Merri-bek Planning Scheme

PLANNING SCHEME

Planning scheme last updated by VC236 on 14/08/2023

00 PURPOSE AND VISION

31/07/2018
VC148

This section sets out the purpose of this planning scheme, and the vision and strategic direction for the municipality.

01 PURPOSES OF THIS PLANNING SCHEME

10/06/2022
VC216

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.
- To express state, regional, local and community expectations for areas and land uses.
- To provide for the implementation of State, regional and local policies affecting land use and development.
- To support responses to climate change.

02 MUNICIPAL PLANNING STRATEGY

14/01/2021
C200more

02.01 CONTEXT

14/02/2023
C225more

The City of Merri-bek covers approximately 50.9 square kilometres and is one of Melbourne's most populous municipalities. The City is an established urban municipality in the inner north of Melbourne, located between 4 and 14 kilometres north of central Melbourne. It is bordered by Merri Creek to the east, Moonee Ponds Creek to the west, Park Street to the south and the Western Ring Road to the north.

The City includes the suburbs of Brunswick, Brunswick East and Brunswick West, Coburg and Coburg North, Glenroy, Pascoe Vale and Pascoe Vale South, Fawkner, Hadfield, Oak Park and Gowanbrae. It also includes a small area of Fitzroy North and Tullamarine.

Merri-bek has convenient access to Melbourne's Central Business District, major transport routes, the Port of Melbourne and Melbourne and Essendon Airports.

The City includes a diversity of land uses, including significant areas of residential, industrial and commercial zoned land.

Merri-bek is home to a diverse population – with a wide range of cultures, household types, tenures, incomes, skills and occupations. Merri-bek is a community in transition, with strong population growth accompanied by structural changes in the economy and urban fabric. A growing population has resulted in increased pressure on housing, infrastructure and community facilities and services.

The Moonee Ponds and Merri Creeks are the distinctive natural features of the municipality. The City has approximately 839 hectares of open space, which includes parks, natural areas along creeks, sporting grounds, playgrounds, grasslands, reserves, Northern Golf Club, Fawkner Memorial Park and Northern Memorial Park. However, open space is not equally distributed throughout the city and many areas have poor access to open space.

Adapting and building resilience to climate change and reducing and responding to the urban heat island effect are key concerns for Council given their threat to liveability and sustainable neighbourhoods. Shifting towards zero net carbon emissions is part of creating a prosperous and resilient future for Merri-bek.

02.02 VISION

14/02/2023
C225more

Merri-bek City Council's vision is to plan for and manage population growth and associated development by creating sustainable neighbourhoods of well-designed environmentally sustainable development. These neighbourhoods will place emphasis on the social, cultural, physical and economic well-being of the community.

In planning for sustainable neighbourhoods, Merri-bek City Council's goal is that all neighbourhoods will generally include a mix of the following key elements, proportionate to the suburb scale:

- Shops and services.
- Community facilities such as schools, neighbourhood houses, recreation, libraries, etc.
- Housing choices.
- Employment choices.
- Public transport options.
- A network of different types of open spaces for leisure and recreation.

02.03 STRATEGIC DIRECTIONS

14/01/2021
C200more

02.03-1 Settlement

14/02/2023
C225more

Growth

Merri-bek has experienced strong population growth, and this is forecast to continue in the future. The population is expected to grow to over 250,000 people by 2036 and an additional 38,000 dwellings. Around 1920 dwellings a year will be required to accommodate this growth.

The majority of population growth is expected to occur in Brunswick, Brunswick East and Coburg, with this corridor accounting for 53 per cent of future population growth.

As Merri-bek contains no greenfield and limited brownfield areas to accommodate the increased demand for housing, new housing will primarily occur through urban densification in proximity to public transport and services. Both the Coburg and Brunswick Major Activity Centres will play important roles in accommodating this growth, with Brunswick forecast to contain the greatest increase of new dwellings in the municipality.

Council seeks to manage growth by:

- Directing most of Merri-bek's growth to areas with access to shops, services and public transport, including:
  - Intensification of development in activity centres.
  - Infill development in other residential areas.
- Managing growth in accordance with the 20-minute neighbourhood principle; where communities can ‘live locally’ and access many of their daily needs within a 20-minute walk, cycle or public transport trip from their home. This will facilitate:
  - Sustainable neighbourhoods.
  - A healthy community.
  - Increased community interaction.
  - Support of the local economy.

Activity centres

Merri-bek has a network of different sized activity centres across the municipality that have been organised into a hierarchy as identified on the Strategic Framework Plan: *Activity Centres* at Clause 02.04 and Table 1 below. This hierarchy ensures the majority of households in Merri-bek are within walking distance (i.e. approximately 400 metres) of an activity centre and have local access to a Major or Neighbourhood Centre that meets their weekly convenience needs.

Council seeks to support the activity centre network by:

- Reinforcing the development of activity centres across Merri-bek based on their role and function within the activity centre network.
- Facilitating change to the scale of the built form within activity centres in accordance with their size and role in the activity centre hierarchy.

Table 1 Activity centre hierarchy

Activity Centre Hierarchy	Location	Role and Function
Major Activity Centres	1. Coburg Activity Centre 2. Brunswick Activity Centre 3. Glenroy Activity Centre	Provide a broad mix of retail uses, commercial and cultural activity, employment options,

Activity Centre Hierarchy	Location	Role and Function
		administrative and civic centre functions, government investment and regional facilities. Accommodate substantial residential/mixed-use growth and change to create a new character of increased density and scale of built form.
Neighbourhood Centres	4. Grantham/Union Streets, Brunswick West 5. Melville Road/Albion Street/Victoria Street, Coburg/Brunswick West 6. Nicholson Street/Holmes Street/Moreland Road, Coburg/Brunswick/Brunswick East 7. Bell Street/Melville Road, Pascoe Vale South 8. Gaffney Street/Pascoe Vale Station, Pascoe Vale 9. Gaffney/Sussex Streets, Coburg North 10. Elizabeth Street, Coburg North 11. West Street, Hadfield 12. Bonwick Street, Fawkner 13. Snell Grove, Oak Park 14. Merlynston Station, Merlynston 15. Moreland/Melville Roads, Brunswick West	Provide a mix of uses to serve the daily and weekly shopping and service needs of the local community. They generally include (or have the potential to include) shops, a supermarket, small service businesses, coffee shops, medical/health clinics, public transport and limited community services. Accommodate an increase in density and scale of built form appropriate to their role in the Activity Centre Hierarchy but at a lesser intensity and scale to the larger centres of Coburg, Brunswick and Glenroy.
Local Centres	16. Cumberland Road/Gaffney Street, Pascoe Vale 17. East Street, Hadfield 18. North Street, Hadfield 19. Harding/Nicholson, Coburg 20. Major Road, Fawkner 21. Anderson Road, Fawkner 22. Pascoe Street, Pascoe Vale 23. Tyson/Lowson Streets, Fawkner 24. Warwick Road, Derby Street, Pascoe Vale 25. Justin Avenue, Glenroy	Serve the daily convenience needs of the local community, and generally include small supermarket/grocery store and services such as bakeries, newsagents, chemists and cafes. Accommodate growth and change respectful of the existing built form.

Activity Centre Hierarchy	Location	Role and Function
	26. Lynch Road, Fawkner	
	27. Danin Street/Devon Road, Pascoe Vale	
	28. Derby/Gaffney Streets, Pascoe Vale	
	29. Kent/Cumberland Roads, Pascoe Vale	
	30. Coonans Road/Parkstone Avenue, Pascoe Vale South	
	31. Kent Road/Sussex Street, Pascoe Vale	
	32. Daley/Widford Streets, Glenroy	
	33. Newlands Road/Carr Street, Coburg North	
	34. William Street/Menana Road, Glenroy	
	35. Argyle Street, Fawkner	
	36. Winifred Street, Oak Park	
	37. Elizabeth Street/Murray Road, Coburg North	
	38. O'Hea/Main Streets, Coburg	
	39. Woodlands Avenue/Melville Road, Pascoe Vale South	
	40. Reynard/Donne Streets, Coburg	
	41. Ridgeway Avenue/Marrson Place, Glenroy	
	42. Reynard Street/Melville Road, Pascoe Vale South	
	43. Boundary Road/Garden Drive, Pascoe Vale	
	44. Cool/Elizabeth Streets, Coburg North	
	45. Albion Street/Waxman Parade, Brunswick West	
	46. Gowanbrae Drive/Bluebell Crescent, Gowanbrae	
	47. Suffolk Avenue, Bell Street, Coburg	
	48. Mathieson Street/Sydney Road, Coburg North	
	49. Elizabeth/Bell Streets Coburg	

Activity Centre Hierarchy	Location	Role and Function
	50. Xaiver/Josephine Streets, Oak Park	
	51. Westgate/Anderson Streets, Pascoe Vale	
	52. Molesworth/Gaffney Streets, Coburg	
	53. Sydney Road/Sulva Grove, Coburg North	
	54. Sydney Road/Ryland Street, Coburg North	
	55. Harding/Gladstone Streets, Coburg	
	56. Harding/Belgrave Streets, Coburg	
	57. Harding/Salisbury Streets, Coburg	

02.03-2 Environmental and landscape values

14/02/2023
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Merri-bek's natural landscape is under pressure from a growing population, urban densification and climate change. Nevertheless, Merri-bek contains environmentally significant areas, in particular, local creeks and their surrounding environs.

Merri-bek's waterways are the distinctive natural feature of the municipality. Waterways, which include the Moonee Ponds, Merri, Edgars, Westbreen and Merlynston Creek corridors, are not only an important natural resource but also provide an important opportunity for community recreation.

Urban consolidation, loss of backyards (which often provide good habitat linkages for fauna) and incremental loss of vegetation to infrastructure make it difficult to maintain biodiversity and reduce the urban heat island effect. As Merri-bek's population continues to grow and the climate warms, it will become increasingly important to mitigate heat, provide habitat refuge and biodoversity connectivity.

A healthy urban forest is central to the health and wellbeing of Merri-bek's community. Key ingredients for a healthy urban forest include soil health, water availability, free of pest and diseases, clean air, a healthy form and canopy, and an even age distribution of the forest.

Council seeks to improve and protect its environmental and landscape values by:

- Creating and protecting a diverse, connected and resilient environment of trees and other vegetation that will enhance urban ecology and greening in both the public and private realm.
- Protecting and enhancing habitat corridors in parks and along waterways.
- Protecting the ecological integrity of the Merri, Moonee Ponds, Edgars, Westbreen and Merlynston Creek corridors and remaining areas of remnant vegetation areas.
- Encouraging development to be sensitive to all open space, river and creek interfaces.

02.03-3 Environmental risks and amenity

14/02/2023
C225more

Residential areas often require complementary discretionary uses to serve local needs. This needs to be balanced with protecting the amenity and built form character of residential areas.

Licensed premises and late-night entertainment venues can have important economic, social and cultural benefits. Well managed premises can contribute positively to the activity and image of an area. Such premises also have the potential to create considerable detrimental amenity and public safety impacts.

Council seeks to protect residential amenity by:

- Supporting discretionary uses in residential areas that are located and designed to have minimal impact on the residential amenity of the surrounding area.
- Managing activities associated with licensed premises and late-night entertainment venues to minimise negative amenity and public safety impacts.

02.03-4 Built environment and heritage

14/02/2023
C225more

Improving the design quality of the built environment in Merri-bek is a high priority in managing development associated with population growth. Good design is intrinsically linked to safety, health and well-being and environmental sustainability.

Merri-bek contains a number of heritage assets ranging from buildings of state significance to substantial Victorian mansions, humble worker's cottages and historic parklands. The protection and management of these significant heritage assets helps our understanding of the past, enriches the present and will be of value to future generations.

Well-designed and well-located signs provide important information to identify a business and direct people to a location, as well as create interest in a streetscape and add vibrancy to an area. A proliferation of signs and poorly designed signs can detract from the appearance of a building or an area.

Council seeks to protect heritage assets and improve the built environment by:

- Encouraging development that is designed to respond to and contribute to its context and any relevant heritage significance.
- Encouraging development that is designed to integrate with landscape design to improve aesthetic quality and amenity for occupants and the public domain.
- Improving the quality of design of housing development.
- Protecting Merri-bek's valued heritage places from demolition and unsympathetic development or subdivision.
- Encouraging the design of signage that is sensitive to the style, scale and character of host buildings, nearby buildings, and streetscapes.

Environmentally sustainable design

Merri-bek is committed to creating an environmentally sustainable and liveable city; where development meets the needs of the present without compromising the ability of future generations to meet their own needs.

Incorporating sustainability principles in the design of buildings provides ongoing benefits by:

- Reducing living costs associated with housing, such as energy costs.
- Improved amenity and liveability.
- Reduced greenhouse gas emissions.
- Greater resilience to the impacts of climate change.

Environmentally sustainable design elements should be incorporated at the time of planning approval to improve outcomes that may otherwise be compromised if left to be considered at the building approval stage and to reduce difficulties or costs associated with retro-fitting the development.

To achieve an environmentally sustainable and liveable city, Council supports:

- Encouraging development to incorporate environmentally sustainable design at the time of planning approval in the following areas: energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

02.03-5 Housing

09/03/2023
C201more

Merri-bek is experiencing a shift towards smaller households, and this is expected to continue, with more than 50 per cent of new households in 2036 to consist of only one or two people. While housing density is increasing, most of the housing stock in Merri-bek is suitable for larger households. With population growth across all ages also expected, there is an ongoing need for a diverse range of dwellings throughout the municipality.

Housing needs for individuals and families can also change due to a range of factors, including age, temporary or permanent injury or impairment and disability.

As the cost of housing increases, more households will find it difficult to afford to live in Merri-bek. At least 4000 households in Merri-bek are experiencing housing stress or homelessness and this is expected to increase to at least 7000 households by 2036. To meet this need it is estimated that at least 18 per cent all new dwellings built in Merri-bek by 2036 would need to be affordable housing.

Merri-bek is a prime location for student accommodation given its proximity to some of the State's main university campuses, with the location of RMIT's Brunswick Campus within the municipality.

In planning for population growth and diversity, Council seeks to:

- Facilitate housing growth and change in accordance with the Housing Framework shown on the Strategic Framework Plan: *Housing* at Clause 02.04.
- Facilitate residential development in industrial areas identified as *Transition Residential Areas* in the Strategic Framework Plan: *Housing* at Clause 02.04.
- Encourage a diversity of housing that meets the needs of different sectors of the community.
- Encourage housing that is designed to meet the changing needs of occupants over their lifetimes.
- Facilitate housing that is affordable in relation to purchase price, rental price and ongoing living costs (utilities, transport) associated with the design and location of housing.
- Encourage student accommodation that is located close to transport and services, that respects existing neighbourhood character and responds to the preferred future character of the area.

02.03-6 Economic development

14/02/2023
C225more

Merri-bek's economy is in transition, moving from manufacturing to a more service-based economy. This is evident in the types of industries and jobs available in the municipality, with health care and social assistance the largest employers followed by retail. However, the continued presence of industry and other commercial businesses within the municipality is important in creating a sustainable economy and a diversity of employment opportunities.

Merri-bek's industrial land plays a very important role in the provision of jobs and wealth generation and it is predicted that there will be a continued demand for industrial zoned land in Merri-bek from a range of industry sectors, despite the demand for industrial land declining over the last 30 years.

Merri-bekis also at the forefront of new ways of working and creative industries such as arts and performance production, tourism, clothing, jewellery and furniture design, digital arts and application development and creative professional services. These growing industries will play a key part in creating sustainable economic development throughout the municipality.

To support the establishment of these growing industries, Council has partnered with RMIT University and Creative Victoria to establish the Brunswick Design District, a distinct design and creative hub for creative and design professions located primarily in the heart of Brunswick. While key sites within the District have helped define the District's core area, the activity of the District will have influence beyond Brunswick and help support a thriving and resilient creative community and economy throughout the municipality and Melbourne's North.

There is increasing pressure, especially in industrial areas located adjacent to public transport and activity centres, for the conversion of industrial buildings into residential use. Residential encroachment into industrial areas displaces industrial uses and can create problematic interface issues.

The vast majority of Merri-bek residents travel outside the municipality to work in nearby areas. There is a desire to provide greater opportunities for residents to work locally to reduce travel times to work, reduce congestion and for the sustainability and health benefits of less car reliance.

Council seeks to create a sustainable economy and diversity of employment opportunities by:

- Retaining areas identified as *Core Industry and Employment Areas* in the Strategic Framework Plan at Clause 02.04 as areas for industry and employment.
- Maintaining industry and employment uses in areas identified as *Employment Areas* and potentially transition to a broader business base that contributes to economic regeneration and more diverse employment opportunities.
- Supporting the economic viability and growth of activity centres.
- Supporting creative industries, entrepreneurs and associated activities, including education and training, live music venues, performances, studios and coworking spaces, in Activity Centres, the Brunswick Design District and Core Industrial and Employment Areas as shown on the Strategic Framework Plans Economic Development and Activity Centres at Clause 2.04.

02.03-7 Transport

14/02/2023
C225more

Merri-bek is to be a connected city through a transport system that is diverse, progressive and sustainable that achieves a shift towards sustainable modes of travel, including zero emissions transport modes.

Car parking plays an active role in supporting broader transport and land use strategies. The availability of car parking where people live, and their destinations, will strongly influence the ways they travel. Getting the type, location and amount of car parking right can contribute to better transport, land use, economic and community outcomes. This includes increasing the shift towards sustainable transport modes while ensuring that those who walk, cycle, wheel or drive can do so safely.

Council seeks to create a transport system that is diverse, progressive and sustainable by:

- Planning for a transport network that:
  - Caters for all ages, is accessible and equitable for all road users.
  - Reduces local vehicle traffic and safeguards the wellbeing of the community.
  - Achieves a shift towards sustainable modes of travel, including a transition to active transport or zero-emissions transport.
  - Focuses on transport safety, improving personal security and safety.
  - Connects people to local jobs and services.
  - Caters for population and employment growth.
- Prioritising our transport network according to the following 'road user hierarchy', while ensuring access for those who walk, cycle, wheel or drive:

- People who are walking.
- People who are cycling.
- People who are using public transport.
- People who are driving.

02.03-8 Infrastructure

14/02/2023
C225more

Community infrastructure

The provision of infrastructure is required to support a growing and changing population. While the southern part of Merri-bek is experiencing greater population pressure, the need for community infrastructure in the north of Merri-bek is also substantial. Suburbs across Merri-bek are also experiencing growth in different ways, creating pressure for different types of community infrastructure.

In planning and delivering community infrastructure, Council supports:

- Providing accessible community infrastructure (e.g. health, education, social, leisure and cultural facilities) in different locations suited to the local community's needs.

Open space

Open Space is important to the liveability of Merri-bek and the health of people living, working and recreating in the municipality. Merri-bek has an open space network that includes sports fields, conservation areas, playgrounds and recreation trails, as well as public land provided for drainage and utility purposes that is used or valued for leisure and environmental purposes.

Public spaces, such as town squares, public plazas and streetscapes also make a significant contribution to the overall provision of public spaces in Merri-bek.

Specific areas in Merri-bek have been assessed as deficient in the provision of open space and these are identified on the Strategic Framework Plan: Open Space at Clause 02.04.

Council seeks to improve its open space and recreational opportunities by:

- Supporting the provision of a diverse open space network for amenity, recreational and ecological reasons.
- Prioritising new open space in areas where there is a deficiency in the open space provision as identified on Strategic Framework Plan: Open Space.
- Expanding and enhancing the open space corridor along the Moonee Ponds, Merri and Edgars Creek waterways.

02.03-9 Gaming

14/02/2023
C225more

Gaming is part of Merri-bek's recreation and entertainment offering, but for some people it causes serious personal, financial and social effects.

There is concern that electronic gaming machines pose a risk for vulnerable communities due to the geographic prevalence of venues and high level of losses generated.

Council seeks to reduce harm from problem gambling by:

- Ensuring the location of gaming machines responds to local social, health and economic characteristics, and avoids negative effects on vulnerable communities by locating gaming machines away from them.

02.04 STRATEGIC FRAMEWORK PLANS

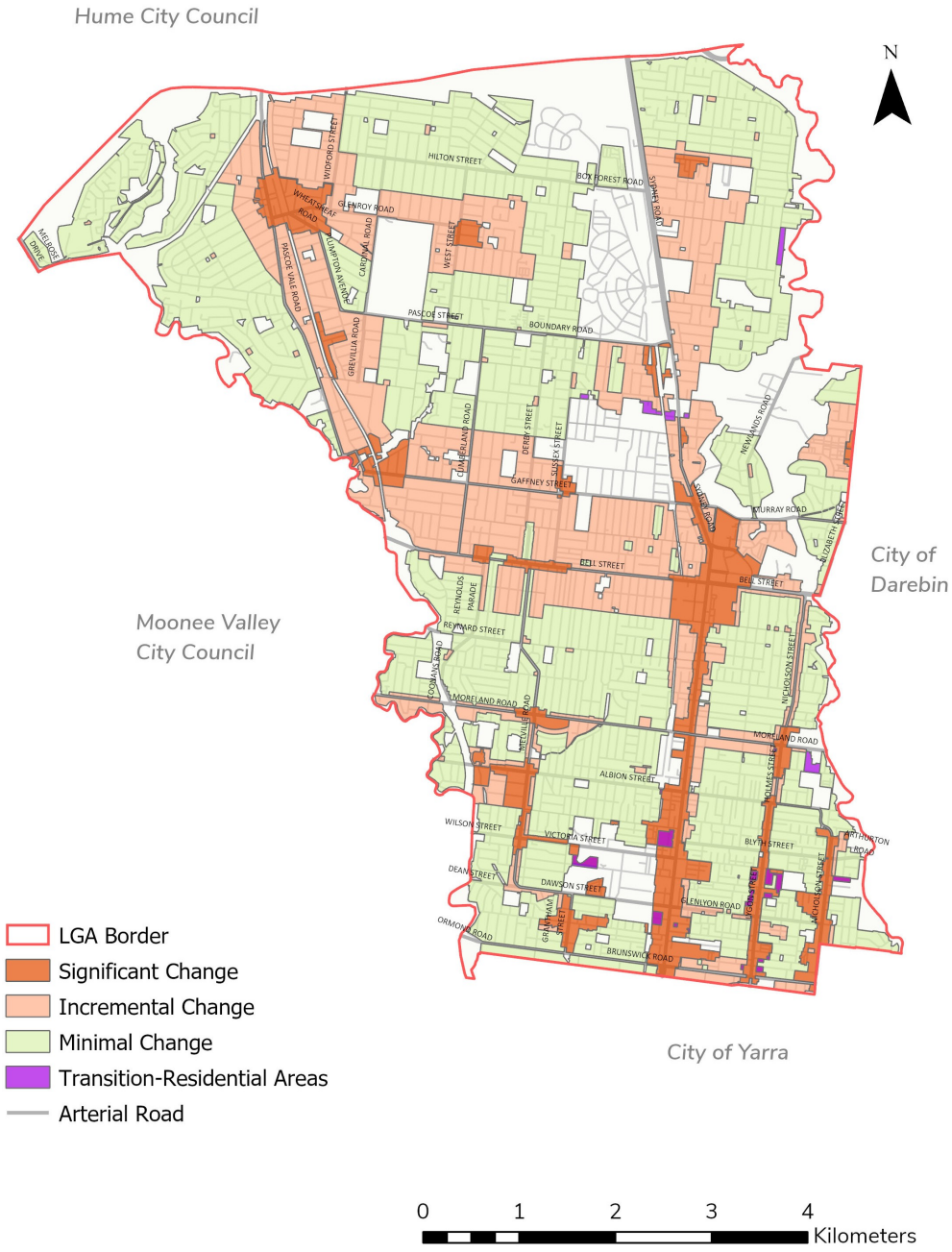
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The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

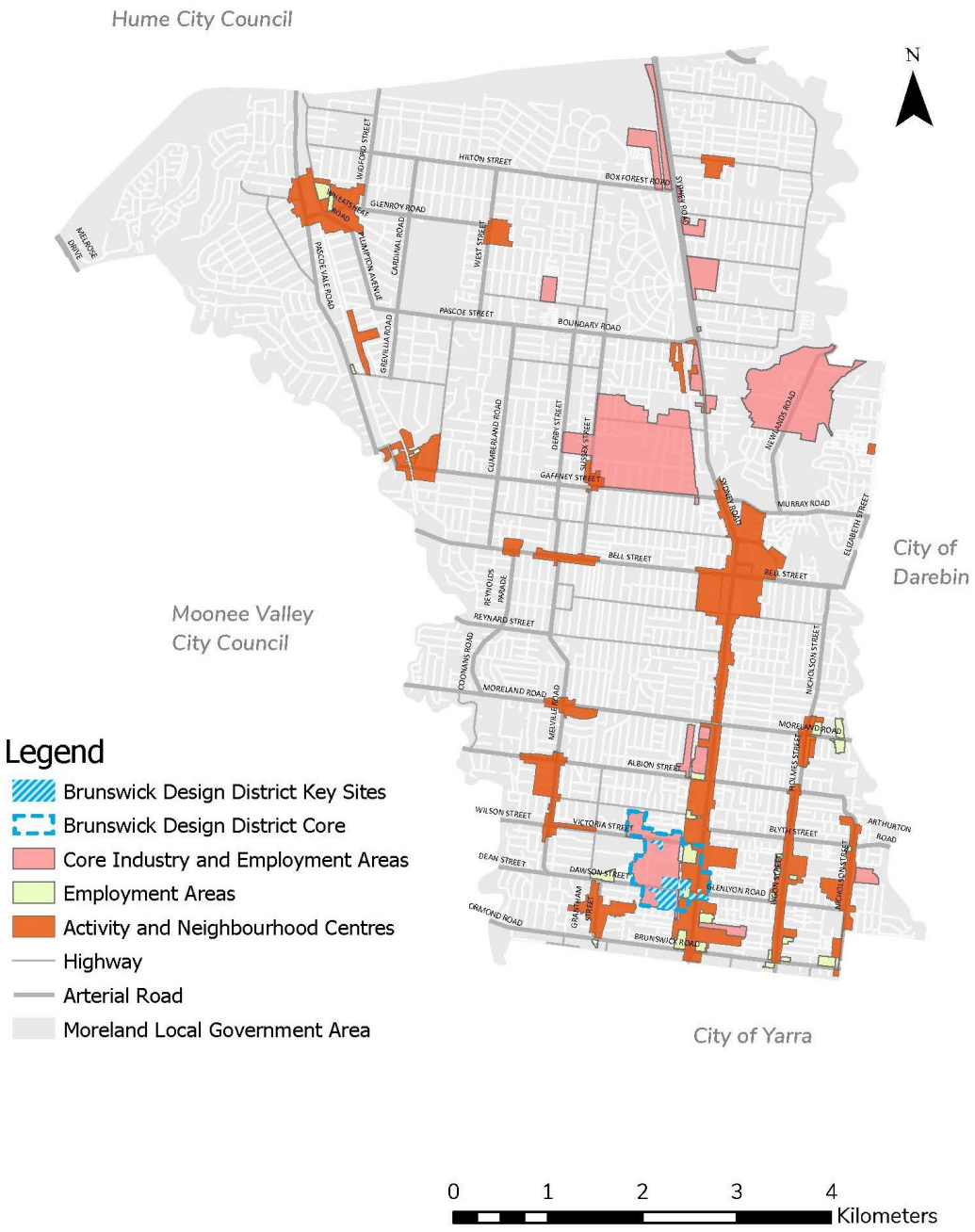
Activity Centre Framework Plan



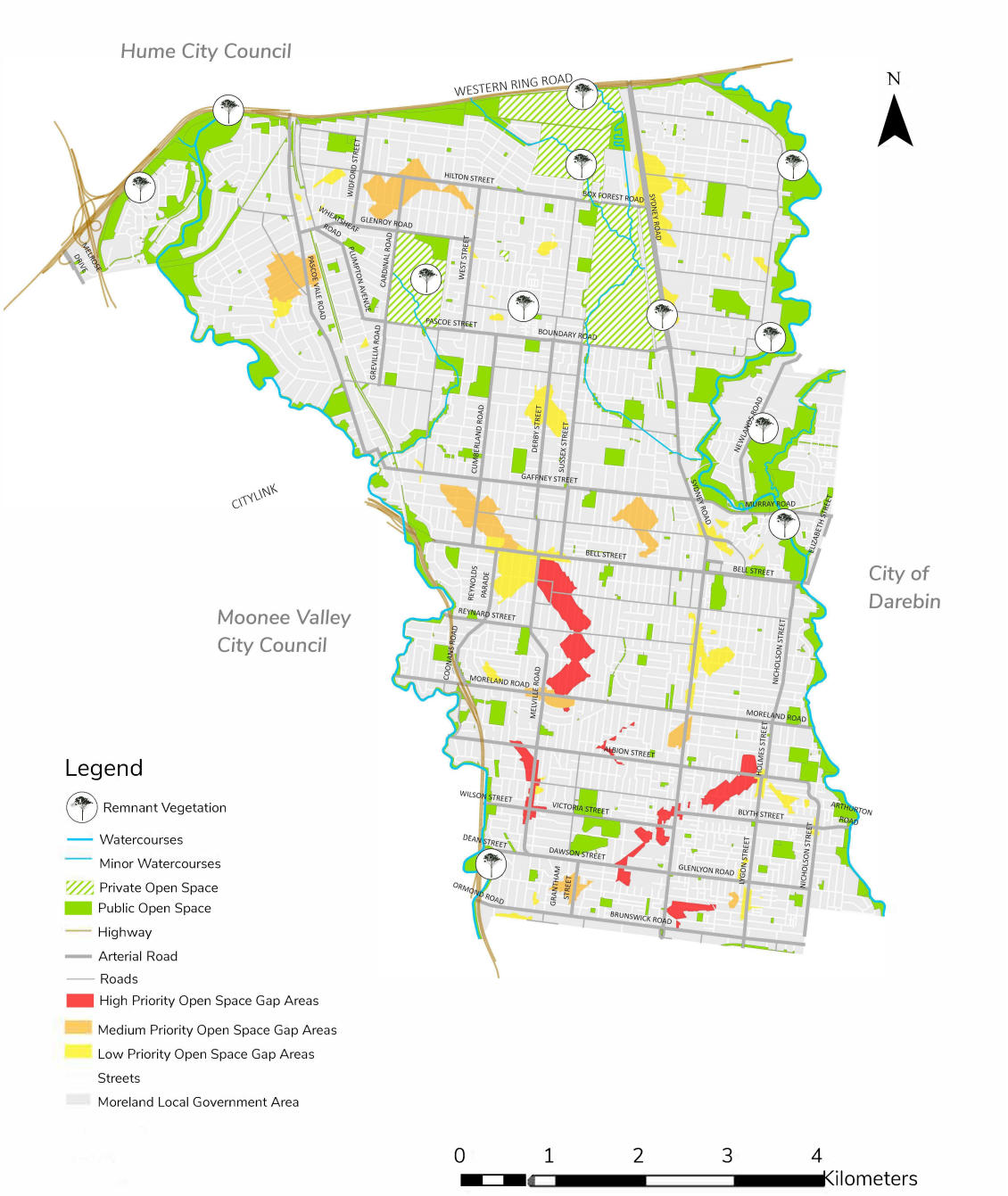
Housing Framework Plan



Economic Development Framework Plan



Open Space Framework Plan



Transport framework plan



10 PLANNING POLICY FRAMEWORK

31/07/2018
VC148

11 SETTLEMENT

10/06/2022
VC216

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of environmental sustainability, urban design and amenity.
- Climate change adaptation and mitigation.
- Prevention of land, water, air and noise pollution.
- Protecting, conserving and improving biodiversity, waterways and other natural resources.
- Accessibility.
- Land use and transport integration.
- Waste minimisation and resource recovery.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

11.01 VICTORIA

31/07/2018
VC148

11.01-1S Settlement

10/06/2022
VC216

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

- Minimising exposure to natural hazards, including increased risks due to climate change.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.

Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

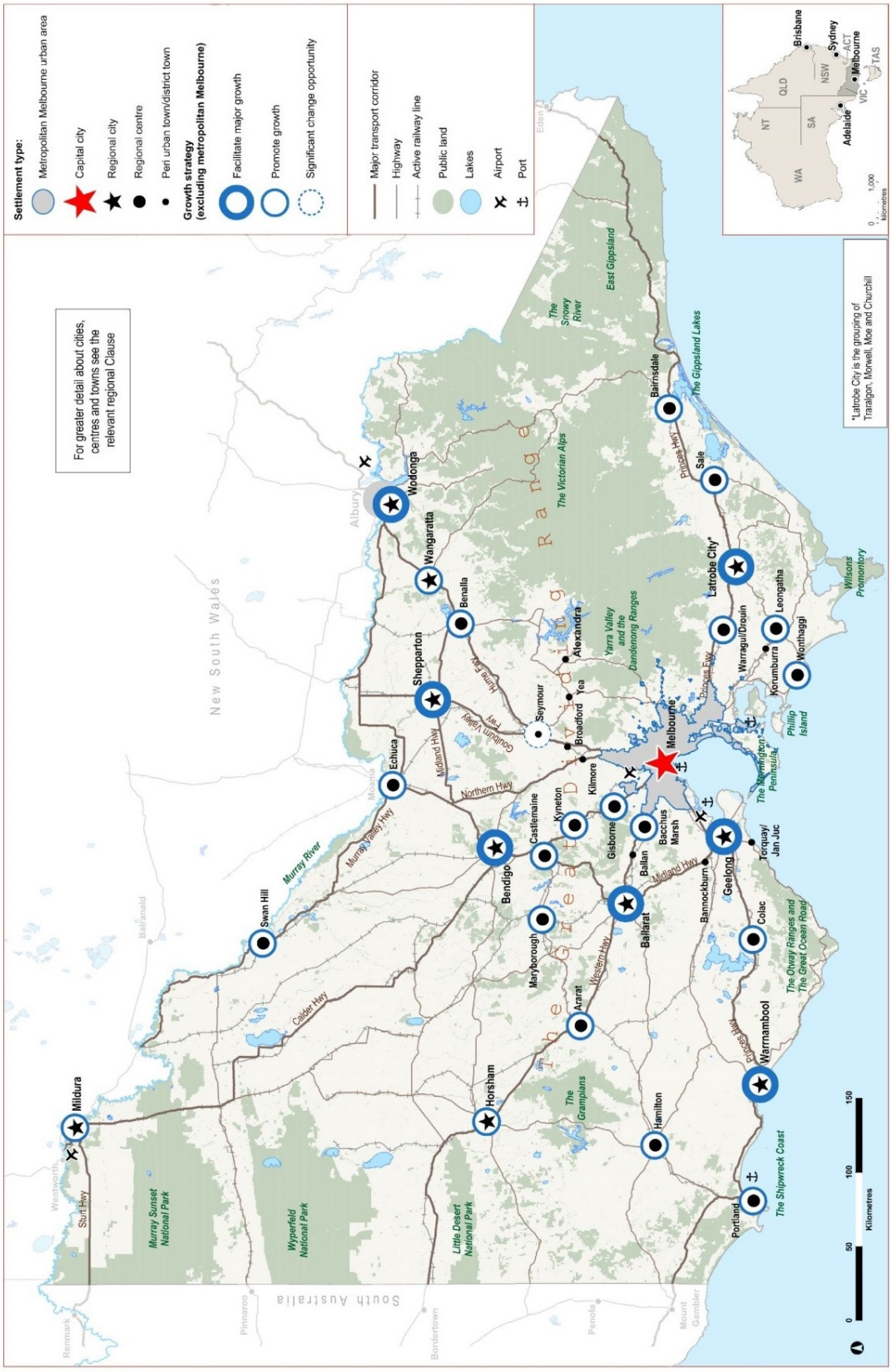
Support metropolitan and regional climate change adaption and mitigation measures.

Policy documents

Consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Hume Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014)
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014)
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017)
- *Plan Melbourne 2017-2050: Addendum 2019* (Department of Environment, Land, Water and Planning, 2019)

Victoria Settlement Framework



11.01-1R Settlement - Metropolitan Melbourne

11/02/2020
VC168

Strategies

Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.

Focus investment and growth in places of state significance, including:

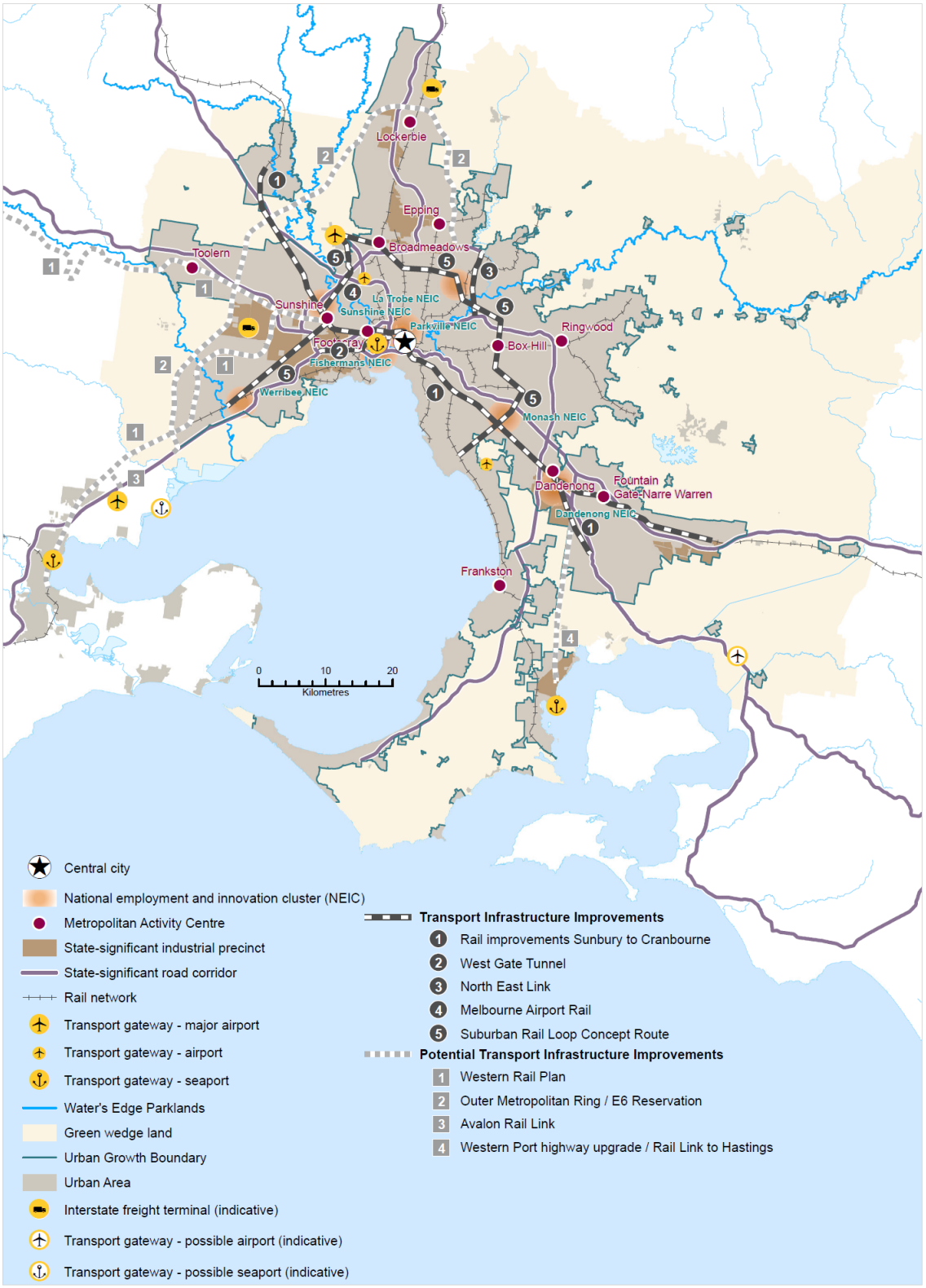
- Metropolitan Melbourne Central City.
- National Employment and Innovation Clusters.
- Metropolitan Activity Centres.
- State-Significant Industrial Precincts.
- Transport Gateways.
- Health and Education Precincts.
- Major Urban-Renewal Precincts.

Develop the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and change in major employment, health and education precincts and activity centres beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population.

Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.

Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

Melbourne 2050 spatial framework



11.01-1R Green wedges - Metropolitan Melbourne

31/07/2018
VC148

Objective

To protect the green wedges of Metropolitan Melbourne from inappropriate development.

Strategies

Promote and encourage the key features and related values of each green wedge area.

Support development in the green wedge that provides for environmental, economic and social benefits.

Consolidate new residential development in existing settlements and in locations where planned services are available and green wedge values are protected.

Plan and protect major state infrastructure and resource assets, such as airports and ports with their associated access corridors, water supply dams, water catchments and waste management and recycling facilities.

Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.

Support existing and potential agribusiness activities, forestry, food production and tourism.

Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.

Protect significant resources of stone, sand and other mineral resources for extraction purposes.

Provide opportunities for renewable energy generation.

Policy documents

Consider as relevant:

- *Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan* (1996)

11.02 MANAGING GROWTH

31/07/2018
VC148

11.02-1S Supply of urban land

03/03/2023
VC215

Objective

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Ensure that sufficient land is available to meet forecast demand.

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Monitor development trends and land supply and demand for housing and industry.

Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.

Restrict rural residential development that would compromise future development at higher densities.

Policy guidelines

Consider as relevant:

- Victorian Government population projections and land supply estimates.

Policy documents

Consider as relevant:

- *Melbourne Industrial and Commercial Land Use Plan* (Department of Environment, Land, Water and Planning, 2020)

11.02-2S Structure planning

10/06/2022
VC216

Objective

To facilitate the fair, orderly, economic and sustainable use and development of urban areas.

Strategies

Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.

Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.

Undertake the preparation of a hierarchy of structure plans or precinct structure plans that:

- Address the strategic and physical context of the location, including increased physical risks associated with climate change.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Provide for the development of sustainable and liveable urban areas in an integrated manner informed by the 17 United Nations Sustainable Development Goals as relevant.
- Protect and enhance areas of natural and cultural significance.
- Assist the development of walkable neighbourhoods.
- Facilitate the use of active and sustainable transport modes.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.
- Encourage renewable energy generation, storage and distribution.
- Incorporate integrated water management and urban greening.

