

SCHEME DESCRIPTION

COMMUNITY PLAN No. _____ Inc

Lot _____

Certification as to preparation of Scheme Description

Certified correctly prepared in accordance with the requirements of the *Community Titles Act 1996* by the person who prepared the document.

Signature, name and address of the person who prepared the document (Registered Conveyancer etc)

COMMUNITY CORPORATION

No. _____ Inc

[insert name here] co-located housing scheme

[Insert property address here]

“This is the copy of the scheme description referred to in the attached certificate”

.....

[Insert name of signee here and signature above]

SCHEME DESCRIPTION

1. All consents and approvals required under the *Planning, Development and Infrastructure Act 2016* in relation to the division of land in accordance with this scheme description and the relevant plan of community division has been granted.
2. This endorsement does limit a relevant authority’s right to refuse, or to place conditions on, development authorisations granted under the *Planning, Development and Infrastructure Act 2016* in relation to any other development envisaged by this scheme description.

.....

Name: [Insert name of signee here and signature above]

As delegate of the [insert name of the relevant planning authority here]

Dated: [Insert date signed here]

COMMUNITY SCHEME DESCRIPTION

PLAN No. _____ Inc

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1. ETHOS AND PHILOSOPY

The '[insert name here] co-located housing scheme' located at [insert address / location here] (the Scheme) has been designed as an intentional community of private homes clustered around a shared space. Each home has traditional amenities, including a private kitchen, dining, and living space and a space for laundry facilities if a shared laundry is not otherwise provided.

Shared outdoor space will include at least one private outdoor space and garden accessible to all homes on the site, and may include clothes drying area, rubbish bin storage, a garden shed(s), car parking, and walkways.

The aim of the Scheme is to enable a new form of shared housing which fosters community without impacting on the existing character and streetscape of [insert suburb name here].

Whether it is older people wishing to downsize in their own community, extended families wanting to live in proximity, or young people looking for affordable, sustainable housing options, the co-located housing provided in this development is expected to appeal to range of demographics and will enhance housing diversity in our local area.

The vision for the Scheme is a small community located in [insert address / location here] consisting of up to X private X bedroom houses and shared resources including a communal garden.

Residents work together to develop and maintain functional and enjoyable living spaces, which builds and maintains a welcoming environment for each other, the neighbourhood, family and friends. Community members enjoy the benefits of their own homes while sharing common spaces and resources and fairly contributing to the community costs and tasks.

The location will enable residents of the Scheme to participate fully and actively in the local and wider community, facilities and schools.

The '[insert name here] co-located housing scheme' has been designed with an emphasis on the following key guiding principles:

- *Participatory governance process:*

Residents participate in the design of the community so that it meets their needs. Residents also directly manage the co-located housing scheme and perform much of the work required to maintain the property.

Each resident (whether owner or renter) takes on one or more roles consistent with their skills, abilities and interests. Decisions are made collaboratively.

Building a strong, collaborative community is a continued focus of the '[insert name here] co-located housing scheme'.

- *Social interaction:*

In designing the layout of the scheme's infrastructure, the need of future residents is of primary consideration. It was seen that the use of on-site car parking had the potential to be socially isolating and the casual meeting of other residents allowed much better opportunity for social interaction.

To achieve this objective, it was decided that a shared car parking area (in a tandem or in-line formation/arrangement if suitable) would be located at the front/side of the existing property with vehicle access to the individual homes restricted.

A shared outdoor open space area is also provided for communal use and closer connections.

There will be no fixed fencing permitted at the front of individual buildings (except for the street front dwelling) to further encourage further social interaction. The creation of private spaces within a lot is only permitted if it is achieved by screening through natural means such as the placement of trees and shrubs.

- *Environmental sustainability:*

In planning the development, the individual lots were sited to retain the maximum number of existing trees/urban tree canopy on the original allotment.

Our building guidelines encourage the use of passive solar design, sustainable materials, and solar electricity generation.

Each home will be required to have at a minimum a X litre rainwater storage tank. Further water retention measures may be considered.

- *Built form and design:*

The key built form and design principles underpinning this '[insert name here] co-located housing scheme' include:

- no wholesale demolition of the existing house but rather its retention, alteration and extension (adaptive re-use) to create new co-located housing
- high quality design specifications requiring the development to be 'cognisant' of the existing streetscape and limit the impact on surrounding established housing and gardens
- preservation of existing trees, mature gardens and the established streetscape
- permitted 'overlooking' within the development but with the maintenance of existing privacy for neighbourhood/adjacent properties
- all houses within the development are to be of a similar stature and without the hierarchy of, for example, a house and granny flat
- reconsideration of private gardens in favour of larger areas of communal garden/open space within the development
- reconsideration of usually private spaces such as barbeque areas in favour of communal amenities where appropriate within the development
- design which encourages social interaction and builds community.

The '[insert name here] co-located housing scheme' is therefore a people-centred development with a balance between public and private, security and safety, and integration into the local neighbourhood and the '[insert name of suburb / location here]' community.

Dwellings have been designed to provide easy indoor/outdoor accessibility and transition between private and community spaces with "soft-edges" of verandahs, decks and screens.

