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## **SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO9**.

### **FENCES - MEYER COURT AND DOWNES AVENUE, BRIGHTON**

#### **1.0**

#### **Design objectives**

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- To maintain the character of low front fences that allows unimpeded views to front gardens and creates a feeling of spaciousness.
- To ensure that front and side fences within the building frontage complement the design and materials of the statement of neighbourhood character for Myer Court, Brighton and Downes Avenue, Brighton.

#### **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 a side fence within the front setback of the dwelling.

##### *Meyer Court*

Front fences must:

- Not exceed 0.75 metres in height on or within 3 metres of the front boundary.
- Be constructed in brick in a colour that matches the dwelling or be rendered in a colour that complements the dwelling colours.

Side fences forward of the dwelling should not exceed 1.2 metres in height.

##### *Downes Avenue*

Front fences must:

- Be at least partially visually permeable to allow views to front gardens and dwellings.
- Not exceed 1.2 metres in height within 3 metres of the front boundary.
- Be constructed of render or stucco and iron palisade in a style and colour that complements the predominant fencing style in the street.

Side fences forward of the dwelling should not exceed 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 Downes Avenue - Schedule 5 to the Neighbourhood Character Overlay or Meyer Court - Schedule 6 to the Neighbourhood Character Overlay, as appropriate.
- The design response.
- The neighbourhood and site description.