Policy document

Consider as relevant:

- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021).

11.02-3S Sequencing of development

04/05/2022
VC210

Objective

To manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

Strategies

Define preferred development sequences in areas of growth to better coordinate infrastructure planning and funding.

Ensure that new land is released in areas of growth in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.

Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.

Improve the coordination and timing of infrastructure and service delivery in areas of growth.

Support opportunities to co-locate facilities.

Ensure that planning for water supply, sewerage and drainage works receives high priority in early planning for areas of growth.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

11.03 PLANNING FOR PLACES

31/07/2018
VC148

11.03-1S Activity centres

03/02/2022
VC199

Objective

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)

11.03-1R Activity centres - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Support the development and growth of Metropolitan Activity Centres by ensuring they:

- Are able to accommodate significant growth for a broad range of land uses.
- Are supported with appropriate infrastructure.
- Are hubs for public transport services.
- Offer good connectivity for a regional catchment.
- Provide high levels of amenity.

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

Locate new small scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.

11.03-2S Growth areas

04/05/2022
VC210

Objective

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

Protect and manage natural resources and areas of heritage, cultural and environmental significance.

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.

- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

11.03-3S Peri-urban areas

31/07/2018
VC148

Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

11.03-4S Coastal settlement

20/03/2023
VC229

Objective

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

11.03-5S Distinctive areas and landscapes

30/04/2021
VC185

Objective

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

12 ENVIRONMENTAL AND LANDSCAPE VALUES

10/06/2022
VC216

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

12.01 BIODIVERSITY

31/07/2018
VC148

12.01-1S Protection of biodiversity

20/03/2023
VC229

Objective

To protect and enhance Victoria's biodiversity.

Strategies

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.

Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

- Cumulative impacts.
- Fragmentation of habitat.
- The spread of pest plants, animals and pathogens into natural ecosystems.

Avoid impacts of land use and development on important areas of biodiversity.

Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).

Assist in the identification, protection and management of important areas of biodiversity.

Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

Support land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Energy, Environment and Climate Action.

Policy documents

Consider as relevant:

- *Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the Catchment and Land Protection Act 1994)*
- *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Victorian Waterway Management Strategy* (Department of Environment and Primary Industries, 2013)

12.01-1L Biodiversity in Merri-bek

14/02/2023
C225more

Objective

To increase tree canopy cover and enhance the ecological values of the city.

Strategies

Encourage the planting and retention of trees in the private realm.

Increase the planting and retention of native vegetation to enhance and create habitat corridors.

Design and site development to protect and enhance areas of remnant vegetation and indigenous revegetation as identified on Strategic Framework Plan: *Open Space*.

Encourage a diversity of vegetation to promote climate pest and disease resilience.

12.01-2S Native vegetation management

20/03/2023
VC229

Objective

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Energy, Environment and Climate Action.

Policy documents

Consider as relevant:

- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, 2017)

12.02 MARINE AND COASTAL ENVIRONMENT

06/09/2021
VC171

12.02-1S Protection of the marine and coastal environment

20/03/2023
VC229

Objective

To protect and enhance the marine and coastal environment.

Strategies

Manage privately-owned foreshore consistently with the adjoining public land.

Protect coastal and foreshore environments and improve public access and recreation facilities around Port Phillip Bay and Western Port by focusing development in areas already developed or in areas that can tolerate more intensive use.

Enhance the ecological values of the ecosystems in the marine and coastal environment.

Protect and enhance the overall extent and condition of native habitats and species diversity distributions across public and private land in the marine and coastal environment.

Encourage revegetation of cleared land abutting coastal reserves.

Minimise direct, cumulative and synergistic effects on ecosystems and habitats.

Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways.

Maintain and enhance water and soil quality by minimising disturbance of sediments.

Avoid disturbance of coastal acid sulfate soils.

Protect and enhance natural features, landscapes, seascapes and public visual corridors.

Plan for marine development and infrastructure to be sensitive to marine national parks and environmental assets.

Protect the heritage values, the aesthetic quality of locations, cultural links with maritime activities, sea country and sense of place.

Policy guidelines

Consider as relevant:

- Any applicable Regional and Strategic Partnership Product, environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*

Policy documents

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soils* (Department of Environment, Land, Water and Planning, 2010)
- *Victorian Coastal Acid Sulfate Soils Strategy* (Department of Sustainability and Environment, 2009)

12.02-2S Marine and coastal Crown land

20/03/2023
VC229

Objective

To ensure the use and development of marine and coastal Crown land is ecologically sustainable, minimises impacts on cultural and environmental values, and improves public benefit for current and future generations.

Strategies

Design, locate and maintain buildings and structures to effectively manage:

- Any increase in exposure to coastal hazard risk, including rates of sea level rise, erosion, accretion or inundation.
- Exposure to public health and safety risks.
- Any detrimental impacts (in particular increased hazard risk) on neighbouring Crown or private land.
- Adverse effects on the environment and associated uses and values.
- Impact on marine and coastal functions and processes.

Ensure the siting and design of development on marine and coastal Crown land:

- Facilitates shared infrastructure and the use of land for more than one use.
- Uses materials and finishes that are sympathetic to the coastal environment.
- Is durable in the long term.
- Minimises the environmental footprint.

Ensures that use and development on or adjacent to marine and coastal Crown land:

- Maintains safe, equitable public access.
- Improves public benefit.
- Demonstrates need and has a coastal dependency.
- Minimises loss of public open space.

Policy guidelines

Consider as relevant:

- Any applicable Victorian Environmental Assessment Council recommendations
- The purpose for which land is reserved under the *Crown Land (Reserves) Act 1978*
- Any relevant environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

12.03 WATER BODIES AND WETLANDS

31/07/2018
VC148

12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs

16/12/2022
VC201

Objective

To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

Strategies

Protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets.

Conserve waterway systems and the landscapes and environmental values surrounding them by protecting ecological values, indigenous vegetation, terrestrial and aquatic habitats and encouraging biodiversity.

Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.

Address the impacts of use and development on drought and flooding events at a catchment and site scale to protect the health and natural function of waterway systems and their surrounding landscape and environment.

Protect geomorphology, bank stability and flood management capacity to strengthen the environmental value and health of waterway systems by:

- Retaining, enhancing and re-establishing indigenous riparian vegetation along waterway systems, ensuring it responds to the bushfire risk of a location.
- Enhancing and re-establishing both terrestrial and aquatic habitats and their linkages along and surrounding waterway systems.
- Limiting earthworks in proximity to waterway systems to minimise alterations to geomorphology, natural drainage, natural flows and water quality.
- Facilitating the restoration of waterway systems through the removal of weeds, invasive species and pests.

Enhance a sense of place and landscape identity by:

- Conserving areas of identified Victorian Aboriginal cultural heritage significance relating to waterway systems.
- Retaining and re-establishing vegetation, including grasslands and canopy trees, surrounding waterway systems to enhance and connect to the landscape setting, ensuring it responds to the bushfire risk of a location.
- Protecting existing topographic features and maintaining a sense of naturalness through sensitive design and siting.

Retain and enhance the recreation and amenity values along waterway systems by:

- Planning for surrounding green spaces as recreation and tourism resources without adversely impacting environmental values and flood management capacity.
- Protecting and enhancing parklands for their economic, social and environmental values.
- Protecting and enhancing public access to waterway systems and surrounding parklands.
- Enhancing existing and providing new green links, pedestrian and cycle connections and open space.
- Discouraging privatisation of spaces that interface with or provide access to waterway systems.
- Avoiding overshadowing of waterway systems, their banks and adjacent public open space.
- Promoting safety by maximising visibility and passive surveillance and providing good connections and access.

Design and site development to maintain and enhance the natural environment of waterway systems by:

- Minimising the visual intrusion of development on the natural landscape views from major roads, bridge crossings, public open space, recreation trails and within waterway systems themselves.
- Ensuring development is visually subordinate to the local landscape setting, including through the use of vegetation to filter views of development.
- Ensuring development adjacent to waterways adopts high quality materials and respectful design and siting.
- Avoiding impeding the natural flow of waterways and future flood events.
- Directing growth to established settlements where water and wastewater can be managed.

Policy guidelines

Consider as relevant:

- Locating earthworks, including dams, a minimum of 30 metres from waterway systems.
- Locating development a minimum of 30 metres from the banks of waterway systems.
- The views of floodplain and waterway managers.
- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994.

Policy documents

Consider as relevant:

- *Melbourne Water's Guidelines for Approval of Jetties* (Melbourne Water, 2011)
- *Healthy Waterways Strategy* (Melbourne Water, 2018)

12.03-1R Yarra River protection

20/04/2021
VC197

Objective

To maintain and enhance the natural landscape character of the Yarra River corridor.

Strategies

Strengthen the Yarra River's natural environment, heritage and overall health by:

- Protecting, conserving and enhancing areas of Indigenous and non-Indigenous cultural and archaeological significance.
- Protecting the river's riparian vegetation, natural riverbank topography and flood management capacity.
- Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.
- Protecting and enhancing both terrestrial and aquatic habitats and their linkages along the river corridor.

Promote a sense of place and landscape identity by:

- Retaining a dominant and consistent tree canopy along the river corridor and in its broader landscape setting.
- Ensuring that the appearance of development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.

Retain and enhance people's enjoyment of the river and its environment by:

- Planning for the river and its environs as a recreation and tourism resource.
- Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.
- Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year-round.

Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment by:

- Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.
- Ensuring that the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.
- Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres from the banks of the river.

Policy documents

Consider as relevant:

- *Middle Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)
- *Lower Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)

12.03-1R Waterways of the West

16/12/2022
VC201

Objective

To maintain and enhance the natural landscape, biodiversity, cultural and social values, and the Traditional Owner living cultural heritage values of the waterways of Melbourne's west, including the Werribee River (Wirribi Yaluk), Maribyrnong River (Mirrangbamurn), Moonee Ponds Creek (Moonee Moonee), and associated tributaries and wetlands.

Strategies

Strengthen the natural environment and overall health of the waterways by protecting and enhancing both terrestrial and aquatic habitats and their linkages along the waterway corridors including:

- The Jacana Valley Parklands and the Trin Warren Tam-boore wetlands within the Moonee Ponds Creek.
- Newell's Paddock wetlands and Organ Pipes National Park within the Maribyrnong River corridor.
- Werribee Blue Box grassy woodlands, Cobbledicks Ford Reserve and Werribee Gorge State Park.
- The platypus and Growling Grass Frog habitats along the Werribee River corridor.
- Plains Grassland, Creekline Grassy Woodland and River Red Gum along the Little River.
- Smaller waterways such as Lollypop, Skeleton and Cherry creeks and Cunningham's and Edgar Road swamps.
- Coastal reserves and wetlands such as Cheetham Wetlands and Jawbone Coastal Reserve.

Ensure development protects and strengthens cultural heritage along waterways and at sensitive sites, including:

- Footscray Park and Brimbank Park.
- Stony Creek.
- Maribyrnong River valley from Braybrook to Maribyrnong.
- Moonee Ponds Creek Trail.
- Skeleton Waterholes Creek.
- Deep and Jacksons creeks and Emu Bottom Wetlands.
- Lower Werribee River

Promote a sense of place and landscape identity by:

- Enhancing a sense of remoteness that complements the waterway corridor and landscape setting, especially the sloping river valley landscape setting of the upper and middle reaches of the Maribyrnong River.
- Enhancing the landscape character along Stony, Laverton and Kororoit creeks.
- Retaining and re-establishing tree canopy and riparian vegetation cover along the waterways corridor including Werribee Blue Box and River Red Gum along the Werribee River.
- Maintaining and protecting the waterways' natural geomorphology and bank stability.
- Reducing the risk of erosion at key sites including the K Road Cliffs along Werribee River.
- Ensuring green linkages and public access to rivers and green spaces are protected and prioritised along the river corridors including the:
  - Werribee River Trail and Werribee Regional Parklands.

- Moonee Ponds Creek Trail.
- Steele Creek Trail.
- Maribyrnong River Trail, including around the former Department of Defence site.
- Stony Creek Trail.
- Kororoit Creek Trail.
- Footscray Wharf, Coode Island and the Port of Melbourne.

Policy documents

Consider as relevant:

- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)

12.04 ALPINE AREAS

31/07/2018
VC148

12.04-1S Sustainable development in alpine areas

20/03/2023
VC229

Objective

To facilitate sustainable use and development of Alpine areas for year-round use and activity.

Strategies

Protect and manage significant environmental features and ecosystems, taking into account the sensitive and fragile nature of the alpine environment.

Ensure that the use and development of land is managed to minimise the disturbance of indigenous flora and fauna and sensitive landscapes.

Ensure that there is a mixture of use and development to cater for users of alpine areas in all seasons.

Recognise the distinct environments, infrastructure needs and capabilities to support different activities of each alpine resort and other alpine areas.

Provide for the development of consolidated alpine villages, including a diverse range of employment, social and economic opportunities.

Promote development for active recreation solely at Falls Creek, Lake Mountain, Mt Buffalo, Mt Baw Baw, Mt Buller and Mt Hotham.

Promote intensive residential and commercial development at Falls Creek, Mt Baw Baw, Mt Buller and Mt Hotham.

Maintain Mt Stirling as an all-season nature based tourist, recreational and educational resource.

Ensure that the sustainable long term planning and management of Victoria's six alpine resorts is consistent with the strategic directions contained in the *Alpine Resorts Strategic Plan 2020-2025 Responding to a Changing Climate* (Victorian Government, Alpine Resorts Co-ordinating Council, 2019).

Develop, monitor and regularly review the Alpine Resort Environmental Management Plans and Comprehensive Development Plans for each alpine resort, recognising their unique characteristics, constraints and opportunities.

Encourage best practice in design that responds to the alpine character of the area.

Ensure heritage places are protected and conserved, including Aboriginal cultural heritage and post contact heritage places.

Ensure that increases in skier, pedestrian and vehicular activity in the resorts do not compromise public safety or the accessibility and capacity of ski fields, services, commercial activity and development of trailheads.

Implement approved plans, manage development and work with Alpine Resort Management Boards to effectively operate alpine resorts and protect alpine resources.

Ensure that the use and development of land responds to potential environmental risks and contributes to maintaining or improving the environmental quality of alpine environments.

Policy guidelines

Consider as relevant:

- Any applicable approved Victorian Environmental Assessment Council recommendations.
- Any approved management plan or guideline endorsed by the Minister for Environment or Minister for Water.

Policy documents

Consider as relevant:

- *Alpine Resorts Strategic Plan 2020-2025 Responding to a Changing Climate* (Victorian Government, Alpine Resorts Co-ordinating Council, 2019)
- The Memorandum of Understanding in relation to the Co-operative Management of the Australian Alps National Parks, agreed to by the member states and territories of Victoria, Australian Capital Territory and New South Wales

12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

31/07/2018
VC148

12.05-1S Environmentally sensitive areas

31/07/2018
VC148

Objective

To protect and conserve environmentally sensitive areas.

Strategies

Protect environmentally sensitive areas with significant recreational value from development that would diminish their environmental conservation or recreational values. These areas include the Dandenong and Macedon Ranges, the Upper Yarra Valley, Western Port and Port Phillip Bay and their foreshores, the Mornington Peninsula, the Yarra and Maribyrnong Rivers and the Merri Creek, the Grampians, the Gippsland Lakes and its foreshore, the coastal areas and their foreshores, Alpine areas and nominated urban conservation areas, historic buildings and precincts.

12.05-2S Landscapes

31/07/2018
VC148

Objective

To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Strategies

Ensure significant landscape areas such as forests, the bays and coastlines are protected.

Ensure development does not detract from the natural qualities of significant landscape areas.

Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.

Recognise the natural landscape for its aesthetic value and as a fully functioning system.

Ensure important natural features are protected and enhanced.

13 ENVIRONMENTAL RISKS AND AMENITY

01/07/2021
VC203

Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- Land use and development compatibility.
- Effective controls to prevent or mitigate significant impacts.

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.

13.01 CLIMATE CHANGE IMPACTS

31/07/2018
VC148

13.01-1S Natural hazards and climate change

20/03/2023
VC229

Objective

To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Strategies

Respond to the risks associated with climate change in planning and management decision making processes.

Identify at risk areas using the best available data and climate change science.

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

Ensure planning controls allow for risk mitigation and climate change adaptation strategies to be implemented.

Site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.

Policy guidelines

Consider as relevant:

- Climate change data and information maintained by the Department of Energy, Environment and Climate Action.
- Adaptation action plans prepared under Division 2 of Part 5 of the *Climate Change Act 2017*.

Policy documents

Consider as relevant:

- Climate science report prepared under Part 6 of the *Climate Change Act 2017*

13.01-2S Coastal inundation and erosion

20/03/2023
VC229

Objective

To plan for and manage coastal hazard risk and climate change impacts.

Strategies

Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Ensure that land subject to hazards is identified and appropriately managed to ensure that future use and development is not at risk.

Avoid use and development in areas vulnerable to coastal inundation and erosion.

Respond to marine and coastal processes in the context of the coastal compartment type.

Assess the effectiveness, costs, benefits, impacts (direct, cumulative and synergistic) and path dependency of available adaptation options in the following order:

1. non-intervention
2. avoid
3. nature-based methods
4. accommodate
5. retreat
6. protect

Ensure that development or protective works that seek to respond to coastal hazard risks avoid detrimental impacts on coastal processes.

Policy guidelines

Consider as relevant:

- Any applicable Victorian Environmental Assessment Council recommendations.
- Any applicable Regional and Strategic Partnership Product, environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*.
- Any coastal erosion advice required under section 75 of the *Marine and Coastal Act 2018*.
- Local coastal hazard assessments and localised projections.

Policy documents

Consider as relevant:

- Any applicable adaptation action plan prepared under the *Climate Change Act 2017*
- *Guidelines for Coastal Catchment Management Authorities: Assessing Development in relation to Sea Level Rise* (June, 2012)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Planning for Sea Level Rise Guidelines, Port Phillip and Westernport Region* (Melbourne Water, 2017)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *The Victorian Coastal Hazard Guide* (Department of Sustainability and Environment, 2012)

13.02 BUSHFIRE

31/07/2018
VC148

13.02-1S Bushfire planning

20/03/2023
VC229

Policy application

This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies

Protection of human life

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
  - Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;
  - Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;
  - Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and
  - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

Settlement planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018).
- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018).

Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993,* bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots.
- Accommodation.
- Child care centre.
- Education centre.
- Emergency services facility.
- Hospital.
- Indoor recreation facility.
- Major sports and recreation facility.
- Place of assembly.
- Any application for development that will result in people congregating in large numbers.

When assessing a planning permit application for the above uses and development:

- Consider the risk of bushfire to people, property and community infrastructure.

- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Policy guidelines

Consider as relevant:

- Any applicable approved state, regional and municipal fire prevention plan.

Policy documents

Consider as relevant:

- *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018)
- *Building in bushfire-prone areas - CSIRO & Standards Australia* (SAA HB36-1993, 1993)
- Any bushfire prone area map prepared under the *Building Act 1993* or regulations made under that Act

13.03 FLOODPLAINS

31/07/2018
VC148

13.03-1S Floodplain management

20/03/2023
VC229

Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river, wetland or coastal health.

Strategies

Identify land affected by flooding, including land inundated by the 1 in 100 year flood event (1 per cent Annual Exceedance Probability) or as determined by the floodplain management authority in planning schemes.

Avoid intensifying the impact of flooding through inappropriately located use and development.

Plan for the cumulative impacts of use and development on flood behaviour.

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters, child care centres and schools) outside the 1 in 100 year (1 per cent Annual Exceedance Probability) floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate use and development that involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) outside floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

Ensure land use on floodplains minimises the risk of waterway contamination occurring during floods and floodplains are able to function as temporary storage to moderate peak flows and minimise downstream impacts.

Policy guidelines

Consider as relevant:

- Regional catchment strategies and special area plans approved by the Minister for Environment or Minister for Water.
- Any floodplain management manual or guideline of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.
- Any best practice environmental management guidelines for stormwater adopted by the Environment Protection Authority.

Policy documents

Consider as relevant:

- *Victorian Floodplain Management Strategy* (Department of Environment, Land, Water and Planning, 2016)

13.04 SOIL DEGRADATION

31/07/2018
VC148

13.04-1S Contaminated and potentially contaminated land

04/05/2022
VC210

Objective

To ensure that contaminated and potentially contaminated land is used and developed safely.

Strategies

Ensure contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of any use or development.

Protect a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school from the effects of contamination.

Facilitate the remediation of contaminated land to make the land suitable for future intended use or development.

Policy guideline

Consider as relevant the potential for contamination to impact the proposed use or development through an assessment that is proportionate to the risk, including:

- An assessment in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure* (National Environment Protection Council, 1999)
- A preliminary risk screen assessment or environmental audit under Part 8.3 of the *Environment Protection Act 2017*.

Policy documents

Consider as relevant:

- *Ministerial Direction No. 1 - Potentially Contaminated Land*
- *National Environment Protection (Assessment of Site Contamination) Measure* (National Environment Protection Council, 1999)

13.04-2S Erosion and landslip

31/07/2018
VC148

Objective

To protect areas prone to erosion, landslip or other land degradation processes.

Strategies

Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.

Prevent inappropriate development in unstable areas or areas prone to erosion.

Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

Policy guidelines

Consider as relevant:

- Any applicable regional catchment strategy.
- Any special area plan approved under the *Catchment and Land Protection Act 1994*.

13.04-3S Salinity

31/07/2018
VC148

Objective

To minimise the impact of salinity and rising water tables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt load in rivers.

Strategies

Identify areas subject to salinity in the preparation of planning schemes and land use planning decisions.

Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines

Consider as relevant:

- Any applicable regional catchment strategy and any associated implementation plan or strategy (particularly salinity management plans and regional vegetation plans).
- Any special area plan approved under the *Catchment and Land Protection Act 1994*.

Policy documents

Consider as relevant:

- *Salinity Information Kit: Volume 1 - A Local Government Planning Guide for Dryland Salinity* (Department of Conservation and Natural Resources, 1995)

13.05 NOISE

31/07/2018
VC148

13.05-1S Noise management

10/06/2022
VC216

Objective

To assist the management of noise effects on sensitive land uses.

Strategy

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Policy guidelines

Consider as relevant:

- The noise requirements in accordance with the Environment Protection Regulations under the *Environment Protection Act 2017*.

Policy documents

Consider as relevant:

- *Environment Protection Regulations under the Environment Protection Act 2017*
- *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (Publication 1826, Environment Protection Authority, May 2021)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
- *Passenger Rail Infrastructure Noise Policy* (Victorian Government, 2013)
- *VicTrack Rail Development Interface Guidelines* (VicTrack, 2019)

13.05-1L Noise abatement

14/01/2021
C200more

Strategies

Design new residential developments and mixed use (incorporating residential) developments to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity by:

- Incorporating design and noise attenuation measures to protect residents from noise.
- Locating bedrooms away from noise sources such as adjoining live music venues, late night entertainment venues, industrial uses, garbage collection areas, vehicle accessways, rail lines and busy roads.

13.06 AIR QUALITY

31/07/2018
VC148

13.06-1S Air quality management

10/06/2022
VC216

Objective

To assist the protection and improvement of air quality.

Strategies

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:

- Integrating transport and land use planning to improve transport accessibility and connections.
- Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for walking, cycling and public transport.

Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital).

Minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout and design responses.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)

13.07 AMENITY, HUMAN HEALTH AND SAFETY

26/05/2020
VC175

13.07-1S Land use compatibility

03/03/2023
VC215

Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013).

13.07-1L Caretaker's houses

14/01/2021
C200more

Policy application

This policy applies to applications for a caretaker's house in an industrial zone or in the Commercial 2 Zone.

Objective

To ensure caretaker's houses in industrial precincts have a legitimate link to the viable operation of a business.

Strategies

Support a caretaker's house only where there is a clear link between the proposed caretaker's house and the needs of the business operating from the site.

Ensure caretaker's houses are incidental to the industrial or commercial use of the site.

Ensure that caretaker's houses are not used to create separate dwellings within industrial precincts.

Policy guidelines

Consider as relevant:

Whether a caretaker's house is legitimately associated with any commercial or industrial use on the same land by:

- Comprising a gross floor area of no more than 100 square metres.
- Only having one caretaker's house per business.

13.07-1L Discretionary uses in Residential Zones

04/05/2022
VC210

Policy application

This policy applies to an application to use or develop land in a residential zone for a Section 2 use.

Objective

To locate, design and manage discretionary uses in residential areas to be compatible with the surrounding area.

Location strategies

Encourage discretionary uses in residential areas to locate on sites that:

- Have frontage to a road in a Transport Zone 2 or a Transport Zone 3 or a Collector Road to reduce generation of extra traffic on the local street network.
- Abut land used for non-residential (commecial or industrial) purpose.
- Will have minimal impact on the residential amenity of the surrounding area.

Encourage discretionary uses that serve catchments beyond the local level to locate within the defined boundaries of Activity Centres, or within areas designated as *Core Industry and Employment or Employment*.

Location policy guidelines

Consider as relevant:

- Locating car washes on a corner site.
- Locating car washes, food and drink premises, and restricted recreation facilities on a site previously used for a non-residential purpose.

Siting design and management strategies

Encourage the retention of existing dwellings.

Encourage built form that is of a scale, design and appearance compatible with the scale and character of the residential area.

Encourage car parking spaces to be screened from view and provided in a basement or at the rear or side of the site.

Ensure landscaping is:

- Undertaken to buffer the use from adjoining sites used for residential purposes.
- Provided within the front setback area.

Protect residential amenity from:

- Significant changes to traffic conditions in local streets including an increase in car parking demand.
- Noise, light, odours emitted from the site, including via the incorporation of noise attenuation measures where needed.
- Disturbance associated with the hours of operation or site facilities.

Provide a drop-off and pick-up area for child care centres, funeral parlours and place of assembly.

Encourage the preparation of master plans and management plans for applications for a Hospital or Education Centre to minimise impacts on the amenity of local residential areas.

Siting design and management policy guidelines

Consider as relevant:

- An acoustic report that responds to the relevant State Environmental Protection Policies.
- Discouraging 24-hour operations.

13.07-1L Entertainment venues and licensed premises

14/02/2023
C225more

Policy application

This clause applies to all planning permit applications for a place of assembly, food and drink premises (excluding take away food premises), or where a permit is required pursuant to Clause 52.27 of the Merri-bek Planning Scheme.

Amenity objective

To manage the potential negative amenity and public safety impacts of licensed premises and entertainment venues.

Amenity strategies

Minimise the impacts associated with noise, car parking, patron movement, traffic and other amenity issues.

Limit noise emissions from licensed premises so that emissions do not have an unreasonable impact on the amenity of the surrounding area.

Avoid patron numbers that negatively impact on the amenity of nearby properties by having regard to:

- The size of the premises.
- Its location and proximity to residential uses.
- Its hours of operation.

Encourage all licensed premises and entertainment venues to incorporate safe design principles within their internal venue design.

Design venues to minimise conflict with adjoining land uses by:

- Locating entertainment, music, seating, and food areas inside the venue, away from sensitive land uses.
- Including noise attenuation measures within the venue.

Amenity policy guidelines

Consider as relevant:

- The safer design principles contained in *The Design Guidelines for Licensed Venues* (Department of Justice, 2009).
- Whether noise emission standards from licensed premises comply with relevant *State Environmental Protection Policies, including the State Environment Protection Policy (SEPP) No. 1 – Control of Noise from Commerce Industry and Trade and SEPP No. 2 – Control of Music Noise from Public Premises.*
- An acoustic report for venues trading after 11pm that responds to the State Environmental Protection Policies.
- A venue management plan for venues trading after 11pm that responds to potential amenity issues and operational matters of the venue.
- Whether patron parking is located on site or in residential streets, and the proximity of the parking to the venue.
- Any previous complaints and problems with the premises and breaches of planning or liquor license permit conditions.
- For licensed premises:

  - The ratio of seating to be provided.
  - Whether meals are to be served or food to be available.
  - The management of patrons entering and leaving the venue, including security and queuing.
  - Whether there will be background, live or recorded music playing.
  - The capacity of the premises and hours of operation.
- Whether the premise has a direct abuttal to land within the General or Neighbourhood Residential Zone or Mixed-Use Zone.

Activity centres objective

To ensure that licensed premises and late-night entertainment venues make a positive contribution to the mix of activities available in activity centres.

Activity centres strategies

Locate licensed venues trading after 11pm within Major Activity Centres.

Encourage packaged liquor licensed premises (bottle shops) to locate only within Activity Centres.

Ensure licensed venues located within Neighbourhood Activity Centres and Local Activity Centres cease serving or selling alcohol at 11pm or earlier unless hours will not detrimentally affect the surrounding area.

Manage noise impacts to surrounding areas for venues trading after 11pm.

Policy document

Consider as relevant:

- *Design Guidelines for Licensed Venues* (Department of Justice, 2009)

13.07-2S Major hazard facilities

26/10/2018
VC152

Objective

To minimise the potential for human and property exposure to risk from incidents that may occur at a major hazard facility and to ensure the ongoing viability of major hazard facilities.

Strategies

Ensure major hazard facilities are sited, designed and operated to minimise risk to surrounding communities and the environment.

Consider the risks associated with increasing the intensity of use and development within the threshold distance of an existing major hazard facility.

Apply appropriate threshold distances from sensitive land uses for new major hazard facilities and between major hazard facilities.

Protect registered or licenced major hazard facilities as defined under Regulation 5 of the Occupational Health and Safety Regulations 2017 from encroachment of sensitive land uses.

13.07-3S Live music

28/09/2020
VC183

Objective

To encourage, create and protect opportunities for the enjoyment of live music.

Strategies

Identify areas where live music venues are encouraged or where there are high concentrations of licensed premises or clusters of live music venues.

Implement measures to ensure live music venues can co-exist with nearby residential and other noise sensitive land uses.

Policy guidelines

Consider as relevant:

- The social, economic and cultural benefits to the community of:
  - Retaining an existing live music venue.
  - The development of new live music entertainment venues.
  - Clustering licensed premises and live music venues.

14 NATURAL RESOURCE MANAGEMENT

31/07/2018
VC148

Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.

Planning should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

14.01 AGRICULTURE

31/07/2018
VC148

14.01-1S Protection of agricultural land

20/03/2023
VC229

Objective

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Energy, Environment and Climate Action and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

14.01-1R Protection of agricultural land - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.

14.01-2S Sustainable agricultural land use

21/09/2018
VC150

Objective

To encourage sustainable agricultural land use.

Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.

Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.

Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

Support agricultural investment through the protection and enhancement of appropriate infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

Policy documents

Consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995)
- *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
- *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
- *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
- *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)

14.01-3S Forestry and timber production

20/03/2023
VC229

Objective

To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests.

Strategies

Identify areas that may be suitably used and developed for plantation timber production.

Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.

Ensure protection of water quality and soil.

Ensure timber production in native forests is conducted in a sustainable manner.

Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022).

Ensure Victoria's greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.

Policy documents

Consider as relevant:

- *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022)

14.02 WATER

31/07/2018
VC148

14.02-1S Catchment planning and management

06/09/2021
VC171

Objective

To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Strategies

Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.

Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.

Require appropriate measures to restrict sediment discharges from construction sites.

Ensure planning is coordinated with the activities of catchment management authorities.

Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.

Policy guidelines

Consider as relevant:

- Any regional catchment strategy and related plans approved under the *Catchment and Land Protection Act 1994*.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the *Heritage Rivers Act 1992*.
- Any action statement or management plan prepared under the *Flora and Fauna Guarantee Act 1988*.

Policy documents

Consider as relevant:

- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales*
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)

- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

14.02-2S Water quality

20/03/2023
VC229

Objective

To protect water quality.

Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Use the mapped information available from the Department of Energy, Environment and Climate Action to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)

14.02-3S Protection of declared irrigation districts

28/10/2022
VC224

Objective

To plan and manage for sustainable change within irrigation districts declared under Part 6A of the *Water Act 1989*.

Strategies

Identify and plan for the future needs of communities to adapt and adjust to strategic land use change within an irrigation district.

Ensure the future viability of an irrigation district by preventing non-agricultural use of land in a declared irrigation district where the land is serviced, or was serviced as at 17 September 2019, by rural water corporation irrigation infrastructure, unless the rural water corporation infrastructure has been, or is planned to be, decommissioned.

Ensure non-agricultural land use does not undermine the integrity of irrigation infrastructure and complements existing and future agricultural production.

Ensure land use change within an irrigation district does not negate the potential opportunities for a rural water corporation to make adjustments to the footprint of an irrigation district that are identified under an approved plan or strategy.

Ensure land use change does not limit the ability of future investment in irrigation infrastructure that achieves the intended benefits of minimising water loss, and improved irrigation service efficiency to the farm gate and overall agricultural production.

Policy documents

Consider as relevant:

- *Water for Victoria* (Department of Environment, Land, Water and Planning, 2016)
- *Gippsland Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
- *Central Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2006)
- *Victorian Government White Paper, Securing Our Water Future Together – Our Water, Our Future* (Department of Sustainability and Environment, 2004)

14.03 EARTH AND ENERGY RESOURCES

31/07/2018
VC148

14.03-1S Resource exploration and extraction

19/08/2021
VC196

Objective

To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

Strategies

Provide for the long-term protection of natural resources in Victoria.

Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.

Recognise the possible need to provide infrastructure, including transport networks, for the exploration and extraction of natural resources.

Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the *Mineral Resources (Sustainable Development) Act 1990,* the *Greenhouse Gas Geological Sequestration Act 2008,* the *Geothermal Energy Resources Act 2005,* or the *Petroleum Act 1998*.

Develop and maintain buffers around mining and extractive industry activities.

Ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry.

Determine buffer areas between extractive activities and sensitive land uses on the following considerations:

- Appropriate limits on effects can be met at the sensitive locations using practical and available technology.
- Whether a change of land use in the vicinity of the extractive industry is proposed.
- Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.
- Performance standards identified under the relevant legislation.
- Types of activities within land zoned for public use.

Identify and protect extractive industry resources within Strategic Extractive Resource Areas, based on their current or potential contribution to state supply, access to supporting transport networks and proximity to demand markets.

Facilitate the use and development of Strategic Extractive Resource Areas for extractive industries and other compatible land uses.

Protect the brown coal resource in Central Gippsland by ensuring that:

- Changes in use and development of land overlying coal resources, as generally defined in *Framework for the Future* (Minister for Industry, Technology and Resources and Minister for Planning and Environment, 1987) and the *Land Over Coal and Buffer Area Study* (Ministry for Planning and Environment, 1988), do not compromise the winning or processing of coal.
- Coal-related development is adequately separated from residential or other sensitive uses and main transport corridors by buffer areas to minimise adverse effects such as noise, dust, fire, earth subsidence and visual intrusion.
- Use and development within the buffer areas are compatible with use and development adjacent to these areas.
- Ensure that the use and development of land for extractive industry responds to potential environmental risks and maintains or improves the quality of the air, land, acoustic and water environments.

Policy documents

Consider as relevant:

- *Mineral Resources (Sustainable Development) Act 1990*
- *Greenhouse Gas Geological Sequestration Act 2008*
- *Geothermal Energy Resources Act 2005*
- *Petroleum Act 1998*
- *Melbourne Supply Area - Extractive Industry Interest Areas Review* (Geological Survey of Victoria Technical Record, 2003/2)
- *Ballarat Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1997/3)
- *Bendigo Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1998/6)
- *Geelong Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1999/2)
- *La Trobe Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1999/4)
- *Strategic Extractive Resource Areas Pilot Project Report* (Victorian Government, 2020)

15 BUILT ENVIRONMENT AND HERITAGE

10/06/2022
VC216

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.

Planning should incorporate measures to protect culturally significant heritage places in locations exposed to climate related hazards.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging, and comfortable to be in.
- Support human health and community wellbeing.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.

Planning should promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.

Planning should facilitate development that:

- Is adapted and resilient to climate related hazards.
- Supports the transition to net zero greenhouse gas emissions.
- Minimises waste generation and supports resource recovery.
- Conserves potable water.
- Supports the use of, and access to, low emission forms of transport.
- Protects and enhances natural values.
- Minimises off-site detrimental impacts on people and the environment.

15.01 BUILT ENVIRONMENT

31/07/2018
VC148

15.01-1S Urban design

31/07/2018
VC148

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-1R Urban design - Metropolitan Melbourne

31/07/2018
VC148

Objective

To create a distinctive and liveable city with quality design and amenity.

Strategies

Support the creation of well-designed places that are memorable, distinctive and liveable.

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

Create new boulevards in urban-growth areas and selected existing road corridors across Melbourne.

Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.

15.01-1L Urban design in Merri-bek

14/02/2023
C225more

Strategies

Ensure site design, building frontages, design articulation and internal layout achieve a good interface with and surveillance of the public realm, including maximising opportunities for active frontages.

Design development to contribute to a fine grain urban structure reflecting an appropriate balance of open space to built-form.

Design development to contribute to a fine grain architectural expression with detailed street frontages.

Ensure large sites provide a network of public streets, footpaths and lanes connecting through the site into the surrounding street and pedestrian network.

Reallocate road space and existing car parking to create greener streets, such as through street tree planting.

Encourage development to contribute to the upgrade of existing streets adjoining the site and undergrounding of powerlines and other utilities.

Design development adjacent to public open space to provide a clear separation between public and private land.

Design and site development to not unreasonably overshadow public open space.

Design development to provide a sense of safety by maximising interaction, passive surveillance and incidental lighting of open spaces.

Ensure landscape design improves aesthetic quality and amenity for occupants and the public realm by:

- Integrating development with the surrounding environment.
- Providing for summer shading of buildings and private open spaces and allows for access to winter sun.
- Contributing to reduction of the urban heat island effect.
- Incorporating integrated water management and water sensitive urban design.

15.01-1L Vehicle access design in Merri-bek

14/02/2023
C225more

Policy application

This policy applies to applications for use or development of land that include the construction of vehicle crossings.

Objective

To ensure provision of vehicle access contributes to an improved urban environment for pedestrians and cyclists.

Strategies

Ensure development utilises rear laneways for vehicle access where possible to allow street frontages to prioritise pedestrian movement and safety and to create active frontages.

Limit the number of vehicle crossings provided to dwellings.

Support new vehicle crossovers where:

- The number of crossovers is minimised to support pedestrian safety and sight lines.
- Existing on street parking spaces and street trees are retained.
- Hard surfaces of accessways (including crossover) are minimised to provide opportunities for increased landscaping in front setbacks and streetscape planting.

Remove redundant vehicle crossings and replace with reinstated kerb and channel, footpath, nature strip and street trees as appropriate.

Policy guideline

Consider as relevant:

- Limiting vehicle crossings to one per site frontage, other than on corner lots.

Policy document

Consider as relevant:

- *Vehicle Crossing Policy* (Moreland City Council, 2014)

15.01-1L Signs

14/01/2021
C200more

Policy application

This policy applies to all applications for signs under Clause 52.05.

Appearance and character objective

To strike a balance between the reasonable identification of businesses and the need to ensure that advertising signs are complementary to built-form and streetscapes.

Appearance and character strategies

Design and locate signs so they do not obscure architectural features of buildings, including windows.

Ensure that signs attached to buildings do not project above the building wall or parapet.

Ensure an integrated approach is taken to the provision of signage on buildings with more than one business, including the provision of adequate space for all occupancies to display signage.

Integrate or conceal sign illumination through use of neon lighting, an internally lit box, or external spot-lighting that has been sensitively designed and baffled.

Apply wall or fascia signs directly to the building or on a flush mounted panel with minimum projection.

Conceal cabling to signs.

Provide clearance from signs and their supporting structures for the servicing requirements of streets and lanes.

Enable under-verandah, above-verandah and projecting wall signs when used to display the business name only.

Design signs within freeway and road corridors to complement the dominant built form or landscape quality of the area.

Encourage signs to locate outside of a freeway buffer zone or adjacent landscaped area.

Appearance and character policy guidelines

Consider as relevant:

- A maximum height of 6 metres for pole signs.
- A minimum clearance of 2.7 metres above the footpath and a set back of at least 750 millimetres from the kerb for projecting signs.
- Discouraging sky, panel and major promotion signs.
- The location and number of existing signs on a building or site when assessing new proposals.

Residential areas objective

To ensure that signs in residential areas do not detract from the appearance or residential character of the area.

Residential areas strategies

Ensure signs are modest in scale and are sensitive to the residential character and amenity of the area.

Limit the number of signs for non-residential uses.

Residential areas policy guidelines

Consider as relevant:

- Discouraging promotion, above-verandah, high wall, reflective, pole and illuminated signs.
- Limiting signs for non-residential uses to one business identification sign per premises.

Commercial and industrial areas objective

To encourage signage that increases the attractiveness of commercial and industrial areas.

Commercial and industrial areas strategies

Site and design signs to not block out ground level display windows.

Ensure that the size and type of sign in commercial and industrial areas is appropriate to the location, the primary business activity, the nature of business and the character of the area.

Enable above-verandah signs in commercial areas where there are no suitable signage opportunities at ground level.

Commercial and industrial areas policy guidelines

Consider as relevant:

- Limiting under-verandah signs to one per occupancy in commercial areas.
- Designing above-verandah signs to be:
  - Wall mounted only, not mounted to a verandah, canopy or awning.
  - Limited to one per occupancy.
  - Located on the upper facade and positioned at a right angle to the building.
  - Of a height compatible with the host building height.
  - Projecting no more than 1.0 metre from host building.

15.01-2S Building design

10/06/2022
VC216

Objective

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Improve the energy performance of buildings through siting and design measures that encourage:

- Passive design responses that minimise the need for heating, cooling and lighting.
- On-site renewable energy generation and storage technology.
- Use of low embodied energy materials.

Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.

Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.

Encourage water efficiency and the use of rainwater, stormwater and recycled water.

Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.

Encourage development to retain existing vegetation.

Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019)

15.01-2L Building design in Merri-bek

14/02/2023
C225more

Strategies

Encourage good-quality contemporary architecture.