All dwellings are oriented and designed for energy efficiency and natural climate control using passive solar design.

The use of natural building materials with low toxicity and low embodied energy sourced from sustainable supplies is encouraged. The use of recycled materials will also be a priority.

The development aims to be an 'inter-generational village' by accommodating a range of household types to meet the different needs of children, teenagers, adults, parents, singles, persons with a disability and the elderly.

- *Landscape design:*

The overarching landscaping concept takes its cue from the landscape character of the local area, embracing exotic plants side by side with patches of the original indigenous plant species.

The aims of the landscape plan are (all optional text below):

- to maintain as much as possible any established trees/original urban tree canopy on the property
- to use grassy leaved groundcover only minimally in high pedestrian traffic areas and to maintain pedestrian visibility
- to ensure all plantings are drought hardy and low maintenance, mainly indigenous – established with deep mulch and minimal drip feed systems for fortnightly high summer watering.

- *Economic considerations:*

The cost of building sustainable housing is somewhat higher than conventional housing (especially project home builds). This initial additional cost is offset by incorporating smaller footprint designs and smaller energy efficient houses, which will save money in their ongoing running costs.

The benefits of including sustainable housing features in new dwellings can assist householders to:

- save money on their energy and water bills over the life of the dwelling
- add potential value at re-sale
- promote energy efficiency and reduce greenhouse gas emissions
- enjoy more comfortable and healthier living environments.

2. PRELIMINARY

2.1. Definitions

In this scheme description unless otherwise appears:

“Act” means the *Community Titles Act 1996*;

“Co-located housing” means a group of 2 or more dwellings contained on land located within the Co-located Housing Overlay of the Planning and Design Code:

- (a) that each occupy an allotment created under the *Community Titles Act 1996*;
- (b) that comprises at least one or more established dwellings facing a primary street that may be internally altered and/or extended as part of a co-located housing development to accommodate additional dwellings; and
- (c) that incorporates communal open space that is accessible to all dwellings;

- (d) that may also comprise other common areas and/or facilities for shared use by all occupants, including:
 - i. a common building that includes facilities such as a shared kitchen, dining facilities and/or living facilities
 - ii. shared laundry facilities
 - iii. shared carparking.

“Communal open space” means open space shared by more than one dwelling but is not publicly accessible. It excludes any of the following:

- (a) private open space
- (b) public rights of way
- (c) private streets
- (d) parking areas and driveways
- (e) service and storage areas
- (f) land with a minimum dimension less than 2 metres.

“Common property” means the common property within the Plan and includes the service infrastructure (except any part of this service infrastructure that provides a service to only one lot) and any other property that comprises the common property pursuant to the Act;

“Community lot” means a community lot within the Plan and, where appropriate, includes any building or other improvement on the community lot;

“Community parcel” means the land divided by the Plan but does not include a street, road, thoroughfare, reserve or other similar open space upon vested in a council or prescribed authority or reverting to the Crown;

“Corporation” means this Community Corporation;

“Council” means the City of [insert Council name here] or any subsequent municipality or council for the area in which the community parcel is located and any other statutory authority performing or responsible for the role, decisions and activities of a municipal or district council for that area;

“Designated” means designated on the Plan;

“Developer” means the registered proprietor of the land comprising the community parcel immediately before the plan of community division was deposited in the Lands Titles Registration Office;

“Planning, Development and Infrastructure Act” means the *Planning, Development and Infrastructure Act 2016* as amended or replaced from time to time and any regulations made pursuant thereto;

“Development Approval” means the development approval for the division of land in accordance with the Plan in accordance with the development approval granted by the City of [insert Council name here] on the [insert date here] and numbered [insert Development Application No. here] (as may be varied from time to time) and any subsequent planning, building, or development approvals and/ or consents for building and other works on the community parcel;

“filed” means filed with the Lands Titles Registration Office;

“Guidelines” means the guidelines for architectural and developmental works prescribed by the Corporation and any other guidelines prescribed by the Corporation from time to time in relation to the community parcel;

“lot” means a community lot of a development lot within the Plan and, where appropriate, includes any building or improvement on the lot;

“Plan” means the plan of community division filed with this scheme description and any amendment of that plan;

“Proposal” means the proposal plan granted development approval by the City of [insert Council name here] on the [insert date here], a copy of which is included as **Attachment A**;

“Regulations” means the *Community Title Regulations 1996*;

“service infrastructure” means the cables, wires, pipes, sewers, drains, ducts, conduits, spaces, receptors, reflectors, machinery, plant and equipment constructed or installed at any time and from time to time by which the lots or the common property are provided with any system or service specified in the Act or designed to improve the amenity or enhance the enjoyment of the lots or the common property;

“stage” means a stage in the development of the community parcel in accordance with this scheme description;

“Tandem parking” means a car parking spot for one or more other vehicles that is configured like a single spot, but which is double or greater in length.

2.2. Interpretation

In this scheme description, unless otherwise appears:

- 2.2.1. All other words shall have the meaning (if any) ascribed by the Act and the Regulations;
- 2.2.2. A reference to any Act, Regulations, document or plan must be construed as a reference to that Act, Regulation, document or plan as amended, varied or replaced.

