

13/03/2014
C79**SCHEDULE 19 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO19**.

ANGLESEA RESIDENTIAL AREAS**1.0 Design objectives**13/03/2014
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To preserve and enhance the low density non-suburban coastal character of Anglesea and retain the sense of houses in a bush setting.

To ensure lots are of a sufficient size and dimension to maintain adequate area around buildings to support the preservation and re-establishment of vegetation that enhances screening of development from adjoining properties and public areas, and to allow for the creation and management of defensible space for bushfire protection.

To encourage a diversity of dwelling types and sizes within walking distance of the commercial centres.

To retain a sense of openness between properties by encouraging the use of open style fencing and vegetation in preference to solid forms of fencing.

2.0 Buildings and worksDD/MM/YYYY
C79**Permit Requirement**

A permit is not required to construct a building or construct or carry out works.

A permit is required to construct a fence. This does not apply to:

- A fence of post and wire construction not more than 1.5 metres in height; or
- A fence that meets all of the following:
 - Is located in Precinct B as shown on Map 1 to this schedule; and
 - Is sited adjacent or to the rear of an existing dwelling (Section B as shown on Diagram 1); and
 - Does not exceed a height of 1.8 metres; and
 - Is at least 25% permeable.

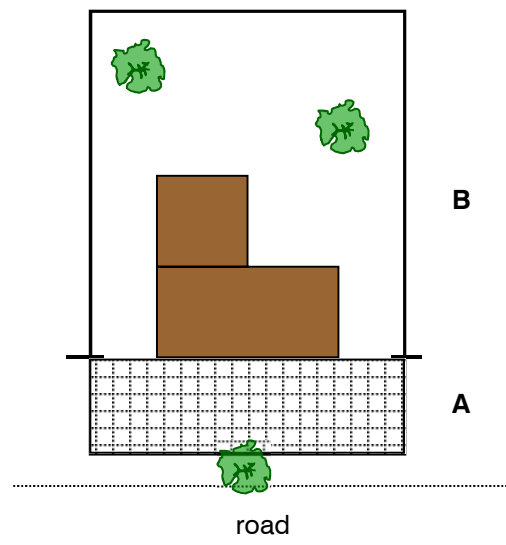
Requirements

A fence forward of the front wall of a dwelling (Section A on Diagram 1) should not exceed 1.5 metres in height and should be at least 75% permeable.

In Precinct A as shown on Map 1 to this schedule, a fence adjacent or to the rear of a dwelling (Section B on Diagram 1) should not exceed 1.6 metres in height and should be at least 75% permeable.

[A fence directly abutting the Sparrow Avenue open space reserve should not exceed 1.5 metres in height and should be 50 % permeable.](#)

Diagram 1



3.0

Subdivision

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Application Requirements

An application to subdivide land must be accompanied by the following information, as appropriate:

- A site plan that shows:
 - A minimum 'site area' for a dwelling as per the requirements below;
 - The location and extent of defendable space that is required to manage bushfire risk;
 - The location of any works or site disturbance associated with provision of infrastructure to the subdivision; and
 - The location of existing vegetation that is to be retained and/or removed.
- Where the land has a slope exceeding 25%, a geotechnical report that addresses where relevant:
 - Potential for erosion, susceptibility to landslip or other land degradation;
 - The need to stabilise disturbed areas by engineering works or revegetation.
- A vegetation management plan that details the extent of works proposed, and ways in which retained vegetation will be suitably protected from damage during the works.

Requirements

Subdivision must meet the following requirements:

- A lot must have a 'site area' of at least:
 - 800m² in Precinct A as shown on Map 2 to this schedule or be generally in accordance with the subdivision layout as shown on Map 3 to this schedule;
 - 550m² in Precinct B as shown on Map 2 to this schedule, except for corner sites where the minimum area should be 600m²;
 - 400m² in Precinct C as shown on Map 2 to this schedule, except for corner sites where the minimum area should be 450m².

Where 'site area':

- excludes land common to more than one dwelling or land providing vehicular access to a rear dwelling such as in a battle-axe lot; and
- is not to be averaged across multiple dwellings.

- Each lot created must be capable of containing an existing dwelling, or supporting a new dwelling, that will meet the relevant buildings and works requirements of Schedule 3 to the Neighbourhood Character Overlay (Clause 43.05).
- For the creation of lots less than 550m², or for sites that contain a medium to high cover of mature native vegetation, be the subdivision of existing dwellings or be accompanied by an application to develop more than one dwelling.

The minimum site area requirement can only be varied with a permit where:

- The subdivision is to create lots each containing an existing dwelling or accords with a permit that has been granted for development of the land for more than one dwelling; or
- All of the following apply:
 - The land is within Precinct C as shown on Map 2 to this schedule; and
 - The creation of lots less than 400m² increases dwelling diversity by providing smaller dwelling types (in floor area and number of bedrooms).

Exemption from notice and review

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0

Advertising signs

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Advertising sign requirements are at Clause 52.05-8, Category 4.