Ensure service infrastructure and waste storage facilities:

- Are well concealed and/or screened from the street or; integrated into building design.
- Enable the provision of green infrastructure.

Design car parking facilities (crossovers, access ways, garages and carports) so to not dominate the streetscape.

Design car stackers to suitably buffer adjoining dwellings from all impacts.

Ensure development maximises the retention of existing vegetation and large trees and provides sufficient space and conditions for planting of new canopy and screening trees.

Ensure development provides adequate on-site loading areas and waste collection vehicles where appropriate.

15.01-2L Building design in Neighbourhood and Local Centres

14/01/2021
C200more

Policy application

This policy applies to planning permit applications in Neighbourhood Centres and mixed use and commercial zones of Local Centres as identified on the Strategic Framework Plan: *Activity Centres* at Clause 02.04.

Neighbourhood Centres strategies

Design development to provide a suitable transition at interfaces with adjoining zones such as through a transition in height and/or suitable landscaping.

Neighbourhood Centres policy guidelines

Consider as relevant:

- Designing development to not exceed a building height of four storeys unless either:
  - The prevailing height of surrounding buildings is five or more storeys, in which case the prevailing height should not be exceeded.
  - The site is large enough to allow the visual impacts of the development to be mitigated through the design response, including, the building height at the interface with adjoining properties and at street frontages not exceeding four storeys.

Local Centres strategies

Design and site new development to respect existing built form.

Local Centres policy guidelines

Consider as relevant:

- Designing development to not exceed a building height of three storeys unless:
  - The site is large enough to allow the visual impacts of the development to be mitigated through the design response.
  - The building height at the interface with adjoining properties and at street frontages does not exceed three storeys.

15.01-2L Apartment developments in Merri-bek

14/02/2023
C225more

Policy application

This policy applies to an application for an apartment development of five or more storeys (excluding a basement).

Building setback and separation strategies

Design buildings to:

- Allow adequate daylight to living rooms and bedrooms.
- Provide opportunities for open space and landscaping areas.
- Reduce overlooking into habitable rooms and private open space areas through location and design
- Provide a reasonable outlook from living areas.
- Enable the reasonable future development opportunities of adjoining sites.
- Manage the amenity impacts to adjoining sites.
- Achieve a greater level of privacy and higher levels of daylight compared to bedrooms.

Building setback and separation policy guidelines

Consider as relevant:

- Whether the building setback requirements specified in Tables 1, 2 and 3 have been achieved:
  - Including to the side or rear boundary, a lane or another building within the same site.
  - As measured from glazing line or the external edge of any balcony (whichever is the lesser) to the property boundary for setbacks specified in Table 1.
  - As measured from glazing line or the external edge of the balcony (whichever is the lesser) to the lane centre line for setbacks specified in Table 2.
  - As measured from glazing line or the external edge of the balcony to the glazing line or external edge of the balcony, between buildings, whichever is the lesser for setbacks specified in Table 3.
- The reasonable future development opportunities for adjoining sites where a building does not achieve the building setback requirements specified in Tables 1, 2 and 3.
- Whether building separation is not required provided:
  - There is no outlook from a living room to a side or rear boundary; and
  - It does not affect the reasonable future development opportunities of the adjoining site.
- Whether an existing residential development on an adjoining site does not meet the distances specified in Tables 1, 2 and 3, siting new development to achieve a comparable adequate setback (from a minimum of one metre and a maximum of three metres). The building setback requirements apply from the first level of residential use.
- Whether existing developments have reasonably incorporated access to daylight on their own site.
- Requiring no building separation where a continuous street wall is encouraged under the relevant place-based control to the extent necessary to comply with that control.

Table 1 Building setbacks to the side or rear boundary

Building height	Living room or Main balcony outlook to boundary	Bedroom outlook to boundary
Up to 4 storeys or 12 metres	6 metres	3 metres
5-8 storeys or up to 25 metres	9 metres	4.5 metres
9 or more storeys or over 25 metres	12 metres	6 metres

Table 2 Building setbacks to a lane

Building height	Living room or Main balcony outlook	Bedroom outlook
2 storeys or 9 metres	0 metres (from boundary)	0 metres (from boundary)
3-8 storeys or up to 25 metres	6 metres (from lane centre line)	3 metres (from lane centre line)
9 or more storeys or over 25 metres	9 metres (from lane centre line)	6 metres (from lane centre line)

Table 3 Building separation from another building within a site

Building height	Living room or Main balcony outlook to Living room or Main balcony outlook	Bedroom outlook to bedroom outlook	Living room /Main balcony outlook to bedroom outlook	Living room /Main balcony outlook to no outlook	Bedroom outlook to no outlook
Up to 4 storeys and 12 metres	12 metres	6 metres	9 metres	6 metres	3 metres
5-8 storeys and up to 25 metres	18 metres	9 metres	13.5 metres	9 metres	4.5 metres
9 or more storeys and over 25 metres	24 metres	12 metres	18 metres	12 metres	6 metres

Light wells strategy

Where bedrooms are serviced by a lightwell ensure they are of sufficient size to allow adequate daylight.

Design and locate windows in light spills to protect the privacy of occupants without relying solely on screening including through:

- Staggering lightwells to avoid direct overlooking into existing bedroom windows in separate dwellings.

Light wells policy guidelines

Consider as relevant:

- Meeting the minimum width and area dimensions for light wells specified in Table 4 and:
  - Providing daylight access to bedrooms only.
  - Painting lightwells in a light reflective colour.
- Applying the light well requirements specified in Table 4 from the first level of residential use. The light well minimum width and area dimensions may be varied for buildings containing multiple levels of non-residential uses.

Table 4 Light well dimensions

	Minimum width	Minimum area
Up to 4 storeys or 12 metres	2 metres	9 sqm
5-8 storeys or up to 25 metres	4.5 metres	29 sqm
9 or more storeys or over 25 metres	6 metres	51 sqm

15.01-2L-04 Energy efficiency in Merri-bek

14/02/2023
C225more

Objective

To ensure development maximises passive energy efficiency and creates quality living and working environments.

Strategies

Maximise the efficient use of energy through:

- Building orientation and design that maximises solar access and passive design opportunities.
- Building separation, building depth and orientation of internal living spaces that maximise access to daylight and natural ventilation.

Design development to provide for the ability of adjoining sites to gain adequate access to daylight and outlook (including if redevelopment was to occur) through responsive building separation distance and heights and location of primary outlooks.

15.01-2L-05 Environmentally sustainable development

10/06/2022
VC216

Policy application

This policy applies to residential and non-residential development, excluding subdivision, in accordance with the thresholds detailed in this policy.

Objective

To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Strategies

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

- Is consistent with the type and scale of the development.
- Responds to site opportunities and constraints.
- Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.

Energy performance

Reduce both energy use and energy peak demand through design measures such as:

- Building orientation.
- Shading to glazed surfaces.
- Optimising glazing to exposed surfaces.
- Inclusion of or space allocation for renewable technologies.

Integrated water management

Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.

Encourage the appropriate use of alternative water sources (including greywater, rainwater and stormwater).

Incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

Indoor environment quality

Achieve a healthy indoor environment quality, including thermal performance and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.

Reduce indoor air pollutants by encouraging the use of low-toxicity materials.

Minimise noise levels and noise transfer within and between buildings and associated external areas.

Transport

Design development to promote the use of walking, cycling and public transport, in that order; and minimise car dependency.

Promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.

Encourage use of durable and reusable building materials.

Ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban ecology

Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.

Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.

Encourage the provision of space for productive gardens, particularly in larger residential developments.

Policy guidelines

Consider as relevant the following:

Residential

A Sustainable Design Assessment (including an assessment using BESS, STORM or other methods) for:

- 2 - 9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 50 square metres and 1000 square metres.

A Sustainability Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan for:

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres.

Non-residential

A Sustainable Design Assessment (including an assessment using BESS and STORM/MUSIC or other methods) for:

- A non-residential building with a gross floor area of 100 square metres to 1000 square metres.

A Sustainability Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan for:

- A non-residential building with a gross floor area of more than 1000 square metres.

Mixed use

Applicable assessments for the residential and non-residential components of the development.

Consider as relevant the following tools to support a Sustainable Design Assessment or Sustainable Management Plan:

- *Sustainable Design Assessment in the Planning Process* (IMAP, 2015)
- *Built Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment 'CASBE', 2015)
- *Green Star* (Green Building Council of Australia)

- *Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'* (Melbourne Water)
- *Nationwide House Energy Rating Scheme 'NatHERS'* (Department of Climate Change and Energy Efficiency)
- *Stormwater Treatment Objective - Relative Measure 'STORM'* (Melbourne Water)
- *Urban Stormwater Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Waste Management and Recycling in Multi-Unit Developments - Better Practice Guide* (Sustainability Victoria, 2018).

In determining an application, the responsible authority will consider as appropriate:

- Whether an ESD plan or framework has previously been approved by the responsible authority.

Commencement

This policy does not apply to applications received by the responsible authority before 19 November 2015.

Expiry

This policy will expire if it is superseded by a comparable provision of the Victoria Planning Provisions.

15.01-3S Subdivision design

10/06/2022
VC216

Objective

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.
- Minimising exposure of sensitive uses to air and noise pollution from the transport system.
- Being accessible to people with disabilities.
- Creating an urban structure that:
  - Responds to climate related hazards.
  - Incorporates integrated water management, including sustainable irrigation of open space.
  - Minimises peak demand on the electricity network.
  - Supports energy efficiency and solar energy generation through urban layout and lot orientation.
  - Supports waste minimisation and increased resource recovery.
- Providing utilities and services that support the uptake of renewable energy technologies, such as microgrids and energy storage systems, including batteries.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-4S Healthy neighbourhoods

31/07/2018
VC148

Objective

To achieve neighbourhoods that foster healthy and active living and community wellbeing.

Strategies

Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:

- Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.
- Streets with direct, safe and convenient access to destinations.
- Conveniently located public spaces for active recreation and leisure.
- Accessibly located public transport stops.
- Amenities and protection to support physical activity in all weather conditions.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-4R Healthy neighbourhoods - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

15.01-5S Neighbourhood character

09/10/2020
VC169

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character values and built form that reflect community identity.

15.01-5L Minimal and incremental change areas

14/01/2021
C200more

This policy applies to planning permit applications in minimal and incremental change areas as identified on the Strategic Framework Plan: *Housing* at Clause 02.04 where an assessment against neighbourhood character is required.

Incremental and minimal change areas strategies

Design development to provide an appropriate transition in building height where an increase above the prevailing building height is proposed.

Design development in rear yards to respect an existing character of open rear yards and garden outlooks.

Create or enhance a landscape character by designing and siting new development to integrate generous landscaping through the retention of existing canopy trees (where practical) and the planting of new canopy trees and vegetation.

Incremental and minimal change areas policy guidelines

Consider as relevant:

- Where the prevailing height of surrounding buildings in incremental change areas is not three or more storeys, designing three storey developments to have a:
  - Visually recessive third storey.
  - Building height of no more than two storeys at the interface with adjoining properties and the public realm.
- Designing development in rear yards to be single storey unless either:
  - The prevailing context is not one of open rear yards and garden outlooks.
  - The building envelope respects the existing character of open rear yards and garden outlooks though provision of:
    - Generous side and rear setbacks.
    - Private open space at ground floor that provides space for screen tree planting around the development.
    - Sensitive design of the upper levels with adequate articulation, setbacks and materials to minimise visual bulk impacts as seen from neighbouring rear secluded open spaces.

15.01-6S Design for rural areas

31/07/2018
VC148

Objective

To ensure development respects valued areas of rural character.

Strategies

Ensure that the siting, scale and appearance of development protects and enhances rural character.

Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.

Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.

15.02 [NO CONTENT]

10/06/2022
VC216

15.02-1S [NO CONTENT]

10/06/2022
VC216

15.03 HERITAGE

31/07/2018
VC148

15.03-1S Heritage conservation

26/10/2018
VC155

Objective

To ensure the conservation of places of heritage significance.

Strategies

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Support adaptive reuse of heritage buildings where their use has become redundant.

Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

15.03-1L Heritage in Merri-bek

04/05/2023
C208more

Policy application

This policy applies to all land affected by a heritage overlay.

Demolition strategies

Encourage retention of contributory or significant heritage fabric required to maintain the original streetscape appearance.

Discourage total demolition of a contributory or significant heritage place unless:

- The building is structurally unsound, and that the contributory or significant heritage fabric has deteriorated beyond reasonable repair and would require reconstruction of the whole as shown through the submission of a structural engineering report prepared by a suitably qualified person.
- Any proposed replacement building makes a positive contribution to the heritage significance of the heritage place.

Ensure total demolition is not based on the grounds of poor condition or low integrity of a heritage place.

Support the demolition of non-contributory buildings in a heritage precinct, subject to the provision of a replacement building.

Support partial demolition of a heritage place, if either:

- The fabric proposed to be removed does not contribute to the heritage significance of the place.
- The removal will enhance the significance of the place or facilitate conservation outcomes in accordance with the provisions of this policy.
- The extent of demolition will not result in facadism.

Discourage total reconstruction of a heritage place as an alternative to retention.

New buildings, alterations and additions strategies

Encourage new buildings and alterations and additions that:

- Respect the existing scale, massing, form and siting of contributory or significant elements and do not dominate the heritage place or precinct.
- Avoid alterations to the contributory or significant buildings (including new windows or door openings).
- Adopt innovative and contemporary design that makes a positive contribution to the heritage place.
- Do not imitate historic styles and detailing.

Ensure that new buildings, alterations and additions do not obscure important view lines to contributory or significant heritage buildings or their features.

Encourage the restoration or reconstruction of missing architectural elements that formed part of the original heritage fabric, if adequate evidence about its previous or original form is available.

Avoid using non-contributory and atypical built forms as a reference point for new works.

Encourage new buildings to be set back the same distance (or an average) from the front boundary as existing adjacent or nearby contributory or significant buildings.

Encourage new buildings to adopt side setbacks that reflect the side setbacks of adjoining or nearby contributory or significant buildings, where these setbacks are an important feature of the heritage place.

Encourage new buildings to adopt a facade height that is consistent with adjoining or nearby contributory or significant buildings.

Design alterations and additions (including upper storey additions) to contributory or significant heritage places to adopt the following:

- Additions to contributory heritage places should be visually recessive, including from the opposite side of any street (not a laneway) or public park abutting the property, and not dominate the heritage place.
- Additions to individually significant places should, as far as possible, be concealed by existing heritage fabric when viewed from the front and visually recessive when viewed from any other adjoining street (not a laneway).
- Existing facades, rooflines, chimneys or other elements that form part of the contributory or significant fabric of the heritage place should be preserved and not altered (such as new windows or door openings).

Ensure that, on corner sites, upper storey additions are distinct from, and read as secondary elements to the heritage place when viewed from the secondary street frontage.

Shopfronts and verandahs strategies

Encourage the conservation and enhancement of existing historic verandahs and shopfronts (including retrofitted types of later style and origin where this contributes to the significance of the heritage place).

Design alterations to existing contributory or non-contributory verandahs and shopfronts to be consistent with the character of the heritage place including:

- Accurate reconstruction of missing parts where evidence exists about the earlier state.
- A simplified, sympathetic form where no evidence exists about the earlier state.

Retain an existing shopfront if it is original or of later heritage value.

Vehicle accommodation and outbuildings strategies

Locate new car ports, garages and outbuildings in a location supported by the character of the heritage place and which does not dominate the heritage place such as either:

- To the rear of the main building.
- At the side of the building, set back from the main front building line (excluding verandahs, porches, bay windows or similar projecting features).

Discourage the construction of large hard surface areas within the front setback.

Discourage the creation of new or additional vehicle crossovers at the front boundary where this is not a feature of the heritage place or where rear laneway access exists.

Discourage the widening of existing vehicle crossovers except in the interest of traffic safety.

Encourage the reconstruction of kerb, channel and footpath where appropriate alternatives to existing front vehicle crossovers can be provided.

Front fences and gates strategies

Encourage retention and conservation of fences and gates that are a feature of the significance of the heritage place.

Encourage new fences that complement the style and period of construction of the heritage place in terms of height, materials and appearance.

Encourage visually permeable fences that do not obstruct view lines to a heritage place and its significant features when viewed from the street or other public spaces.

Encourage fences on side boundaries that are visible from the front street to adopt a similar scale to the front fence.

Ancillary services and equipment strategies

Ensure that ancillary services and equipment (such as satellite dishes, aerials, shade canopies, or similar structures) are concealed and do not detract from the heritage significance of the heritage place.

Encourage ancillary site services that support the sustainability of heritage fabric and reduce the operational environmental impact of the existing building (such as solar panels, water tanks, solar hot water systems, etc.) to be sensitively integrated into the design of the heritage place. These services may be visible, if there is no reasonable alternative location.

External materials, colours and finishes strategies

Encourage external materials, colours and finishes for heritage buildings that are consistent with and complement the style and period of the heritage place.

Discourage the decoration or concealment of existing unpainted surfaces.

Encourage the removal of paint from originally unpainted masonry surfaces by means that do not damage or alter the original surface.

Discourage sandblasting of render, masonry or timber surfaces.

Discourage rendering of previously unrendered surfaces.

Discourage the use of corporate colours on the body of a building unless such colours are consistent with the style of the building(s).

Streetscapes, landscapes and trees strategies

Discourage the removal of trees with an identified heritage value unless:

- The tree is dead or dying.
- The tree is causing structural damage to an existing heritage structure which cannot be dealt with by any other means.
- Appropriate replacement landscaping is provided that respects the heritage place, maintains significant views and does not cause physical threat to existing heritage structures.

Ensure that new buildings or works do not adversely affect views and vistas toward, from and within heritage landscapes.

Ensure that new buildings or works do not present a physical threat to any tree with identified heritage value.

Ensure that new buildings or works are subservient to and maintain the prominence of the significant elements of the heritage landscape.

Retain significant elements of the heritage landscape.

Encourage the retention and conservation of heritage elements within streetscapes (including street trees, kerb and channel, laneways, etc.). New elements should be consistent with the historic character of the place.

Advertising signs strategies

Encourage advertising signs to adopt traditional locations on heritage buildings.

Discourage above-verandah, animated, bunting, electronic advertising, high wall, illuminated, major promotion, panel, pole, promotion, reflective and sky signs.

Ensure that the original architectural character of the building remains dominant.

Ensure that signs in heritage areas do not visually dominate, interrupt views to significant features or detract from the heritage significance.

Encourage traditional sign writing techniques on advertising signs.

Minimise the number of signs on a building.

Encourage signs that are proportional to the architectural features of the heritage place.

Encourage the retention of original signage.

Discourage signs that detract from, or obscure, important features of the heritage place.

Discourage the use of reflective, polished or metallic finishes on heritage places.

Discourage signs that project from the verandah or building.

Adaptive re-use of heritage places strategies

Allow a prohibited use only in those instances when that there are no viable alternatives.

Encourage the retention of as much contributory or significant fabric as possible where a change of use requires alterations to the heritage fabric.

Industrial heritage places strategies

Encourage the retention of contributory or significant heritage fabric unless retention undermines the continued viable operation of an industrial use.

Encourage the retention of as much contributory or significant heritage fabric as possible, if the site is redeveloped.

Subdivision strategies

Encourage subdivision that retains the existing pattern of development, if such a pattern contributes to the significance of the heritage place.

Ensure that significant landscape layouts, elements, trees and outbuildings are retained on title with the significant building.

Policy guidelines

Consider as relevant:

- Where demolition is to be supported, a visual record of any contributory or significant heritage fabric that is to be demolished or removed.
- The proposed relocation of a contributory or individually significant heritage building as total demolition.
- The design approaches for alterations and additions contained in the *Guidelines for alterations and additions to detached houses in heritage areas*, Moreland City Council, 2021.
- The design approaches for fences contained in the *Guidelines for Fences in Heritage Areas,* Moreland City Council 2021.
- The visibility of additions from the opposite side of any street (not a laneway) or public park abutting the property, taken from a height of 1.6 metres above ground level, unless the characteristics of the particular site make compliance unrealistic.
- Where adaptive re-use of a heritage place is proposed, conservation works to the heritage place concurrently or in advance of any new buildings and works being carried out.

Policy documents

Consider as relevant:

- *Guidelines for alterations and additions to detached houses in heritage areas* (Moreland City Council, 2021)

- *Guidelines for Fences in Heritage Areas* (Moreland City Council, 2021)
- *Keeping Brunswick's Heritage: A Report on the Review of the Brunswick Conservation Study* (Context P/L, for Brunswick City Council, Vols. 1–4, 1990)
- *City of Coburg Heritage Conservation and Streetscape Study* (Timothy Hubbard P/L for City of Coburg, in five parts, October 1990–March 1991)
- *City of Moreland Heritage Review* (Allom Lovell and Associates for Moreland City Council, Vols. 1–5, January 1999)
- *Gallipoli Parade Heritage Precinct and Beaufort Houses - Review of Heritage Significance* (Context P/L for Moreland City Council, 2013)
- *Lygon Street Heritage Study Stage 2* (Context, June 2012)
- *Moreland Local Heritage Places Review* (Context P/L for Moreland City Council, 2004) (Amended April 2008)
- *North of Bell Street Heritage Study* (Context P/L for Moreland City Council, Vols. 1-2, 2013)
- *Moreland Heritage Gap Study* (Context P/L for Moreland City Council, Vols. 1-3, 2019)
- *Moreland Heritage Nominations Study* (Extent Heritage for Moreland City Council, Vols. 1-2, 2022)

15.03-2S Aboriginal cultural heritage

31/07/2018
VC148

Objective

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Strategies

Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.

Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.

Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006.*

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Aboriginal Heritage Council.
- The findings and recommendations of the Victorian Heritage Council for post-contact Aboriginal heritage places.

Policy documents

Consider as relevant:

- *Aboriginal Heritage Act 2006*

16 HOUSING

31/07/2018
VC148

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.

Planning for housing should include the provision of land for affordable housing.

16.01 RESIDENTIAL DEVELOPMENT

31/07/2018
VC148

16.01-1S Housing supply

20/12/2021
VC174

Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)

16.01-1R Housing supply - Metropolitan Melbourne

09/10/2020
VC169

Strategies

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters.
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

16.01-1L Student accommodation

14/01/2021
C200more

Policy application

This policy applies for the use of a building for student accommodation purposes, or for the development of a residential building or a dwelling that is specifically designed for student accommodation.

Location objective

To encourage student accommodation to locate with convenient access to public transport and a range of commercial, retail, entertainment and social facilities.

Location strategies

Encourage student accommodation to locate close to one or more of the following locations:

- A tertiary educational institution.
- A Railway Station.
- An Activity Centre.
- A bus route that provides access to a tertiary educational institution.

Location policy guidelines

Consider as relevant:

- The preferred location for student accommodation in one or more of the following criteria:
  - within 1500 metres of a tertiary educational institution.
  - within 800 metres of a Railway Station.
  - within 800 metres of an Activity Centre.
  - within 400 metres of a bus route that provides access to a tertiary educational institution.

Built form objective

To ensure that bulk, mass and height of new student accommodation does not visually overwhelm the scale of existing development, particularly in residential areas.

Built form strategy

Encourage development that:

- Enhances the streetscape.
- Respects the predominant characteristics of existing built form.

Encourage a communal open space area that:

- Is conveniently accessed from the student amenities area.
- Provides safe and well-proportioned usable space that meets the recreational needs of the students.

Internal design objective

To provide individual and communal rooms with internal amenity that meets the needs of students.

Internal design strategies

Ensure that every habitable room in a building used for student accommodation can comfortably accommodate:

- A bed accessible from at least one long side.

- A study area with a desk and bookshelf.
- A robe/drawer unit with ample storage space for clothing and personal items.
- Computer and TV.
- A table or bench to provide a space to eat separate from that used for study purposes.
- Where private kitchen facilities are provided, there should be adequate room for a microwave, stove top cooker, fridge, clear bench space, sink with both hot and cold running water, as well as storage space for food, crockery, utensils, cleaning equipment and designated space for garbage and recycling.

Ensure each room:

- Has access to direct sunlight and fresh air from an external window.
- Cannot be unreasonably overlooked by another room in the same or an adjoining building.
- Is designed and located so to limit excessive noise and disruption from pedestrian and vehicle traffic from within or outside the complex.

Amenity and use objective

To facilitate the ongoing use and management of the site that responds to the needs of the students and will not adversely impact on surrounding properties.

Amenity and use strategies

Design development to be appropriately managed, used, and operated for the purpose of student accommodation.

Amenity and use policy guidelines

Consider as relevant:

- A Management Plan that responds to how the development will be managed, used and operated.

Car and bicycle parking objective

To provide adequate car parking and bicycle storage on site to meet the needs of students and visitors.

Car and bicycle parking strategies

Support car parking provision that reflects the reduced car ownership pattern of students and the location of the student housing, i.e. close to the tertiary institution or good quality public transport.

Provide a sufficient number of bicycle parking spaces in every development that will meet the needs of the students based on the total number of students/bedrooms, any proposed car parking provision within the development, and proximity to good quality public transport.

Set aside safe and accessible areas to be specifically used for bicycle parking in every development.

Car and bicycle parking policy guidelines

Consider as relevant:

- Provision for car sharing among students as a means by which car ownership and dependence on cars can be reduced, whether located on the site or not.
- The frequency of public transport services on both weekdays and weekends when considering a reduction in car parking provision or the number of bicycle spaces to be provided.
- A Traffic & Parking Impact Report that responds to any reduction in on-site parking rates with reference to similar facilities with similar location characteristics.

16.01-1L Homes in Merri-bek

14/02/2023
C225more

Strategies

Encourage increased density housing in the form of apartments and townhouses in areas identified as ‘Significant Housing Growth’ on the Strategic Framework Plan: *Housing* at Clause 02.04.

Encourage infill medium density development that contributes to an enhanced landscape in areas identified as ‘Incremental Housing’ on the Strategic Framework Plan: *Housing* at Clause 02.04.

Encourage a mix of single dwellings and lower density mulit-dwelling developments that contribute to a low density, open and landscaped character in areas identified as ’Minimal Housing Growth’ on the Strategic Framework Plan: *‘Housing’* at Clause 02.04.

Encourage residential rezoning in areas identified as ‘Transition Residential’ Areas on the Strategic Framework Plan: *Housing* at Clause 02.04.

16.01-1L Housing for people with limited mobility

14/01/2021
C200more

Strategies

Encourage the provision of housing that can be lived in by people with limited mobility (or easily adapted to be lived in) by incorporating the following design features:

- An accessible path from the street and car park areas to a level entry.
- A clear path of travel from the accessible entry to a living area and toilet.
- A bedroom, living area, kitchen, private open space, bathroom and toilet for people with limited mobility on entry level.

Policy guidelines

Consider as relevant:

- The design principles contained in the *Liveable Housing Design Guidelines*, Liveable Housing Australia.
- A minimum width of 850 millimetres for doors and 1000 millimetres for hallways at entry level.

Policy document

Consider as relevant:

- *Liveable Housing Design Guidelines* (Liveable Housing Australia, 2017)

16.01-2S Housing affordability

09/10/2020
VC169

Objective

To deliver more affordable housing closer to jobs, transport and services.

Strategies

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)

16.01-2L Housing affordability Merri-bek

14/02/2023
C225more

Strategy

Encourage developments to include affordable housing to be owned and managed by a registered housing association, registered housing provider or the Director of Housing.

Encourage public landowners to use surplus land for the provision of social and affordable housing.

16.01-3S Rural residential development

09/10/2020
VC169

Objective

To identify land suitable for rural residential development.

Strategies

Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.

Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.

Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.

Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by:

- Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.
- Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.
- Minimising or avoiding property servicing costs carried by local and state governments.
- Maintaining an adequate buffer distance between rural residential development and animal production.

Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.

Discourage development of small lots in rural zones for residential use or other incompatible uses.

Encourage consolidation of existing isolated small lots in rural zones.

Ensure land is only zoned for rural residential development where it:

- Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.
- Can be supplied with electricity, water and good quality road access.

16.01-4S Community care accommodation

04/11/2022
VC226

Objective

To facilitate the establishment of community care accommodation and support their location being kept confidential.

Strategies

Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation provided no more than 20 clients are accommodated and the use is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.

Facilitate the confidential establishment of community care accommodation through appropriate permit, notice and review exemptions.

16.01-5S Residential aged care facilities

09/10/2020
VC169

Objective

To facilitate the development of well-designed and appropriately located residential aged care facilities.

Strategies

Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.

Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).

Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.

Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.

Encourage planning for housing that:

- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.
- Enables older people to live in appropriate housing in their local community.

Provide for a mix of housing for older people with appropriate access to care and support services.

Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.

Ensure that residential aged care facilities are designed to respond to the site and its context.

Promote a high standard of urban design and architecture in residential aged care facilities.

Policy guidelines

Consider as relevant:

- The Commonwealth Government's Responsible ratios for the provision of aged care places under the *Aged Care Act 1997*.

17 ECONOMIC DEVELOPMENT

31/07/2018
VC148

Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.

Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

17.01 EMPLOYMENT

31/07/2018
VC148

17.01-1S Diversified economy

31/07/2018
VC148

Objective

To strengthen and diversify the economy.

Strategies

Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

17.01-1R Diversified economy - Metropolitan Melbourne

03/03/2023
VC215

Strategies

Support the Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces.

Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Facilitate the development of National Employment and Innovation Clusters by ensuring they:

- Have a high level of amenity to attract businesses and workers.
- Are supported by good public transport services and integrated walking and cycling paths.
- Maximise investment opportunities for the location of knowledge intensive firms and jobs.

Support the employment and servicing role of Health and Education Precincts by:

- Focussing on improving access, particularly public transport access.
- Encouraging co-location of facilities to better utilise existing infrastructure.
- Supporting and facilitating growth of associated businesses and industries.
- Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Support diverse employment generating uses, including offices, innovation and creative industries in identified areas within regionally significant industrial precincts, where compatible with adjacent uses and well connected to transport networks.

Consider how land use change proposals can respond to local and regional employment demand or identify how it can be accommodated elsewhere.

Plan for industrial land in suitable locations to support employment and investment opportunities.

Facilitate investment in Melbourne's outer areas to increase local access to employment.

17.01-1L-01 Core Industry and Employment Areas

21/09/2022
C212more

Policy application

This policy applies to land identifed as *Core Industry and Employment Areas* as identified on the Strategic Framework Plan: *Employment*.

Core Industry and Employment Areas Objective

To support the continued operation of existing industry and encourage new industry and complementary employment uses to locate within *Core Industry and Employment Areas*.

Core Industry and Employment Areas Strategies

Support the transition to a broader range of employment generating uses in *Core Industry and Employment Areas*, including a mix of industry and office-based uses and other compatible employment uses, as permitted within the relevant zone.

Discourage large scale retail (e.g. supermarkets greater than 1800 square metres) uses, other than restricted retail uses from locating in *Core Industry and Employment Areas*.

Encourage non-conforming uses, particularly residential uses, to convert to industrial or business uses.

Encourage the re-use of heritage protected buildings for industrial or business uses rather than residential uses.

Support the continued presence of the RMIT School of Fashion of Textiles within the *Brunswick Core Industry and Employment Area*.

Support 420 Victoria Street, Brunswick (formally known as the Brunswick Business Incubator at 406 Victoria Street, Brunswick) within the *Brunswick Core Industry and Employment Area* as a facility for entrepreneurs and enterprises.

Support the development of education and training facilities with a link to businesses within the *Core Industry and Employment Areas*.

Support showrooms, restricted retailing and wholesaling activities on main roads within *Core Industry and Employment Areas*, including:

- The Hume Highway Corridor north of Gaffney Street.
- Gaffney Street in the North *Coburg Core Industry and Employment Area*.
- Victoria, Albert and Dawson Streets in the *Brunswick Core Industry and Employment Area*.

Support the mixed-use nature of the precinct and surrounding areas while giving priority to industry and employment uses.

17.01-1L-02 Employment Areas

21/09/2022
C212more

Policy application

This policy applies to land identifed as Employment Areas as identified on the Strategic Framework Plan: *Economic Development*.

Employment Areas Objective

To support the transition from traditional industrial uses to a broader range of employment uses.

Employment Areas Strategies

Support the continued operation of existing viable industries in *Employment Areas*.

Facilitate the transition of *Employment Areas* to accommodate a broader range of employment generating uses, including a mix of industry and office-based uses and other compatible employment uses.

Prioritise employment uses over residential uses either by:

- Ensuring the amount of employment floor space in a mixed-use development is at least equivalent to the amount of all proposed ground and first floor building areas (inclusive of car parking, other services and circulation space).
- Allocating a proportion of the site to employment uses and including the area in a zone that prohibits residential use where rezoning of a large site is proposed.

Encourage flexible floor plate layouts and increased floor to ceiling heights at ground and first floor to facilitate a variety of employment uses over time.

Encourage building design and site layouts of industrial and commercial uses in *Employment Areas* to minimise the potential for adverse amenity and environmental impacts on residential uses.

Design and layout new residential and mixed-use development to incorporate design and noise attenuation measures to protect residents from noise from nearby businesses, such as locating bedrooms away from noise sources and using acoustic measures.

Support the mixed-use nature of the precinct and surrounding areas while giving priority to employment uses.

17.01-2S Innovation and research

04/10/2018
VC149

Objective

To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area's public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.

17.02 COMMERCIAL

31/07/2018
VC148

17.02-1S Business

31/07/2018
VC148

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

17.02-2S Out-of-centre development

31/07/2018
VC148

Objective

To manage out-of-centre development.

Strategies

Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.

Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.

Discourage large sports and entertainment facilities of metropolitan, state or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.

Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

17.03 INDUSTRY

31/07/2018
VC148

17.03-1S Industrial land supply

03/03/2023
VC215

Objective

To ensure availability of land for industry.

Strategies

Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

Identify land for industrial development in urban growth areas where:

- Good access for employees, freight and road transport is available.
- Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.

Preserve locally significant industrial land for industrial or employment generating uses, unless long-term demand for these uses can be demonstrably met elsewhere.

Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

17.03-2S Sustainable industry

03/03/2023
VC215

Objective

To facilitate the sustainable operation of industry.

Strategies

Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.

Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.

Minimise inter-industry conflict and encourage like industries to locate within the same area.

Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.

Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.

Support the retention of small-scale industries servicing established urban areas through appropriate zoning.

Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

17.03-3S State significant industrial land

03/03/2023
VC215

Objective

To protect industrial land of state significance.

Strategies

Protect state significant industrial precincts from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:

- Southern Industrial Precinct - Dandenong South.
- Northern Industrial Precinct - Campbellfield, Somerton and Thomastown.
- Western Industrial Precinct - Laverton North and Derrimut.
- Officer / Pakenham Industrial Precinct.
- Port of Hastings Industrial Precinct.

Ensure sufficient availability of strategically located land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses.

Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses.

Policy documents

Consider as relevant:

- *Melbourne Industrial and Commercial Land Use Plan* (Department of Environment, Land, Water and Planning, 2020)

17.03-3R Regionally significant industrial land - Metropolitan Melbourne

03/03/2023
VC215

Objective

To protect industrial land of regional significance and facilitate continual growth in freight, logistics and manufacturing investment.

To support the transition from manufacturing land uses to other employment uses in strategically identified areas well connected to transport networks.

17.03-3R Regionally significant industrial land - Metropolitan Melbourne - Northern Metro Region

03/03/2023
VC215

Strategies

Encourage the consolidation of land holdings in the Northern State Significant Industrial Precinct (SSIP) and discourage subdivision that would lead to the creation of small lots.

Protect established industrial precincts adjacent to Melbourne Airport and Essendon Airport, including the Tullamarine, Keilor Park, Keilor East and Airport West industrial precincts.

17.04 TOURISM

31/07/2018
VC148

17.04-1S Facilitating tourism

31/07/2018
VC148

Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

- *Tourism Investment Guidelines – Your Guide to Tourism Investment in Victoria* (Tourism Victoria, 2008)

17.04-1R Tourism in Metropolitan Melbourne

31/07/2018
VC148

Objective

To maintain and develop Metropolitan Melbourne as a desirable tourist destination.

Strategies

Maintain Metropolitan Melbourne's position as a global, national and local destination in its own right and as a gateway to regional Victoria by:

- Developing city precincts and promenades.
- Revitalising the retail core of the Central City.
- Supporting artistic and cultural life.
- Improving public facilities, amenities and access.
- Maintaining city safety.
- Providing information and leisure services.
- Improving transport infrastructure.

17.04-2S Coastal and maritime tourism and recreation

20/03/2023
VC229

Objective

To encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment.

Strategies

Support safe and sustainable recreation and tourism development including ecotourism, tourism and major maritime events that:

- Responds to identified demand.
- Minimises impact on environmental and cultural values.
- Minimises impact on other users.
- Minimises direct and cumulative impacts.
- Maintains public safety.
- Responds to the carrying capacity of the site.
- Minimises exposure to coastal hazard risks and risks posed by climate change.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Support a sustainable network of facilities for recreational boating and water-based activities that respond to:

- Identified demand.
- Use and safety considerations.
- The carrying capacity of the location.
- Coastal processes.
- Environmental values.

Strategically plan and operate ports to complement each other in the context of the broader economy, transport networks and the maritime and coastal environments within which they are regulated.

Provide public access to recreational facilities and activities on land and water.

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)

- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*
- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

18 TRANSPORT

09/12/2021
VC204

Planning should ensure a safe, integrated and sustainable transport system that:

- Provides access to social and economic opportunities to support individual and community wellbeing.
- Facilitates economic prosperity.
- Actively contributes to environmental sustainability.
- Facilitates network-wide efficient, coordinated and reliable movements of people and goods.
- Supports health and wellbeing.

18.01 LAND USE AND TRANSPORT

09/12/2021
VC204

18.01-1S Land use and transport integration

09/12/2021
VC204

Objective

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Strategies

Plan and develop a transport system that facilitates:

- Social and economic inclusion for all people and builds community wellbeing.
- The best use of existing social and economic infrastructure.
- A reduction in the distances people have to travel to access jobs and services.
- Better access to, and greater mobility within, local communities.
- Network-wide efficiency and coordinated operation.

Plan land use and development to:

- Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.
- Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.
- Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.
- Protect identified potential transport infrastructure from being precluded by land use and development.

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- In accordance with forecast demand.
- By taking advantage of all available modes of transport.

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in regional cities and centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

- Better support active living.
- Increase the share of trips made using sustainable transport modes.
- Respond to the safety needs of all users.

Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- Landscaping.
- The placement of signs.
- Providing buffer zones and resting places.

Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

18.01-2S Transport system

09/12/2021
VC204

Objective

To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Strategies

Plan and develop a transport system integrated across all movement networks that:

- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.
- Optimises transport system capacity.
- Improves connectivity and facilitates the growth and development of regional Victoria.
- Improves connectivity between Victoria's regional cities and metropolitan Melbourne.
- Ensures sufficient capacity for the movement of passengers into and out of Victoria at Principal Transport Gateways.
- Improves how goods are moved to local, interstate and overseas markets.
- Maximises access to residential areas, employment, markets, services and recreation.
- Improves local transport options to support 20-minute neighbourhoods in Melbourne's suburbs and Victoria's regional cities and towns.
- Is legible and enables easy access and movement between modes.

Plan movement networks that share the same space to do so in a way that balances the needs of the different users of the transport system.

Plan and develop the State Transport System comprising the:

- Principal Bicycle Network: Existing and future high quality cycling routes that provide access to major destinations and facilitate cycling for transport, sport, recreation and fitness.
- Principal Public Transport Network: Existing and future high quality public transport routes in the Melbourne metropolitan area.
- Regional Rail Network: Existing and future passenger rail routes in regional Victoria.
- Principal Road Network: Declared arterial roads and freeways under the *Road Management Act 2004*.
- Principal Freight Network: Existing and future corridors and precincts where the movement of high volumes of freight are concentrated or of strategic value.
- Principal Transport Gateways: Existing and future ports, airports and interstate terminals that serve as key locations for moving passengers and freight into, out of and around Victoria.

Facilitate delivery of:

- Declared major transport projects and their ancillary projects that are of economic, social or environmental significance to the State of Victoria.
- Transport projects that improve the State Transport System.

Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)

State Transport System – Metropolitan Melbourne Plan



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State Transport System – Regional Victoria Plan



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18.01-3S Sustainable and safe transport

09/12/2021
VC204

Objective

To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

Strategies

Plan and develop the transport system to:

- Maximise the efficient use of resources including infrastructure, land, services and energy.
- Prepare for and adapt to climate change impacts.
- Prioritise the use of sustainable personal transport.
- Protect, conserve and improve the natural environment by supporting forms of transport, energy use and transport technologies that have the least environmental impact.
- Avoid, minimise and offset harm to the environment by:
  - Protecting biodiversity.
  - Reducing transport-related greenhouse gas emissions.

Plan the transport system to be safe by:

- Developing safe transport infrastructure.
- Optimising accessibility, emergency access, service and amenity.
- Separating pedestrians, bicycles and motor vehicles, where practicable.
- Reducing the need for cyclists to mix with other road users.
- Supporting road users to make safe choices through design and wayfinding techniques.
- Prioritising transport safety when designing high-speed roads and intersections.

Support forms of transport and energy use that have the greatest benefit for, and least negative impact on, health and wellbeing.

Design the transport system to be accessible to all users.

Design new suburbs to respond to the safety, health and wellbeing needs of all road users.

Design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency.

Policy documents

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)

18.01-3R Sustainable and safe transport - Metropolitan Melbourne

09/12/2021
VC204

Strategies

Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

18.02 MOVEMENT NETWORKS

31/07/2018
VC148

18.02-1S Walking

09/12/2021
VC204

Objective

To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

Strategies

Plan and develop walking networks to:

- Provide pedestrian routes that are safe, direct and comfortable to use.
- Enable walking as a part of everyday life.
- Enable people to meet more of their needs locally and rely less on their cars.
- Be accessible to vehicles that use footpaths, including wheelchairs, prams and scooters.
- Accommodate emerging forms of low-emission, low-speed personal transport.

Develop principal pedestrian networks for local areas that link with the transport system.

Provide walking infrastructure in all major transport projects.

Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs and other structures.