3. IDENTIFICATION AND DIVISION OF THE COMMUNITY PARCEL

3.1. Identification of the community parcel, lots and common property

- 3.1.1. The community parcel is identified in the Plan and the lots and common property into which the community parcel is to be divided are to be created in accordance with the Plan.

3.2. Division of the community parcel

- 3.2.1. The Plan is a primary plan being the division of the community parcel up to X [insert number of lots here] lots and common property.

- 3.2.2. The community parcel shall be divided into:
- (a) X [insert number of lots here] lots, and
 - (b) Common property.

4. USE OF THE LOTS AND THE COMMON PROPERTY

4.1. Use of the lots

- 4.1.1. The community lots may be used as follows:
- (a) X [insert number of lots here] lot(s) for residential purposes.
 - (b) X [insert number of lots here] lot(s) for shared communal space.
- 4.1.2. Only one dwelling may be erected on a community lot designated for residential purposes.
- 4.1.3. No person may reside on a lot other than in a dwelling that has been constructed in accordance with the Development Approval.

4.2. Use of the common property

- 4.2.1. The community lot(s) for shared communal space may be used as follows:
- (a) as a shared car park;
 - (b) as a pedestrian pathway to the community lots;
 - (c) as shared communal open space; and
 - (d) for the accommodation and provision of the service infrastructure.

5. STANDARD OF DEVELOPMENT

5.1. Initial building and other works

- 5.1.1. The standard of building and other improvements to be performed or made by the developer on the lots and the common property and of the materials to be used by the developer shall be of fair average standard or such higher standard as the developer, in its absolute discretion, may determine.

5.2. Subsequent building and other works

- 5.2.1. Any additional buildings or improvements, any alterations or additions to existing buildings or improvements, and any replacement of existing buildings or improvements (whether on a lot or common property) shall be located, designed and constructed in a manner consistent with and to a standard of work and materials not less than:

- (a) the Guidelines prescribed by the Corporation for such works; or
- (b) where the Corporation has not prescribed any Guidelines in relation to such works, the buildings improvements undertaken by the developer.

6. TIMING OF DEVELOPMENT

6.1. Completion of service infrastructure before development on community lots

- 6.1.1. No development (other than development associated with the construction of service infrastructure, shared car park or pedestrian pathways) shall commence on a community lot until the service infrastructure for that stage has been:
 - (a) completed by the developer or the Corporation; or
 - (b) approved by the Council as completed.

7. DEVELOPMENT OF COMMUNITY LOTS

7.1. The developer's development obligations

- 7.1.1. The developer shall make the application for the land division certificate for:
 - (a) each lot within the community parcel; and
 - (b) development of the community lot for shared car parking, shared pedestrian pathway, shared communal open space, accommodation for any shared community facilities and for the accommodation and provision of the service infrastructure.
- 7.1.2. The developer shall be under no obligation to undertake the development of any community lot other than:
 - (a) X [optional text: insert any relevant information here]

7.2. All owner's development obligations

- 7.2.1. Where a community lot designated for use for residential purposes is transferred to a person other than the developer or the Corporation and a dwelling has not already been constructed on that lot, that person shall construct a dwelling and undertake associated development on that lot in accordance with the Development Approval. However, this provision shall not:
 - (a) authorise the development of that lot prior to the completion of the service infrastructure for that stage; or
 - (b) impose any obligation on the developer or the Corporation to undertake such development.

8. DEVELOPMENT OF THE COMMON PROPERTY

8.1. The developer's obligations

- 8.1.1. Development of the common property created by the initial stage of development of the community parcel will be undertaken progressively by the developer from the commencement of the initial stage as required by the development of the community parcel and shall be completed prior to the completion of the development of the community parcel. Development of the common property created by any subsequent stage may be undertaken by the developer during the development of that stage.
- 8.1.2. The developer will construct a shared car parking area on the common property, undertake associated landscaping, install service infrastructure and perform all other works required by and in accordance with the Development Approval.

9. CONDITIONS IMPOSED UNDER THE PLANNING, DEVELOPMENT, AND INFRASTRUCTURE ACT

9.1. Conditions of development imposed under the Planning, Development and Infrastructure Act

- 9.1.1. The Development Approval/Planning Consent imposes conditions on the division of the community parcel and the construction of dwellings and associated development on the community lots and the common property. A copy of the Decision Notification Form (with the conditions sets out in full) is included in **Attachment B**.

10. OTHER FEATURES AND INFORMATION

10.1. Other important features of the scheme

- 10.1.1. The community parcel, which is to be known by the name "[insert name here] co-located housing scheme", is intended to:
 - (a)
- 10.1.2. The community parcel shall facilitate the shared enjoyment and use of communal open space, gardens and facilities.
- 10.1.3. There are no other important features of the scheme.

10.2. Other information required by the Regulations

- 10.2.1. No other information is required by the Regulations.

11. ATTACHMENTS

Attachment A: The Proposal (as granted development approval/planning consent)

Attachment B: The Decision Notification Form with the conditions

SAMPLE

ATTACHMENT A

SAMPLE

ATTACHMENT B