5.0

Decision guidelines

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Before deciding on an application, in addition to the decision guidelines in Clause 43.02-5 the responsible authority must consider:

Fencing

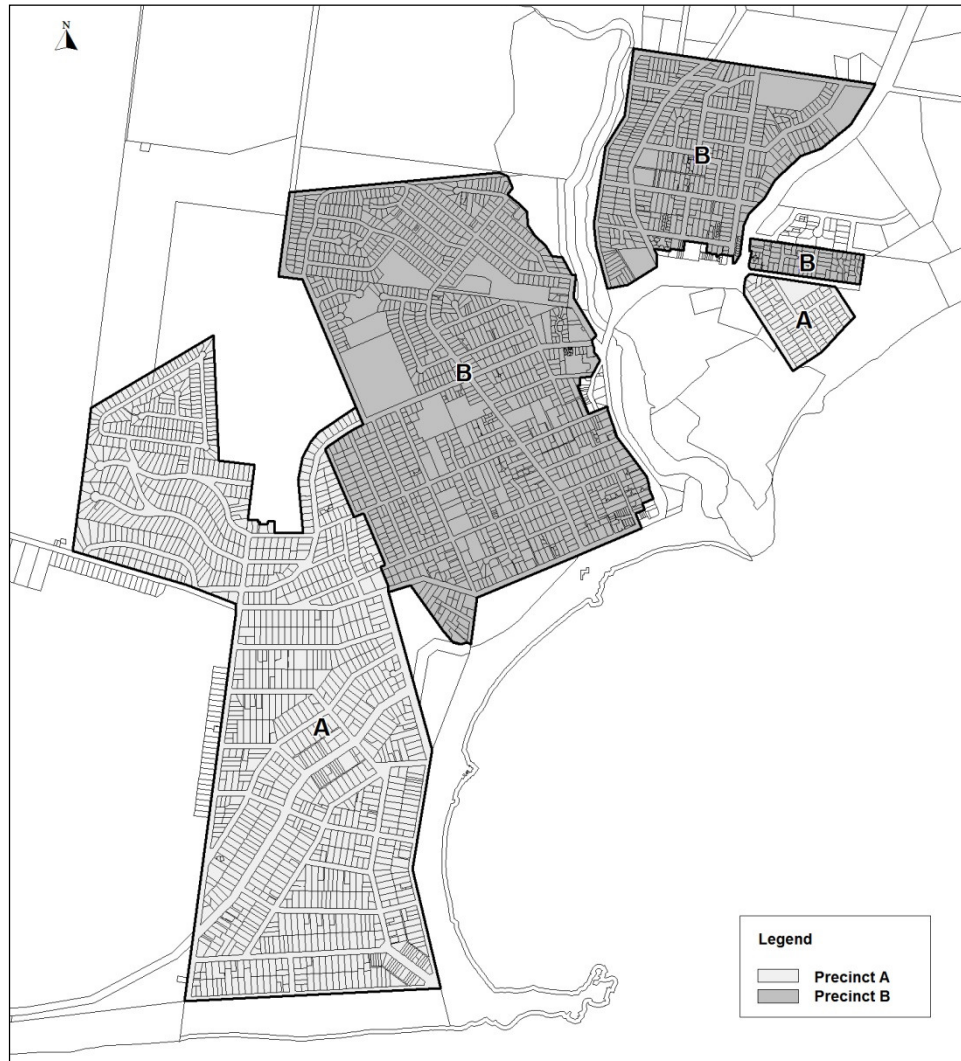
- Whether a fence less permeable than a post and wire fence located forward of the front building line is appropriate having regard to the preferred streetscape character and prevailing front fence style of the adjoining properties.
- Whether less permeable forms of fencing on side and rear boundaries have been used sparingly and only for achieving privacy for habitable room windows and designated areas of private open space.
- Whether vegetation can be used in preference to fencing to provide privacy between dwellings.
- Whether the fencing material contributes to an open non-suburban character and has a lightweight appearance.
- Whether fencing abutting a public open space reserve or walkway needs to be permeable to allow surveillance of the public realm.
- The need to avoid brush fences and other combustible fence materials to reduce bushfire risk.

Subdivision

- Whether a larger site area is required to provide sufficient area for a dwelling, associated landscaping, the protection of native vegetation and any defensible space required to manage bushfire risk.
- Whether the subdivision of land at higher densities will encourage a diversity of housing types, in particular smaller dwellings.
- Whether all new lots have been designed and sited such that any future dwelling will not be visually prominent when viewed from the Great Ocean Road or any other significant viewing point.

- Whether the subdivision has been designed to minimise any adverse impact on the vegetated appearance of the street or the site.
- Whether the subdivision will adversely affect the environmental values of adjoining or adjacent public land.
- [Whether the proposed subdivision of 69B Harvey Street is generally in accordance with the subdivision layout as shown in map 3 to this schedule.](#)
- Whether roads, accessways and footpaths within a subdivision have been designed and constructed to achieve an informal appearance, with an emphasis on retaining and planting vegetation within road verges and alternatives to concrete kerb and channel drainage.
- Whether reticulated services have been designed to be placed underground and in common trenches, using internal roads where possible, in order to maximise opportunities for future planting of vegetation within the subdivision.
- The need to restrict certification of the plan of subdivision under the *Subdivision Act 1988* prior to the substantial completion of the development.

Map 1 to Schedule 19 to Clause 43.02 – Anglesea Fencing Precincts



Map 2 to Schedule 19 to Clause 43.02 – Anglesea Subdivision Precincts



Map 3 to Schedule 19 to Clause 43.02 –Subdivision Plan for 69B Harvey Street

