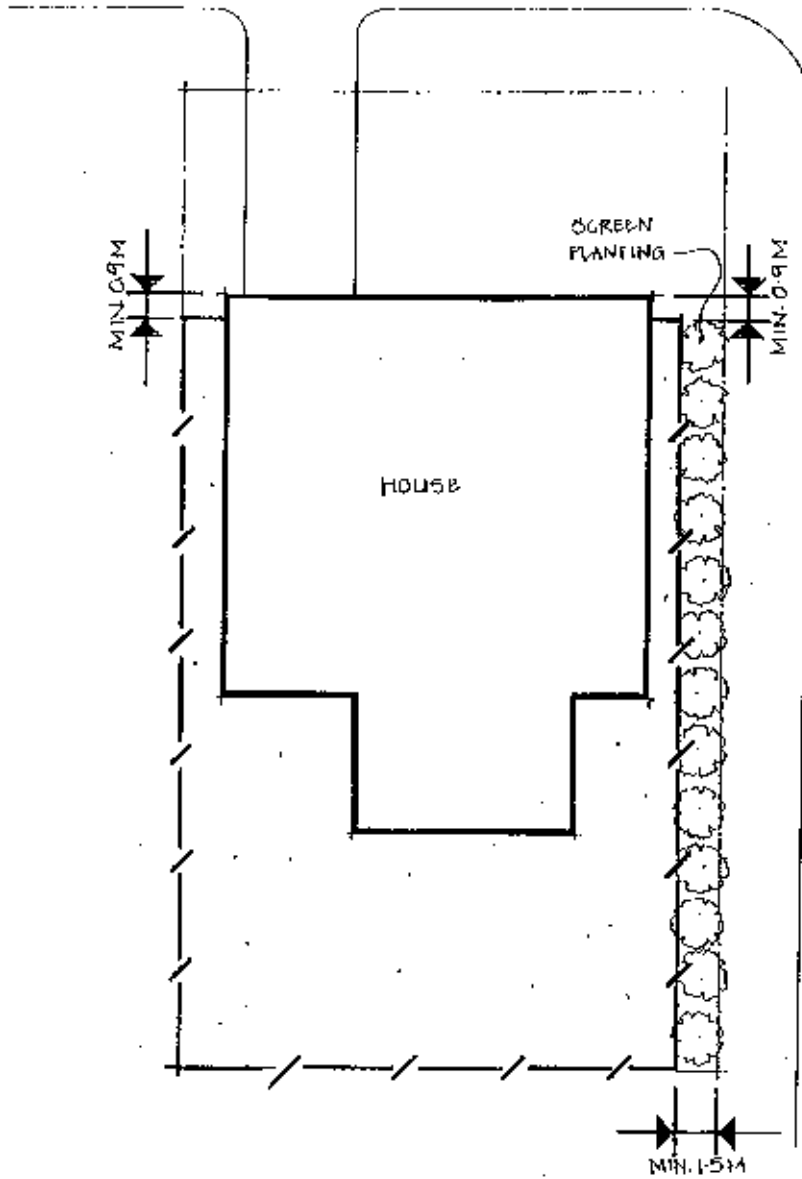


**GARAGE & CARPORT - STAGES 7 B, 8 A, 8 B AND 9**



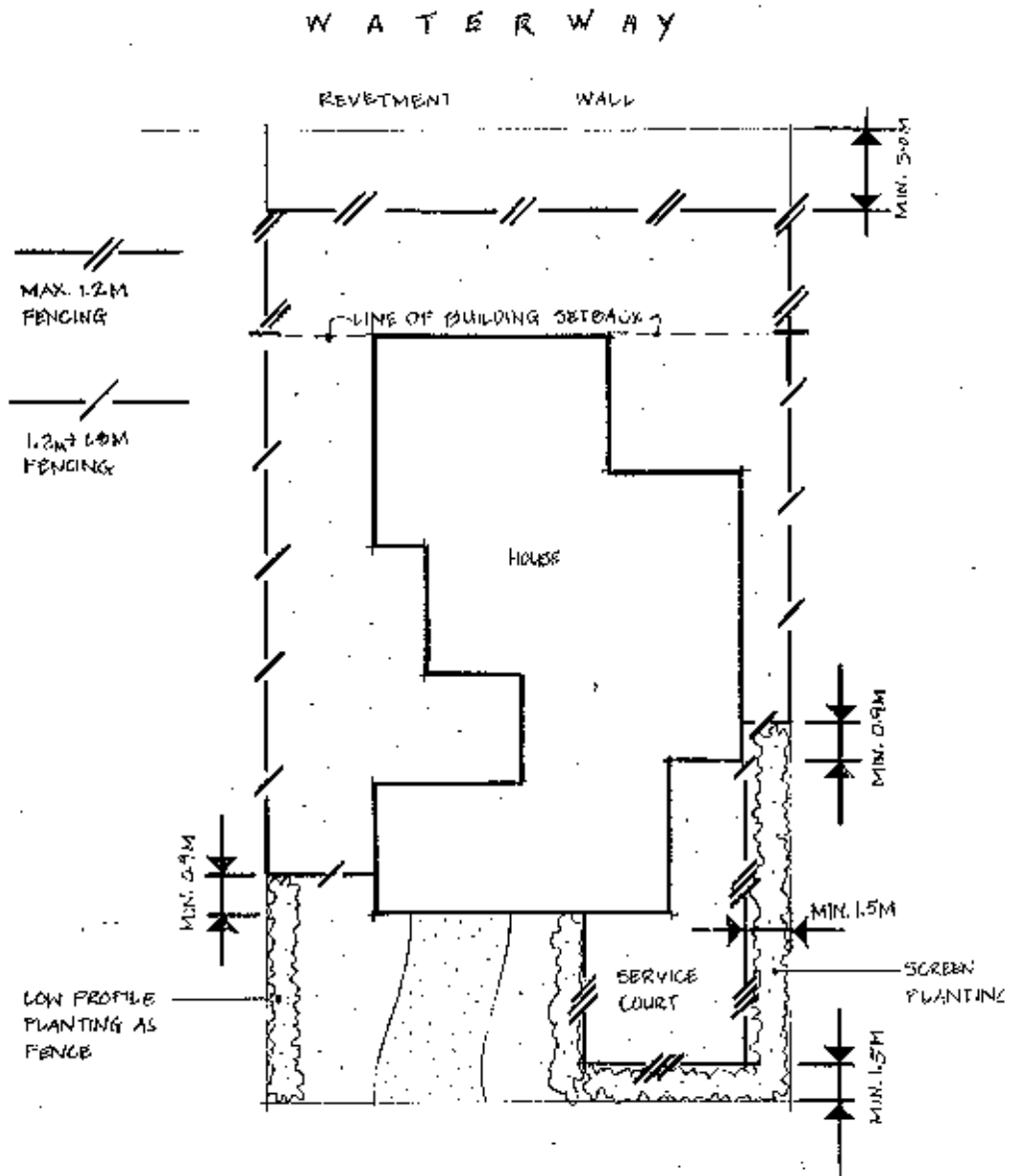
**FENCING - LAND BASED LOT**

PRIMARY STREET



