

10/10/2013
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SCHEDULE 1 TO THE NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as **NCO1**.

THE SETTLEMENTS OF AIREYS INLET, FAIRHAVEN AND MOGGS CREEK

1.0 Statement of neighbourhood character

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The settlements of Aireys Inlet, Fairhaven and Moggs Creek are characterised by low building densities and large blocks, having a distinctive non-suburban coastal character with much of the public and private realm enjoying views of the surrounding natural features. The built form is nestled within a cover of native vegetation which varies between Eucalyptus woodland, heathland and coastal scrub. Buildings, whether of one or two storeys, are generally low in profile, screened by vegetation and contained below the tree canopy, and sit within the landscape (e.g. are stepped down the slope); have warm, earthy, muted and subdued colour schemes that blend with the natural surroundings; have a lightweight, airy appearance with use of natural materials (e.g. timber), open glazing and simple architectural design; have small footprints, minimal hard surface areas and are set back generous distances from boundaries. Many properties have no boundary fences and where fencing does exist it is generally limited to post and wire. Most driveways and roads are gravel and have an informal appearance which is complemented by vegetation within the road reserve and on private and public land. Streets have minimal street lights and minimal kerb and channelling.

The preferred neighbourhood character for these settlements is based on these existing characteristics.

2.0 Neighbourhood character objective

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- To preserve and enhance the low scale, low density, vegetated character of the settlements of Aireys Inlet, Fairhaven and Moggs Creek.
- To ensure that applications for more than one dwelling can be subdivided in accordance with the subdivision requirements of Schedule 10 to the Design and Development Overlay (Clause 43.02).
- To ensure that development presents an inconspicuous profile against the landscape setting, allowing the landscape to remain the key feature of the settlements, particularly where the vegetation canopy height is low and/or a site is prominently located.
- To ensure that buildings are sited and designed to avoid protruding over or above ridgelines or form a silhouette against the sky when viewed from the Great Ocean Road or any other significant viewing point, including the lighthouse, Eagle Rock Bluff and Painkalac estuary and valley.
- To encourage building design that respects and contributes to the low scale coastal character and environmental and landscape values of the settlements, with an emphasis on small footprints, large setbacks, a coastal design and avoidance of visual bulk.
- To retain adequate space around buildings to provide sufficient room for the retention and/or re-establishment of native vegetation to assist in integrating built form with the landscape.
- ~~To ensure that buildings are sited and designed to avoid and/or minimise removal of native vegetation and to retain a sense of space around buildings.~~
- To achieve a reasonable sharing of views of significant landscape features, including views of the ocean and coastal shoreline, the Split Point Lighthouse, the Painkalac valley and natural bushland in the hinterland.
- To safeguard the landscape values of the lighthouse when viewed from beyond the site and ensure that development does not dominate or compete with the prominence of the lighthouse within the immediate landscape.
- To protect the visual amenity of the mouth of the Painkalac Creek and retain the established single storey character.

- To encourage buildings that relate to, and blend with, the natural surroundings through the use of natural, lightweight materials, with colour schemes that are warm, natural and earthy and roofs that are clad in a non-reflective material and colour.
- To discourage the establishment of recreational structures such as tennis courts and swimming pools that prevent long term enhancement of the vegetation cover and the illumination of existing structures.
- To encourage accessways and other infrastructure that have an informal, non-suburban, vegetated appearance, with minimal artificial lighting.

3.0 Permit requirement

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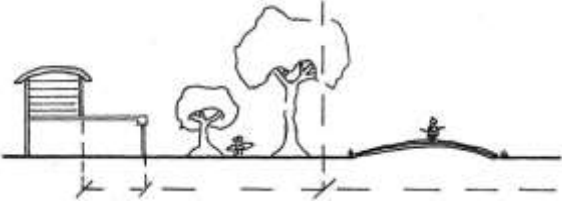
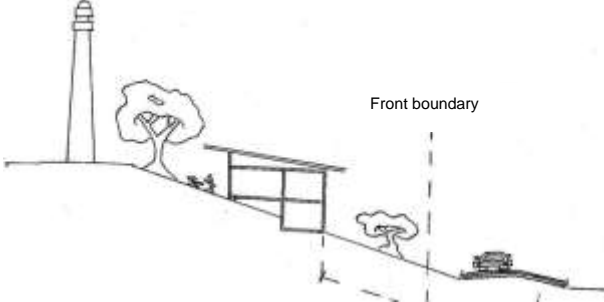

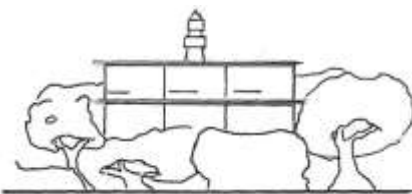
A permit is required to:

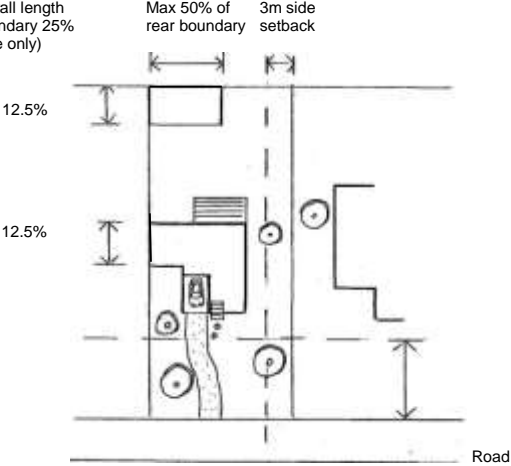
- Construct an outdoor swimming pool associated with a dwelling.
- Construct or extend an outbuilding normal to a dwelling.

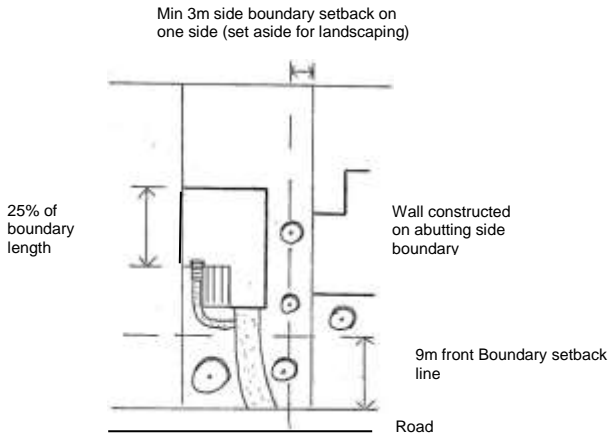
4.0 Modification to Clause 54 and Clause 55 standards

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Standard	Modified Requirement		
A3/B6	STREET SETBACK		
	Walls of buildings should be set back from streets the distance specified in the Street Setback Table below.		
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	There is an existing building on both the abutting lots facing the same street, and the site is not on a corner.	9 metres.	Not applicable
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	9 metres.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	9 metres.	Not applicable	
The site is on a corner.	9 metres from the front street.	6 metres from the side street.	

Standard	Modified Requirement
<p>A4/B7</p>	<p>BUILDING HEIGHT</p> <p>The maximum building height should not exceed 7.5 metres.</p> <p>Buildings should be stepped down the slope on steep sites.</p> <p><i>The following requirements apply to land within the precincts shown on Map 1 of this Schedule.</i></p> <p>Precinct 1</p>  <p>Second storey set 3m behind the lower level 9m setback Inlet Crescent</p> <p>The second storey should be set back a minimum of 3 metres behind the lower storey on lots located within Precinct 1.</p> <p>Precinct 2</p>  <p>new development stepped down the slope 9m building setback</p> <p>Buildings should be stepped down the site following the contour, on lots located within Precinct 2.</p> <p>Precinct 3</p>  <p>Buildings should be recessive adjacent to the lighthouse, on lots located within Precinct 3.</p> <p>Precincts 2 and 3</p>  <p>New development located in Precincts 2 and 3 is not to dominate or compete with views of the lighthouse.</p>

Standard	Modified Requirement
A5/B8	<p>SITE COVERAGE</p> <p>The site area covered by buildings should not exceed 30%, or 35% where the percentage of building exceeding 30% is unroofed deck only.</p> <p>The gross floor area of all buildings should not exceed a plot ratio of 0.4 of the site area.</p> <p>The calculation for <i>site area</i> should not include:</p> <ul style="list-style-type: none"> ▪ land common to, or in shared use between, two or more dwellings. ▪ land providing vehicular access to a rear dwelling, such as in a battle-axe lot.
A8/B13	<p>SIGNIFICANT TREES/LANDSCAPING</p> <p>The siting of new buildings should provide for the retention of existing vegetation and provide adequate space on site for the planting of new indigenous shrubs and trees.</p> <p>At least 60% of the site area <u>(excluding the area of driveways, gravel, paving, decks, swimming pools and tennis courts)</u> should be available for the planting of vegetation (excludes driveways, paving, decks, swimming pools and tennis courts).</p>
A10/B17	<p>SIDE AND REAR SETBACKS</p> <p>A new building should be setback at least 3 metres from side and rear boundaries.</p>
A11/B18	<p>WALLS ON BOUNDARIES</p> <p>A new wall should not be located on side and rear boundaries.</p> <p>Where a lot has a boundary width of 14 metres or less or where it can be demonstrated that walls on boundaries cannot be avoided due to site constraints, the following standards apply:</p> <p>Length of walls on boundaries</p> <p>A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</p> <ul style="list-style-type: none"> ▪ 25 per cent of one side boundary, and ▪ 50 per cent of the rear boundary <p>as shown in Diagram 1.</p> <div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;"> <p>Maximum wall length on side boundary 25% (on one side only)</p> </div> <div style="margin-right: 20px;"> <p>Max 50% of rear boundary</p> </div> <div style="margin-right: 20px;"> <p>3m side setback</p> </div> </div>  <p style="text-align: right;">Road</p> <p><i>Diagram 1</i></p>