Design direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Policy documents

Consider as relevant:

- *Guidelines for developing Principal Pedestrian Networks* (Department of Economic Development, Jobs, Transport and Resources, 2015)

18.02-1L Walking in Merri-bek

14/02/2023
C225more

Reallocating road space and existing car parking to:

- Support improvements to pedestrian infrastructure, including access to public transport.
- Facilitate the safety of walking.

18.02-2S Cycling

09/12/2021
VC204

Objective

To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

Strategies

Plan and develop cycling networks to:

- Provide routes that are safe, comfortable, low-stress and well connected.
- Enable cycling as a part of everyday life.
- Enable people to meet more of their needs locally by cycling and to rely less on their cars.
- Accommodate emerging forms of low emission, low and moderate speed personal transport.

Protect and develop the Principal Bicycle Network to provide high-quality cycling routes that are direct and connected, to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Develop Strategic Cycling Corridors by:

- Integrating them with stations and major interchanges on the public transport network that serve places of state significance.
- Integrating them with the central city, national employment and innovation clusters, major activity centres and other destinations of metropolitan or state significance.
- Facilitating safer, lower stress and more direct journeys using a combination of cycleways, cycle paths and shared streets.
- Providing the most direct route practical.
- Designing transport corridors to prioritise cycling links and cyclists.

Protect Strategic Cycling Corridors from encroachment by development and incompatible interface treatments such as cross overs.

Support increased cycling by providing:

- Cycling routes and cycling infrastructure early in new developments and in in all major transport projects.
- Cycle parking and related end of trip facilities to meet demand at education, recreation, transport, shopping, commercial, public transport interchanges and community facilities, significant trip generating developments and other major attractions.
- Facilities for cyclists, particularly storage, at public transport interchanges and rail stations.
- Vegetation to shade cycling routes.

Policy documents

Consider as relevant:

- *Principal Bicycle Network* (VicRoads, 2012)
- *Strategic Cycling Corridors* (Department of Transport, 2021)
- *Victorian Cycling Strategy 2018-28* (Transport for Victoria)

18.02-2R Cycling - Metropolitan Melbourne

09/12/2021
VC204

Strategies

Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network

18.02-2L Cycling in Merri-bek

14/02/2023
C225more

Strategy

Ensure the provision of bicycle parking is suitable to the likely demand generated by the use or development and nature of the locality.

Reallocating road space and existing car parking to:

- Support improvements to cycling infrastructure, including access to public transport.
- Facilitate the safety of cycling.

18.02-3S Public transport

09/12/2021
VC204

Objective

To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

Strategies

Plan and develop public transport to:

- Connect activity centres, job-rich areas and outer suburban areas.
- Enable people to not have to rely on cars for personal transport.
- Integrate bus and tram networks and stops and public transport interchanges in new development areas, including key urban renewal precincts and outer-suburban areas.
- Integrate with land use and development in outer suburban and growth areas.

Protect and develop the Principal Public Transport Network and Regional Rail Network to facilitate:

- High quality public transport services that support increased diversity and density of development, particularly at interchanges, activity centres and where Principal Public Transport Network routes intersect.
- Modern commuter-style public transport services that link Melbourne with the regional growth areas of Geelong, Bendigo, Ballarat, Seymour and Traralgon.
- Service improvements to other regional and rural areas.
- A metro-style rail system that provides a very high frequency of service in the Melbourne metropolitan area.
- A new high quality orbital rail (Suburban Rail Loop) through Melbourne's middle suburbs.
- A balance between the rail usage needs of public transport and freight.

Facilitate public transport infrastructure in all major transport projects.

Allocate adequate land and infrastructure to support public transport provision in activity centres, transport interchanges and major commercial, retail and community facilities.

Locate higher density and increased development on or close to the Principal Public Transport Network in a way that does not compromise the efficiency of the Principal Public Transport Network.

Support development that facilitates the delivery and operation of public transport services.

Policy documents

Consider as relevant:

- *Principal Public Transport Network* (State Government of Victoria, 2017)
- *VicTrack Rail Development Interface Guidelines* (VicTrack, 2019)
- *Public Transport Guidelines for Land Use Development* (Department of Transport, 2008)

18.02-3R Principal Public Transport Network

09/12/2021
VC204

Strategies

Facilitate high-quality public transport access to job-rich areas.

Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Identify and plan for new Principal Public Transport Network routes.

Support the Principal Public Transport Network with a comprehensive network of local public transport.

Plan for local bus services to provide for connections to the Principal Public Transport Network.

Improve the operation of the Principal Public Transport Network by providing for:

- A metro-style rail system.
- Extended tram lines and the establishment of a light rail system.
- Road space management measures including transit lanes, clearways, stops and interchanges.

18.02-3L Public Transport in Merri-bek

14/02/2023
C225more

Reallocating road space and existing car parking to:

- Support improvements to public transport.

18.02-4S Roads

20/03/2023
VC229

Objective

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Strategies

Plan and develop the road network to:

- Ensure people are safe on and around roads.
- Improve people's perceptions of safety on and around roads.
- Improve road connections for all road users.
- Facilitate the use of public transport, cycling and walking.
- Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.
- Accommodate the expansion of the High Productivity Freight Vehicle Network, and oversize and overmass vehicles.

Protect and develop the Principal Road Network to:

- Provide high mobility for through traffic and the efficient movement of freight by facilitating adequate movement capacity and speeds.
- Improve cross-town arterial links in outer suburbs and growth areas, including circumferential and radial movement to facilitate access to jobs and services.
- Limit access points to high-volume, high-speed roads by utilising urban design techniques such as service roads and internal connector roads.
- Improve high-capacity on-road public transport.

Develop declared freeways to:

- Link Melbourne with major regional cities, major interstate locations and other key locations important to the economy along major national and state transport corridors.
- Connect and provide access to Principal Transport Gateways and freight-generating areas.
- Improve connections to national employment and innovation clusters.
- Connect dispersed major residential areas with key destinations and lower density employment areas.
- Avoid private access, except for service centres.

Provide for grade separation at railway crossings, except with the approval of the Minister for Transport and Infrastructure.

Improve Melbourne's distinctive, established boulevards by developing a connected, contemporary network of boulevards within the urban growth boundary.

Design road space to complement land use and meet business and community needs through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and commercial passenger vehicles) and freight routes, in line with the designated role of the road.

Design roads to facilitate the safe movement of people and goods while providing places for people to interact and gather in high pedestrian areas like activity centres, around schools and around community facilities.

Plan an adequate supply of car parking that is designed and located to:

- Protect the role and function of nearby roads.
- Enable the efficient movement and delivery of goods.
- Facilitate the use of public transport.
- Maintain journey times and the reliability of the on-road public transport network.
- Protect residential areas from the effects of road congestion created by on-street parking.
- Enable easy and efficient use.
- Achieve a high standard of urban design.
- Protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.

Allocate land for car parking considering:

- The existing and potential modes of access including public transport.
- The demand for off-street car parking.
- Road capacity.
- The potential for demand-management of car parking.

Consolidate car parking facilities to improve efficiency.

Design public car parks to incorporate electric charging facilities to support the use of low-emission vehicles.

Policy documents

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)
- *Movement and Place in Victoria* (Department of Transport, February 2019)

18.02-4L Car parking in Merri-bek

14/02/2023
C225more

Objective

To promote the use of sustainable transport through car parking provision.

Strategies

Support reduced car parking rates in developments:

- Within and close to activity centres.
- With excellent access based on frequency and location to a range of public transport options.
- With increased provision of bicycle parking above the rates specified in Clause 52.34.

Encourage shared car parking arrangements where uses are compatible, and efficiencies will be gained through sharing of car parking spaces.

18.02-5S Freight

09/12/2021
VC204

Objective

To facilitate an efficient, coordinated, safe and sustainable freight and logistics system that enhances Victoria's economic prosperity and liveability.

Strategies

Plan and develop Victoria's freight and logistics system to:

- Support the movement of freight within Victoria's freight and logistics system.
- Improve freight efficiency and capacity.
- Manage negative impacts of freight generating activities on urban amenity, the development of urban areas, and on the efficient operation of movement networks.
- Prioritise new technologies that enhance road and rail safety, optimise the metropolitan road network, better manage congestion and reduce supply chain costs.
- Accommodate High Productivity Freight Vehicles, and oversize and overmass vehicles.
- Increase the capacity of the rail network to carry larger volumes of freight.

Protect and develop the Principal Freight Network, including freight movement corridors and freight places, and Principal Transport Gateways, by:

- Facilitating the movement of high volumes of freight and freight of strategic value.
- Linking areas of production and manufacturing to national and international gateways and export markets.
- Increasing the capacity of Principal Transport Gateways and supporting their use and development as important locations for employment and economic activity.
- Designing the Principal Freight Network to adapt to commodity, market and operating changes.
- Managing encroachment from incompatible land use and development that would undermine its ability to operate.

Support the development of freight and logistics precincts in strategic locations within and adjacent to Principal Transport Gateways and along the Principal Freight Network movement corridors by:

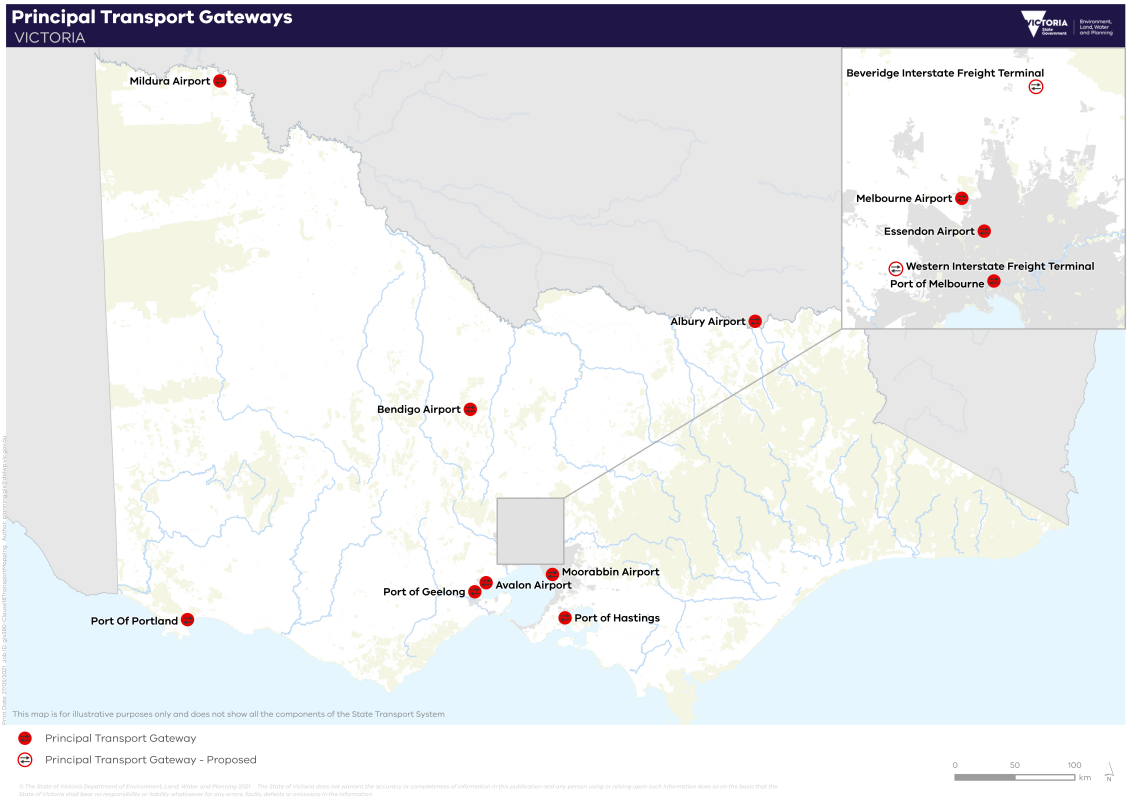
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land to allow high-volume freight customers to locate adjacent to interstate freight terminals, including the Western Interstate Freight Terminal and the Beveridge Interstate Freight Terminal.

Policy documents

Consider as relevant:

- *Principal Freight Network* (Department of Transport, 2021)
- *Principal Transport Gateways* (Department of Transport, 2021)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

Principal Transport Gateways



18.02-5R Freight links - Metropolitan Melbourne

09/12/2021
VC204

Strategy

Ensure suitable sites are provided for intermodal freight terminals at key locations around Metropolitan Melbourne, particularly for the Beveridge Interstate Freight Terminal and the Western Interstate Freight Terminal.

18.02-6S Ports

09/12/2021
VC204

Planning for ports objective

To support the effective and competitive operation of Victoria's commercial trading ports at local, national and international levels, and to facilitate their ongoing sustainable operation and development.

Planning for ports strategies

Provide for the ongoing development of ports at Melbourne, Geelong, Hastings and Portland in accordance with approved Port Development Strategies.

Identify and protect key transport corridors linking ports to the broader transport network.

Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration, light spill, noise and air emissions from port activities.

Planning for port environs objective

To plan for and manage land near commercial trading ports so that development and use are compatible with port operations and provide reasonable amenity expectations.

Planning for port environs strategies

Protect commercial trading ports from encroachment of sensitive and incompatible land uses in the port environs.

Plan for and manage land in the port environs to accommodate uses that depend upon, or gain significant economic advantage from, proximity to the port's operations.

Ensure that industrially zoned land within the environs of a commercial trading port is maintained and continues to support the role of the port as a critical freight and logistics precinct.

Identify and protect key transport corridors linking ports to the broader transport network.

Ensure any new use or development within the environs of a commercial trading port does not prejudice the efficient and curfew-free operations of the port.

Ensure that the use and intensity of development does not expose people to unacceptable health or safety risks and consequences associated with an existing major hazard facility.

Ensure that any use or development within port environs:

- Is consistent with policies for the protection of the environment.
- Takes into account planning for the port.

Policy documents

Consider as relevant:

- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
- *2018 Port Development Strategy* (Port of Hastings Development Authority, December 2018)
- *Port of Geelong Port Development Strategy 2018* (Victorian Regional Channels Authority, 2018)
- *2050 Port Development Strategy, 2020 edition* (Port of Melbourne, 2020)
- *Port of Portland – Port Development Strategy* (Port of Portland, 2019)

18.02-7S Airports and airfields

18/05/2022
VC218

Objective

To strengthen the role of Victoria's airports and airfields within the state's economic and transport infrastructure, guide their siting and expansion, and safeguard their ongoing, safe and efficient operation.

Strategies

Protect airports and airfields from incompatible land use and development.

Prevent land use or development that poses risks to the safety or efficiency of an airport or airfield, including any of the following risks:

- Building-generated windshear and turbulence.
- Increased risk of wildlife strike.
- Pilot distraction from lighting.
- Intrusion into protected airspace.
- Interference with communication, navigation and surveillance facilities.
- Increased risk to public safety at the end of runways.

Minimise the detrimental effects of aircraft noise when planning for areas around airports and airfields.

Limit the intensification of noise-sensitive land uses, and avoid zoning or overlay changes that allow noise-sensitive land use and development, where ultimate capacity or long-range noise modelling indicates an area is within a 20 Australian Noise Exposure Forecast (ANEF) contour or higher.

Avoid zoning or overlay changes that allow noise-sensitive land uses outside the Urban Growth Boundary, and encourage measures to reduce the impact of aircraft noise in planning for areas within the Urban Growth Boundary, where ultimate capacity or long-range noise modelling indicates an area is within 'number above' contours (N Contours) representing:

- 20 or more daily events greater than 70 dB(A).
- 50 or more daily events of greater than 65 dB(A).
- 100 or more daily events greater than 60 dB(A).
- 6 events or more between the hours of 11pm to 6am greater than 60 dB(A).

Ensure land use and development at airports and airfields contributes to the aviation needs of the state and the efficient and functional operation of the airport or airfield.

Ensure land use and development at airports complements the role of the airport including as listed below:

- Melbourne Airport – major domestic and international airport with no curfew, 24-hour access, freight capability and an adjoining employment precinct.
- Avalon Airport – domestic and international airport with no curfew, 24-hour access, freight capability and an adjoining employment precinct.
- Essendon Fields Airport – a general aviation airport that is an important regional and state aviation asset with specialised functions, including executive charter, emergency aviation services, freight, logistics and an adjoining employment precinct.

- Moorabbin Airport – a general aviation airport that is an important regional and state aviation asset supporting the state's aviation industry and access to regional Victoria.
- Point Cook Airfield – an operating airport complementary to Moorabbin Airport.

Plan for areas around airports and airfields so that land use or development does not prejudice future airport or airfield operations or expansions in accordance with an approved strategy or master plan for that airport or airfield.

Preserve long-term options for a new general aviation airport south-east of metropolitan Melbourne by ensuring urban land use and development does not infringe on possible sites, buffer zones or flight paths.

Avoid the location of new airports and airfields in areas that have greater long-term value to the community for other purposes.

Ensure that in the planning of airports and airfields, land use decisions are integrated, appropriate land use buffers are in place and provision is made for associated businesses that service airports.

Plan the location of airports and airfields, nearby existing and potential development, and the land-based transport system required to serve them, as an integrated operation.

Plan the visual amenity and impact of any land use or development on the approaches to an airport or airfield to be consistent with the status of the airport or airfield.

Policy documents

Consider as relevant:

- *National Airports Safeguarding Framework* (as agreed by Commonwealth, State and Territory Ministers at the meeting of the Standing Council on Transport and Infrastructure on 18 May 2012)
- *Avalon Airport Master Plan* (Avalon Airport Australia Pty Ltd, 2015)
- *Avalon Airport Strategy* (Department of Business and Employment/Aerospace Technologies of Australia, 1993) and its associated Aircraft Noise Exposure Concepts
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

18.02-7R Melbourne Airport

20/03/2023
VC229

Strategies

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation or optimum usage.

Policy documents

Consider as relevant:

- *Melbourne Airport Master Plan 2022* (Australia Pacific Airports (Melbourne) Pty Ltd)
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

19 INFRASTRUCTURE

10/06/2022
VC216

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Infrastructure planning should avoid, minimise and offset environmental impacts, and incorporate resilience to natural hazards, including future climate change risks.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

19.01 ENERGY

31/07/2018
VC148

19.01-1S Energy supply

14/08/2023
VC236

Objective

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy.

Develop appropriate infrastructure to meet community demand for energy services.

Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.

Facilitate the production and distribution of zero emission gases and fuels.

Support energy infrastructure projects in locations that minimise land use conflicts and that take advantage of existing resources and infrastructure networks.

Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.

Facilitate renewable energy generation and storage to meet on-site energy needs.

Policy guidelines

Consider as relevant:

- The long-term emissions reduction target specified in section 6 of Part 2 of the *Climate Change Act 2017*.
- Interim emissions reduction targets determined under Division 2 of Part 2 of the *Climate Change Act 2017*.
- Adaptation action plans prepared under Division 2 of Part 5 of the *Climate Change Act 2017*.

19.01-1L Energy supply in Merri-bek

14/02/2023
C225more

Strategy

Encourage precinct scale energy supply that can be shared between developments, including low emission and gas free technologies that support a transition towards electrification.

19.01-2S Renewable energy

28/10/2022
VC224

Objective

To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies

Facilitate renewable energy development in appropriate locations.

Protect renewable energy infrastructure against competing and incompatible uses.

Set aside suitable land for future renewable energy infrastructure.

Consider the economic, social and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Support wind energy facilities in locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022)
- *Victoria's Climate Change Strategy* (Department of Environment, Land, Water and Planning, May 2021)
- *Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria* (Department of Environment, Land, Water and Planning, July 2021)

19.01-2R Renewable energy - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.

19.01-3S Pipeline infrastructure

31/07/2018
VC148

Objective

To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Strategies

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.

19.02 COMMUNITY INFRASTRUCTURE

31/07/2018
VC148

19.02-1S Health facilities

31/07/2018
VC148

Objective

To assist the integration of health facilities with local and regional communities.

Strategies

Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.

Plan public and private developments together, where possible, including some degree of flexibility in use.

Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.

Provide adequate car parking for staff and visitors of health facilities.

19.02-1R Health precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.

19.02-1L Health facilities in Merri-bek

14/02/2023
C225more

Strategy

Encourage the development of a major health facility and associated infrastructure in the Coburg Activity Centre.

19.02-2S Education facilities

29/09/2022
VC222

Objective

To assist the integration of education and early childhood facilities with local and regional communities.

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

19.02-2R Education precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Ensure education precincts are well serviced by community services.

19.02-3S Cultural facilities

31/07/2018
VC148

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

19.02-3R Cultural facilities - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Maintain and strengthen Melbourne's distinctiveness as a leading cultural and sporting city with world-class facilities.

19.02-3L Cultural facilities in Merri-bek

14/02/2023
C225more

Strategy

Reinforce the existing cultural, entertainment and educational focus of the 'Brunswick Civic & Cultural Precinct' centred on the Brunswick Town Hall.

19.02-4S Social and cultural infrastructure

31/07/2018
VC148

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

19.02-5S Emergency services

31/07/2018
VC148

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

19.02-6S Open space

31/07/2018
VC148

Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

19.02-6R Open space - Metropolitan Melbourne

03/02/2022
VC199

Objective

To strengthen the integrated metropolitan open space network.

Strategies

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).

Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley 'Sandbelt' parklands and Dandenong Valley parklands.

Protect the metropolitan water's edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the lower Yarra River as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents

Consider as relevant:

- *Open Space for Everyone: Open Space Strategy for Metropolitan Melbourne 2021* (Department of Environment, Land, Water and Planning, 2021)
- *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)

19.02-6L Open space in Merri-bek

14/02/2023
C225more

Strategies

Design development to preserve or enhance public access to open space.

Create a continuous public open space corridor along the Moonee Ponds, Merri and Edgars Creeks.

Design large sites to include provision of new public open space on site, if located in a priority open space area as identified on the Open Space Strategic Framework Plan at Clause 02.04.

Policy guidelines

Consider as relevant:

- That the public open space corridor along the creeks be a minimum of 50 metres on each side of the creek. A minimum of 30 metres from the edge of the embankment on each side should be a vegetated buffer.

19.03 DEVELOPMENT INFRASTRUCTURE

31/07/2018
VC148

19.03-1S Development and infrastructure contributions plans

24/01/2020
VC160

Objective

To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
- *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*

19.03-2S Infrastructure design and provision

09/10/2020
VC169

Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-3S Integrated water management

10/06/2022
VC216

Objective

To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

Policy guidelines

Consider as relevant:

- Any applicable Sustainable Water Strategy endorsed under Division 1B of Part 3 of the *Water Act 1989*.

Policy documents

Consider as relevant:

- *Water for Victoria - Water Plan* (Victorian Government, 2016)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Victorian guideline for water recycling* (Publication 1910, Environment Protection Authority, March 2021)
- *Technical information for the Victorian guideline for water recycling* (Publication 1911, Environment Protection Authority, March 2021)

19.03-3L Water supply, sewerage and drainage in Merri-bek

14/02/2023
C225more

Strategy

Encourage precinct scale integrated water management and recycling systems.

19.03-4S Telecommunications

04/11/2022
VC226

Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

19.03-4R Telecommunications - Metropolitan Melbourne

26/10/2018
VC154

Strategy

Support the provision of high-quality telecommunications infrastructure in Melbourne's employment, urban renewal and growth areas through early planning for fibre-ready facilities and wireless infrastructure.

19.03-5S Waste and resource recovery

14/11/2022
VC227

Objective

To reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste streams and maximise opportunities for resource recovery.

Ensure the long-term viability of waste and resource recovery infrastructure (including state and regional waste and resource recovery hubs) is secured through the use of defined buffer areas that protect against encroachment from incompatible land uses.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Enable waste and resource recovery facilities to be located in proximity to other related facilities and to materials' end-market destinations, to reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities to prevent or minimise contamination of groundwater and surface waters, litter, odour, dust and noise.

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Encourage technologies that increase recovery and treatment of resources to produce high value, marketable end products.

Encourage development that facilitates sustainable waste and resource recovery, including facilities for Victoria’s container deposit scheme.

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2018)
- *Management and storage of combustible recyclable and waste materials - guideline* (Publication 1667, Environment Protection Authority, October 2018)
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2015)
- *Designing, Constructing and Operating Composting Facilities* (Publication 1588, Environment Protection Authority, June 2015)
- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)
- *Waste Management and Recycling in Multi-unit Developments. Better Practice Guide* (Sustainability Victoria, 2019)
- *Recycling Victoria A New Economy* (DELWP, February 2020*)*

30 ZONES

19/01/2006
VC37

This section sets out the zones which apply in this scheme.

31 [NO CONTENT]

31/07/2018
VC148

32 RESIDENTIAL ZONES

19/01/2006
VC37

32.04 MIXED USE ZONE

31/07/2018
VC148

Shown on the planning scheme map as **MUZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

32.04-1 Objectives

15/07/2013
VC100

A schedule to this zone may contain objectives to be achieved for the area.

32.04-2 Table of uses

14/11/2022
VC227

Section 1 – Permit not required

Use	Condition
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Food and drink premises	The leasable floor area must not exceed 150 square metres.
Home based business **Informal outdoor recreation**	
Medical centre	The gross floor area must not exceed 250 square metres.
Museum	
Office (other than Medical centre)	The leasable floor area must not exceed 250 square metres.

Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Racing dog husbandry	Must be no more than 2 animals.
Railway **Residential aged care facility**	
Rooming house	Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area must not exceed 150 square metres.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house) **Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)**	
Domestic animal boarding	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Grazing animal production	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation)	
Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship) **Retail premises (other than Food and drink premises and Shop)**	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop

Use
Animal production (other than Grazing animal production)
Brothel
Extractive industry
Materials recycling
Transfer station (other than Automated collection point)

32.04-3 Use for industry, service station and warehouse

31/07/2018
VC148

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where:	Clause 59.01

Class of application	Information requirements and decision guidelines
▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

32.04-5 Construction and extension of one dwelling on a lot

31/07/2018
VC148

Permit requirement

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct an outbuilding or extend a dwelling if the development:	Clause 59.14

Class of application	Information requirements and decision guidelines
▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	

32.04-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

20/12/2021
VC174

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person's unit on a lot.

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

32.04-7 Requirements of Clause 54 and Clause 55

15/07/2013
VC100

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.04-8 Residential aged care facility

26/10/2018
VC152

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-9 Buildings and works associated with a Section 2 use

04/12/2020
VC180

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to $100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	Clause 59.04

32.04-10 Buildings on lots that abut another residential zone

26/10/2018
VC152

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-11 Maximum building height requirement

26/10/2018
VC152

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.04-12 Application requirements

01/07/2021
VC203

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.

- All proposed access and pedestrian areas.
- All proposed driveway, car parking and loading areas.
- Existing vegetation and proposed landscape areas.
- The location of easements and services.

32.04-13 Exemption from notice and review

26/10/2018
VC152

Subdivision

An application for subdivision 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.

Other applications

A schedule to this zone may specify that an application 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.

32.04-14 Decision guidelines

24/01/2020
VC160

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

32.04-15 Signs

26/10/2018
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

14/02/2023
C225more

SCHEDULE 1 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ1**

MERRI-BEK MIXED USE AREAS

1.0 Objectives

01/09/2021
C189more

To ensure the design and siting of new buildings maximise landscaping throughout the site, including the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Clause 54 and Clause 55 requirements

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – Located in a permeable area within the site of at least 10 square metres and 4.5 metres wide. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ At least one canopy tree located elsewhere on the site that meets the following requirements: – Located in a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement

01/09/2021
C189more

None specified

4.0 Exemption from notice and review

01/09/2021
C189more

None specified

5.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.04, in addition to those specified in Clause 32.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the subject site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection, planting plan and irrigation system in accordance with this schedule.

6.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.04, in addition to those specified in Clause 32.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.
- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 2.0.

7.0 Signs

01/09/2021
C189more

None specified

08/09/2022
C195more

SCHEDULE 2 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ2**.

PUBLIC HOUSING RENEWAL - GRONN PLACE, BRUNSWICK WEST

1.0 Objectives

08/09/2022
C195more

To facilitate the renewal of Gronn Place site.

To provide for housing diversity.

To provide for limited non-residential uses in appropriate locations where potential amenity impacts as result of the uses can be appropriately managed.

To minimise the loss of landscape and open space areas on the site through increased building heights.

2.0 Clause 54 and Clause 55 requirements

08/09/2022
C195more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement

08/09/2022
C195more

None specified.

4.0 Exemption from notice and review

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

14/02/2023
C225more

The following decision guidelines apply to an application for a permit under Clause 32.04, in addition to those specified in Clause 32.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the objectives of this Schedule.
- Whether the built form and land use response is consistent with the requirements of Schedule 12 to the Development Plan Overlay within the Merri-bek Planning Scheme.

7.0 Signs

08/09/2022
C195more

None specified.

32.07 RESIDENTIAL GROWTH ZONE

31/07/2018
VC148

Shown on the planning scheme map as **RGZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.

To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

To ensure residential development achieves design objectives specified in a schedule to this zone.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.07-1 Design objectives

27/03/2017
VC110

A schedule to this zone must contain the design objectives to be achieved for the area.

32.07-2 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business **Informal outdoor recreation**	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

Use	Condition
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Office (other than Medical centre)	The land must be located within 100 metres of a commercial zone. The land must have the same street frontage as the land in the commercial zone. The leasable floor area must not exceed 250 square metres.

Use	Condition
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Shop (other than Adult sex product shop, Bottle shop and Convenience shop)	The land must be located within 100 metres of a commercial zone or Mixed Use Zone. The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex product shop
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Bottle shop
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry

Use
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)
Saleyard
Transport terminal
Warehouse (other than Store)

32.07-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: - The area of either lot is reduced by less than 15 percent. - The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

32.07-4 Construction and extension of one dwelling on a lot

31/07/2018
VC148

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct an outbuilding or extend a dwelling if the development: ▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: ▪ A10 Side and rear setbacks. ▪ A11 Walls on boundaries. ▪ A12 Daylight to existing windows.	Clause 59.14

Class of application	Information requirements and decision guidelines
▪ A13 North-facing windows. ▪ A14 Overshadowing open space. ▪ A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	

32.07-5 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

20/12/2021
VC174

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basesment, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person's unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.07-6 Requirements of Clause 54 and Clause 55

27/03/2017
VC110

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.07-7 Residential aged care facility

26/10/2018
VC152

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-8 Buildings and works associated with a Section 2 use

04/12/2020
VC180

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to $100,000; or	Clause 59.04

Class of application	Information requirements and decision guidelines
▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	

32.07-9 Maximum building height requirement for a dwelling or residential building

26/10/2018
VC152

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.07-10 Buildings on lots that abut another residential zone

26/10/2018
VC152

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

32.07-11 Application requirements

26/10/2018
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.07-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

An application to subdivide land 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.

32.07-13 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.07-14 Signs

26/10/2018
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3.

01/09/2021
C189more

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**

ACTIVITY CENTRES

1.0 Design objectives

01/09/2021
C189more

To ensure the design and siting of new buildings maximise landscaping throughout the site, including the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – Located in a permeable area within the site of at least 10 square metres and 4.5 metres wide. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ At least one canopy tree located elsewhere on the site that meets the following requirements: – Located in a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

01/09/2021
C189more

None specified

4.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the subject site and adjacent to the site as appropriate) and any proposed for removal, tree and vegetation selection, planting plan and irrigation system in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019.*

5.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining Zone.
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.
- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 2.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019.*

08/09/2022
C195more

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ2**.

NEIGHBOURHOOD CENTRES

1.0 Design objectives

14/02/2023
C225more

To ensure built form outcomes are appropriate to the context of Merri-bek's Neighbourhood Centres.

To improve the quality of higher density and mixed use developments by providing appropriate built form guidance.

To improve amenity outcomes for residents in higher density and mixed use developments and for residents in adjacent buildings.

To ensure that new development makes a positive contribution to the public realm.

To ensure the design and siting of new buildings maximise landscaping throughout the site, including the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Requirements of Clause 54 and Clause 55

03/02/2023
C227more

	Standard	Requirement
Minimum street setback	A3 and B6	In accordance with Standard A3 or B6, or 3 metres, whichever is lesser. Balconies should not encroach into this setback.
Site coverage	A5	None specified
	B8	The site area covered by buildings should not exceed: Small lots (less than 750 square metres) – 60 per cent. Medium lots (751-1,999 square metres) – 70 per cent. Large lots (2,000 square metres or greater) – 80 per cent.
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – Located in a permeable area within the site of at least 10 square metres and 4.5 metres wide. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ At least one canopy tree located elsewhere on the site that meets the following requirements: – Located in a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway.

	Standard	Requirement
		This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	**Side Setbacks** Any part of a building abutting a property within the Commercial 1 Zone, Mixed Use Zone or Residential Growth Zone should be setback: ▪ Primary outlook (living areas): 4.5 metres from the property boundary. ▪ Secondary outlook (bedrooms, kitchens) or no outlook: 2 metres from the property boundary. For any other zone: in accordance with Standard A10 or B17. **Rear Setbacks** ▪ A minimum of 3 metres from the property boundary for any part of the building up to a height of 4 metres. ▪ A minimum of 6 metres from the property boundary for any part of a building exceeding 4 metres. ▪ A minimum of 8.6 metres for any part of a building exceeding 10.5 metres adjacent to a property in the Neighbourhood Residential Zone.
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	Where a balcony is the only secluded private open space, it must have a minimum area of 8 square metres, a minimum width of 2 metres, and convenient access from a living room.
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

08/09/2022 C195more

Building height must not exceed 13.5 metres.

A permit cannot be granted to vary this requirement.

This does not apply to:

- Land where the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case building height must not exceed a height of 14.5 metres.
- Land subject to the Special Building Overlay, where the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provision.

The maximum building height may be exceeded for architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment if all of the following are met:

- No more than 50% of the roof area is occupied by the equipment (other than solar panels).
- The equipment is located in a position on the roof so as to minimise additional overshadowing on neighbouring properties and public spaces.
- The equipment does not extend higher than 1.2 metres above the maximum building height.
- The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

4.0 Application requirements

03/02/2023
C227more

The following application requirements apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the subject site and adjacent to the site as appropriate) and any proposed for removal, tree and vegetation selection, planting plan and irrigation system in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

5.0 Decision guidelines

03/02/2023
C227more

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining Zone.
- Whether the development is consistent with the *Moreland Neighbourhood Centres Strategy 2017* and any other policy or planning provision applying to the area.
- Whether an appropriate Building Type has been proposed as per Appendix One of the *Moreland Neighbourhood Centres Strategy, 2017.*
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.
- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 2.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019.*

32.08 GENERAL RESIDENTIAL ZONE

31/07/2018
VC148

Shown on the planning scheme map as **GRZ**, **R1Z**, **R2Z** or **R3Z** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.08-1 Neighbourhood character objectives

27/03/2017
VC110

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

32.08-2 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast) **Home based business** **Informal outdoor recreation**	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

Use	Condition
	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	The site must either:

Use	Condition
	▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

32.08-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: - The area of either lot is reduced by less than 15 percent. - The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if:	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

32.08-4 Construction or extension of a dwelling or residential building

15/05/2018
VC143

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-5 Construction and extension of one dwelling on a lot

31/07/2018
VC148

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct an outbuilding or extend a dwelling if the development: Meets the minimum garden area requirement of Clause 32.08-4. ▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	Clause 59.14
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 59.03

32.08-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

20/12/2021
VC174

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person's unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-7 Requirements of Clause 54 and Clause 55

27/03/2017
VC110

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.

- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.08-8 Residential aged care facility

26/10/2018
VC152

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-9 Buildings and works associated with a Section 2 use

04/12/2020
VC180

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to $100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	Clause 59.04

32.08-10 Maximum building height requirement for a dwelling or residential building

26/10/2018
VC152

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-11 Application requirements

26/10/2018
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.

- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.08-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space 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.

32.08-13 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.

- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-14 Signs

26/10/2018
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3.

32.08-15 Transitional provisions

26/10/2018
VC152

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

01/09/2021
C189more

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

GENERAL RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

01/09/2021
C189more

To promote a preferred neighbourhood character where the design and siting of new dwellings include generous landscaping through the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

01/09/2021
C189more

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

01/09/2021
C189more

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – For front setbacks of less than 4.5 metres: ▪ Located within permeable area within the site of at least 10 square metres and 4.5 metres wide ▪ Reach a height of 6 metres - 8 metres at maturity ▪ Achieve a canopy width of at least 5 metres at maturity. – For front setbacks of 4.5 metres or more: ▪ Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. ▪ Reach a height of 8 metres -15 metres at maturity. ▪ Achieve a canopy width of at least 7 metres at maturity.

	Standard	Requirement
		▪ At least one canopy tree located within the secluded private open space of each dwelling that meets the following requirements: – Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

01/09/2021
C189more

None specified.

6.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection and planting plan in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

7.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining zone.
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.

- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 4.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019*.

01/09/2021
C189more

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**

BALFE PARK PRECINCT, BRUNSWICK EAST

1.0 Neighbourhood character objectives

01/09/2021
C189more

To promote a preferred neighbourhood character where the design and siting of new dwellings include generous landscaping through the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

01/09/2021
C189more

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

01/09/2021
C189more

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – For front setbacks of less than 4.5 metres: ▪ Located within permeable area within the site of at least 10 square metres and 4.5 metres wide. ▪ Reach a height of 6 metres - 8 metres at maturity. ▪ Achieve a canopy width of at least 5 metres at maturity. – For front setbacks of 4.5 metres or more: ▪ Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. ▪ Reach a height of 8 metres -15 metres at maturity. ▪ Achieve a canopy width of at least 7 metres at maturity.

	Standard	Requirement
		▪ At least one canopy tree located within the secluded private open space of each dwelling that meets the following requirements: – Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

01/09/2021
C189more

A building used as a dwelling or a residential building must not exceed a height of 14.5 metres and 4 storeys.

6.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection and planting plan in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

7.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining zone.
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.

- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 4.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019*.

01/09/2021
C189more

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**

BRUNSWICK ACTIVITY CENTRE – SYDNEY ROAD AND UPFIELD CORRIDOR

1.0 Neighbourhood character objectives

01/09/2021
C189more

To promote a preferred neighbourhood character where the design and siting of new dwellings include generous landscaping through the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

01/09/2021
C189more

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

01/09/2021
C189more

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – For front setbacks of less than 4.5 metres: ▪ Located within permeable area within the site of at least 10 square metres and 4.5 metres wide. ▪ Reach a height of 6 metres - 8 metres at maturity. ▪ Achieve a canopy width of at least 5 metres at maturity. – For front setbacks of 4.5 metres or more: ▪ Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. ▪ Reach a height of 8 metres -15 metres at maturity. ▪ Achieve a canopy width of at least 7 metres at maturity.

	Standard	Requirement
		▪ At least one canopy tree located within the secluded private open space of each dwelling that meets the following requirements: – Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

01/09/2021
C189more

A building used as a dwelling or a residential building must not exceed a height of 25 metres and 8 storeys.

6.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection and planting plan in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

7.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining zone.
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.

- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 4.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019*.

01/09/2021
C189more

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**

44-46 DAVID STREET, BRUNSWICK

1.0 Neighbourhood character objectives

01/09/2021
C189more

To promote a preferred neighbourhood character where the design and siting of new dwellings include generous landscaping through the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

01/09/2021
C189more

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

01/09/2021
C189more

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – For front setbacks of less than 4.5 metres: ▪ Located within permeable area within the site of at least 10 square metres and 4.5 metres wide. ▪ Reach a height of 6 metres - 8 metres at maturity. ▪ Achieve a canopy width of at least 5 metres at maturity. – For front setbacks of 4.5 metres or more: ▪ Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. ▪ Reach a height of 8 metres -15 metres at maturity. ▪ Achieve a canopy width of at least 7 metres at maturity.

	Standard	Requirement
		▪ At least one canopy tree located within the secluded private open space of each dwelling that meets the following requirements: – Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. – Reach a height of 6 metres - 8 metres at maturity. – Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

01/09/2021
C189more

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres and 4 storeys.

6.0 Application requirements

01/09/2021
C189more

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection and planting plan in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

7.0 Decision guidelines

01/09/2021
C189more

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides an appropriate transition to properties in an adjoining zone.
- The requirements of Clause 22.01 Neighbourhood Character Local Policy.
- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.

- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 4.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019*.

32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

31/07/2018
VC148

Shown on the planning scheme map as **NRZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.09-1 Neighbourhood character objectives

27/03/2017
VC110

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-2 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast) **Home based business** **Informal outdoor recreation**	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must be located in an existing building. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.

Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.
Racing dog husbandry	Must be no more than 2 animals.
Railway **Residential aged care facility**	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house) **Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)**	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises) **Grazing animal production** **Leisure and recreation (other than Informal outdoor recreation and Motor racing track)** **Market**	

Use	Condition
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard

Use
Transport terminal
Warehouse (other than Store)

32.09-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent.	Clause 59.01

Class of application	Information requirements and decision guidelines
▪ The general direction of the common boundary does not change.	
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

32.09-4 Construction or extension of a dwelling or residential building

15/05/2018
VC143

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

32.09-5 Construction and extension of one dwelling on a lot

31/07/2018
VC148

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines

Construct an outbuilding or extend a dwelling if the development:
- Meets the minimum garden area requirement of Clause 32.09-4.
- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.
For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
	Clause 59.14

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 59.03

32.09-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

20/12/2021
VC174

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person's unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-7 Requirements of Clause 54 and Clause 55

27/03/2017
VC110

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.09-8 Residential aged care facility

26/10/2018
VC152

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.09-9 Buildings and works associated with a Section 2 use

04/12/2020
VC180

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to $100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	Clause 59.04

32.09-10 Maximum building height requirement for a dwelling or residential building

26/10/2018
VC152

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.09-11 Application requirements

26/10/2018
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.

- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses, including siting and dimensioned setbacks.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.09-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space 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.

32.09-13 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.

- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.09-14 Signs

26/10/2018
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3.

32.09-15 Transitional provisions

26/10/2018
VC152

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

01/09/2021
C189more

SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ1**

NEIGHBOURHOOD RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

01/09/2021
C189more

To promote a preferred neighbourhood character where the design and siting of new dwellings include generous landscaping through the retention of existing canopy trees (where practicable) and the planting of new canopy trees and vegetation.