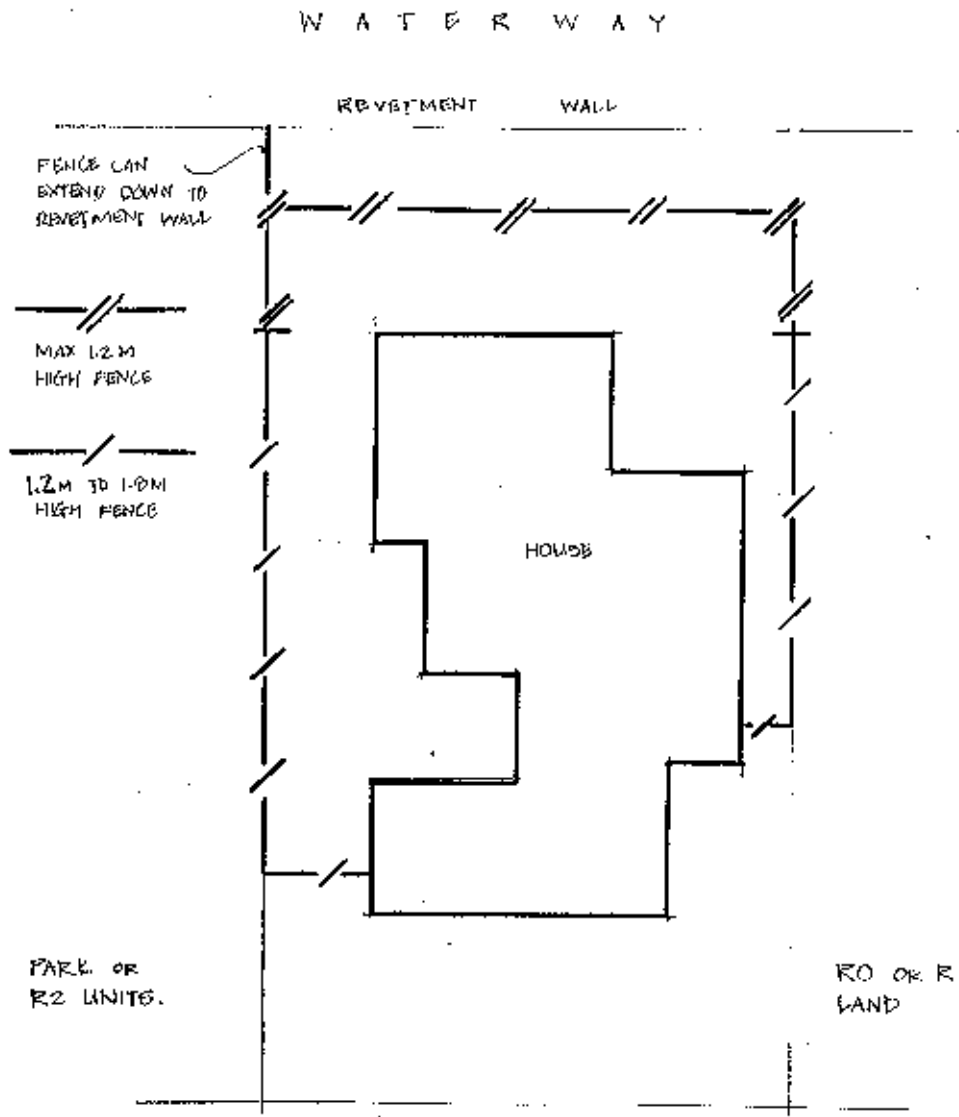
SECONDARY STREET

FENCING - CORNER LOT



**FENCING - WATERFRONT LOT**





**FENCING - WATERFRONT ADJACENT TO PARK OR R 2 LAND**