

SCHEDULE 31 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO31** .

Marong - Low Density Residential**1.0**
29/05/2025
C263gben**Design objectives**

To support development with generous front, side and rear setbacks and low, visually transparent or no fences adjacent to the public realm.

To provide bushfire protection measures in conjunction with low density residential development.

To design development that creates active frontages to the public realm and rural areas.

To ensure dwellings fronting Fletchers Creek Road are set back similar distances to the existing development to the west.

2.0
29/05/2025
C263gben**Buildings and works**

A permit is required to construct or alter a fence if any of the following apply:

- The fence is a front or side fence that is more than 1.2 metres high from ground level and adjoins the public realm.
- The fence is a front fence that is less than 75 per cent transparent or open.
- The fence is a side fence that adjoins the public realm and is set back less than 3 metres behind the building facade facing the primary street.
- The fence is constructed from flammable materials.

The following requirements apply to an application to construct a building or construct or carry out works:

- Buildings should have setbacks of at least 20 metres from the Fletchers Creek Road reserve to maintain neighbourhood character.
- No front fencing is preferred. Any front fences should not exceed 1.2 metres in height and should have a minimum permeability of 75 per cent.
- Side and rear fencing should be visually permeable and constructed of non-flammable materials.
- New buildings must be set back from a bushfire hazard as per *Table 1 Setback distances for bushfire* to ensure radiant heat exposure is no more than 12.5 kilowatts per square metre and a minimum construction standard of BAL 12.5 can be achieved in accordance with *AS3959-2018 Construction of building in bushfire prone areas* (Standards Australia, 2018).
- Vegetation in the required setback distances must be managed as follows unless otherwise agreed to in writing by the relevant fire authority:
 - Grass must be short, cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of a building.
 - Shrubs must not be located under tree canopies.
 - Individual shrubs and clumps of shrubs must not exceed 5 square metres and must be separated by at least 5 metres.

- Trees must not overhang or touch any elements of a building.
- Canopy trees must be separated by at least 5 metres, except for a lot entirely outside of the Bushfire Management Overlay, where canopy trees must be separated by at least 2 metres.
- There must be clearance of at least 2 metres between the lowest tree branches and ground level.
- Buildings should front the street, public spaces, waterways and cycling and walking tracks to provide an active frontage, where possible.
- Development should protect existing mature trees in the front setback.

Table 1 Setback distances for bushfire

Property	Northern boundary	Eastern boundary	Southern boundary	Western boundary
Part 734 Allies Road, Marong	19 m	19 m	20 m	20 m
787 Allies Road, Marong	20 m	19 m	20 m	20 m
1332 Calder Highway, Marong	None specified	33 m	20 m	33 m

A permit cannot be granted to vary a requirement expressed with the term 'must'.

Subdivision

A permit to subdivide land must meet the following requirements:

- Each lot must be provided with a building envelope for a dwelling that is consistent with the setback distances in *Table 1 Setback distances for bushfire* and must ensure that the radiant heat exposure to future buildings is no more than 12.5 kilowatts per square metre in accordance with *AS3959-2018 Construction of building in bushfire prone areas* (Standards Australia, 2018).
- A perimeter road must be provided where the subdivision adjoins bushfire hazard unless otherwise agreed to in writing by the relevant fire authority.
- Multiple access points must be provided to and from the subdivision if 10 or more lots are created.
- All lots adjoining bushfire hazard must be fenced with bushfire resilient materials. Vegetation in the required setback distances must be managed as follows unless otherwise agreed to in writing by the relevant fire authority:
- Vegetation in the required setback distances must be managed as follows unless otherwise agreed to in writing by the relevant fire authority:
 - Grass must be short, cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
 - Shrubs must not be located under tree canopies.

- Individual shrubs and clumps of shrubs must not exceed 5 square metres and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of a building.
- Canopy trees must be separated by at least 5 metres, except for a lot entirely outside of the Bushfire Management Overlay, where canopy trees must be separated by at least 2 metres.
- There must be clearance of at least 2 metres between the lowest tree branches and ground level.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

4.0
29/05/2025
C263gben

Signs

None specified.

5.0
29/05/2025
C263gben

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan showing the proposed front, side and rear setbacks to buildings or works.
- A plan showing the type and location of the front fence.
- A design response describing how the application meets the design objectives and requirements of this schedule.
- A bushfire management plan that shows how the required bushfire protection measures will be applied and implemented on the site.
- A landscaping plan that shows how existing native vegetation is to be retained and managed to reduce the bushfire risk.

6.0
29/05/2025
C263gben

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether buildings are set back from all boundaries consistent with the existing pattern of development to the west.
- Whether fencing dominates the streetscape and is detrimental to the amenity and safety of the public realm.
- Whether buildings are sited so there are sufficient separation distances between buildings and bushfire hazard.
- Whether the bushfire protection measures can be implemented and maintained as part of the development.
- Whether fencing is constructed from bushfire resilient materials.
- Whether the development provides active frontages to the public realm.
- Whether there is a need for a permit condition requiring entry into an agreement under section 173 of the *Planning and Environment Act 1987* to provide for the ongoing management of vegetation in accordance with the requirements of this schedule.