2.0 Minimum subdivision area

01/09/2021
C189more

None specified

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

01/09/2021
C189more

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	None specified

4.0 Requirements of Clause 54 and Clause 55

01/09/2021
C189more

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	The development should provide: ▪ At least one canopy tree located within the front setback that meets the following requirements: – For front setbacks of less than 4.5 metres: ▪ Located within permeable area within the site of at least 10 square metres and 4.5 metres wide. ▪ Reach a height of 6 metres - 8 metres at maturity. ▪ Achieve a canopy width of at least 5 metres at maturity. – For front setbacks of 4.5 metres or more: ▪ Located within a permeable area within the site of at least 4.5 metres x 4.5 metres. ▪ Reach a height of 8 metres -15 metres at maturity. ▪ Achieve a canopy width of at least 7 metres at maturity. ▪ At least one canopy tree located within the secluded private open space of each dwelling that meets the following requirements: – Located within a permeable area within the site of at least 4.5 metres x 4.5 metres – Reach a height of 6 metres - 8 metres at maturity

	Standard	Requirement
		– Achieve a canopy width of at least 5 metres at maturity. ▪ Where a vehicle accessway is provided, canopy trees should be located to provide shading to the vehicle accessway, if practicable. ▪ Additional planting along any vehicle accessway. This requirement does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

01/09/2021 C189more

None specified

6.0 Application requirements

01/09/2021 C189more

The following application requirements apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan showing existing vegetation retained (on the site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection and planting plan in accordance with this schedule and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

7.0 Decision guidelines

01/09/2021 C189more

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether there is opportunity to retain existing vegetation.
- Whether the landscaping will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.
- The suitability of the proposed location and soil volume for canopy tree health.
- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements listed in Clause 4.0.
- Whether the development is consistent with the *Moreland Tree Planting Manual for Residential Zones, 2019*.

33 INDUSTRIAL ZONES

19/01/2006
VC37

33.01 INDUSTRIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **IN1Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

33.01-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Convenience shop **Crop raising** **Grazing animal production** **Home based business**	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Informal outdoor recreation	

Use	Condition
Mail centre **Railway**	
Service station	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Shipping container storage	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 100 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Shipping containers must be setback at least 9 metres from a road in a Transport Zone 2 or a Transport Zone 3. The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Take away food premises **Tramway**	

Use	Condition
Warehouse (other than Mail centre and Shipping container storage)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) **Caretaker's house**	
Education centre	Must not be a primary or secondary school.
Leisure and recreation (other than Informal outdoor recreation)	

Use	Condition
Materials recycling	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus) **Restricted retail premises** **Retail premises (other than Shop and Take away food premises)**	
Transfer station (other than Automated collection point)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Utility installation (other than Minor utility installation and Telecommunications facility).	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Hospital
Intensive animal production
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

33.01-2 Use of land

01/07/2021
VC203

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

33.01-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Exemption from notice and review

An application 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.01-4 Buildings and works

24/01/2020
VC160

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building's setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop.	Clause 59.04

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application 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. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.01-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 2.

08/09/2022
C195more

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0 Maximum leasable floor area requirements

08/09/2022
C195more

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

33.03 INDUSTRIAL 3 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **IN3Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Convenience shop **Crop raising** **Grazing animal production** **Home based business** **Informal outdoor recreation** **Mail centre** **Railway**	
Service industry	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017.

Use	Condition
	▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under Dangerous Goods (HCDG) Regulations 2016.
Service station	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within an urban growth boundary and in metropolitan Melbourne.
Take away food premises	
Tramway	
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land.

Use	Condition
	▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) **Caretaker's house**	
Education centre	Must not be a primary or secondary school.
Industry (other than Automated collection point and Service industry) **Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)**	
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus) **Restricted retail premises** **Retail premises (other than Shop and Take away food premises)** **Utility installation (other than Minor utility installation and Telecommunications facility)**	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility

Use
Hospital
Intensive animal production
Major sports and recreation facility
Motor racing track
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met
Supermarket – if the section 1 conditions are not met

33.03-2 Use of land

01/07/2021
VC203

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

33.03-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Exemption from notice and review

An application 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. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.03-4 Buildings and works

21/09/2018
VC150

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building's setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop.	Clause 59.04

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.

- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.03-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 2.

08/09/2022
C195more

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

1.0 Maximum leasable floor area requirements

08/09/2022
C195more

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

34 COMMERCIAL ZONES

15/07/2013
VC100

34.01 COMMERCIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B1Z**, **B2Z**, **B5Z** or **C1Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

34.01-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution and Rooming house)	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
Art and craft centre	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Child care centre	Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).
Cinema **Cinema based entertainment facility**	
Community care accommodation	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.
Education centre (other than Child care centre) **Exhibition centre** **Home based business** **Informal outdoor recreation**	
Office	The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.

Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway **Retail premises (other than Shop)**	
Rooming house	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture) **Grazing animal production**	
Industry (other than Automated collection point)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track) **Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)**	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Corrective institution
Major sports and recreation facility
Motor racing track

34.01-2 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.01-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

34.01-4 Buildings and works

31/07/2018
VC148

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.01-5 Neighbourhood and site description and design response

16/01/2018
VC142

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.

Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

34.01-6 Application requirements

01/07/2021
VC203

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

34.01-7 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.01-8 Decision guidelines

20/12/2021
VC174

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Subdivision

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.

- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

34.01-9 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

08/09/2022
C195more

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0

08/09/2022
C195more

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

34.02 COMMERCIAL 2 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B3Z**, **B4Z** or **C2Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

34.02-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Art and craft centre	
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Cinema **Cinema based entertainment facility**	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Food and drink premises	The leasable floor area must not exceed 100 square metres.
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10 with no threshold specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Informal outdoor recreation	
Mail centre	

Use	Condition
Museum	
Office	
Postal agency	
Railway	
Restricted retail premises	
Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same land as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.
Trade supplies	
Tramway	
Warehouse (other than Mail centre)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture) **Caretaker's house** **Education centre** **Grazing animal production** **Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)** **Materials recycling** **Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)** **Residential hotel** **Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)**	
Supermarket – if the Section 1 conditions are not met	The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Transfer station (other than Automated collection point)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Utility installation (other than Minor utility installation and Telecommunications facility) **Any other use not in Section 1 or 3**	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house and Residential hotel)
Animal production (other than Grazing animal production)
Hospital
Major sports and recreation facility
Motor racing track

34.02-2 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.02-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully.	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The subdivision does not create a vacant lot.	

34.02-4 Buildings and works

31/07/2018
VC148

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop.	Clause 59.04

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.02-5 Application requirements

01/07/2021
VC203

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.

- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.02-6 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.02-7 Decision guidelines

31/07/2018
VC148

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.

- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

34.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

36 PUBLIC LAND ZONES

19/01/2006
VC37

36.01 PUBLIC USE ZONE

31/07/2018
VC148

Shown on the planning scheme map as **PUZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

36.01-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.01-2 Permit requirement

19/01/2006
VC37

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.01-3 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-5 Permit not required

19/01/2006
VC37

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.01-6 Table of public land use

20/01/2022
VC205

Shown on the planning scheme map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7 Signs

20/01/2022
VC205

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.

08/09/2022
C195more

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0

08/09/2022
C195more

Permit exemptions and conditions

Public land	Use or development	Conditions
Land described as the whole of the former Brunswick Secondary College, located on the south-eastern corner of Victoria Street and Gardiner Street, Brunswick. The land comprises a total of 27 titles as shown in the table below, and as depicted on the plan titled “Identification Survey Brunswick Secondary College Department of Education 18th January 1999”.	No permit is required to use or develop or to construct buildings and works on the land to which this clause applies for the purposes of the Department of Human Services development proposals, including adult training for the intellectually and physically disabled, counselling for survivors of torture, family counselling, a public gymnasium, a business incubator, and associated ancillary uses and car parking in accordance with the approved Development Plan.	Before any use commences or any buildings or works are constructed, a Development Plan in accordance with the requirements of the DPO9 must be approved by the responsible authority. All buildings and works must be undertaken generally in accordance with the approved Development Plan, to the satisfaction of the responsible authority.
Land at 49 Sages Road, Glenroy (Crown Allotment 2037 Parish of Will-Will-Rock)	A permit is not required to use the land or construct a building or construct a building or construct or carry out works for the purposes of a Cemetery/Crematorium.	Before a use commences or before the construction or carrying out of building and works, a Certificate or Statement of Environmental Audit must be issued for the relevant land in accordance with Part 1XD of the Environmental Protection Act 1970 stating that the environmental conditions of the relevant land are suitable for a use consistent with the zone. All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the responsible authority, prior to the commencement of the use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification or works.

Table of titles to the Schedule to the Public Use Zone

Volume	Folio	Volume	Folio	Mem No	Book
6726	032	7378	442	564	321
9444	319	1473	494	542	508
3987	231	8245	166	253	325
8433	274	5119	755	187	715
4052	364	5153	445		
3987	230	8958	290		
8580	552	4167	383		
3919	746	6137	350		
6598	534	5129	771		
4689	772	5129	770		
7310	822	6280	873		
8170	103				

2.0 Sign requirements

08/09/2022
C195more

Land	Sign Category
None specified	None specified

36.02 PUBLIC PARK AND RECREATION ZONE

31/07/2018
VC148

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

36.02-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Informal outdoor recreation	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the *Marine and Coastal Act 2018*. Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot **Heliport** **Office** **Retail premises** **Store** **Any other use not in Section 3**	Must be either of the following: A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forest Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995*, or the *Crown Land (Reserves) Act 1978*. A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

Use	Condition
Contractor's depot - if the Section 1 condition is not met	Must be associated with the public land use.
Heliport - if the Section 1 condition is not met	Must be associated with the public land use.
Office - if the Section 1 condition is not met	Must be associated with the public land use.
Retail premises - if the Section 1 condition is not met	Must be associated with the public land use.
Store - if the Section 1 condition is not met	Must be associated with the public land use.

Section 3 - Prohibited

Use
Brothel
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry (other than Automated collection point)
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

36.02-2 Permit requirement

03/02/2022
VC199

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forest Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
- Subdivide land.

36.02-3 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.02-4 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land which is consistent with an Incorporated plan 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.

36.02-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.02-6 Incorporated plan

19/01/2006
VC37

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.02-7 Use and development of land identified in a schedule

19/01/2006
VC37

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

14/11/2019
C169more

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

14/11/2019
C169more

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

14/11/2019
C169more

Land	Sign Category
AG Gillon Oval, Brunswick	Category 1
Allard Park, Brunswick East	Category 2
ATC Cook Reserve, Glenroy	Category 2
Balfe Park, Brunswick East	Category 2
Brearley Reserve, Pascoe Vale South	Category 2
Bridges Reserve (City Oval), Coburg	Category 1
Bush Reserve (West Coburg Bowls Club, Coburg Tennis Club), Coburg	Category 2
Campbell Reserve, Coburg	Category 1
CB Smith Reserve, Fawkner	Category 1
Charles Mutton Reserve, Fawkner	Category 2
Clifton Park, Brunswick	Category 2
Cole Reserve, Pascoe Vale	Category 2
De Chene Reserve, Coburg	Category 2
Dunstan Reserve, Brunswick West	Category 2
Fleming Park, Brunswick East	Category 2
Fraser Reserve, Brunswick West	Category 2
Hallam Reserve, Pascoe Vale	Category 2
Holbrook Reserve, Brunswick West	Category 2
Hosken Reserve, Coburg North	Category 1
Jackson Reserve (Coburg Basketball Stadium, Harold Stevens Athletics Track), Coburg North	Category 2
JP Fawkner Reserve, Oak Park	Category 2
Mailer Reserve (tennis club only), Coburg	Category 2
Martin Reserve, Hadfield	Category 2
McDonald Reserve, Coburg	Category 2
Middle Street Reserve (Hadfield Tennis Club), Hadfield	Category 2
Moomba Park, Fawkner	Category 2
Morris Reserve, Pascoe Vale South	Category 2
Narre Narre Reserve (Oak Park Basketball Stadium), Oak Park	Category 2

Land	Sign Category
Oak Park Reserve, Oak Park	Category 2
Parker Reserve, Coburg North	Category 2
Raeburn Reserve, Pascoe Vale	Category 2
Rayner Reserve, Oak Park	Category 2
Reddish Reserve, Hadfield	Category 2
Richards Reserve, Coburg North	Category 2
Sewell Reserve, Glenroy	Category 1
Shore Reserve, Pascoe Vale South	Category 2
Sumner Park, Brunswick East	Category 2
Wallace Reserve, Glenroy	Category 2

3.0 Use and development of land specified in an Incorporated Plan

14/11/2019
C169more

None specified.

36.04 TRANSPORT ZONE

20/01/2022
VC205

Shown on the planning scheme map as **TRZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for an integrated and sustainable transport system.

To identify transport land use and land required for transport services and facilities.

To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.

To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

36.04-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Railway station	The combined leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 800 square metres.
Tramway	
Transport terminal (other than Railway station)	The use must be carried out by or on behalf of a relevant transport manager.
Utility installation (other than Minor utility installation)	The use must be carried out by or on behalf of a relevant transport manager.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.04-2 Permit requirement

20/01/2022
VC205

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.04-3 Application requirements

20/01/2022
VC205

An application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:

- The application being made.
- The application being made and to the proposed use or development.

36.04-4 Table of transport uses

20/01/2022
VC205

Shown on the planning scheme map	Purpose of transport use
TRZ1	State transport infrastructure
TRZ2	Principal road network
TRZ3	Significant municipal road
TRZ4	Other transport use

36.04-5 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.04-6 Signs

20/01/2022
VC205

Sign requirements are at Clause 52.05.

A permit is required to construct or put up for display a sign over a road carriageway or over land within 600 millimetres of a carriageway.

For all other land in this zone, the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

37 SPECIAL PURPOSE ZONES

19/01/2006
VC37

37.01 SPECIAL USE ZONE

31/07/2018
VC148

Shown on the planning scheme map as **SUZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

37.01-1 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.
Any other use not in Section 1 or 3 of the schedule to this zone	

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.01-2 Use of land

31/07/2018
VC148

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application 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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application 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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-4 Buildings and works

20/12/2021
VC174

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application 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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

37.01-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1.**

PRIVATE SPORTS GROUNDS

Purpose

To provide for areas in private ownership to be used as private sports grounds.

To encourage the orderly planning and development of these facilities in a manner which does not adversely affect the amenity of the neighbourhood.

1.0
14/11/2022
VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Caretaker's house **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08
Minor sports and recreation facility **Place of worship** **Railway**	
Search for stone	Must not be costeaning or bulk sampling
Tram	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park **Mining – if the Section 1 condition is not met** **Minor utility installation** **Place of assembly (other than Place of worship)** **Search for stone – if the Section 1 condition is not met**	

Section 3 - Prohibited

Use
Industry (other than Automated collection point)

Use
Any other use not in Sections 1 or 2

2.0 Use of land

08/09/2022
C195more

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, dust, waste water or waste products.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on nearby land including noise levels, traffic, hours of operation, light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.

Exemption from notice and appeal

Any application to use land for this purpose 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 appeal rights of Section 82 (1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect existing uses may have on the proposed use.
- The interface with adjoining zones, especially the relationship with residential areas.
- The effect of the use on the amenity of the neighbourhood, including effects of noise, lighting and overshadowing.
- The provision of car parking and effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

3.0 Subdivision

08/09/2022
C195more

Exemption from notice and appeal

Any application to subdivide land 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 appeal rights of Section 82 (1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjoining zones, especially the relationship with residential areas.

- The drainage of the land.
- The availability of and connection to services.
- The effect the subdivision will have on the potential of the land to accommodate existing and potential future uses in accordance with the purpose of this zone.

4.0 Buildings and works

08/09/2022
C195more

Permit requirement

A permit is not required to:

- Alter electrical or gas services or telephone lines.
- Alter plumbing services which do not affect the drainage of the land.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and appeal

Any application to construct a building or to construct or carry out works 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 appeal rights of Section 82 (1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed buildings and works on the amenity of the neighbouring properties.
- The provision of landscaping.
- The provision of access and car parking.

- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the access from the street front, the treatment of fronts and backs of buildings and their appurtenances (associated outbuildings), illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide solar access.

5.0 Signs

08/09/2022
C195more

None specified.

08/09/2022
C195more

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3.**

BRUNSWICK TERMINAL STATION

Purpose

To promote the use and development of the land consistent with the Brunswick Terminal Station Incorporated Document, 2012.

To provide for the continued use and development of the land as a utility installation in a manner which minimises the impact on the amenity of the surrounding area.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Store	Must be in conjunction with a utility installation
Any other use not in Section 1 or 3	Must be in conjunction with a utility installation

Section 3 - Prohibited

Use
Accommodation
Agriculture
Brothel
Cemetery
Child care centre
Cinema based entertainment facility
Crematorium
Education centre
Hospital
Industry (other than Automated collection point)
Leisure and recreation

Use
Place of assembly
Retail premises
Saleyard
Service station
Transport terminal
Warehouse (other than store)

2.0 Use of land

08/09/2022
C195more

Use of land as a utility installation must comply with National Health & Medical Research Council (NHMRC) interim guidelines (1989) and the Australian Radiation Protection & Nuclear Safety Agency (ARPANSA) standards (or any subsequent update by these agencies).

Application requirements

An application to use land must be accompanied by the following, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Buildings and works

08/09/2022
C195more

A permit is not required to construct a building or carry out works if done in accordance with the *Brunswick Terminal Station Incorporated Document, 2012*.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Brunswick Terminal Station Incorporated Document, 2012.*
- Compliance with State Environment Protection Policy SEPP N1 – control of noise from commerce, industry and trade (as applicable).
- Compliance with National Health & Medical Research Council (NHMRC) interim guidelines (1989) and the Australian Radiation Protection & Nuclear Safety Agency (ARPANSA) standards.
- The impact on areas of the site which are susceptible to slope instability and erosion.
- The views of Melbourne Water.
- The interface with adjoining areas, especially the relationship with residential areas.
- The interface with the streetscape, including the location of access points at the property boundaries and the landscaping of land adjoining a road.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The drainage of the land.
- The effect of traffic to be generated on roads.

- Provision for vehicles providing for supplies, waste removal and emergency services.
- The impact on the rare *Rhagodia parapolica* (Fragrant Saltbush).

5.0 Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the Brunswick Terminal Station Incorporated Document, 2012 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.

6.0 Signs

08/09/2022
C195more

Sign requirements are at Clause 52.05. This zone is in Category 3.

37.03 URBAN FLOODWAY ZONE

01/07/2021
VC203

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

37.03-1 Table of uses

21/09/2018
VC150

Section 1 - Permit not required

Use	Condition
Informal outdoor recreation	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal production and Apiculture)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01 if any requirement is not met	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Indoor recreation facility
Motor racing track
Any other use not in Section 1 or 2

37.03-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or construct or carry out works, including:

- A fence.

- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails, if the water flowpath is redirected or obstructed.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:

- Roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

37.03-3 Subdivision

19/01/2006
VC37

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

37.03-4 Application requirements

31/07/2018
VC148

General

An application must be accompanied by any information specified in the schedule to this zone.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

37.03-5 Referral of applications

19/01/2006
VC37

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

37.03-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

37.03-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.

08/09/2022
C195more

SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0 Application requirements

08/09/2022
C195more

None specified.

2.0 Decision guidelines

08/09/2022
C195more

None specified.

3.0 Signs

08/09/2022
C195more

Land	Sign Category
None specified	

37.08 ACTIVITY CENTRE ZONE

31/07/2018
VC148

Shown on the planning scheme map as **ACZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

37.08-1 Operation

17/09/2009
VC59

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

37.08-2 Table of uses

17/09/2009
VC59

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.08-3 Use of land

17/09/2009
VC59

Any requirement in the schedule to this zone must be met.

37.08-4 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

37.08-5 Buildings and works

31/07/2018
VC148

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

37.08-6 Design and development

17/09/2009
VC59

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

37.08-7 Application requirements

01/07/2021
VC203

Use

An application to use land must be accompanied by the following information, as appropriate:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
  - The siting and use of buildings.
  - Areas not required for immediate use.
  - Adjacent buildings and uses.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.

  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- Any other information specified in the schedule to this zone.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The pattern of subdivision of the surrounding area.
  - Easements.
  - Location of drainage and other utilities.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Any natural features.
- Any other information specified in the schedule to this zone.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - The internal layout and use of the proposed development.
  - All access and pedestrian areas.
  - All driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
- Elevation plans drawn to scale and dimensioned which show:
  - The building form and scale.

  - Setbacks to property boundaries.
  - Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.
- An assessment of the characteristics of the area including:
  - Any environmental features such as vegetation, topography and significant views.
  - Street design and landscape.
  - The pattern of development.
  - Building form, scale and rhythm.
  - Architectural style, building details and materials.
  - Connection to the public realm.
  - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- Any other information specified in the schedule to this zone.

37.08-8 Exemption from notice and review

31/07/2018
VC148

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 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 unless the schedule to this zone specifies otherwise.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme 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.

37.08-9 Decision guidelines

20/12/2021
VC174

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework plan set out in the schedule to this zone.
- The land use and development objectives set out in the schedule to this zone.

- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
  - existing uses are not compromised by a new development, or
  - a new development is designed to address amenity impacts from existing uses.
- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- The storage of rubbish and materials for recycling.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

37.08-10 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11 Other provisions of the scheme

17/09/2009
VC59

The schedule to this zone may specify that other provisions of the scheme do not apply.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

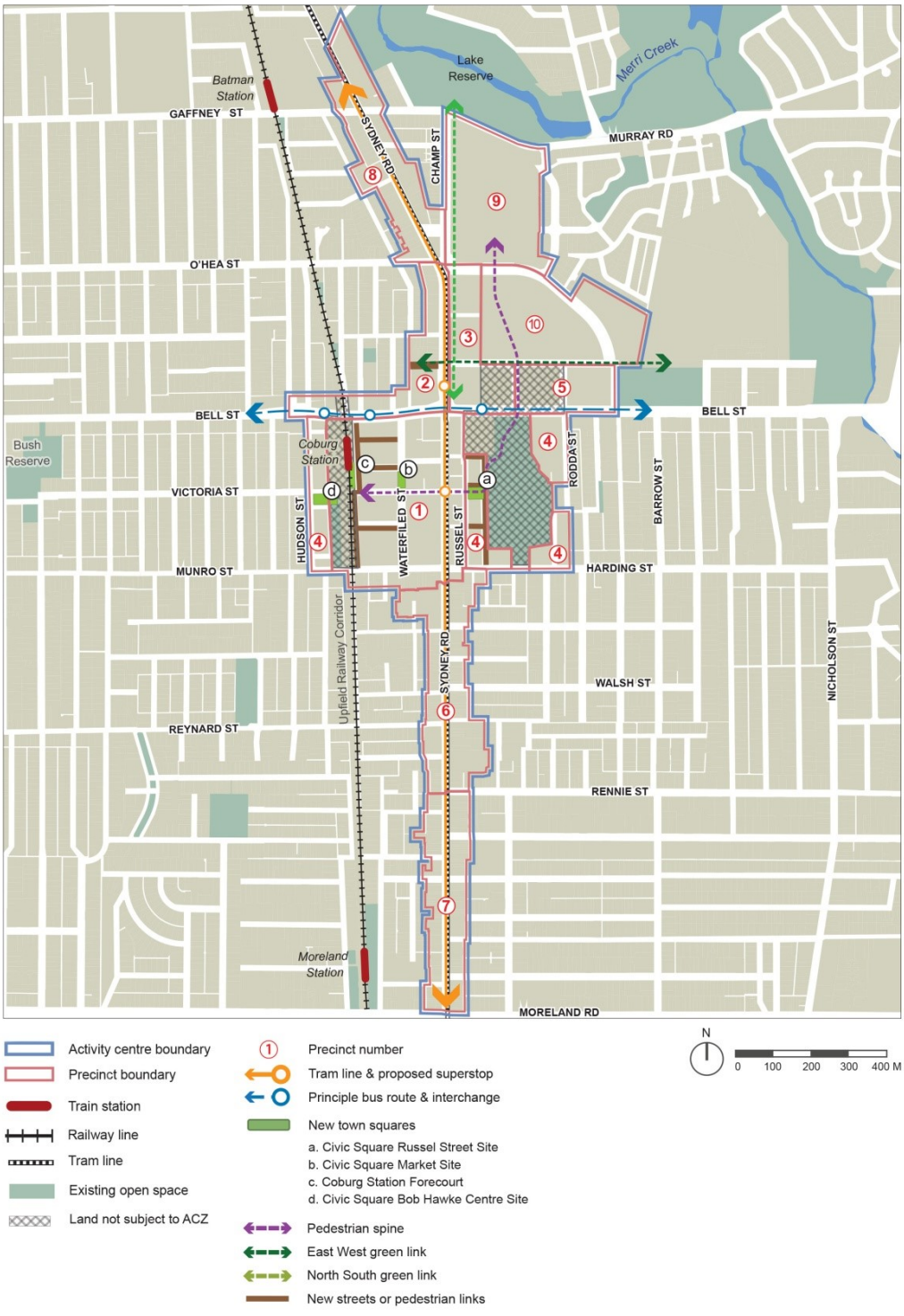
Shown on the planning scheme map as **ACZ1**.

COBURG ACTIVITY CENTRE.

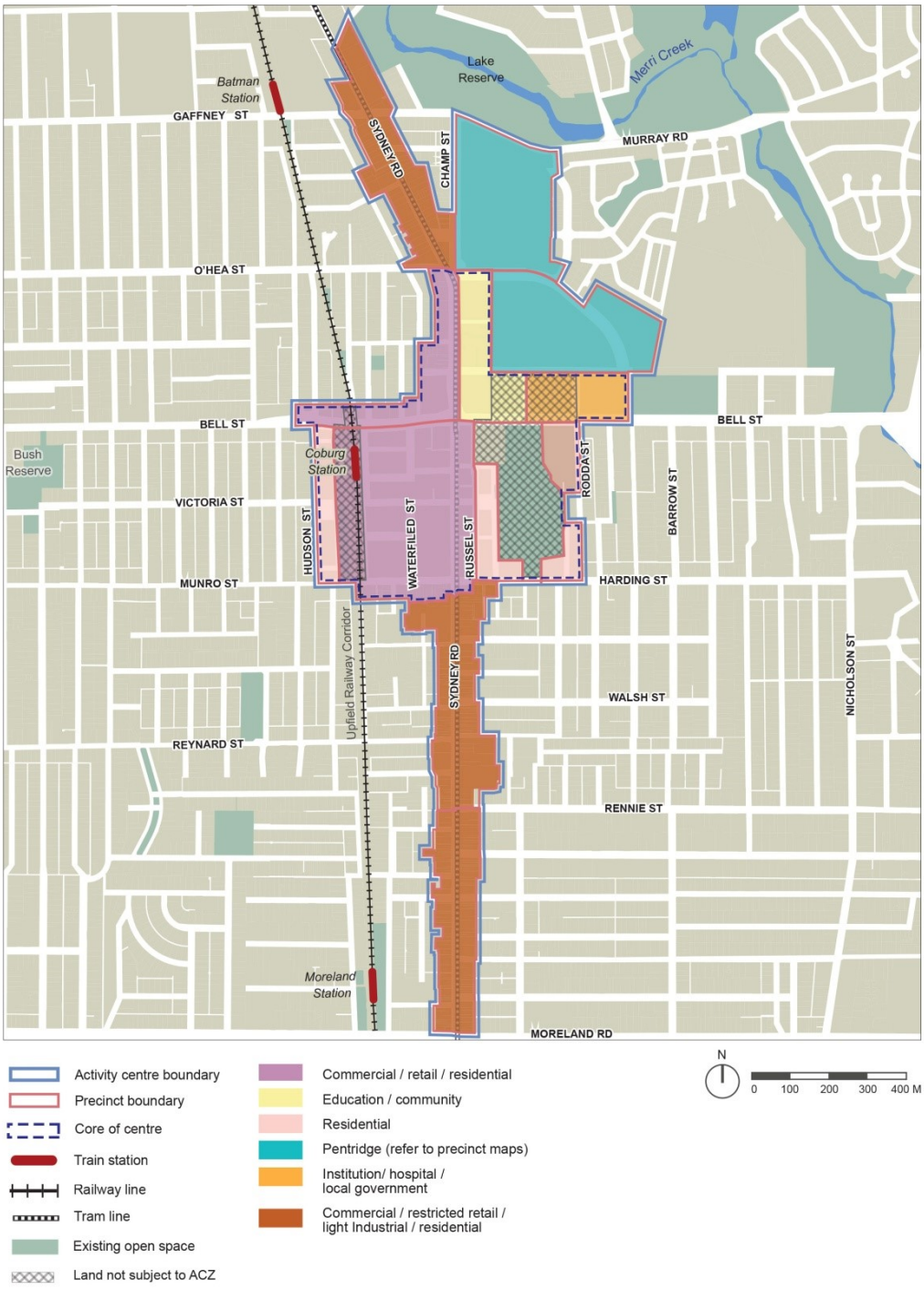
1.0 Coburg Activity Centre Framework Plan

03/02/2023
C227more

Coburg Activity Centre Framework Plan



Land Use Framework Plan



2.0 Land use and development objectives to be achieved

14/02/2023
C225more

- To develop the Coburg Principal Activity Centre into a vibrant and diverse pedestrian oriented high density mixed use centre.
- For the Activity Centre to function as the prime shopping, living, employment and activity precinct in Merri-bek.

- To encourage environmentally sustainable development outcomes in the design, construction and operation of the urban form, buildings and places.
- To develop Precincts 9 and 10 in accordance with the Pentridge Coburg Masterplan February 2014 and Pentridge Village Design Guidelines and Masterplan 2009.
- To encourage a range of housing choices, including high density housing.

Land Use

- To develop the core of the Activity Centre (Precincts 1, 2, 3, 4) as the focus for retail, office, civic and entertainment uses, with restricted retail and neighbourhood scale retail uses outside the core.
- To reinforce Precinct 5: Civic and Community as a local government and institutional hub providing complementary services to the Activity Centre.
- To develop Precincts 9: Pentridge Coburg and Precinct 10: Pentridge Village as mixed-use and tourism-focused precincts that complement the core retail function of Precincts 1, 2, 3, 4, Coburg Station and Sydney Road.
- To encourage commercial and other employment generating uses in Precincts 6, 7, 8 which complement the core of the Activity Centre, with residential and office uses above ground floor provided the retail uses do not impact on the viability of employment generating uses in the core of the Activity Centre.
- To encourage and facilitate the provision of affordable housing choices for people in the lowest 40% of income groups.
- To redevelop land, including existing open lot car park sites with integrated mixed use developments.

Built Form

- To encourage the redevelopment of Coburg Central as a mid rise centre with buildings ranging from 6-10 storeys (except for Precincts 9 and 10) with lower built form at the interfaces with the established suburban hinterland.
- To create consistent street wall forms to define street edges.
- To encourage all retail space with abuttal to public squares and spaces to provide active frontages and visual engagement with those spaces.
- To ensure that development contributes to active street frontages to:

  – foster the passive surveillance of adjacent public spaces, particularly at ground and first floor;

  – provide visual interest and design articulation at ground and upper levels; – facilitate visual interaction between people on streets and users of the building at ground level.
- To ensure built form enhances and creates visual and physical links to new and existing adjoining streets, public transport and community facilities.
- To encourage development to respond to the character of significant heritage buildings in the Heritage Overlay.
- To retain and activate heritage buildings and to complement the retained existing fabric with contemporary architecture in a dense urban setting.
- To provide a pedestrian oriented environment with improved links and an attractive and safe system of streets, laneways and other public spaces.
- To provide for any future grade separation of the Coburg Train Station and railway line in the design of new development. P

- To maximise solar access to public spaces and key pedestrian links and spines, relative to the role and function of the space.
- To ensure a high quality internal amenity of buildings, with particular emphasis on daylight access and natural ventilation.
- To encourage the provision of adaptable and visitable housing designed in accordance with the requirements of AS4299.
- To provide an appropriate level of acoustic protection for both the occupants of new and existing development through building design and construction methods.
- To protect the amenity of properties adjoining the ACZ that are in a residential zone, including from the impact of unacceptable overshadowing and overlooking.

Environmentally Sustainable Development

- To ensure all buildings are designed to meet best practice standards for Environmentally Sustainable Design (ESD).
- To ensure the efficient use of energy and to reduce total greenhouse gas emissions, through passive design, renewable and low embodied energy materials, efficient services and energy generation, in that order of priority.
- To ensure the efficient use of water and to reduce potable water use by maximising the use and reuse of alternative water sources such as stormwater and grey water.
- To reduce impact of stormwater runoff and improve the quality of stormwater runoff.
- To maximise the adaptability of buildings for a range of uses.

For the purposes of this schedule, ESD best practice is:

'A combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already let to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.'

Public Realm

- To improve existing publicly accessible spaces and create new vibrant public spaces with active edges throughout the Activity Centre.
- To encourage artwork as part of new development to contribute to creating a distinctive sense of identity, where appropriate.
- To ensure signage is coordinated and designed with regard to the character of buildings and public spaces and does not create visual clutter.

Circulation, Transport and Parking

- To provide a range of transport options to access and travel around the Activity Centre.
- To prioritise emergency vehicles, pedestrians, cyclists, public transport, delivery vehicles and private vehicles, in that order.
- To better integrate Bridges Reserve and City Oval with the core of the Activity Centre through improved pedestrian pathways and unhindered access.
- To improve connections within the Activity centre and to surrounding parklands through the creation of:
  - a pedestrian spine to the Pentridge redevelopment via Bridges Reserve;
  - a north-south green link to Coburg Lake Reserve;
  - an east-west green link to McDonald Reserve and Merri Creek Regional Linear Park.

- To manage and improve circulation throughout the Activity Centre and to adjoining parkland by creating new streets and public links.
- To ensure a connected and well signed network of laneways, streets and public spaces, that are publicly accessible at all times.
- To provide adequate bicycle parking and end of trip facilities.
- To facilitate the flexible use of car parking spaces, particularly after normal business hours and on weekends.

Open Space and Landscaping

- To increase and improve landscaping throughout the Activity Centre.
- To create tree lined streets and boulevards with high quality and appropriate long-term planting.
- To utilise landscaping to improve stormwater quality, reduce the urban heat island effect and improve microclimatic conditions and contribute to biodiversity.
- To encourage innovative landscaping techniques as part of new development including vertical green walls, balcony planting and roof top gardens.
- To incorporate landscaping during early planning and design stages of development.

3.0 Table of uses

03/02/2023
C227more

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Caretaker's house, Corrective institution, Dependent person's unit, Dwelling and Host farm)	Must be located in Precinct 1, 2, 4, 9 or 10. In Precinct 1 and 2, any frontage at ground floor must not exceed 2m. In Precinct 9 or 10, must accord with the precinct objectives.
Art and Craft Centre	Must be located in Precinct 1, 9 or 10.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Child care centre	Any frontage at ground floor level must not exceed 2m and access must not be shared with a dwelling (other than a caretaker's house).
Cinema	Must be located in Precinct 1.
Cinema based entertainment facility	Must be located in Precinct 1, 9 or 10.
Community Market	Must be located in Precinct 1, 3 or 5.
Convenience Restaurant	Must be located in Precinct 1, 9 or 10. In Precinct 1 must not include 'drive through' facility
Department Store	Must be located in Precinct 1.
Display Home	Must be located in Precinct 9 or 10.
Dry cleaner	Must be located in Precinct 1, 2, 6, 7, 8, 9 or 10

Use	Condition
Dwelling	Must be located in Precinct 1, 2, 4, 6, 7, 9 or 10. In Precinct 1, 2, 6 or 7, any frontage at ground floor must not exceed 2m.
Education centre	Must be located in Precinct 1, 2, 3, 5, 6, 7, 8, 9, 10. In Precinct 1 or 2, any frontage at ground floor must not exceed 2m. In Precinct 9 or 10, any frontage at ground floor must not exceed 10m, access must not be shared with a dwelling, must not be a primary or secondary school.
Electoral Office	Must be located in Precinct 1, 2, 4, 6, 7, 8, 9 or 10.
Exhibition centre	
Food and drink premises (other than Convenience Restaurant, Hotel and Tavern)	Must be located in Precinct 1, 2, 6, 7, 8, 9 or 10.
Function Centre	Must be located in Precinct 1, 2, 3, 9 or 10. In Precinct 1 or 2, any frontage at ground floor must not exceed 2m.
Hall	Must be located in Precinct 1, 2, 3, 9 or 10. In Precinct 1 or 2, any frontage at ground floor must not exceed 2m.
Home Based Business	Must be located in Precinct 1, 2, 3, 4, 6, 7, 8, 9, 10.
Hospital	Must be located in Precinct 5 or 10.
Library	Must be located in Precinct 1, 9 or 10.
Market	Must be located in Precinct 9 or 10.
Minor sports and recreation facility (other than Outdoor recreation facility and Restricted recreation facility)	In Precinct 1 or 2, any frontage at ground floor must not exceed 2m.
Office (other than Electoral Office)	Must be located in Precinct 1, 2, 5, 6, 7, 8, 9 or 10.
Outdoor recreation facility	Must be located in Precinct 9 or 10.
Place of assembly (other than Amusement Parlour, Drive-in theatre and Nightclub)	Must be located in Precinct 9 or 10.
Place of worship	Must be located in Precinct 1, 3, 4, 9 or 10. In Precinct 1, 3 and 4, the gross floor area of all buildings must not exceed 250sqm.
Postal agency	Must be located in Precinct 1, 2, 6, 7, 8, 9 or 10.
Research and development centre	Must be located in Precinct 6, 7, 8, 9 or 10.

Use	Condition
Railway	
Restricted recreation facility	Must be located in Precinct 1, 2, 6, 7, 8, 9 or 10. In Precinct 1 or 2, any frontage at ground floor must not exceed 2m.
Restricted retail premises	Must be located in Precinct 2, 6, 7 or 8. Must be located in buildings 10-14 in Precinct 10
Shop (other than Adult sex product shop, Department store, Restricted retail premises and Supermarket)	Must be located in Precinct 1, 2, 4, 6, 7, 8, 9 or 10.
Supermarket	Must be located in Precinct 1, 2, 9 or 10.
Tramway	
Veterinary Centre	Must be located in Precinct 6, 7, 8, 9 or 10.
Warehouse (other than Fuel depot and Shipping container storage)	Must be located in Precinct 6, 7, 8, 9 or 10. Must not be purpose listed in table to Clause 53.10 Must be at least the following distances from land (not a road) in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: threshold distance for purpose listed in table to Clause 53.10 30m for purpose not listed in table to Clause 53.10
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution and Host farm)	Must not be located in Precinct 3.
Adult sex book shop	Must be at least 200m (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school, or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school
Brothel	Must not be located in Precinct 3, 4, 5 or 9 or 10.
Camping and caravan park	Must not be located in Precinct 1, 2, 3, 4, 5, 6, 7, 8
Convenience Restaurant	Must not be located in Precinct 3 or 5.
Dwelling	Must not be located in Precinct 3
Electoral Office	Must not be located in Precinct 3.

Use	Condition
Industry (other than Refuse disposal, Rural Industry, Service Industry and Transfer station)	Must not be located in Precinct 1, 2, 3, 4 or 5. Must not be a purpose listed in the table 53.10.
Nightclub	Must not be located in Precinct 3, 4 or 5.
Restricted retail premises	Must not be located in Precinct 3, 4 or 5.
Retail premises (other than Food and drink premises, Shop and Market)	Must not be located in Precinct 3, 4 or 5.
Service Station	Must not be located in Precinct 3, 4 or 5.
Service Industry (other than Dry cleaner and Car Wash)	Must not be located in Precinct 1, 2, 3, 4 or 5.
Shop (other than Adult sex product shop, Department Store and Restricted retail premises)	Must not be located in Precinct 3.
Tavern	Must not be located in Precinct 3, 4 or 5.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Fuel depot and Shipping container storage)	Must not be located in Precinct 3, 4 or 5. Must not be a purpose listed in the table at Clause 53.10.
Any use not listed in section 1 or 3	

Section 3 – Prohibited

Use
Corrective institution
Stone extraction
Fuel depot
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Saleyard
Shipping container storage
Transfer Station (other than Automated collection point)

4.0 Centre-wide provisions

08/09/2022
C195more

None Specified.

4.1 Use of land

08/09/2022
C195more

A permit is not required to use land for the purpose of Local Government providing the use is carried out by, or on behalf of, the public land manager.

4.2 Subdivision

08/09/2022
C195more

Applications for subdivision that do not support the development objectives of this schedule are discouraged.

The consolidation of narrow lots to encourage better development outcomes is encouraged.

4.3 Buildings and works

08/09/2022
C195more

No permit is required to construct a building or carry out works for the following:

- Install an automatic teller machine.
- Alter an existing building facade provided that:
  - the alteration does not include the installation of an external roller shutter;
  - at least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
  - construction of a dwelling if there is at least one dwelling existing on the lot;
  - construct or extend a dwelling if there are two or more dwellings on the lot
  - construct or extend a dwelling if it is on common property;
  - construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

4.4 Design and development

03/02/2023
C227more

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

Built Form

Buildings should enhance public spaces, provide high quality internal environments, limit off-site impacts and provide open space and landscaping (both communal and private).

Avoid tiered ‘wedding cake’ built form outcomes by limiting multiple upper level setbacks other than the Civic Square Market Site and Victoria Street Mall to achieve the overshadowing standards at Table 1.

Give visual prominence to corners.

Building Envelope

Preferred building heights, street wall heights, upper level setbacks determined by applying:

- Precinct requirements specified in Clause 5.0 in this schedule.
- Table 1 (Overshadowing standards for key public spaces and streets) and taking into account any other valid planning approval.
- Clause 55 Standards B17, B21 and B22 for the development of land adjoining residentially zoned land outside the activity centre (including laneways) (shown as Interface with adjoining residential zone on the Precinct Maps in Clause 5.0 of this schedule). This does not apply where 'upper level setbacks' are located in the Precinct maps in Clause 5.0 of this schedule.

