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SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

FENCES – MCPHERSON AVENUE AREA, CARNEGIE, QUEENS AVENUE CAULFIELD EAST, DOWNSHIRE ROAD ELSTERNWICK, ST JAMES PARADE ELSTERNWICK, EXHIBITION AND FIELD STREETS MCKINNON, LINDSAY AVENUE MURRUMBEENA, OAKDENE CRESCENT MURRUMBEENA, BOYD PARK MURRUMBEENS, LYDSON STREET MURRUMBEENA, MURRAY STREET ELSTERNWICK

1.0 Design objectives

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- To maintain the character of low front fences that allows unimpeded views to front gardens and dwellings.
- To ensure that front and side fences within the building frontage complement the design and materials of the preferred neighbourhood character, prevailing style and scale in the overlay area and the building on the lot.

2.0 Buildings and works

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

A permit is required to construct a front fence or side fence within the front setback unless it meets the following requirements:

- It is a front fence within 3 metres of a street that is at least 25% visually permeable to allow views to front gardens and dwellings and does not exceed 1.2 metres in height; or
- It is a solid fence that does not exceed 0.8metres in height; or
- It is a side fence forward of the dwelling not greater than 1.2 metres in height.

3.0 Exemption from notice and appeal

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An application to construct a fences 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 Subdivision

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A permit is not required to subdivide land.

5.0 Decision guidelines

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

- Whether the proposed fence achieves the statement of neighbourhood character and the neighbourhood character objectives for the relevant schedule to the Neighbourhood Character Overlay.
- The design response.
- The neighbourhood and site description.
- Whether the front or side fence is of an appropriate height and/or material.
- Whether other alternatives, such as vegetation and other fence types that meet the neighbourhood character objectives of the area, have been considered to achieve the applicant's aims.