

13/06/2014  
C134**SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY****INCREMENTAL CHANGE AREAS – RURAL AND FOOTHILLS TOWNSHIPS****1.0****Design objectives**16/05/2013  
C97

To provide a planning framework to facilitate limited infill residential development and subdivision in the foothill and rural town incremental change areas.

To ensure development is at a scale consistent with the unique character of the foothills and rural townships.

To ensure subdivision and residential development occur in a more spacious style that respects existing neighbourhood character and is at less density than in preferred consolidation areas.

*Buildings and Works*

To minimise the area covered by buildings and impervious surfaces. This will be achieved by:

- Retaining sufficient areas around buildings for landscape planting - including mature species, consistent with the defined character of the foothills and rural towns
- Ensuring open space /setbacks around dwellings are of sufficient size to accommodate usable private open space and maintain the established pattern of development in the street
- Ensuring the setbacks, site coverage and building design enable efficient use of the site, while recognising the amenity of the surrounding residents
- Preserving significant unpaved areas for informal drainage to improve stormwater quality and overall health of the catchment

To ensure new development avoids visual dominance by minimising bulk and scale

To minimise vehicle access and dominant car storage facilities at the front of properties

To ensure new development is consistent with and enhances the key elements and landscape character objectives identified in the associated Significant Landscape Overlay Schedule 22.

*Subdivision*

To create lots large enough to accommodate future and existing development, while retaining natural or established vegetation

To provide substantial areas for planting and regeneration to occur including areas for mature canopy species on each lot

To ensure new vacant lots are large enough to accommodate future buildings consistent with the site coverage provisions in this schedule.

To allow the creation of smaller lots provided site cover is consistent with this schedule and provided no net increase in overall site coverage occurs as a result of subdivision.

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A permit is not required under the provisions of this overlay provided all the following are met:

- The total area of the site covered by buildings must not exceed 30%.

- The total area of site covered by impervious surfaces (including buildings) must not exceed 50%.

A permit may be granted for buildings in excess of 30% site cover or buildings and impervious surfaces in excess of 50% site cover, provided the design objectives of this Clause are met. This does not apply for permit applications for more than one dwelling on a lot.

Buildings and works described at Clause 62.02 -2 are exempt from this provision.

Buildings and works that do not increase the total site coverage are exempt from this provision.

Any building ancillary to a dwelling with a floor area of less than 10m<sup>2</sup> and not used for accommodation is exempt from this provision.

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### Subdivision

Subdivision of land must meet the following requirements:

- Any vacant lot (without a dwelling) must be at least 500m<sup>2</sup>.
- When subdividing a lot into two lots with an existing dwelling, lots of less than 500m<sup>2</sup> can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following site coverage requirements:
  - The total area of each lot covered by buildings must not exceed 30%;
  - The total area of each lot covered by impervious surfaces (including buildings) must not exceed 50%.
- When subdividing a lot into three or more lots, lots of less than 500m<sup>2</sup> can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following requirements:
  - The total area of the site covered by existing and/or proposed buildings must not exceed 30%;
  - The total area of site covered by impervious surfaces (including buildings) must not exceed 50%; and
  - An agreement under Section 173 of the Act must be entered into with the owner of each lot created by the subdivision to ensure that the land may not be further subdivided so as to increase the site coverage.
- A smaller lot can be created by a public authority or utility service provider for a utility installation.

A permit cannot be granted to subdivide land which is not in accordance with these requirements unless:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision is created.

### 4.0

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### Decision Guidelines

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

- The design objectives of this schedule.
- Consistency with the relevant statement of nature and key elements of landscape and landscape character objectives contained in the corresponding Significant Landscape Overlay Schedule 22.
- The need for subdivision applications to include development proposals.

- Whether a reasonable proportion of the lot is free of buildings and available for tree planting, landscaping, informal runoff and private open space use.
- Whether the dimension and configuration of the secluded private open space provide a practical and useable space.
- Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping and open space.
- Whether proposed buildings retain an inconspicuous profile and do not dominate the landscape.
- Whether crossovers are minimised and parking facilities are provided at the rear of the dwellings or are not visible from the street.
- Whether residential amenity impacts are minimised and can be managed and any necessary mitigation measures are satisfactory.
- The impact of any proposed subdivision and development on the conservation of trees and permeable areas.

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### **Transitional Arrangements**

The requirements of Clause 3.0 of Schedule 6 do not apply to any application for subdivision of more than one dwelling on a lot (not including a dependent persons unit) or a permit allowing the construction of more than one dwelling on a lot before the approval date of the planning scheme that introduced this schedule into the planning scheme.

The provisions of the transitional arrangements expire on 16 May 2015.

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### **References**

*Yarra Ranges Housing Strategy 2009*