Table 1. Overshadowing standards for key public spaces and streets

Civic Square Market Site	No more than 1/2 the space to be in shadow at any time between 10:30am and 2:00pm (3.5 hours) on 21 June (Winter Solstice).
Bridges Reserve	No more than 1/3 of the space to be in shadow at any time between 10.30am and 2.30pm (4 hours) on 21 June (Winter Solstice).
Victoria Street Mall	No overshadowing of the southern footpath (within 2m of the property boundary) between 12:00pm and 2:00pm (2 hours) on 21 June (Winter Solstice).
Civic Square Russell Street Site Civic Square Bob Hawke Centre Site Coburg Station Forecourt	No more than 1/3 of the space to be in shadow at any time between 10.30am and 2.30pm (4 hours) on 21 March/September (Equinox).

Note: Refer to the Framework Plan at Clause 1.0 and Precinct Maps at Clause 5.0 of this schedule for the location of key public spaces.

Where an application proposes a building that exceeds the maximum building height or does not meet the minimum setbacks, or street wall height, the urban context report must demonstrate how the proposed development achieves the relevant standard, objectives and guidelines at Clauses 2.0 and 5.0 in this schedule. The applicant should demonstrate, to the satisfaction of the responsible authority, that the following will be achieved:

- The proposed development supports the vision for the Activity Centre and achieves objectives of this schedule; and
- The development is of an exemplary quality design that makes a positive contribution to the character of the neighbourhood;
- The additional height or reduced setback:

  - results in specific design benefits;

  - facilitates benefits to the community, such as excellent ESD performance, positive contributions to public open space or the public realm, or the provision of affordable housing;

  - does not have an adverse impact on the streetscape, heritage values, the public realm or the amenity of adjoining properties;

  - meets the overshadowing standards for key public spaces as set out in Table 1 where applicable;

  - does not increase overshadowing of primary pedestrian routes on 21 March / September (Equinox) between 10:30am and 2pm, particularly the southern footpath of Bell Street, Harding Street and Munro Street; and

  - does not cause an unacceptable visual impact on surrounding streets, public spaces or private open space.

Where preferred building heights, upper level setbacks and street wall heights are not specified in this schedule, development should be consistent with or sympathetic to the scale of adjoining development and should not have an adverse impact on the amenity of adjoining development and public space.

The preferred building and street wall heights specified in this schedule do not include architectural features, balconies, screening, service equipment including plant rooms, lift overruns, solar collectors, structures associated with green roof areas and other such equipment provided that the following criteria are met:

- Balconies make a demonstrated positive contribution to the overall facade composition and do not adversely impact on street or laneway dimensions.
- No more than 50 per cent of the roof area of a building is to be occupied by plant or services equipment, other than solar panels. This does not apply to a hospital.
- The equipment is located to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment does not extend higher than 3.6 metres above the maximum building or street wall height.
- The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

Buildings and works such as balconies, verandahs, architectural features, sunshades, screens and artworks may be constructed within setback areas, provided they demonstrate a positive contribution to the overall facade composition.

A permit should not be granted for balconies to encroach more than 2 metres within minimum setback areas.

Active Frontages

Large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors should not be created along ground floor frontages.

Clear glazing should be provided to ground level street frontages, as follows:

- A display window and/or entrance, measuring at least 80 per cent of the width of the street frontage of each individual premise used for shop or food and drink uses.
- A display window and/or entrance, measuring at least 60 per cent of the width of the street frontage of each individual premises used for other commercial uses.
- Incorporate provision for visual interaction between ground-floor activity and pedestrians.

Individual entry doors should be provided to ground floor dwellings which have frontages to a street.

Locate all vehicle access, loading facilities and building service access in accordance with the Precinct Plans at Clause 5.0 in this schedule.

Environmentally Sustainable Development

Achieve best practice environmentally sustainable design to the satisfaction of the responsible authority. Table 2 of this schedule indicates best practice ESD performance benchmarks or the Responsible Authority may accept and equivalent.

In the case of alterations and additions, the performance standards in Table 2 apply only to that part of the building which has undergone the alteration and addition.

Table 2. Environmentally Sustainable Development requirements



§ Residential development – less than 10 dwellings or alterations and additions creating 50sqm or more of additional gross floor area (excluding outbuildings) § Non – residential development less than 5000sqm	Council's Built Environment Sustainability Scorecard (BESS) tool or equivalent to the satisfaction of the responsible authority.
§ Residential uses – 10 or more dwellings or alterations and additions of more than 100sqm.	Green Star 4 Start Best practice stormwater treatment
Non-residential uses § With gross floor area of more than 500sqm § Alterations and additions of more than 1000sqm	Green Star 4 Star Best practice stormwater treatment
Specific uses such as Supermarkets and hospitals, where Green Star custom tool exists.	Green Star 4 Star custom tool

Connect to or provide the ability for future connection to a third pipe stormwater catchment system to the satisfaction of the responsible authority, Yarra Valley Water and/or any other relevant service authority.

Streetscape Improvements

Include, as appropriate, the upgrading of adjacent footpaths and laneways, to the satisfaction of the responsible authority.

Where it is not specified in Clause 5.0 of this schedule or other strategies, provide new or improved footpaths a minimum of 2.5 metres wide and provided on both sides of new streets and dedicated pedestrian links should be a minimum of 4.5 metres wide.

Circulation, transport and parking

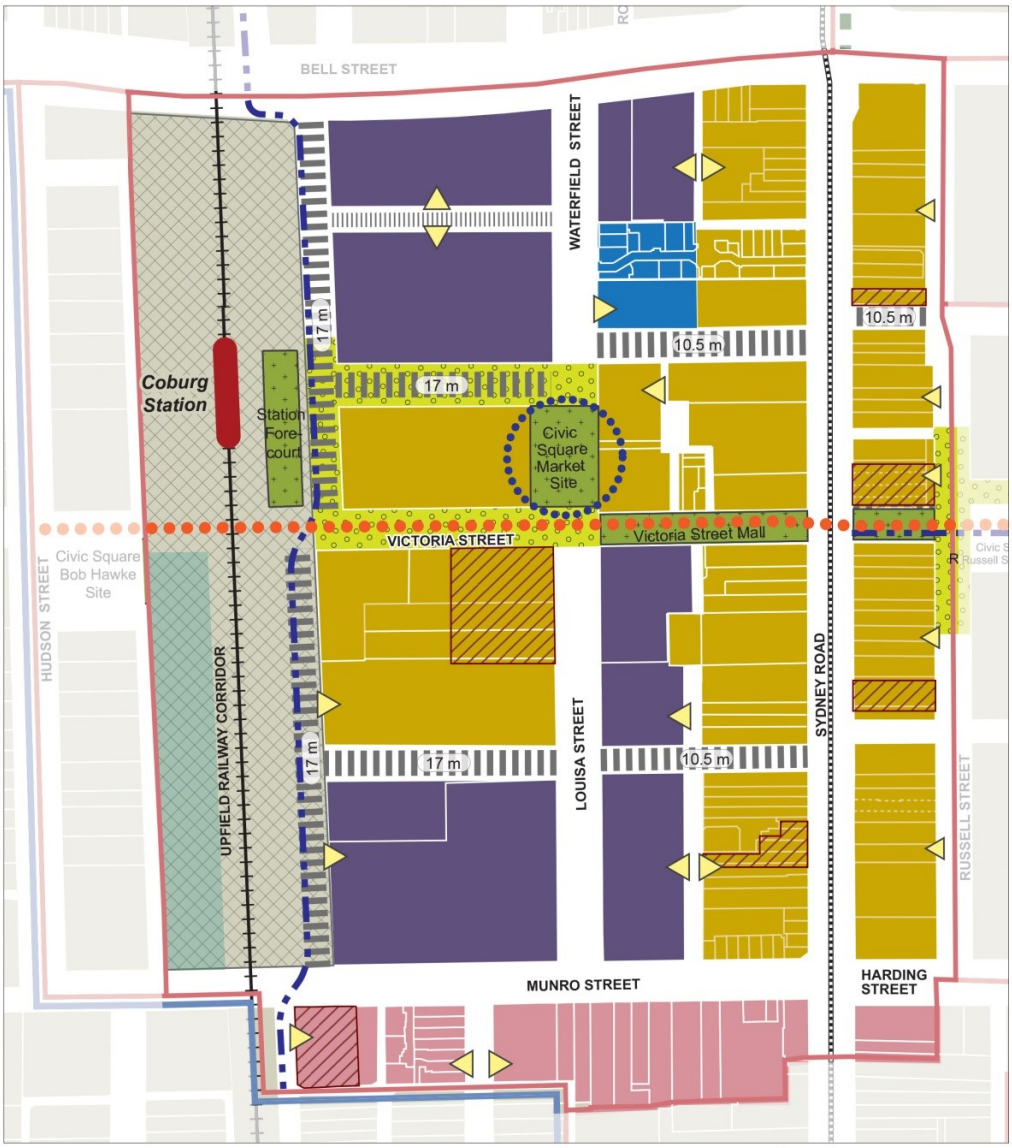
Locate secure car parking in basements. If located at or above ground, car parking should be concealed from view through the use of occupied tenancies ('sleeved' with other uses) and integrated within the overall design of the building. In all instances, car parking should be located in buildings where they will not dominate street frontages or diminish opportunities for street activity.

5.0 Precinct provisions

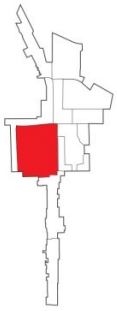
08/09/2022
C195more

5.1 Precinct 1 – Coburg Station and Sydney Road

5.1-1 Precinct map



Precinct 1



N

0 20 40 60 80 M

- Activity centre boundary
- Precinct boundary
- Train station
- Railway line
- Tram line
- Existing open space

Preferred building height:

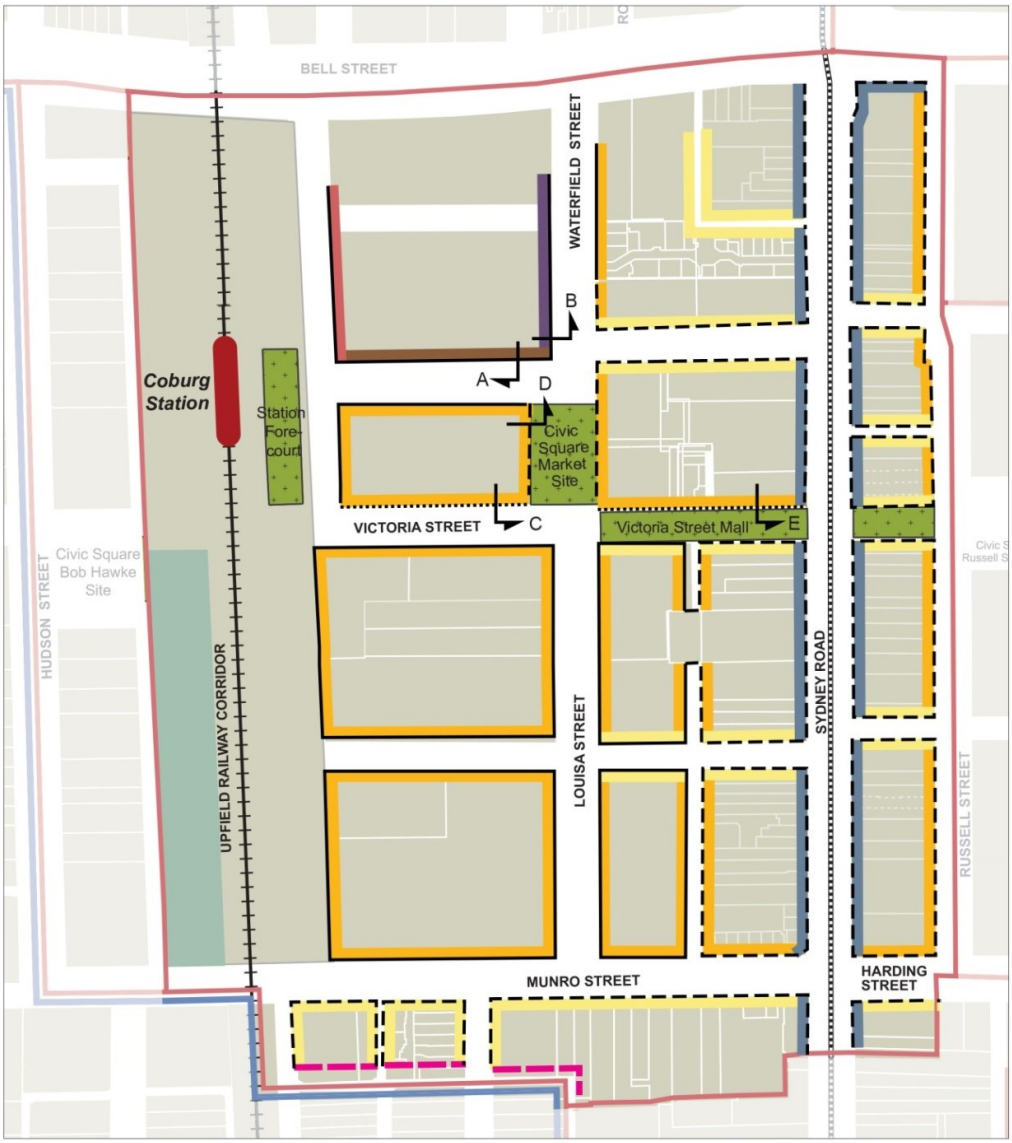
- 36 metres
- 28.8 metres
- 21.6 metres
- 18 metres
- Public space
- Shared space
- Land not part of ACZ

- New streets (indicative street width in metres)
- Through building links
- Pedestrian spine
- Off-road bike path
- Preferred vehicular access from specific street
- Site of heritage significance
- Indicative location for Civic Square Market Site, minimum area: 1675 m²

5.1-2 Precinct objectives

- To establish Precinct 1 as the primary location in the Activity Centre for office, retail and entertainment uses that support an 18 hour economy and provide for daily and weekly shopping needs.
- To encourage retail uses to locate at ground floor, with entertainment, office, community and residential uses above.
- To maintain existing retail anchors (e.g. supermarkets, Coburg Market) and encourage new anchors to locate within the precinct (e.g. discount department store, cinema).
- To enhance the presence of community facilities, including the redevelopment of the library as an information and learning hub.
- To develop a corridor of up to 8-10 storey buildings along Bell Street, creating a sense of a built form entrance to the Activity Centre.
- To enhance and reinforce the character of the Sydney Road corridor (predominantly individual shop fronts of 2-3 storey Victorian-era scale) by establishing strong street wall forms and setbacks to upper levels.
- To establish the Civic Square Market Site as the main meeting and gathering place for the community.
- To ensure built form emphasises the importance of the Victoria Street Mall and pedestrian spine as the key east west pedestrian link.
- To acknowledge Coburg Station as a key gateway and an attractive entrance to the Activity Centre for train patrons.

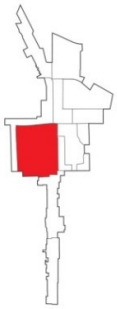
5.1-3 Precinct requirements



Precinct 1

N

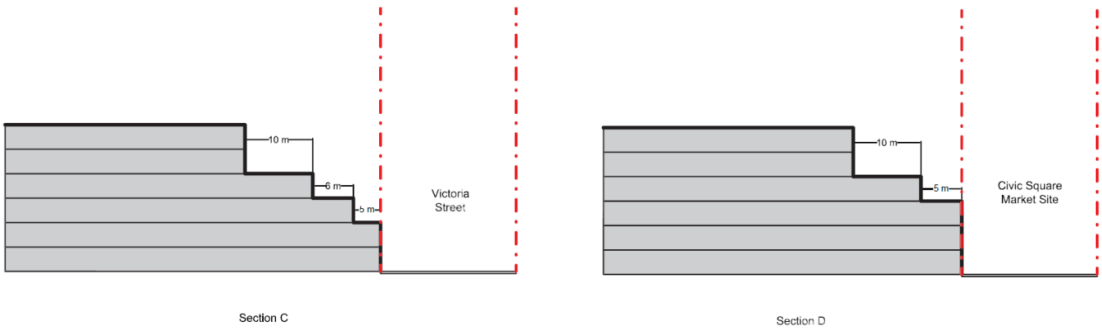
0 20 40 60 80 M



Activity centre boundary
Precinct boundary
Train station
Railway line
Tram line
Existing open space
Public space

Streetwall height:
7.5 metres
11 metres
14.5 metres
Interface with adjoining residential zone

Upper level setback:
3 metres
5 metres
7 metres
10 metres
15 metres
20 metres



Section E

5.1-4 Precinct guidelines

- To avoid "half" basement car parks that project above ground level and diminish opportunities for street level activity or pedestrian access into buildings.
- To redevelop existing open lot car park sites with integrated mixed use developments and community gathering places.
- Locate retail and hospitality uses (e.g. cafes, restaurants, bars) adjacent to public squares.
- Encourage all retail space with abuttal to public squares and spaces to provide active frontages and engagement with those spaces.
- Retain and enhance the existing east/west pedestrian links from Sydney Road, and encourage new links by the introduction of arcades or malls if sites are redeveloped.
- Integrate new public links into the design of new development.
- Avoid vehicle access to private property where an alternative frontage is available for vehicle access on Victoria Street, Waterfield Street, Louisa Street, Sydney Road, Bell Street, Harding Street and Munro Street
- Establish the landscaped Station Forecourt as an important gateway and connection to the Activity Centre through the redevelopment of the Waterfield Street carpark and supermarket (Coles) adjacent to the Station.

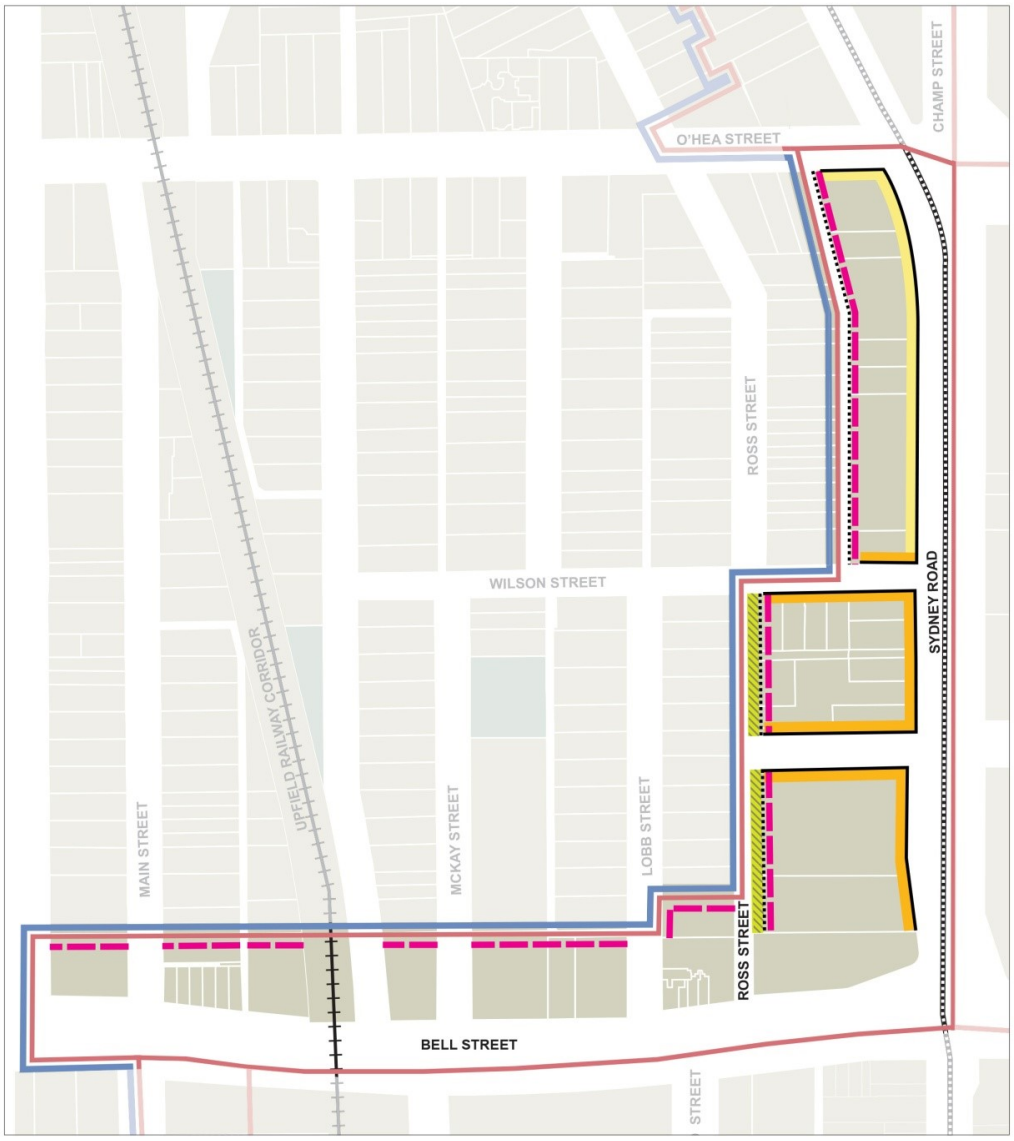
5.2 Precinct 2 – Precinct Bell Street North

5.2-1 Precinct map

5.2-2 Precinct objectives

- To establish as the preferred location for retailing that is 'destination' or single purpose trip in nature, utilising the main road exposure of Bell Street and Sydney Road.
- To encourage a range of commercial uses that complement the adjacent Activity Centre core, including medical centres, business services, offices and restricted retail uses with residential at upper levels.
- To improve permeability and safety for pedestrians and cyclists at designated locations.
- To ensure development contributes to the improvement of the streetscape, pedestrian environment and safety of Ross Street.
- To create a corridor of 8-10 storey buildings along Bell Street, creating a sense of a mid rise Activity Centre.
- To protect the amenity of residential uses in the adjoining residential zone.

5.2-3 Precinct requirements



5.2-4 Precinct guidelines

- Locate showroom and office uses at ground floor, with office and residential uses above.
- The design and siting of any development within the precinct should make provision for the following:

- Vehicle access and pedestrian and bicycle permeability south of Wilson Street. Two way access from Sydney Road through to Ross Street is not required.

- A 3 metre ground level setback of buildings abutting Ross Street to provide for landscaping to enhance the quality of that streetscape.

- On sites larger than 5000 square metres, public pedestrian links should be provided through the site to create a more permeable pedestrian environment.
- Avoid vehicle access from Bell Street and Sydney Road where an alternative frontage is available for vehicle access.
- In Ross Street, vehicle ingress and egress, loading facilities and building services should be designed to ensure good quality pedestrian amenity in the street and limit potential conflicts between vehicle movements and pedestrian activity

5.3 Precinct 3– Church, Community and Education.

5.3-1 Precinct map



5.3-2 Precinct objectives

- To encourage and maintain place of worship, civic, community and education uses.

- To maintain and enhance the historical pattern of free-standing buildings in open, landscaped grounds.

5.3-3 Precinct requirements

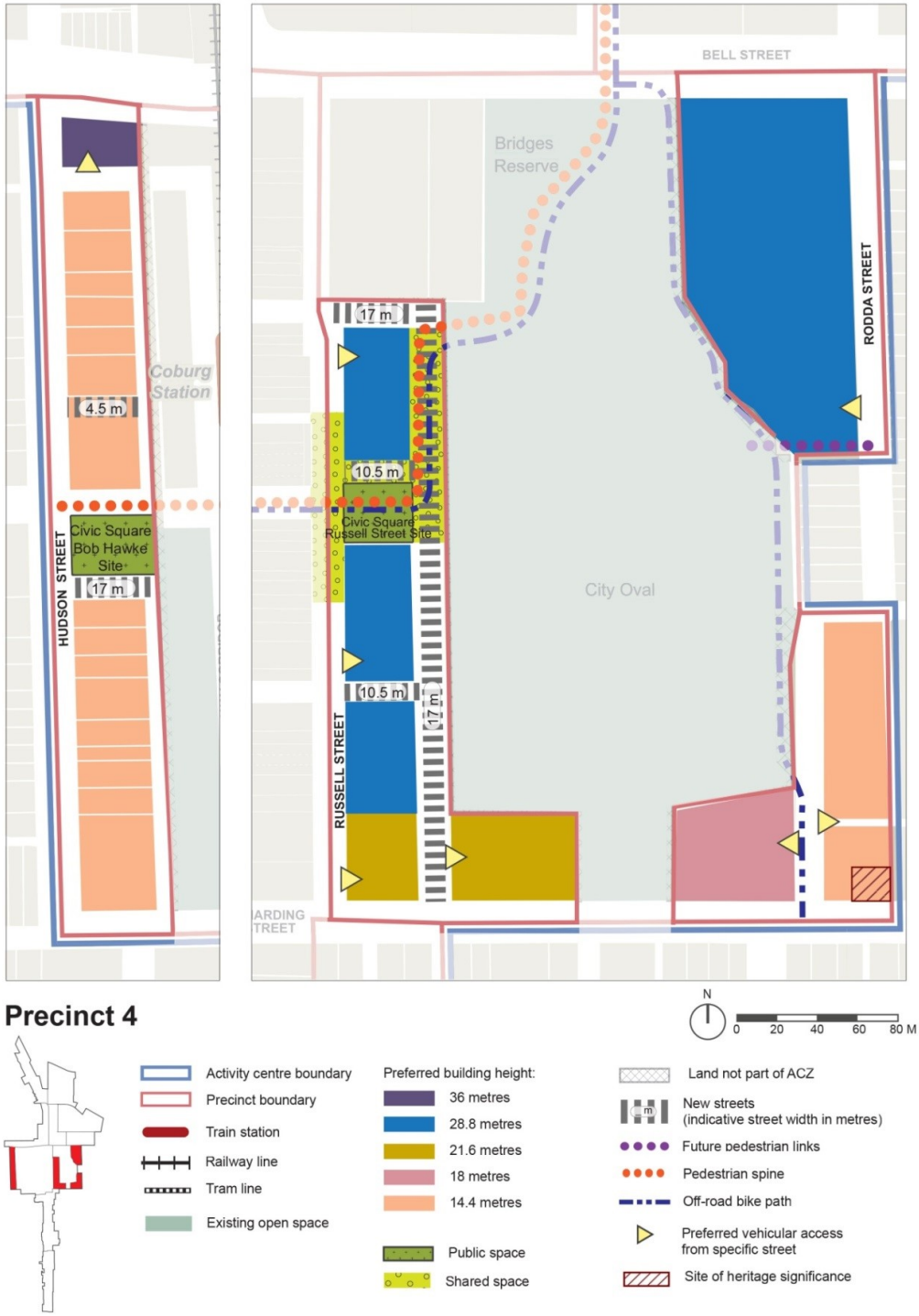
None Specified.

5.3-4 Precinct guidelines

- Avoid vehicle access from Sydney Road where an alternative frontage is available for vehicle access.
- The height and form of development should be appropriate to the existing use, heritage, and landscape character of the precinct and in keeping with the pattern of free-standing buildings and open landscaped grounds.
- Uses should contribute to the community and education role of the precinct.

5.4 Precinct 4– Hudson Street, Russell Street and Environs.

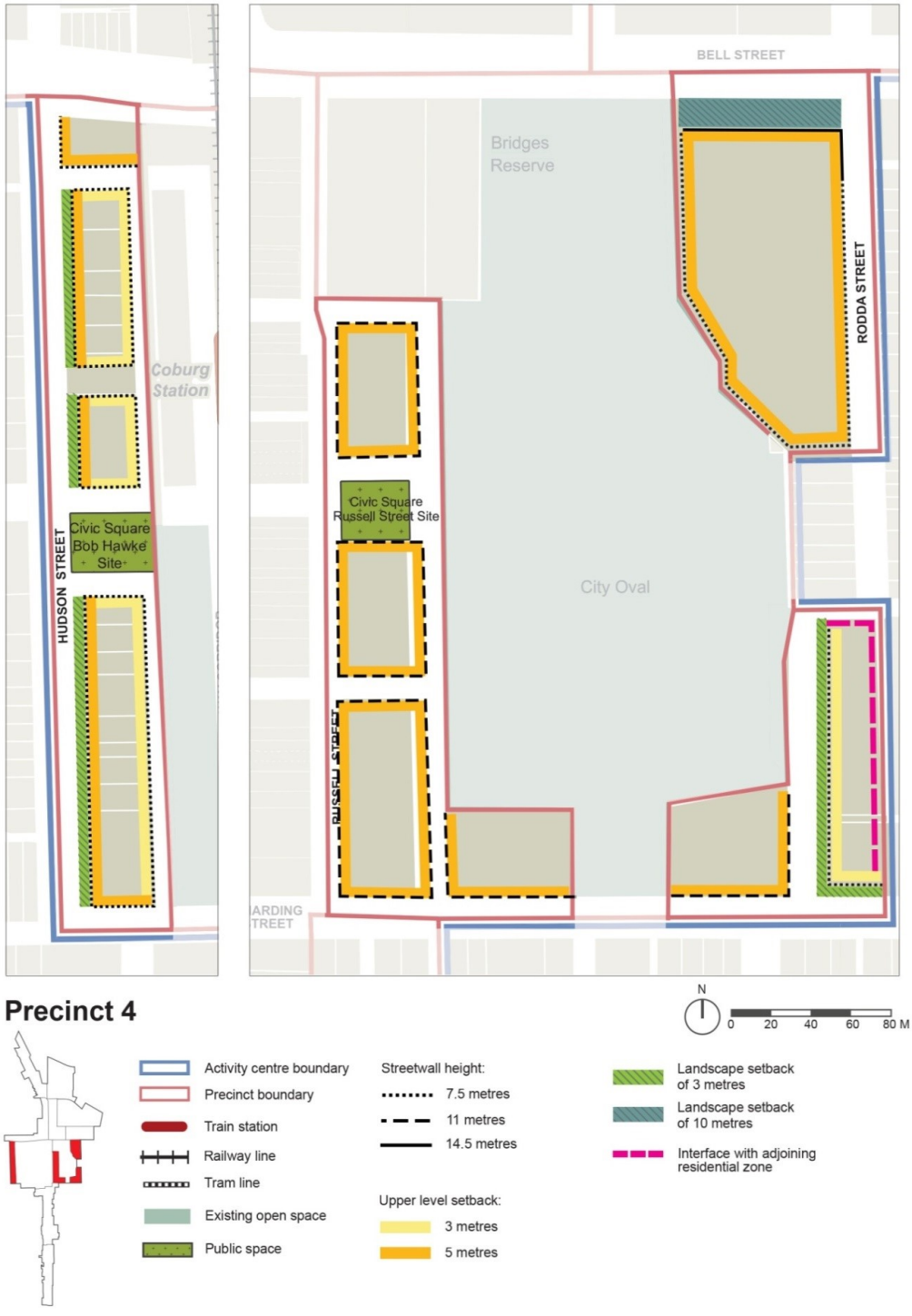
5.4-1 Precinct map



5.4-2 Precinct objectives

- To encourage residential uses, to accommodate a diversity of households and Home based business activity.
- To allow retail and office uses that support residential activity.
- To ensure development responds to the transitional nature of the precinct from large scale development closer to the core of the Activity Centre to the residential development adjoining the Activity Centre, particularly to the south and east.
- To use streets and pedestrian paths to provide a clear separation between development sites and Bridges Reserve and City Oval.
- To encourage passive surveillance and increase activity and safety around Bridges Reserve and City Oval.
- To reinforce the existing east-west link between Bridges Reserve and Rodda Street.
- To improve the amenity and safety of the existing pedestrian link around the eastern side of City Oval.
- To redevelop existing open lot car park sites with integrated mixed use developments and a community gathering place.
- To create a new north-south street, with central median to the west of the City Oval.
- To encourage development close to the Leisure Centre to utilise opportunities for on-site low emission energy generation.

5.4-3 Precinct requirements



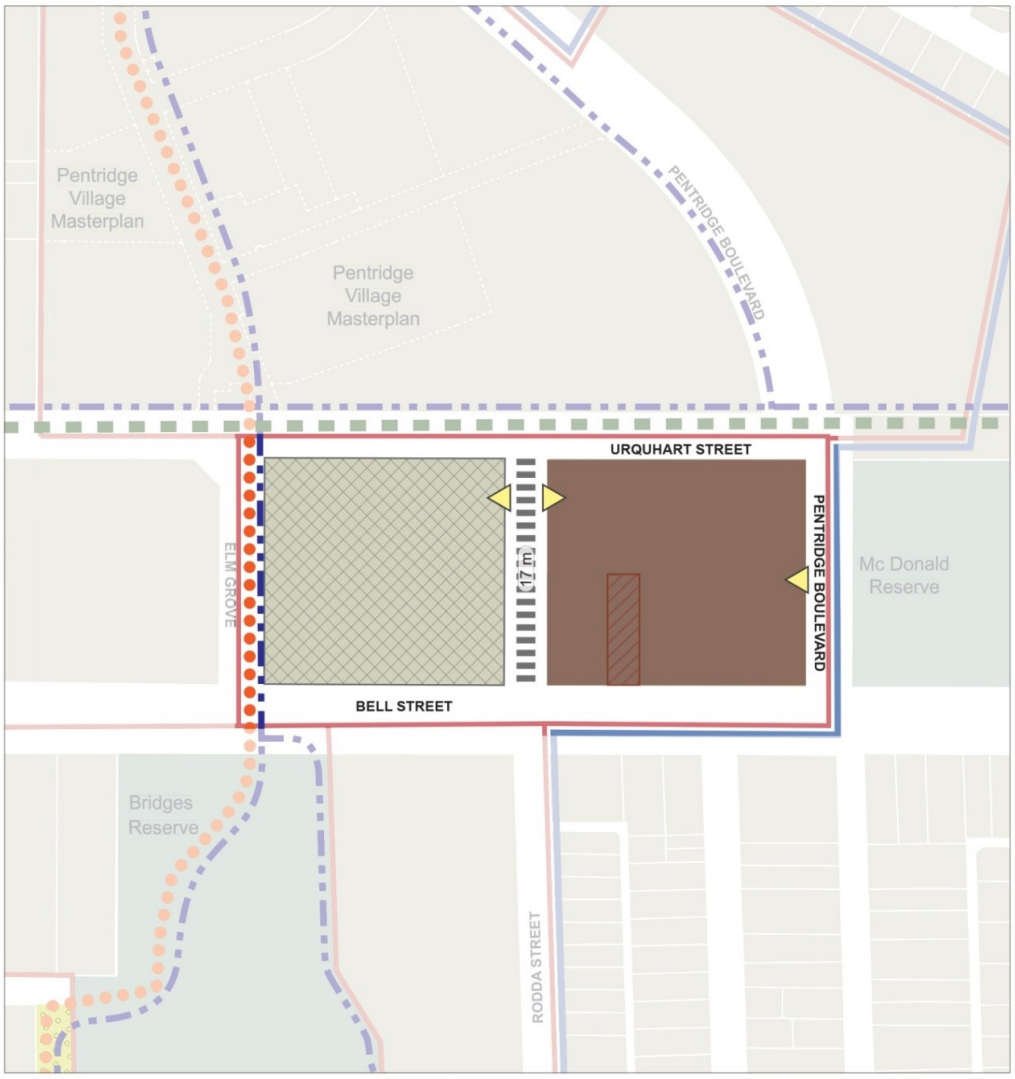
5.4-4 Precinct guidelines

- Establish a built form transition of between 2-4 storeys to properties on the west side of Rodda Street.
- Locate office and retail uses at ground floor that service the needs of residents.

- Locate food and drink premises adjacent to public squares.
- Fences oriented to Bridges Reserve and City Oval should be low and transparent.
- Development should provide multiple building entries along frontages to Bridges Reserve and City Oval.
- Establish the Civic Square Russell Street as a high grade public space extension of the Victoria Street Mall that provides a focal point for residents and workers on the eastern side of the Activity Centre.
- The new street adjacent to City Oval is to include a 4 metre central median.

5.5 Precinct 5 – Civic and Community

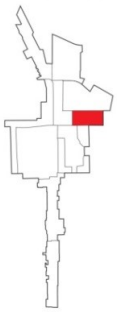
5.5-1 Precinct map



Precinct 5

N

0 20 40 60 80 M



- Activity centre boundary
- Precinct boundary
- Train station
- Railway line
- Tram line
- Existing open space

Preferred building height:

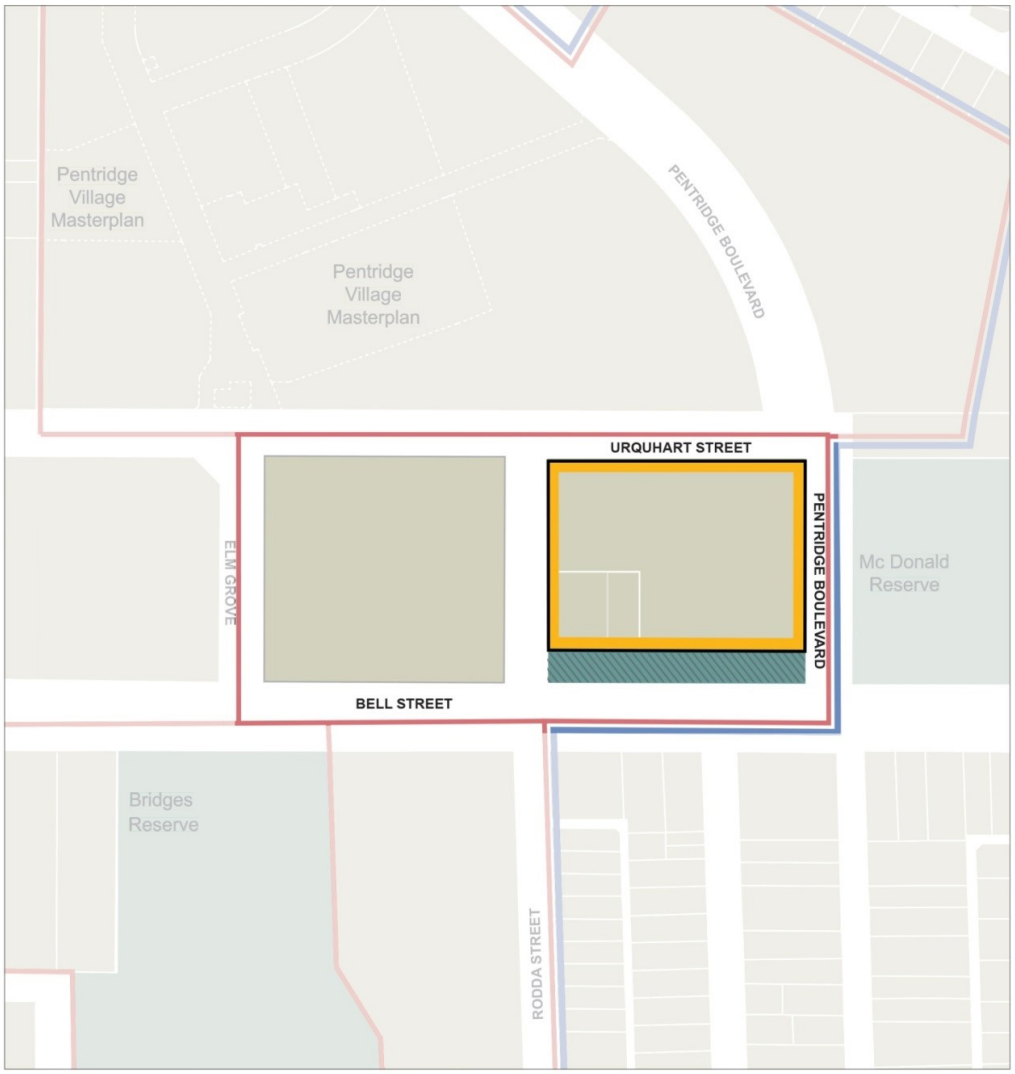
- 38.6 metres

- New streets (indicative street width in metres)
- Preferred vehicular access from specific street
- Land not part of ACZ
- Pedestrian spine
- Off-road bike path
- East/West & North/South green links
- Site of heritage significance

5.5-2 Precinct objectives

- To encourage the establishment of institutional uses including hospital or major medical facilities.
- To maintain the existing local government and community facilities with complementary uses.
- To develop the town hall complex and civic precinct as an intensively used community facility.
- To create a sense of arrival to the Activity Centre from the east.
- To encourage active street frontages through a combination of active uses and architectural treatments to avoid blank walls, where possible.
- To allow for hospital or medical facility to develop across Urquhart Street, and into Precinct 10.