Standard	Modified Requirement
<p>A11 / B18 (continued)</p>	<p>Location of walls on boundaries</p> <p>A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut more than:</p> <ul style="list-style-type: none"> ▪ one side boundary, and ▪ one rear boundary. <p>Where there is a wall constructed on the boundary of an abutting lot a new building should be setback at least 3m from that boundary as shown in Diagram 2.</p> <div style="text-align: center;">  <p>Min 3m side boundary setback on one side (set aside for landscaping)</p> <p>25% of boundary length</p> <p>Wall constructed on abutting side boundary</p> <p>9m front Boundary setback line</p> <p>Road</p> </div> <p><i>Diagram 2</i></p>
<p>A19 / B31</p>	<p>DESIGN DETAIL</p> <p>In addition to the attributes in clause 54.06 and 55.06:</p> <ul style="list-style-type: none"> ▪ The design of buildings should reflect the preferred neighbourhood character attributes, including: <ul style="list-style-type: none"> ▪ Landscape setting ▪ Building massing ▪ Height ▪ Colours, materials and finishes ▪ Space around buildings and setbacks ▪ Buildings should display a coastal style of architecture appropriate to the locality. ▪ Any new undercover or enclosed car parking space should be sited behind the front wall of the dwelling.

5.0

Decision guidelines

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Before deciding on an application, the responsible authority must consider; as appropriate:

Building setbacks

- Whether the building setbacks are adequate to achieve a sense of space around buildings and to retain native vegetation where this does not increase bushfire risk.
- ~~Whether the front setback is consistent with the prevailing setback of other buildings in the street.~~
- Whether it is reasonable to vary a building setback to avoid or minimise the removal of native vegetation, address topographical or physical site constraints (e.g. slope, site dimensions) or retain views of significant landscape features from surrounding properties.

- Whether it is reasonable to allow minor encroachments of building elements such as sunblinds, shade sails, verandahs, porches, pergolas, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, heating and cooling equipment and small garden sheds into the required minimum side and rear setbacks.
- The visual impact of the building when viewed from the street or adjoining properties.
- The setbacks of any existing buildings on the site.
- Whether an approved building or habitation envelope provides for a reduced setback from any boundary.

Building height

- Whether a lower building height is required so that the building does not protrude above the tree canopy or protrude above ridgelines to form a silhouette against the sky when viewed from the Great Ocean Road or other significant viewing point.
- Whether a greater building height is reasonable due to the physical constraints of the site while ensuring that the greater height will not result in reduced residential amenity by loss of views, overlooking, overshadowing or visual bulk.
- Whether buildings have been designed to step down the slope on steep sites to reduce overall building height and bulk.

Site coverage

- Whether a lesser site coverage is required to avoid and/or minimise the removal of native vegetation.
- Whether the maximum site coverage and plot ratio for an existing lot with an area less than 550sqm should be varied where the objectives of this schedule can still be met.

Design detail

- Whether the building evokes a coastal design that is reflective of and sympathetic to the local character.
- Whether buildings have a lightweight appearance and provide visual interest through articulation, glazing, verandahs, balconies, eaves and variation in materials and textures.
- The need to strongly discourage suburban looking buildings and historic replicas.
- The need to encourage the use of building colours that are subtle, neutral, muted and unobtrusive to assist in visually blending the building with the surrounding natural landscape.
- Whether areas for car parking and vehicle access are visually recessive and minimise the loss of space for the retention and/or planting of vegetation by:
 - recessing carports or garages behind the front facade of the dwelling;
 - ensuring crossovers are located to retain established street trees and other significant roadside vegetation;
 - requiring the use of informal, permeable surfaces for driveways and parking areas rather than hard, impervious surfaces such as concrete, where practical;
 - encouraging the use of shared driveways in multi-dwelling developments.

Recreational structures

- Whether swimming pools are integrated with the design of the dwelling and meet the objectives of this schedule.
- Whether private recreational structures such as tennis courts and swimming pools would compromise long term enhancement of the vegetation cover.

Map 1 of Schedule 1 to Clause 43.05 - Lighthouse & Estuary Precinct Plan