5.5-3 Precinct requirements



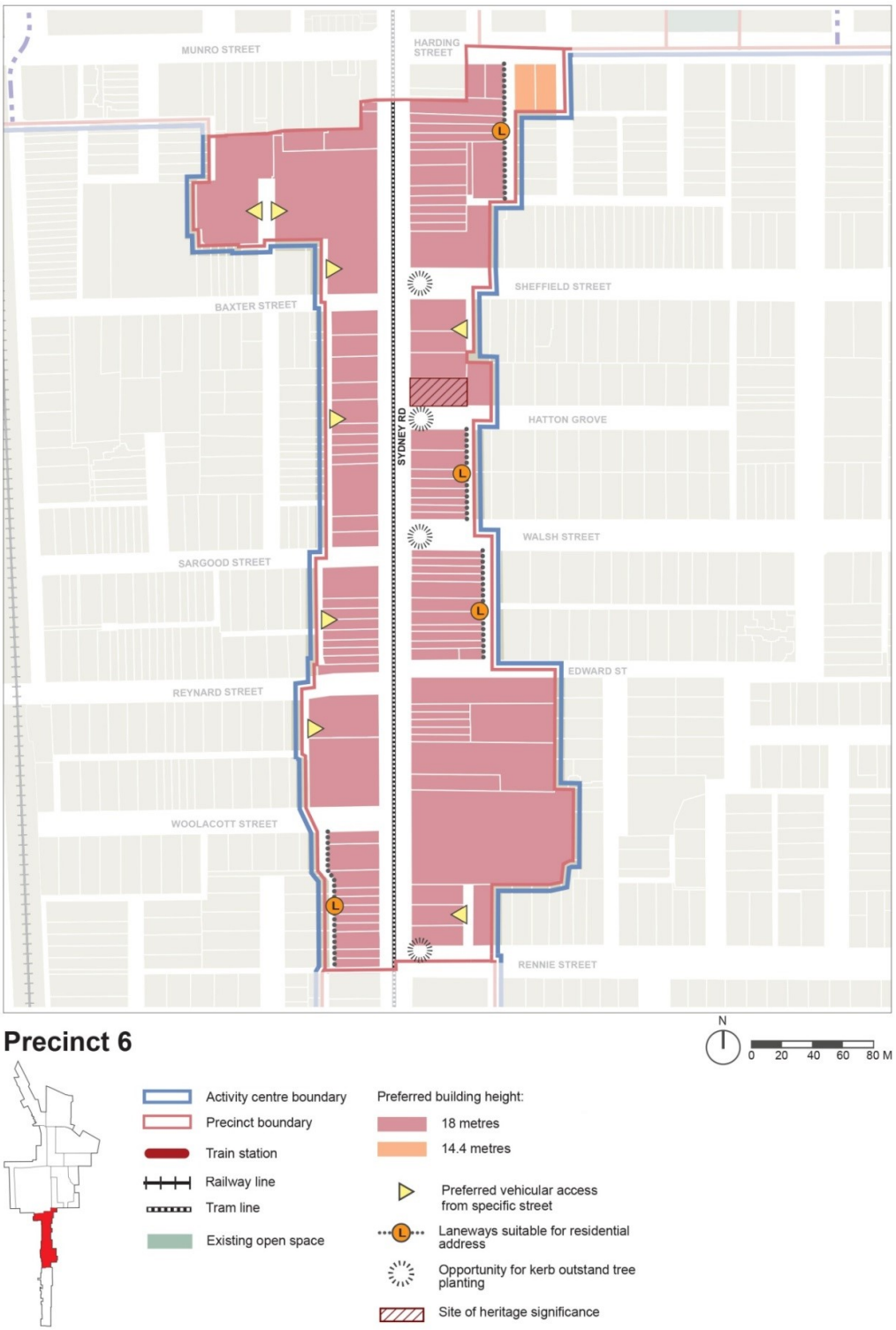
5.5-4 Precinct guidelines

- Provide a permeable public pedestrian environment around and through established and new buildings.

- Create a new north-south road connection between Urquhart Street and Bell Street as the extension of Rodda Street.
- Improve the relationship of uses and buildings in the precinct with the redevelopment of Pentridge Prison to the north and Bell Street to the south through active frontages, pedestrian links and a series of public spaces.
- Locate a contemporary landmark building on land bounded by Bell Street, Urquhart Street and Pentridge Boulevard.
- Development should contribute to public realm improvements along Bell Street, Urquhart Street and Pentridge Boulevard including, but not limited to, improved pedestrian paths, tree planting and street furniture.

5.6 Precinct 6 – Sydney Road Southern Commercial Gateway

5.6-1 Precinct map



5.6-2 Precinct objectives

- To encourage restricted retailing activity and other commercial activities, including light industrial uses which complement the core of the Activity Centre.

- To encourage office and residential uses above ground floor provided they do not impact on the viability of employment generating uses.
- To enhance and reinforce the character of the Sydney Road corridor (horizontal, 2-3 storey Victorian-era scale) by establishing strong street wall forms and setbacks to upper levels.

5.6-3 Precinct requirements

5.6-4 Precinct guidelines

- Locate pedestrian active and/or pedestrian-generating uses at ground level, and offices, residential or other complementary uses above.
- Buildings should be designed as part of the streetscape rather than as stand-alone buildings to create a cohesive character and consistent built form.
- Residential development should address rear laneways and provide active frontages to laneways where appropriate.

5.7 Precinct 7 – Sydney Road - Moreland Road

5.7-1 Precinct map

5.7-2 Precinct objectives

- To retain and expand the existing mix of light industrial and commercial uses to support and complement the core of the Activity Centre.
- To encourage restricted retailing activity and other commercial activities which complement the core of the Activity Centre.
- To provide shop and retailing uses that serve a local convenience role.
- To support residential uses in the precinct at upper levels, provided they do not impact on the viability of employment generating uses.
- To ensure new development improves the character of the Sydney Road streetscape, with buildings built to the frontage.

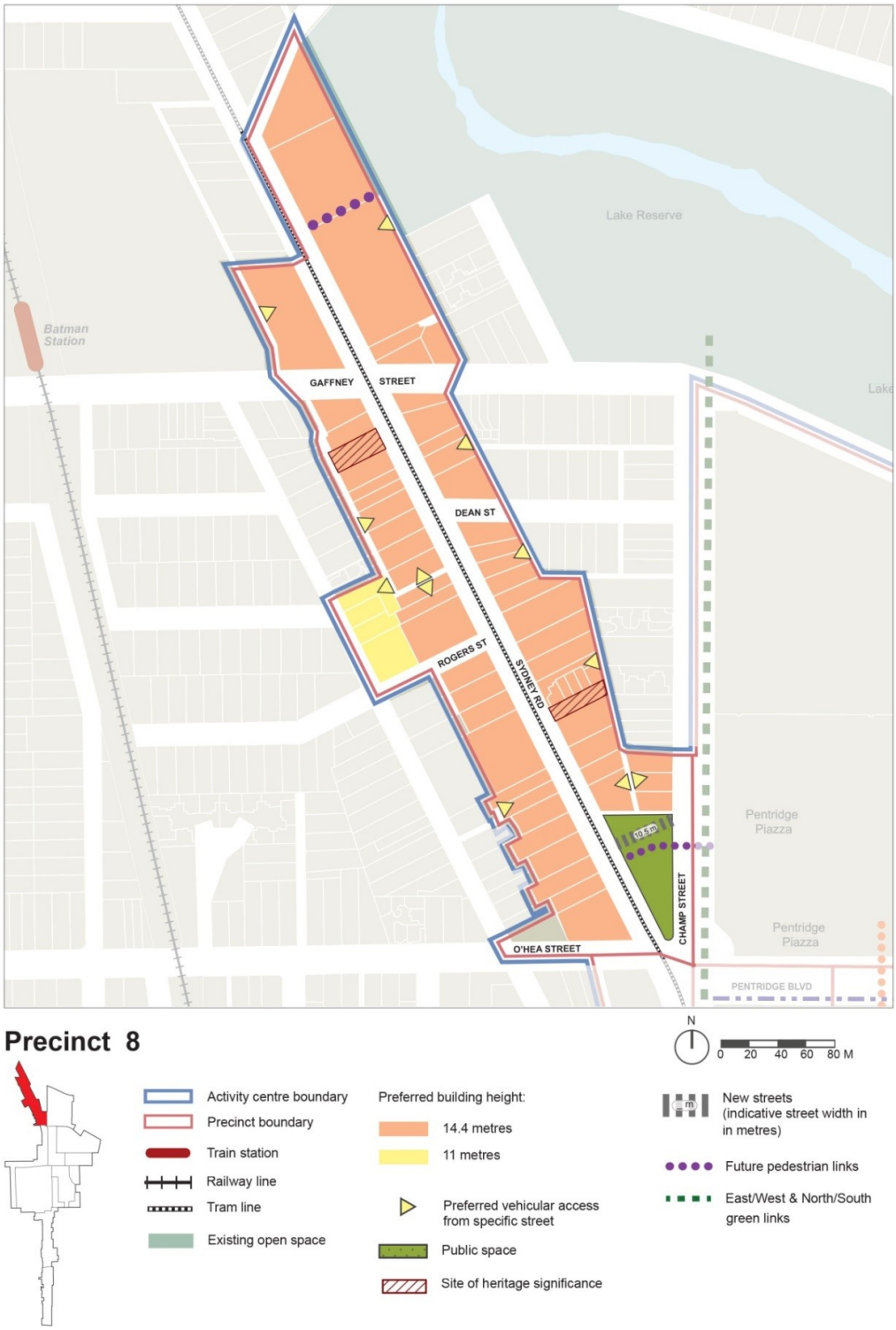
5.7-3 Precinct requirements

5.7-4 Precinct guidelines

- Buildings should be designed as part of the streetscape rather than as stand-alone buildings to create a cohesive character and consistent built form.
- Residential development should address rear laneways and provide active frontages to laneways where appropriate.

5.8 Precinct 8 – Sydney Road Northern Commercial Gateway

5.8-1 Precinct map



5.8-2 Precinct objectives

- To strengthen the mixed-use nature of the precinct and encourage restricted retail premises, commercial or complementary light industrial uses and limited office and residential uses.

- To ensure that proposed residential uses do not impact on the viability of existing or encouraged employment uses.
- To improve the contribution of buildings to the streetscape and amenity of Sydney Road.
- To ensure building design responds to the transitional nature of the precinct from large scale development to the south and lower-scale buildings to the north, west and east.
- To retain and capitalise on views and vistas to the former Pentridge Prison complex.
- To encourage the creation of a new public circulation space at the intersection of Sydney Road and Champ Street, to link the pedestrian piazza entry and the enhanced tram stop at Sydney Road.

5.8-3 Precinct requirements



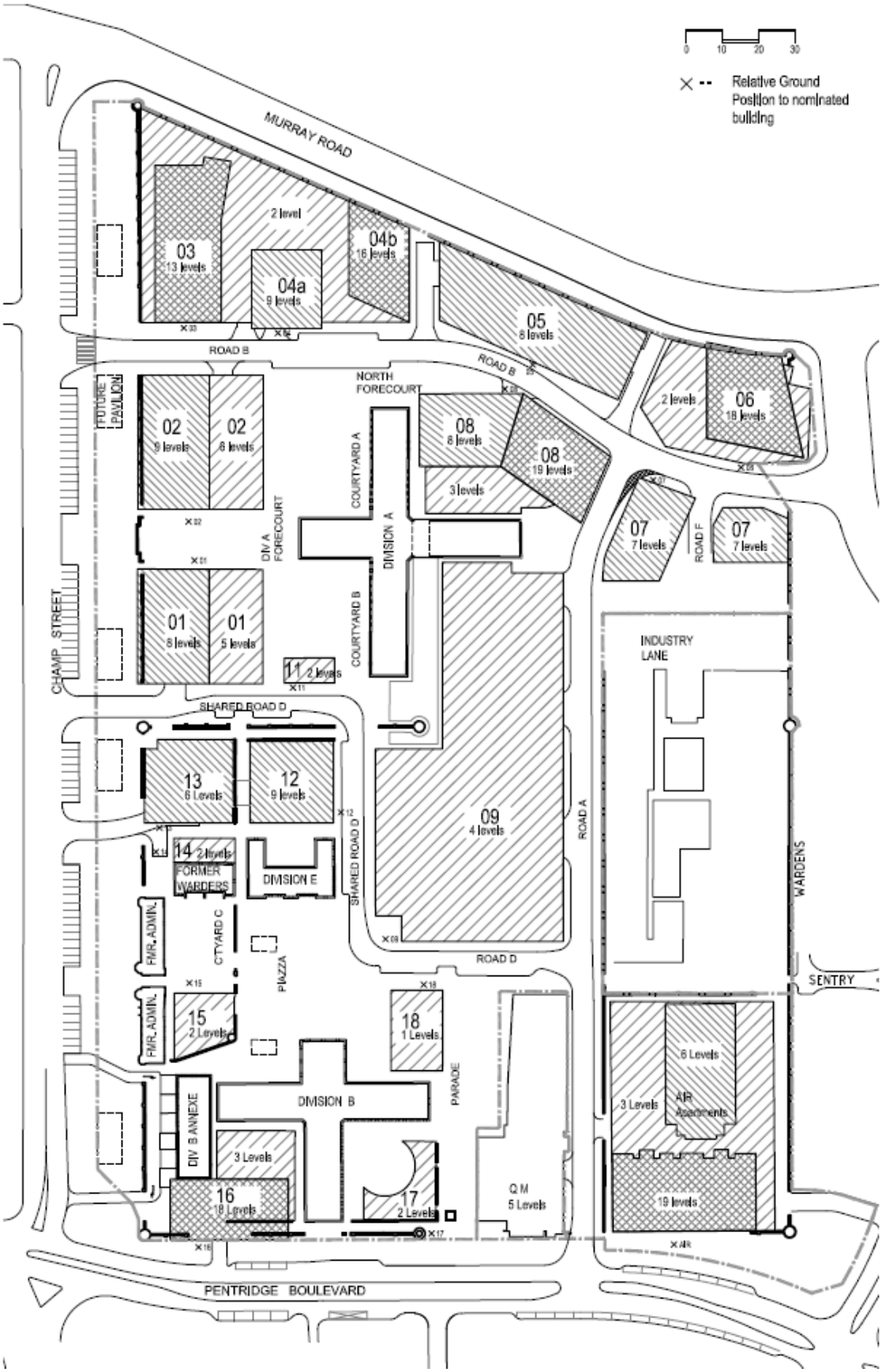
5.8-4 Precinct guidelines

- Locate restricted retail, light industrial and employment generating uses at ground floor with offices or residential uses above.
- Residential uses must demonstrate that the use will not impact on the viability of existing or encouraged employment generating uses.

- Buildings should be designed as part of the streetscape rather than as stand-alone buildings to create a cohesive character and consistent built form.
- Development should maintain existing view lines to the bluestone walls and guard towers of the former Pentridge Prison.
- Development should facilitate the creation of direct vistas from Sydney Road to the main entry gate of the former Pentridge Prison (Piazza) aligned with the centre-line of the gate.
- The design and siting of any development within the precinct should make provision for the following:
  - a pedestrian link through the site between Sydney Road and Coburg Lake Reserve;
  - a road and pedestrian link between Sydney Road and Champ Street;
  - the creation of a new pedestrian circulation space at the intersection of Sydney Road and Champ Street (connecting the former Pentridge Prison and the Sydney Road Corridor).

5.9 Precinct 9: Pentridge Coburg

5.9-1 Precinct map



5.9-2 Precinct objectives

- To promote a high density, residential and mixed use district, that encourages both day and evening activity, though the provision of convenience and leisure retail services, together with offices and service uses.
- To create a sustainable, vibrant and integrated mixed use precinct comprising residential, retail, tourist and other commercial activities, within a development composition that complements the heritage significance of the site.
- To promote the former prison parade ground as the public focus of the precinct, and for this space to be supplemented by a range of complementary public realm experiences.
- To provide for a series of key marker buildings within the built form composition that achieves a layered architectural composition when viewed from internally and externally.
- To ensure new building design references the datum of existing bluestone former prison buildings and the bluestone boundary walls.
- To protect and enhance the cultural heritage significance and assist the conservation and enhancement of heritage buildings in Pentridge.

5.9-3 Precinct requirements

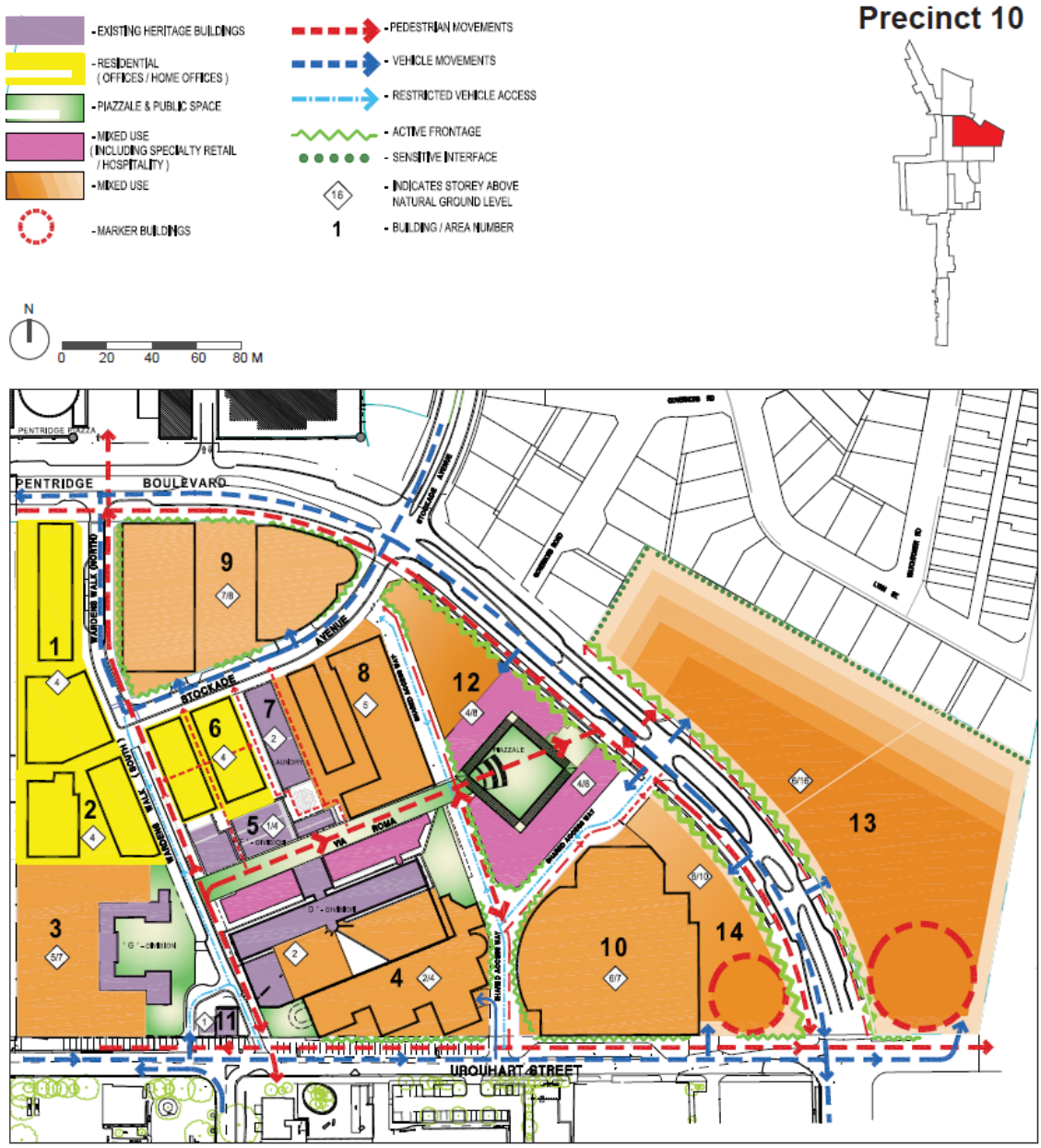
None specified.

5.9-4 Precinct guidelines

- Built form within or adjacent to the former prison parade ground should be of a scale and design that complements the public realm and ground plane activation.
- Establish a network of streets and laneways that produce an urban condition in terms of layout and building placement with active frontages where practical.
- Create a varied alignment of building heights along the north interface (Murray Road) in contrast to the consistent datum of the existing bluestone wall and allow views into the precinct.
- Establish a scale of development on the northwest interface (Champ Street) that does not overwhelm the character of existing development opposite.
- Retain and activate the historically significant bluestone former prison buildings.
- Ensure that building heights and placements do not compromise reasonable environmental conditions in key public places.
- Integrate the landscape architecture with the built form and public realm to enhance experiences throughout the site and define the character of the precinct.

5.10 Precinct 10– Pentridge Village

5.10-1 Precinct map



5.10-2 Precinct objectives

To promote a precinct with residential, leisure and entertainment focus, community and health care facilities, and with ancillary retail facilities; utilising existing heritage buildings where and how appropriate; and in other locations providing for increased densities and larger format buildings, to accommodate restricted retail, entertainment, and commercial uses.

5.10-3 Precinct requirements

None Specified.

5.10-4 Precinct guidelines

- Establish Wardens Walk and Central Walk (Via Roma) as a key node of public space and reinforce its connection with the core of the Piazza as a specialty retail node.

- Future building form should align with street frontages that are clearly defined and articulated to create a pedestrian scale at street level.
- Develop tower buildings along Pentridge Boulevard and Urquhart Street that are well spaced and articulated on street walls to equitably distribute access to an outlook and sunlight.
- Taller built form should provide a clear transition to the lower built form of established residential areas to the north and west of Pentridge Boulevard.
- Strengthen the public realm by providing active frontages where possible, definable entries/sense of address and passive surveillance.
- Provide clearly defined shared access ways through the use of varied paving, street lighting, bollards and landscaping treatments.

6.0 Application requirements

08/09/2022
C195more

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report outlining how the application meets all the relevant requirements of this schedule.
- Section diagrams of the proposed building(s).
- A comprehensive Environmental Management Plan prepared by a suitably qualified person(s) demonstrating best practice in environmentally sustainable design and addressing the following:
  - building energy management (conservation and generation);
  - water sensitive urban design/integrated water management;
  - construction materials selection;
  - indoor environment quality;
  - waste management and reduction;
  - public realm design for access and mobility;
  - transport;
  - demolition and construction phase; and
  - innovation.

The Environmental Management Plan must:

- identify strategic or other documented sustainability targets or performance standards for the Precinct;
- document the means by which the appropriate targets or performance standards may be met;
- identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring where relevant; and
- demonstrate that the design element, technologies and operational practices included in the Environmental Management Plan can be maintained over time.

- Green Travel Plan.
- Traffic Report and Management Plan.
- Accessibility Report (where appropriate, accessibility features must be clearly shown in all associated plans and architectural drawings).
- Housing Affordability Report.
- Waste Management and Disposal Plan.

- Wind Impact Assessment.
- Acoustic Report prepared by a suitably qualified person(s) detailing the building design and materials to be used to buffer the development against background noise and minimise the infiltration of noise into the building and external areas. (generally for sites adjoining Bell Street, Sydney Road, the railway, existing industrial uses and live music venues).
- Shadow diagrams to demonstrate Table 1 of 4.4 is met, including shadows cast by proposed development with a valid planning permit for key public spaces and streets.
- For a development of four or more storeys:

  - a computer model of the proposal compatible with Council's 3D computer model of the Coburg Principal Activity Centre;

  - a three-dimensional representation of the proposed development within the streetscape in the context of adjacent development;

  - streetscape elevations articulating the existing streetscape, the proposed development and how the proposal sits within the elevation;

  - information which shows the form of the proposal as oblique views from neighbouring streetscapes where any part of the proposal will be visible.
- An application for a permit on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

  - to the application for the permit being made;

  - to the application for permit being made and to the proposed use or development.
- An application to vary upper level setbacks (above street wall level) must:

  - be accompanied by an urban context report which demonstrates how the proposed building or works achieves the objectives and guidelines at Clause 2.0 and Clause 5.0 in this schedule; and

  - provide a statement outlining the reasons for the variation, in accordance with the requirements of Clause 4.4 of this schedule.
- For those properties affected by the Public Acquisition Overlay:

  - details of how the building frontage behind any existing building has been designed to address and provide an active frontage to the street upon implementation of the Public Acquisition Overlay

7.0 Notice and review

08/09/2022
C195more

An application for use or an application to construct a building, subdivide land or construct or carry out works in Precincts 1 to 8 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 *Planning and Environment Act* 1987 (the Act) unless the proposal:

- Is within 30 metres (not a road) of a residential zone or land use for a hospital or an education centre.
- Exceeds the upper level setbacks, preferred building heights or streetwall heights outlined in Clause 5.0 of this schedule.
- Is for a subdivision and contains an existing dwelling or car parking space.

An application for use or an application to construct a building, subdivide land or construct or carry out works for Precinct 9 and 10 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 if it is generally in accordance with the objectives in Clause 2.0 or requirements

at Clause 5.0 of this Schedule and either the *Pentridge Coburg Masterplan* (February 2014) or the *Pentridge Village Design Guidelines and Masterplan* (August 2009), whichever is applicable, or if the proposal to subdivide land is for the subdivision of land into super-lots.

8.0 Decision guidelines

08/09/2022
C195more

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme (insert decision guidelines based on the application class: to/for use of land, construct a building or construct or carry out works and/or subdivision) which must be considered, as appropriate, by the responsible authority:

General

- The contribution made to the creation of a social, cultural and environmentally sustainable community, including through the provision of affordable housing.
- The extent to which development connects to or makes provision for future connection to a third pipe stormwater catchment system, based on the requirements of the relevant authorities.

Access

- The extent to which development contributes to enhancing the public realm through improved pedestrian connections in and around the Activity Centre which assist in the retention of view lines, improve public safety and amenity, allow for penetration of sunlight and create landscaping opportunities.
- The likely demand for off street car parking given the proximity and availability of public transport, and any agreements to implement car parking demand reduction measures.

Design and built form

- Whether development provides for an appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.
- Whether development creates a strong visual interest by providing building types based on innovative and contemporary architecture, engaging and safe public realm design and ecologically sustainable development outcomes.
- Whether development complements, where relevant, the form, scale, materials, colour and lighting of a heritage place on the same or adjoining site.

9.0 Signs

03/02/2023
C227more

Signs requirements are at Clause 52.05. All land located within Precinct 4, 9 and 10 is in Category 3, except for land used for the Coburg Bowls Club within precinct 4 which is in Category 2.

10.0 Other provisions of the scheme

08/09/2022
C195more

The bicycle rates specified in Table 3 supersede the Required Bicycle Facilities at Clause 52.34-5 as they apply for dwelling, office and shop uses within this schedule. All other provisions of 52.34 apply to use and development within this schedule.

Table 3. Bicycle Spaces

Dwelling	1 space per studio and 1 bedroom dwelling 2 spaces per 2+ bedroom dwelling (Studies or studios that are separate rooms must be counted as bedrooms.)

Office	1 employee space per 200 sqm gross floor area. 1 visitor space per 750 sqm over 1000 sqm.
Shop	1 employee space per 300 sqm gross floor area. 1 visitor space per 500 sqm over 1000 sqm.

11.0 Reference documents

03/02/2023
C227more

Coburg Activity Centre Structure Plan Reference Document, Moreland City Council, 2018

Incorporated documents

Pentridge Coburg Design Guidelines and Masterplan, February 2014

Pentridge Village Design Guidelines and Masterplan, August 2009

40 OVERLAYS

19/01/2006
VC37

This section sets out the overlays which apply in this scheme.

41 [NO CONTENT]

31/07/2018
VC148

42 ENVIRONMENTAL AND LANDSCAPE OVERLAYS

19/01/2006
VC37

42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **ESO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

42.01-1 Environmental significance and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-2 Permit requirement

28/10/2022
VC224

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where:	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. The buildings and works must be associated with a dwelling.	Clause 59.05

42.01-3 Table of exemptions

17/02/2022
VC200

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning;

The requirement to obtain a permit does not apply to:	
	▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – Section 65 of the *Forests Act 1958*; or – Section 41 of the *Country Fire Authority Act 1958*. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and mining	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

The requirement to obtain a permit does not apply to:	
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (Pteridium esculentum); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.01-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

MERRI CREEK AND ENVIRONS (INCLUDES EDGARS, MERLYNSTON AND CAMPBELLFIELD CREEKS)

1.0 Statement of environmental significance

08/09/2022
C195more

The Merri Creek and its tributaries form an environmental, heritage and recreation corridor. It draws its significance as much from its role as a continuous corridor as it does from the quality of individual reaches. All areas are important because they contribute to the linking of areas of environmental, heritage and recreation values along the creek.

The Merri Creek and its immediate surrounds host some of the most threatened ecosystems in Australia. The creek has a unique role to play in the preservation of threatened flora and fauna and the maintenance of vegetation communities that have almost been totally destroyed in other places.

The creek is the focus of a large number of pre and post-contact archaeological sites that, as a group, are highly significant. Many unknown sites are likely to exist. The areas likely to have the greatest density of these archaeological sites are sensitive to development.

Revegetation works and parkland development, including path construction, have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan region.

2.0 Environmental objective to be achieved

08/09/2022
C195more

Natural systems

- To restore and revitalise the Merri Creek and adjoining open space to a more natural and ecologically diverse environment.
- To ensure the health and vitality of the natural system of the creek and its associated open space.
- To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plains vegetation associated with the creek and environs.
- To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.
- To improve the water quality of the creek.
- To provide for the retention, restoration and revegetation of local native species.

Waterway function

- To sustain flood, regional drainage and waterway functions to enable appropriate beneficial land use and water-based activities to be undertaken.
- To provide flood management and water quality protection through works that seek to mimic natural systems and produce more natural looking stream form.

Recreation use

- To create a peaceful, passive open space quality in the creek parkland and valley.
- To provide a linear open space link including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor.
- To provide for links, views and access from surrounding areas to the creek and open space.

- To provide for a range of recreational uses in the corridor that are consistent with the environmental and open space objectives for each area or activity node.
- To provide for resting places and or nodes along the creek for people to stop, rest, eat and contemplate.

Landscape character

- To protect and enhance the natural and visual character of the waterway corridor.
- To ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings, the placement of fill or lack of screening vegetation.
- To restore those sections of the waterway corridor which have been modified to create artificial bed, banks and landforms to a more natural, visually attractive and ecologically diverse landscape.

Heritage

- To protect areas of sensitivity for Aboriginal heritage
- To protect natural landforms and geological features

3.0 Permit requirement

08/09/2022
C195more

A permit is not required to construct a building or to construct or carry out works for the following provided that sites of archaeological sensitivity, or areas of remnant vegetation are not disturbed:

- A building (including foundation works of less than 1 metre below ground level) in a residential zone if it is 6 metres or less above ground level.
- A building or works (including foundation works of less than 1 metre below ground level) for the purpose of utility installation at 46 King Street, Brunswick East if in accordance with the *Brunswick Terminal Station Incorporated Document, 2012*.
- Works undertaken by a public authority or waterway management authority to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse
  - mitigate flooding or construct stream habitat works
  - revegetation works including preparatory works associated with the revegetation
  - construct a bicycle or shared pathway to the satisfaction of Melbourne Water.

A permit is not required to remove, destroy or lop vegetation as follows:

- A tree in a residential zone with a trunk circumference of less than 0.35 metre at 1 metre above the ground and which is less than 6 metres high or has an overall branch spread of less than 4 metres.
- A non-indigenous tree that has the capacity to adversely affect stream flow.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or to maintain a plant's horticultural health.

4.0 Application requirements

08/09/2022
C195more

None specified.

5.0 Decision guidelines

08/09/2022
C195more

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Brunswick Terminal Station Incorporated Document, 2012.*
- The *Moonee Ponds and Merri Creek Resting Places Strategy,* Moreland City Council, 2002.
- The *Merri Creek and Environs Strategy,* Merri Creek Management Committee Incorporated, August 1999.
- Development Guidelines for the Merri Creek, Merri Creek and Environs Strategy Steering Committee, 1999.
- The views of the Merri Creek Management Committee, Melbourne Water or Aboriginal Affairs, Victorian Heritage Services Branch as considered appropriate by the responsible authority.
- Any adopted Open Space Strategy and, in particular, the relevant open space category and preferred recreational uses and development guidelines.
- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor and long-term viability of remnant and revegetated areas along the creek corridor.
- The significance of the native vegetation area, including the significance of plant communities or animal species supported.
- The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of native vegetation.
- The effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek corridor.
- The need for landscaping or vegetation screening.
- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.
- The need to protect trees with Aboriginal trunk or branch scars.
- The need to retain vegetation and natural features which contribute to the health and water quality of the creek and the visual character of the creek corridor.
- The need for a retention pond that acts as a filter and collector of sediment and litter.

08/09/2022
C195more

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2**.

MOONEE PONDS CREEK AND ENVIRONS (INCLUDES MELVILLE CREEK)

1.0 Statement of environmental significance

08/09/2022
C195more

The Moonee Ponds Creek and related parklands form a significant linear open space system to Melbourne's north. The creek, originally a series of ponds and wetlands, is now characterised by the concrete drain weaving though constricted alignments intertwined with imposing roadway structures. It is now recognised that time has come to realise a significant landscape revival of the creek and its environs, confirming the corridor as an asset and focus in the northern suburbs.

2.0 Environmental objective to be achieved

08/09/2022
C195more

Hydrology and water quality

- To reinstate some elements of natural processes while enhancing water quality and accommodating the significant hydraulic demands.
- To enhance water quality treatment capability of the waterway system including drains and tributaries prior to discharge to the estuary below Mt Alexander Road.
- To ensure the flood protection function of the waterway system is not compromised by creek revival modifications.
- To take all opportunities to reduce flood flow velocities and turbulence in order to improve public safety along the concrete channel system.

Landscape and visual amenity

- To recover and recreate the riverine setting through forming more natural floodway profiles, softening and removing, where possible, the concrete lining and introducing riparian vegetation.
- To improve the views and local awareness of the open space.
- To heighten the visual and recreational amenity to benefit the local community.
- To improve physical and visual access into and along the length of the creek system.

Recreation opportunities

- To capitalise on the linear form of the creek to provide a continuous link between the significant attractions where the valley opens out and to ensure links between community recreation facilities on the eastern and western sides of the creek and City Link.
- To provide for a complementary variety of recreation opportunities which acknowledge the immediate, medium and long term aspirations of the local communities.
- To improve presently undesirable levels of public safety, particularly steep banks beside the concrete channel, and ensure proposed modifications comply with all relevant safety criteria.
- To provide for diversity of experiences, particularly spaces that feel unkempt, wild or remote.
- To provide for resting places and or nodes for people to stop, rest, eat and contemplate.

Habitat enhancement and creation

- To encourage bird and animal populations throughout the creek corridor with the creation of a wider diversity of water edge conditions including ponds, wetlands, etc.

- To retain and manage remnant indigenous vegetation.
- To regenerate and revegetate the waterway corridor to establish habitat, visual continuity and linkages with other existing areas of vegetation along the valley using indigenous species sourced from local provenance.

3.0 Permit requirement

08/09/2022 C195more

A permit is not required to construct a building or to construct or carry out works for the following provided that sites of archaeological sensitivity or areas of remnant vegetation are not disturbed:

- A building (including foundation works of less than 1 metre below ground level) in a residential zone if it is 6 metres or less above ground level.
- Works undertaken by a public authority or waterway management authority to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse
  - mitigate flooding or construct stream habitat works
  - revegetation works including preparatory works associated with the revegetation
  - construct a bicycle or shared pathway to the satisfaction of Melbourne Water.

A permit is not required to remove, destroy or lop vegetation as follows:

- A tree in a residential zone with a trunk circumference of less than 0.35 metre at 1 metre above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- A non-indigenous tree that has the capacity to adversely affect stream flow.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or to maintain a plant's horticultural health.
- Construct interpretive or information signage along creek or trail.

4.0 Application requirements

08/09/2022 C195more

None specified.

5.0 Decision guidelines

08/09/2022 C195more

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Moonee Ponds and Merri Creek Resting Places Strategy*, Moreland City Council, 2002.
- The Moonee Ponds Creek Landscape Revival Strategy, Chris Dance Land Design, 1997.
- The Moonee Ponds Creek Northern Zone Concept Plan, Edge Pty Ltd, 1998.
- The Moonee Ponds Creek Concept Plan, Melbourne Water, 1992.
- The views of the Moonee Ponds Creek Co-ordinating Committee, Melbourne Water or Aboriginal Affairs, Victorian Heritage Services Branch as considered appropriate by the responsible authority.
- Urban Stormwater: Best Practice Environmental Guidelines for Urban Stormwater, prepared by CSIRO for Victoria, Stormwater Committee, 1999.
- Any adopted Open Space Strategy and, in particular, the relevant open space category and preferred recreational uses and development guidelines.

- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor and long-term viability of remnant and revegetated areas along the creek corridor.
- The significance of the native vegetation area, including the significance of plant communities or animal species supported.
- The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of native vegetation.
- The effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek corridor.
- The need for landscaping or vegetation screening.
- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.
- The need to protect trees with Aboriginal trunk or branch scars.
- The need to retain vegetation and natural features which contribute to the health and water quality of the creek and the visual character of the creek corridor.
- The need for a retention pond that acts as a filter and collector of sediment and litter.
- The need for any stormwater measures that will improve the quality of flows entering the Moonee Ponds Creek.

42.03 SIGNIFICANT LANDSCAPE OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **SLO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

42.03-1 Landscape character and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

42.03-2 Permit requirement

28/10/2022
VC224

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank.	Clause 59.05

Class of application	Information requirements and decision guidelines
The buildings and works must be associated with a dwelling.	

42.03-3 Table of exemptions

17/02/2022
VC200

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – Section 65 of the *Forests Act 1958*; or – Section 41 of the *Country Fire Authority Act 1958*. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.

The requirement to obtain a permit does not apply to:	
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is ▪ bracken (*Pteridium esculentum*); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.

The requirement to obtain a permit does not apply to:	
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.03-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

16/12/2022
VC201

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

WATERWAYS OF THE WEST: MOONEE PONDS CREEK (MOONEE MOONEE) CORRIDOR ENVIRONS:

REACH 2 – MOUNT ALEXANDER ROAD, FLEMMINGTON TO STRATHMORE

1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Moonee Ponds Creek (Moonee Moonee) forms part of the connected system of rivers, wetlands and creeks of the lower Yarra catchment and is within the Waterways of the West region. While the river has been subjected to urbanisation, it is still a significant and valued natural system in the urban landscape and there are opportunities to repair and enhance the river and its interfaces through careful management of future development..

Due to the topography and landscape of the river, bushfire is a present risk in some locations along the corridor.

Moonee Ponds Creek supports a range of landscape, natural and cultural heritage values and holds high cultural significance to Traditional Owners as a place they relied upon for fishing, transport, and food.

Reach 2 of the Moonee Ponds Creek originally formed a series of ponds and wetlands however Moonee Ponds Creek is now characterised by its formation as a concrete channel or brick and stone banks which was constructed to control flooding. Throughout Reach 2 the waterway is moderately incised into the landscape with relatively steep riverbanks formed by the channel walls.

Reach 2 is narrow in width and predominantly located within linear public reserves. The corridor is characterised by one to two storey residential development on large allotments with solid rear fencing facing the waterway.

From Flemington to Brunswick West, the waterway is broadly aligned parallel to the Citylink tollway, with little vegetation cover or canopy trees. From Brunswick West to Strathmore, vegetation including canopy trees becomes more prevalent throughout the waterway corridor.

Remnant billabongs and wetlands have ecological significance and are critical to ecological and hydrological systems that provide habitat for species under threat such as the Nankeen Night-Heron and Pobblebonk Frog.

The Moonee Ponds Creek Trail provides a shared pedestrians and cyclists path along the length of the waterway corridor. It provides access and connection to a series of small reserves and parklands located along the waterway including Travancore Park, Fanny Reserve, 5 Mile Creek Reserve, Boulevard Reserve, Moonee Ponds Creek Linear Reserve, and Lebanon Reserve.

2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain indigenous riparian vegetation and canopy trees as a dominant landscape feature.

To encourage the revegetation of the waterway, ensuring it responds to the bushfire risk of a location, including planting of new indigenous vegetation throughout and adjacent to waterway corridor.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To ensure rear boundary fencing facing the waterway corridor is visually transparent.

3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,
  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or
  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.
- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - The fence is not higher than 1.8 metres above ground level.
  - The fence allows for some visual transparency.
  - The fence design, materials and colour are appropriate to the landscape setting.
- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule ceases to have effect after 31 December 2026.

4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:
    - Building heights using Australian Height Datum measured from ground level.
    - Areas of cut and fill.

- Site coverage and permeability.
- Location and proposed material for fences.

- A schedule of materials and finishes.
- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
- A landscape plan which includes:
  - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of Moonee Ponds Creek. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
  - Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
  - A report that identifies values, threats and undertakes a risk assessment for the river corridor.

5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

16/12/2022
VC201

SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO2**.

WATERWAYS OF THE WEST: MOONEE PONDS CREEK (MOONEE MOONEE) CORRIDOR ENVIRONS:

REACH 3 – STRATHMORE TO URBAN GROWTH BOUNDARY, ATTWOOD

1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Moonee Ponds Creek (Moonee Moonee) forms part of the connected system of rivers, wetlands and creeks of the lower Yarra catchment and is within the Waterways of the West region. While the river has been subjected to urbanisation, it is still a significant and valued natural system in the urban landscape and there are opportunities to repair and enhance the river and its interfaces through careful management of future development.

Due to the topography and landscape of the river bushfire is a present risk in some locations along the corridor.

Moonee Ponds Creek supports a range of landscape, natural and cultural heritage values and holds high cultural significance to Traditional Owners as a place they relied upon for fishing, transport, and food.

Reach 3 of the Moonee Ponds Creek commences in Strathmore where the waterway alters from a concrete channel to a naturally formed waterway corridor. An exception to this is the retarding basin wall and spillway infrastructure at Jacana Wetlands which is important for downstream flood prevention.

Throughout Reach 3 the waterway is moderately incised into the landscape with relatively steep riverbanks. It is a predominantly narrow waterway corridor, located within linear public reserves, which meanders through a number of the northern suburbs. The corridor is broadly characterised by one to two storey residential development on large allotments with solid rear fencing facing the waterway. In some sections roads and dwellings face the waterway corridor. The dominant landscape feature is native canopy trees along the waterway corridor.

The character changes notably at Jacana Wetlands and Jacana Valley Parklands, where the waterway corridor substantially widens into an open and sparsely vegetated sloped landscape. Through this section, residential development has an interface to these parkland areas and the Western Ring Road forms a dominant bridge structure spanning the valley.

The Moonee Ponds Creek Trail provides a shared pedestrians and cyclists path along the length of the waterway corridor and provides access and connection to a series of small reserves and parklands located along the waterway including Strathnaver Reserve, Bryant Family Reserve, Boeing Reserve, Kingsford Smith Reserve, Djirri Djirri Park, Fran Street Park, Moonee Ponds Creek Parklands, Westmeadows Reserve, and Willowbrook Reserve.

2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain indigenous riparian vegetation and canopy trees as a dominant landscape feature.

To encourage the revegetation of the waterway, ensuring it responds to the bushfire risk of a location, including planting of new indigenous vegetation throughout and adjacent to waterway corridor.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To ensure rear boundary fencing facing the waterway corridor is visually transparent.

3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,
  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or
  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.
- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - The fence is not higher than 1.8 metres above ground level.
  - The fence allows for some visual transparency.
  - The fence design, materials and colour are appropriate to the landscape setting.
- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule ceases to have effect after 31 December 2026.

4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:

- Building heights using Australian Height Datum measured from ground level.
- Areas of cut and fill.
- Site coverage and permeability.
- Location and proposed material for fences.

- A schedule of materials and finishes.
- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
- A landscape plan which includes:
  - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of Moonee Ponds Creek. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
- Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
- The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
- A report that identifies values, threats and undertakes a risk assessment for the river corridor.

5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

43 HERITAGE AND BUILT FORM OVERLAYS

19/01/2006
VC37

43.01 HERITAGE OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **HO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

43.01-1 Permit requirement

04/11/2022
VC226

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy system attached to a building that primarily services the land on which it is situated if the system is visible from a street (other than a lane) or public park and if the schedule to this overlay specifies the heritage place as one where solar energy system controls apply.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.
  - Street furniture other than:
    - Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.
    - Speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.

  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
  - An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
  - Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change. ▪ Subdivide land into lots each containing an existing building or car parking space where: – The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. – An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.07

Class of application	Information requirements and decision guidelines
▪ Subdivide land into 2 lots if: – The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired. – The construction or carrying out of the approved building or works on the land has started lawfully. – The subdivision does not create a vacant lot. ▪ Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay. ▪ Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay. ▪ Externally alter a non-contributory building. ▪ External painting. ▪ Construct a fence. ▪ Construct a carport, garage, pergola, verandah, deck, shed or similar structure. ▪ Construct and install domestic services normal to a dwelling. ▪ Construct and install a non-domestic disabled access ramp. ▪ Construct a vehicle cross-over. ▪ Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing. ▪ Construct a rainwater tank. ▪ Construct or display a sign. ▪ Lop a tree. ▪ Construct or install a solar energy system attached to a dwelling. ▪ Construct and install an electric vehicle charging station. ▪ Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.	

43.01-2 Places in the Victorian Heritage Register

21/11/2017
VC141

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

43.01-3 No permit required

21/11/2017
VC141

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

43.01-4 Exemption from notice and review

31/07/2018
VC148

An application under this overlay for any of the following classes of development 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:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

43.01-5 Statements of significance

24/01/2020
VC160

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

43.01-6 Heritage design guidelines

31/07/2018
VC148

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

43.01-7 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-8 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

43.01-9 Use of a heritage place

31/07/2018
VC148

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

43.01-10 Aboriginal heritage places

31/07/2018
VC148

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

24/01/2019
C173

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

14/01/2021
C200more

The following application requirements apply to an application under Clause 43.01, in addition to those specified elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report prepared by a suitably qualified heritage consultant, which assesses the impact of the application upon the significance of the heritage place. This information may not be required for minor applications as determined by the responsible authority.
- For applications that propose upper storey additions sightline diagrams, including oblique view diagrams from each adjoining street (not a laneway) or a public park abutting the property.
- For applications that propose to use a heritage place for a use otherwise prohibited under the zone a written submission prepared by a suitably qualified person that includes:
  - Evidence as to how the change of use will ensure conservation of the heritage place.
  - Evidence that other options for prohibited or non-prohibited uses have been examined.
  - A conservation management plan.
- For applications for total demolition of a non-contributory place, an application for a new replacement development.
- For applications for total demolition of a contributory or individually significant heritage place:
  - An application for a new replacement development.
  - A structural engineering report prepared by a suitably qualified person.
  - A report by a suitably qualified person justifying the demolition of a heritage place rather than retention and repair/restoration.
- For applications that remove, destroy or lop trees with an identified heritage value:
  - A report from a suitably qualified person.
  - A landscape place detailing any existing tree(s) and vegetation to be removed and retained; and a schedule of all proposed trees, shrubs and ground covers (including numbers, size at planting, size at maturity and botanical names).
- For applications where new undeveloped lots are proposed that are not accompanied by a development proposal, building envelopes for the subdivided lots.

2.0 Heritage places

08/06/2023
C226more

The requirements of this overlay apply to both the heritage place and its associated land.

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO431	Precinct Adler Grove Precinct, Coburg North Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO1	Precinct Albert Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO384	Precinct Allan Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO432	Precinct Bain Avenue Precinct, Coburg North Map 8HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO13	Precinct Balmoral Avenue Precinct, Pascoe Vale South Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO14	Precinct Barkly Street East Precinct, East Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO8	Precinct Barkly Street West Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO425	Precinct Beaufort Houses Precinct, Pascoe Vale South Map 10HO	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO24	Precinct Blyth Street Precinct, Brunswick Map 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO34	Precinct Bourke Street Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO30	Precinct Brickworks Housing Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO31	Precinct Bridges Reserve and City Oval (Bell Street) Precinct, Coburg	No	No	Yes	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 11HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO55	Precinct Bruce Street Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO32	Precinct Brunswick Road Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO33	Precinct Brunswick Road West Precinct, West Brunswick Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO100	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Brunswick Road East Precinct, Brunswick East Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO48	Precinct Clarendon Street Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO51	Precinct Collier Crescent Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO207	Precinct Coonans Hill Precinct, Pascoe Vale South 1-47 and 2-58 Carrington Street, 1-43 and 2-52 Disraeli Grove, 1-45 and 2-44 Graham Street, 1-51 and 2-46 Grundy Grove, 1-41 and 2A-24 Louisville Avenue, 1-53 and 2-60 Prendergast Street,	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	2-48 Walhalla Street, 1-59 and 2-74 Ward Grove, 3-99 Woodlands Avenue, and 467-491 Moreland Road, Pascoe Vale South Map 10HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Coonans Hill Precinct Statement of Significance 2022*								
HO56	Precinct Daly Street Precinct, West Brunswick Map 13HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO60	Precinct Dawson Street Precinct, Brunswick Map 13HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO66	Precinct De Carle Street/ Bishop Street Precinct, Brunswick	No	No	Yes (Warr Park only)	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO433	Precinct Delta Avenue/ Lorensen Avenue Precinct, Coburg North Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO68	Precinct Donald Street Precinct, Brunswick Map 12HO & 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO116	Precinct Dudley Street Precinct, Fitzroy North Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO72	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Edgars Creek Reserve Precinct, North Coburg Map 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO73	Precinct Edward Street Precinct, Brunswick 1-5 and 2-4 Bell Street, 1-15 and 2-8 Charles Street, 67-121 and 38-74 Edward Street, 1-9 Essex Street, 27-35 Weston Street, and 1-7 and 4-6 Walton Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Edward Street Precinct Statement of Significance 2022*	Yes (2A Charles Street: historic commercial signage)	No	No	Yes	No	No	No	No
HO75	Precinct Ewing Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO76	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	First Avenue Precinct, Brunswick Map 11HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO426	Precinct Fischer Street Precinct, Coburg Map 8HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO77	Precinct Frederick Street Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO132	Precinct French Avenue Precinct, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO80	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Gallipoli Parade Precinct, Pascoe Vale Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO81	Precinct Gavin Park and Westbreen Creek Precinct, Pascoe Vale Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO82	Precinct Glencairn Avenue/ Maranoa Crescent/ Wattle Grove Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO85	Precinct Glenmorgan, Albion and Clarence Street Precinct, Brunswick East 1-75 and 16-80 Glenmorgan Street, 26-76 Albion Street and 11-45 and 20-46 Clarence Street, Brunswick East	No	No	Yes (street trees only on Glenmorgan Street)	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Glenmorgan, Albion and Clarence Street Precinct Statement of Significance 2022*								
HO87	Precinct Gordon Street and Devon Avenue Precinct, Coburg 1A-69 and 2-70 Devon Avenue, and 1-95, 2-84 and 88-90 Gordon Street, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Gordon Street and Devon Avenue Precinct Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO89	Precinct Grantham Street Precinct, West Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO92	Precinct Hoffman and Hunter Streets Precinct, West Brunswick Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO93	Precinct Hope Street Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO182	Precinct Lascelles Street Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO203	Precinct Loyola Avenue Precinct, Brunswick Map15HO **Incorporated Plan:**	Yes	No	Yes (street trees on eastern side)	Yes	Yes	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO435	Precinct Lygon Street Precinct A 495-497 & 500-522 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO436	Precinct Lygon Street Precinct B 398-406 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO437	Precinct Lygon Street Precinct C 313-321 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO438	Precinct Lygon Street Precinct D 128-140 & 129-135 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO439	Precinct Lygon Street Precinct E 38-114 & 51-117 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO108	Precinct Lyle Street Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO427	Precinct Main Street Precinct, Coburg	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO214	Precinct Manallack and Union Streets Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO109	Precinct Marion Avenue Precinct, West Brunswick Map 13HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO215	Precinct Marks Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO428	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	May Street Precinct, Coburg Map 8HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO110	Precinct Melville Road Precinct, Pascoe Vale South Map 10HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO113	Precinct Methven Park/ Methven Street Precinct, East Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO115	Precinct Moreland Station Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO123	Precinct Myrtle Street Precinct, East Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO124	Precinct Newlands Estate Precinct, Coburg Map 9HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO217	Precinct Olga Street Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO129	Precinct Overend Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO130	Precinct Park Street Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO47	Precinct H.M. Prison Pentridge, Champ Street and Murray Road and Urquhart Street and Pentridge Boulevard and Wardens Walk and Sentry Lane and Industry Lane and Stockade Avenue and Via Roma, Coburg Map 9HO & 12HO	-	-	-	-	-	Yes Ref No H1551 (and part Ref No H959)	Yes	No
HO139	Precinct Phillipstown Precinct - Barkly Street/ Union Street, Brunswick 333-355, 357-419 and 310-400 Barkly Street, Spurway Lane, 1-15 and 2-20 Bakery Street, 269-303 Brunswick Road, 39-143 and 128-172 Gold Street, 1-39 and 2-34 Gray Street, 1A and 1B Heller Street, 1-29 and 2-18 Hodgson Street, 1 Mayfield Street, 5-7 McKay Street, 105, 109-119 and 126-136 Union Street, Vincent Street and 33-133 and 30-114 Wilson Street, Brunswick Map 14HO **Incorporated Plan:**	Yes	No	Yes (Temple Park only)	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Phillipstown Precinct Statement of Significance 2022*								
HO218	Precinct Reaburn Crescent Precinct, Brunswick West Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	Yes	No	No	No
HO220	Precinct Roberts Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO429	Precinct Rolland Street Precinct, Coburg Map11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO145	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sheffield Street Precinct, Coburg Map 11HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO430	Precinct Soudan Street Precinct, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO434	Precinct Station Heights Estate Precinct, Coburg North Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes – Canary Island Palm at 33 Mashoobra Street only	Yes	No	No	No	No
HO229	Precinct Stewart Street Precinct, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO238	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sumner Estate Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO249	Precinct Sunbeam Street Precinct, Pascoe Vale Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO149	Precinct Sydney Road Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes (Hooper Reserve only)	Yes	No	No	No	No
HO172	Precinct The Grove/Sydney Road Precinct, Coburg Map 11HO &12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO179	Precinct	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Turner Street Precinct, Pascoe Vale Map 10HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO180	Precinct Upfield Railway Line Precinct Map 11HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO601	Precinct Former Coburg Railway Line (also known as Upfield Railway Line Precinct)	-	-	-	-	-	Yes Ref No H952	Yes	No
HO336	Precinct Victoria Street Precinct, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO251	Precinct Warburton Street Precinct, Brunswick Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO193	Precinct Westbourne Street War Service Homes Precinct, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO194	Precinct Weston Street Precinct, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO196	Precinct Whitby Street Precinct, West Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO200	Precinct Willowbank Road Precinct, East Brunswick Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO443	Serial Listing Moderne Apartment Blocks 37, 301 and 434C Lygon Street, Brunswick East Map15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO201	44 Acacia Street, Glenroy – “Ingleside” Map 3HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO3	247-249 Albert Street, Brunswick – Cottages (pair) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO253	256 Albert Street, Brunswick– Salvation Army hall Map 14HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO254	258 Albert Street, Brunswick– Shop Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO4	291-293 Albert Street, Brunswick – Railway Hotel Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO5	310 Albert St, Brunswick - Former Ferry Terra Cotta and Enamelled Brickworks Office Map 14HO	-	-	-	-	-	Yes Ref No H1285	Yes	No
HO6	361-367 Albert Street, Brunswick – Cottages Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO7	373 Albert Street, Brunswick – House Map 14HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO9	117-123 Albion Street, Brunswick – Harnett House (Melbourne City Mission) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO257	275 Albion Street, Brunswick– House and Canary Island Palm Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO258	279 Albion Street, Brunswick – Former Methodist Church Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO259	281 Albion Street, Brunswick– House and Peppercorn Trees Map 14HO **Incorporated Plan:**	No	No	Yes	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO260	283 Albion Street, Brunswick– House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO261	399-401 Albion Street, Brunswick West – FJ Wolfe Cordage Factory Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO262	36 Alister Street, Fitzroy North – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO264	118 Argyle Street, Fawkner – St Mark's Catholic Primary School (1930s school building) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO11	326 Amess Street, East Brunswick – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO395	(part) 56 Bakers Road, Coburg North – Merlynston State School No. 4328 (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO12	1-7 Ballarat Street and 2-8 Sparta Place and 1 Tripovich Street, Brunswick – Former Brunswick Market Map 14HO	-	-	-	-	-	Yes Ref No H1307	Yes	No
HO385	2-6 Ballarat Street, Brunswick – Perucci Shirt Factory (former) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO16	1 Barkly Street, East Brunswick – House Map 15HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO17	130 Barkly Street, Brunswick – Cottage Map 15HO	-	-	-	-	-	Yes Ref No H594	Yes	No
HO18	151 Barkly Street, Brunswick – Cottage Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO19	159-161 Barkly Street, Brunswick – Cottages (Art Nouveau) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO265	216-222 Barkly Street, Brunswick – Houses (Terraces) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO266	62 Barrow Street, Coburg – Whare-Ha Map 12HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO267	58 Belair Avenue, Glenroy – Greystanes (Former Tiverton Park) Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO20	39 Belgrave Street, Coburg – The Grange Map 12HO	-	-	-	-	-	Yes Ref No H1297	Yes	No
HO268	Bell Street, Coburg – Former Quarry, De Chene Reserve Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO269	65 Bell Street. Coburg – House Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO23	82 Bell Street, Coburg – Cottage	-	-	-	-	-	Yes	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 12HO						Ref No H689		
HO204	88-92 Bell Street, Coburg – Municipal Offices and forecourt. Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	No	No
HO22	83-85 Bell Street (Corner Bell Street and Russell Street), Coburg – Infant building & Shelter shed, Primary school No 484 Map 11HO & 12HO	-	-	-	-	-	Yes Ref No H1709	Yes	No
HO247	98 Bell St, Coburg – Coburg Primary School No 484 (Northern Section) Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO270	124 Bell Street, Coburg – Former Antient York Lodge No. 80 Temple Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	Yes	No	Yes	No	No	Yes	No
HO272	225-233 Bell Street, Coburg – Houses	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO273	372-380 Bell Street, Pascoe Vale South – Post Office Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO274	562 Bell Street, Pascoe Vale South – Former Pascoe Vale Police Station Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO25	1-3 Blyth Street, Brunswick – Houses (pair) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO26	24 Blyth Street, Brunswick – Fire Station and Flats Map 14HO	-	-	-	-	-	Yes Ref No H916	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO27	103A Blyth Street, Brunswick – Former Independent Church & Lynall Hall Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO28	154 Blyth Street, East Brunswick – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO396	97 Boundary Road, Coburg North – House and Canary Island Palm Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes – Canary Island Palm only	Yes	No	No	No	No
HO29	7 Brett Street, Brunswick – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO275	18-28 Brunswick Road, Brunswick East – Houses Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO35	56 Brunswick Road, East Brunswick – Brunswick South Primary School No. 2743 Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO276	64 Brunswick Road, Brunswick – SEC Substation Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO36	66 Brunswick Road, Brunswick – Former Star Cinema Theatre Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO277	104-106 Brunswick Road, Brunswick – Houses (pair) Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO37	181 Brunswick Road, Brunswick – Iron Cottage Map 14HO	-	-	-	-	-	Yes Ref No H1151	Yes	No
HO38	183 Brunswick Road, Brunswick – Iron Cottage Map 14HO	-	-	-	-	-	Yes Ref No H1152	Yes	No
HO39	187 Brunswick Road, Brunswick – Iron Cottage Map 14HO	-	-	-	-	-	Yes Ref No H1153	Yes	No
HO40	189 Brunswick Road, Brunswick – Iron House Map 14HO	-	-	-	-	-	Yes Ref No H665	Yes	No
HO41	253-263 Brunswick Road, Brunswick – Former Cable Tram Engine House & Tram Substation Map 14HO	-	-	-	-	-	Yes Ref No H2332	Yes	No
HO280	265 Brunswick Road, Brunswick – Former Masonic Temple Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO42	333-335 & 337-339 Brunswick Road, Brunswick – Houses and former Henderson's Shirt Factory Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO43	356 Brunswick Road, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO44	357 & 359 Brunswick Road, Brunswick – Prestonia and Hazeldeane Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO45	405-413 Brunswick Road, Brunswick – Beacon Service Station & Flats Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO281	5-11 Burchett Street, Brunswick – Terraces	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO282	7 Cadman Street, Brunswick West – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO283	27 Carnarvon Street, Brunswick – Chewton Map15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO284	29-33 Carnarvon Street, Brunswick – Houses Map15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO46	7-9 Cassels Road, Brunswick– Downs and Sons Rope and Cordage Works (Sampson Cordage Works) Map 14HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO285	39 Cassels Road, Brunswick– House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO286	41 Cassels Road, Brunswick– Charsfield Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO287	Champ Street, Coburg – Street Trees Map 9HO, 11HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO397	36-38 Charles Street, Coburg North – J. Gadsden Factory (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO205	2 Churchill Street, Glenroy – House	Yes	No	Yes	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO206	41-49 Clarendon Street, Coburg – St Fidelis Roman Catholic Church and Presbytery Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO49	20 Cohuna Street, West Brunswick – Milano (The Harbour) Map 13HO & 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	Yes	No
HO50	1-17 Colebrook Street, Brunswick – Former Melvilles Grain Store Map 14HO	-	-	-	-	-	Yes Ref No H705	Yes	No
HO412	38-46 Cornwall Road, Pascoe Vale – Kent Road Uniting Church & Hall Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	Yes	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO53	6 Craigrossie Avenue, Coburg – Glencairn Map 11HO	-	-	-	-	-	Yes Ref No H375	Yes	No
HO288	28 Crisp Avenue, Brunswick – House & Canary Island Palm Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO408	5 Cromwell Street, Glenroy – Glenroy Public Hall Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO289	10 Cumberland Road, Pascoe Vale South – Pascoe Vale South Uniting Church (formerly St Andrew's Uniting Church) Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO290	61 Cumberland Road, Pascoe Vale – House Map 7HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO291	109 Cumberland Road (Rogers Reserve), Pascoe Vale – World War I Soldier's Memorial Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO57	2 -6 Davies Street, Brunswick - Masonic Temple Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO58	11 Davies Street, Brunswick – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO59	26 & 28 Davies Street, Brunswick – Houses Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO292	75 Davies Street, Brunswick – House Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO155	1-3 Dawson Street, Brunswick – St Ambrose's School & Hall Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO61	10 Dawson Street, Brunswick – Brunswick Baths Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO246	Latiner Hat Factory (former) , 20 Dawson Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'Latiner Hat Factory, 20 Dawson Street, Brunswick, Statement of Significance, September 2019'								
HO62	49 Dawson Street, Brunswick – Former Brunswick Technical School Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO63	72-106 Dawson Street, Brunswick – Former Hoffman Brick Works Map 14HO	-	-	-	-	-	Yes Ref No H703	Yes	No
HO64	196A Dawson Street, Brunswick West– Brunswick West Tramway Substation including Plant and Equipment Map 13HO	-	-	-	-	-	Yes Ref No H2397	Yes	No
HO65	208A Dawson Street, Brunswick – Hudson Reserve Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO67	20 De Carle Street, Brunswick – House Map 14HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO391	1 Deans Street, Coburg – Manse (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO293	3 Deans Street, Coburg – Capragh Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO294	5 Deans Street, Coburg – Victoriana Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO69	7 Donald Street, Brunswick – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO70	31 Donald Street, Brunswick – “Iona" Map 11HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO71	48-68 Donald Street, Brunswick – Oxford Terraces Map 12HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO208	170 Edward Street, Brunswick – Tip Top Bakery Office building to a depth of 10 metres from the Edward Street frontage and the whole of the stables building. Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	Stables building	No	Yes	No
HO74	191-193 Edward Street, Brunswick – Cottages Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Y-es	No	No	Yes	No
HO296	119 Lygon Street, Brunswick – Bluestone cottages and former Moran & Cato Store Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO297	88 Evans Street, Brunswick – Shop and House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO442	103-105 Evans Street, Brunswick East - Factory (Former) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO298	2 Fallon Street, Brunswick – House (former John Curtin residence) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO413	24 Fawkner Road, Pascoe Vale – House Map 7HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO245	Elm Grove, Coburg – Baby Health Care Centre Map 12HO	-	-	-	-	-	Yes Ref No H2042	No	No
HO222	34 Finchley Avenue, Glenroy – Glenlyn Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO131	15-29 Ford Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO299	3-5 Frith Street, Brunswick – Telephone Exchange Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO301	14 Frith Street, Brunswick – Former Steel Company of Australia Ltd Map 14HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO392	1 Gaffney Street, Coburg – Modernist House Map 8HO & 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO390	2A Gaffney Street, Coburg North (land generally bound by Gaffney Street, Newlands Road, De Chene Parade, Carr Street and Lake Grove, Coburg North) – Lake Reserve Map 8HO & 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO78	11 Gaffney Street, Coburg – Antrim (Now Felton House) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO79	82-92 Gaffney Street, Coburg – Lincoln Mills 1919 Map 8HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO414	362-364 Gaffney Street, Pascoe Vale – Pascoe Vale Primary School No. 3081 Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO302	87 Garnet Street, Brunswick – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO83	10 Glenlyon Road, Brunswick – Christ Church Map 14HO	-	-	-	-	-	Yes Ref No H129	Yes	No
HO303	61 Glenlyon Road, Brunswick – Brunswick Free Kindergarten Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	Yes	No
HO84	86 Glenlyon Road, Brunswick – Brunswick Creche	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO304	210 Glenlyon Road, Brunswick East – Valburn (House & two Canary Island Palms) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO305	225 Glenlyon Road, Brunswick East – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 20223	Yes	No	No	Yes	No	No	No	No
HO209	127 Glenroy Road, Glenroy – House Map 3HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO210	139 Glenroy Road, Glenroy – House Map 3HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO211	149 Glenroy Road, Glenroy – "Minnawarra" Map 3HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO86	21 Glyndon Avenue, Coburg North – Moyle Organ c1855 (St Linus' Anglican Church) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO88	63-65 Gowrie Street, Glenroy – Gowrie Map 3HO	-	-	-	-	-	Yes Ref No H128	Yes	No
HO212	9 Grandview Street, Glenroy – House Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO308	20 Harding Street, Coburg – House Map 12HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO309	23-25 Harding Street, Coburg – Former Coburg Electricity Supply Building Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO90	38 Harrison Street, Brunswick – Cottage and associated outbuildings Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	Yes	No	Yes	No
HO213	Hartington Street (corner Melbourne Avenue), Glenroy – Electricity Substation Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO91	49 Heller Street, West Brunswick – "Chaumont" Map 14HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO244	35 Hope Street, Brunswick Craig & Seeley Offices and Showroom Map 14HO	-	-	-	-	-	Yes Ref No H2026	Yes	No
HO94	21 Hope Street and 2-10 Lux Way, Brunswick – Former Brunswick Gas and Coke Company Retort House Map 14HO	-	-	-	-	-	Yes Ref No H2027	Yes	No
HO95	160 Hope Street, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO96	181-185 & 272 Hope Street, Brunswick – Church, Manse, School & Convent Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO98	5 - 15 Hudson Street, Coburg – Houses Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO99	35 Hudson Street, Coburg – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO312	Imaroo Street, Fawkner (opposite Nos.5, 7 and 9) – Former Quarry Map 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO313	Josephine Street, Oak Park (outside 37 Murphy St) – Peppercorn Tree Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO314	26 Josephine Street, Oak Park – Oak Park Reserve Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO101	53 King Street, East Brunswick – House Map 15HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO2	Kirkdale Street Park, East Brunswick (adjacent Merri Creek) – Quarry Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO315	25 Lake Avenue, Pascoe Vale – Former Mt Sabine building only (now part of Pascoe Vale Girls' High School) Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO102	Lake Reserve, Coburg – Pepper Tree (Schinus Molle Var Areira) Map 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO316	1-33 Landells Road, Pascoe Vale – Blessed Oliver Plunkett's School (school building only) Map 7HO	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO224	1-33 Landells Road, Coburg – St Oliver Plunkett Catholic Church Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO318	2-4 Langtree Avenue, Pascoe Vale South – Duplex Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO103	22 Le Cateau Street, Pascoe Vale South – Wentworth House Map 10HO	-	-	-	-	-	Yes Ref No H138	Yes	No
HO319	44-46 Linda Street, Coburg – Anderson Reserve Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO104	32 Lord Street, East Brunswick – Former Synagogue (Girgaree House) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO105	16 Louisville Avenue, Pascoe Vale South – Blackburn House Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO440	150 Lygon Street, Brunswick East - Shop Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO441	152-154 Lygon Street, Brunswick East – ANZ Bank (Former) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO446	260 Lygon Street, Brunswick East – Factory (Former)	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO447	297 Lygon Street, Brunswick East – Factory (Former) Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO106	318-324 Lygon Street, Brunswick – Baby Health Centre Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO107	513 Lygon Street, Brunswick – Lyndhurst Club Hotel Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO321	1 Maghull Street, Brunswick East – House Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO322	1A-1B Main Street, Coburg – Former Coburg Court House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO406	67 Major Road, Fawkner – House Map 5HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO323	82 Major Road, Fawkner – Dowling House Map 4HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO405	144 Major Road, Fawkner – St Nektario's Greek Orthodox Church Map 4HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO310	1-7 Marlborough Street (corner Hartington Street), Glenroy – Former Hutchinson's Flour Mill Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO398	4 Mathieson Street, Coburg North – Merlynston Salvation Army Hall & Officers' Quarters (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO324	1 McKay Street, Coburg – Fitzroy Villa Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO325	151 Melbourne Avenue, Glenroy – House and front fence Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO111	41-45 Melville Road, West Brunswick – Former Western Theatre Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO112	104 Melville Road, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO326	180E Melville Road & 14A Jolley Street, Brunswick West – Jacobs Reserve and Scout Hall Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes (Scout Hall only)	No	Yes	Yes	Yes	No	No	No
HO399	2 Merlyn Street, Coburg North – D.S. Bain Reserve Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes – Elms, Bottle Tree and 2 Moonahs	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO386	9-27 Michael Street, Brunswick – Gordon Brothers Refrigeration (Former Charles Steele & Company printing factory) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	Yes (Board room and entry foyer)	No	Yes	No	No	No	No
HO114	1-20 Lomandra Walkway, 1,3, &5 Moodie Way, -41, 43, & 45 Gear street, 1-4 Edwina Way, 12, 14A, 14B, 16A, 18A, 18B & 20 Miller Street & 1-21 Dianella Walkway, , East Brunswick – John Welsh Factory Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO328	68 Mitchell Street, Brunswick – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO329	86 Mitchell Street, Brunswick – House Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO219	Moonee Ponds Creek, Glenroy – Trestle Bridge Map 1HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO117	1-9 Moreland Road, Coburg – Former Spicer Paper Mills Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO331	126 Moreland Road, Brunswick – Robin Lodge Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO118	222-238 Moreland Road, Brunswick – "Moreland Terrace" Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO119	241 - 253 Moreland Road, Coburg – Seven terrace houses Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO332	290 Moreland Road, Brunswick – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO333	292 Moreland Road, Brunswick – Brimin Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO120	659 Moreland Road, Coburg – Myer house Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO334	7 Mountfield Street, Brunswick – House Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO121	37-43 Munro Street, Coburg – Union Knitting Mills 1936 Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO335	72 Munro Street, Coburg – Franklin Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO122	Murray Road, Coburg – Bridge over Merri Creek Map 9HO	-	-	-	-	-	Yes Ref No H1198	Yes	No
HO125	Newlands Rd, Coburg – Bridge over Merri Creek Map 9HO	-	-	-	-	-	Yes Ref No H1446	Yes	No
HO445	155 Newlands Road, Coburg – Coburg Drive-In Map 9HO	-	-	-	-	-	Yes Ref No H2218	Yes	No
HO338	44 Nicholson Street, Coburg – Former Akins Auto Service Map 12HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO128	53 Nicholson Street, East Brunswick – Wesleyan Methodist Church Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO339	75 Nicholson Street, Coburg – House (including garage and front fence) Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO127	132A Nicholson Street, Coburg – Former Coburg East Primary School 1926 Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO341	225 Nicholson Street, Brunswick East – Lomond Hotel Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO416	10 Northumberland Road, Pascoe Vale – Loch Erne (house) Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes – Mature Oak (Quercus sp.)	Yes	No	No	No	No
HO400	1 Novian Street, Coburg North – Merlynston Progress Hall (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO221	7 Oak Park Court, Oak Park – Oak Park (Belle Vue Park, Grand View Park and Pascoe Vale Farm) Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO342	9 Oak Park Court, Oak Park – Former Belle Vue Park Stables Map 6HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO343	20 O'Hea Street, Coburg – Former Warder's Cottage & Dairy Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO344	22 O'Hea Street, Coburg – Former Warder's Cottage Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO394	(part) 180 O'Hea Street, Coburg – Coburg North Primary School No. 4543 Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO345	22 Orvieto Street, Coburg North – Merlynston Uniting Church Map 8HO **Incorporated Plan:**	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO133	Park Street – Janet Hillman Reserve, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO134	655 Park Street, Brunswick – Nalang Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO346	827 Park Street, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO347	833 Park Street, Brunswick – House (including garden and front fence) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	Yes	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO348	835 Park Street, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO241	839 Park Street, Brunswick – Dwelling Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO135	903 & 905 Park Street, West Brunswick – Former Superintendent's Residence (Aldersyde) and House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	Yes	No
HO417	2-10 Pascoe Street, Pascoe Vale – Westbreen Primary School No. 4158 Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO418	35 Pascoe Street, Pascoe Vale – Westbreen Hall	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO349	10-38 Patterson Street (corner of Sheffield Street), Coburg – St Bernard's Catholic Church (1955 church building only) Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO350	144 Pearson Street, Brunswick West – North Brunswick Primary School Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO387	5 Pitt Street, Brunswick – Former Irene Lingerie Factory Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO419	19 Pleasant Street, Pascoe Vale – House Map 7HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO420	28 Pleasant Street, Pascoe Vale – Tasma (house) Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO351	29 Pleasant Street, Pascoe Vale – Holy Trinity Anglican Church Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO352	31 Pleasant Street, Pascoe Vale – Wilsleigh Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO353	35 Pleasant Street, Pascoe Vale – Residence Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO421	38 Pleasant Street, Pascoe Vale – House Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO422	53A Pleasant Street, Pascoe Vale – House Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO223	Plumpton Avenue, Glenroy – Former St Matthew's Church c 1908 Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO237	73 Plumpton Avenue, Glenroy – Dwelling Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Alanbrae, 73 Plumpton Avenue, Glenroy Statement of Significance 2022*	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO407	21 Princess Street, Fawkner – Fawkner Police Station & Residence (former) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO423	25 Prospect Street, Pascoe Vale – House Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO424	42 Prospect Street, Pascoe Vale – House Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO354	54 Rainer Street, Pascoe Vale South – Residence Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO355	55-57 Rainer Street, Pascoe Vale South – Residence Map 10HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO357	27 Rennie Street, Coburg – House Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO358	54 Rennie Street, Coburg – House Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO359	130 Rennie Street, Coburg – Former Montague Dare Residence Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	Yes	Yes	Yes	No	No	No	No
HO360	185-187 Reynard Street, Coburg – Coburg West Primary School No. 3941 Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO141	234 Reynard Street, Coburg –– West Coburg Progress Association Hall & Cinema Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO242	42 Ross Street, Coburg – Arundel Map 11HO	-	-	-	-	-	Yes Ref No H1948	Yes	No
HO239	13 & 15 Rosser Street, Brunswick – Dwellings Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Houses, 13 & 15 Rosser Street Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO240	14 & 18-24 Rosser Street, Brunswick – Dwellings Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	McGeorge's Terrace, 14-24 Rosser Street Brunswick Statement of Significance 2022								
HO225	6 Salisbury Street, Glenroy – "Taringa" Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	No	No
HO142	33 Saxon Street, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO143	2 Second Avenue, Brunswick – House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO226	21 South Street, Hadfield – Kingsley College (Huntingtower) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	Yes	No
HO361	10 South Audley Street, Brunswick – House	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO227	South Daly Street, Brunswick West – Brunswick South West Primary School Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO410	Station Road (near Strachan Street), Oak Park – Railway culvert Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO146	21 Station Street, Coburg – The American Cottage Map 11HO	-	-	-	-	-	Yes Ref No H139	Yes	No
HO147	120 Stewart Street, Brunswick – Residence Map 15HO	-	-	-	-	-	Yes Ref No H1219	Yes	No
HO148	195A-197 Stewart Street, East Brunswick – Brunswick East Primary School Map 15HO	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO362	27-33 Sydney Road, Coburg – Former Hygienic Building Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO150	84-92 Sydney Road, Coburg – Palm Avenue Hotel (Nugget, Woolpack & Nugget Inn, Nugget and Woolpack, Woodlands Hotel) Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO374	129 Sydney Road, Coburg – Dental Surgery Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	No	No
HO363	148-164 Sydney Road, Coburg – Moreland Park Buildings (Australia House) Map 11HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO151	199-201 Sydney Road, Brunswick – Former Lyric Theatre Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO152	212 Sydney Road, Brunswick – Former Presbyterian Church Buildings Map 14HO	-	-	-	-	-	Yes Ref No H756	Yes	No
HO153	233 Sydney Road, Brunswick – Town Hall and Municipal Offices Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO154	270 Sydney Road, Brunswick – Mechanics' Institute Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO248	289 Sydney Road, Brunswick – St Ambrose's Church	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO364	298 Sydney Road, Coburg – Coburg Baptist Church Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO156	337 - 341 Sydney Road, Brunswick – Cumberland Arms Hotel Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO157	340-350 Sydney Road, Brunswick – Former Wesleyan Church and Model Sunday School Map 14HO	-	-	-	-	-	Yes Ref No H1144	Yes	No
HO365	385-391 Sydney Road, Coburg – Shops Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO158	387 - 389 Sydney Road, Brunswick – Former Union Bank of Australia Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO159	400-404 Sydney Road, Coburg – Former Bates Building Map 11HO	-	-	-	-	-	Yes Ref No H1290	Yes	No
HO160	430 Sydney Road, Brunswick – Duke of Edinburgh Hotel Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO366	436-442 Sydney Road, Coburg – Dunne's Building Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO161	459-475 Sydney Road and 2-22 Tripovich Street and 2-8 Sparta Place, Brunswick – Former Hoopers Store Map 14HO	-	-	-	-	-	Yes Ref No H1296	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO367	470 Sydney Road, Coburg – Shop Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO162	491 Sydney Road, Brunswick – Baptist Church Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO163	503 Sydney Road, Brunswick – Former Dental Surgery and Residence Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO164	512 Sydney Road, and corner Bell St, Coburg – Uniting Church (Second Wesleyan Methodist Chapel) Map 11HO & 12HO	-	-	-	-	-	Yes Ref No H962	Yes	No
HO165	512 Sydney Road, Coburg – Former Wesleyan Methodist Parsonage Map 11HO & 12HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO166	520 Sydney Road, Coburg – Holy Trinity Anglican Church Complex Map 11HO & 12HO	-	-	-	-	-	Yes Ref No H959 (and part Ref No H1551)	Yes	No
HO167	523-527 Sydney Road, Brunswick – Independent Church Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO368	559 Sydney Road, Coburg – Former United Friendly Societies Dispensary Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO168	562 Sydney Road, Coburg – St Paul's Roman Catholic Church and Parish Hall and former St Paul's School (bluestone building) Map 11HO & 12HO **Incorporated Plan:**	Yes	No	Yes	Yes	No	Part Yes Ref No H1551 (three metres from side	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023						of bluestone wall)		
HO169	610 Sydney Road, Coburg – Villa Italia Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO170	715-719 Sydney Road, Brunswick – Don Bosco Youth Centre Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO369	725-729 Sydney Road, Coburg – Former Coburg Metropolitan Fire Brigade Station Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO401	773 Sydney Road, Coburg North – House Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes – Front fence only	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO402	775 Sydney Road, Coburg North – House Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes – Front fence	No	No	No
HO403	781 Sydney Road, Coburg North – Rathmore (house) Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO171	807-813 Sydney Road, Brunswick – Brunswick Tram Depot Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO404	811 Sydney Road, Coburg North – House Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes – Canary Island Palm only	Yes	No	No	No	No
HO243	828 Sydney Road, Brunswick – former Alhambra Theatre Map 11HO	No	Yes	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Alhambra Theatre (former), 828 Sydney Road Brunswick Statement of Significance*								
HO216	1187 Sydney Road and 100 Boundary Road, Hadfield – Fawkner Memorial Park Map 4HO and 8HO	-	-	-	-	-	Yes Ref No H2331	Yes	No
HO370	1218-1220 Sydney Road, Fawkner – Former Fawkner Methodist Church & Sunday School Map 4HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO173	22 The Grove, Coburg – Holyrood 1890 Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO174	23 & 25 The Grove, Coburg – Koorali & Kalimna (Polychrome Brick Residences) Map 12HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO175	45 & 47 The Grove, Coburg – Oak Hill & Waratah (Manumbar) (Polychrome Brick Residences) Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO388	20-24 Tinning Street, Brunswick – Silos, part of former Brunswick Plaster Mills Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO177	64-72 Tinning Street Brunswick – Downs and Sons Rope and Cordage Works (Sampson Cordage Works) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO178	3-5 Toxteth Park Street, Coburg – Toxteth Park Map 9HO **Incorporated Plan:**	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO230	11 Tudor Street, Glenroy – Buangor Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	Yes	Yes	No	No	No	No
HO371	16 Tudor Street, Glenroy – House Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO389	3-5 Union Street, Brunswick – Buffalo House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO231	145-147 Union Street Butcher's shop and dwelling Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO181	158-162 Union Street, Brunswick – Carrington Hotel Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO372	273 Union Street, Brunswick West – House Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO373	21 Victoria Street, Coburg – Uniting Church and Hall Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	Yes	No
HO306	76 Victoria Street, Brunswick East – House and front fence Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO375	177 Victoria Street, Brunswick – Shop and residence	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO376	230 Victoria Street, Brunswick – House Map 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO377	232 Victoria Street, Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO378	307 Victoria Street, Brunswick – Former United Friendly Societies Dispensary Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO379	309-313 Victoria Street, Brunswick – Robert's Building Map 14HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023								
HO183	342-348 Victoria Street, Brunswick – Former Australian Licorice Factory Chimney and Fire Tunnel Remains Map 14HO	-	-	-	-	-	Yes Ref No H1289	Yes	No
HO184	423A-425A Victoria Street, Brunswick – Brunswick Park & Oval Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO185	484-486 Victoria Street, Brunswick – West Brunswick Progress Association Hall Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO186	490-492 Victoria Street, Brunswick – Former Brunswick West Primary School Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO187	1 Vincent Street, Coburg – Residence	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023								
HO189	46 Walhalla Street, Pascoe Vale South – Lyndhurst Hall Map 10HO	-	-	-	-	-	Yes Ref No H964	Yes	No
HO190	49 Walsh Street, Coburg – Residence Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO380	176-180 Weston Street, Brunswick East – Houses Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No
HO233	191 Weston Street, East Brunswick – Coppin Masonic Lodge Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO195	193 Weston Street, East Brunswick – Cottage Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO381	213A Weston Street, Brunswick East – Former Brunswick East Presbyterian Church Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	Yes	No
HO382	54 Wheatsheaf Road, Glenroy – Glenroy Primary School No. 3118 Map 2HO & 3HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes	Yes	No	No	Yes	No
HO409	(part) 70 Wheatsheaf Road, Glenroy – Glenroy Uniting Church Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	Yes – Canary Island Palm only	Yes	No	No	Yes	No
HO234	92 Wheatsheaf Road, Glenroy – Shop Map 2HO	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO235	139 Wheatsheaf Road, Glenroy – Shop Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No
HO197	28 Whitby Street, West Brunswick – Whitby House Map 14HO	-	-	-	-	-	Yes Ref No H546	Yes	No
HO198	43 Whitby Street, West Brunswick – Harcourt Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO199	57 Whitby Street, West Brunswick – House Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	Yes	No
HO236	30-32 Widford Street, Glenroy – Wiseman House (Sawbridgeworth) Map 3HO	Yes	No	Yes	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023								
HO383	11 Willett Avenue, Oak Park – Former The Pines Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No
HO537	2/197 The Avenue, Coburg - Bluestone Outbuilding Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Moorefield' (Outbuilding), 2/197 The Avenue, Coburg, Statement of Significance, September 2019*	Yes	No	No	Yes	Yes	No	No	No
HO444	26 Walsh Street, Coburg Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'Oamaru (Aitken House)', 26 Walsh Street, Coburg, Statement of Significance, September 2019								
HO448	9 Aberdeen Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Lochiel', 9 Aberdeen Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO449	109-111 Albert Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses', 109 & 111 Albert Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO450	137 Albert Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'House', 137 Albert Street, Brunswick, Statement of Significance, September 2019*								
HO451	170 Albert Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Primitive Methodist Mission Hall', 170 Albert Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO452	103 Albion Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Corner Shop (former) & Residence', 103 Albion Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO455	134-136 Barkly Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses & Fences', 134-136 Barkly Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes – iron palisade fence and bluestone base	No	No	No
HO456	163-169 Barkly Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace', 163-169 Barkly Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO457	195 Barkly Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'House', 195 Barkly Street, Brunswick, Statement of Significance, September 2019								
HO458	206-210 Barkly Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace', 206-210 Barkly Street, Brunswick, Statement of Significance, September 2019*	Yes – 206 Barkly Street	No	No	Yes	No	No	No	No
HO539	209 Barkly Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **'Statement of Significance:** *'Corner Shop (former) & Residence', 209 Barkly Street, Brunswick, Statement of Significance, September 2019*	Yes	No	No	Yes	No	No	No	No
HO453	5 Bank Street, Brunswick Map 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'House', 5 Bank Street, Brunswick, Statement of Significance, September 2019*								
HO459	211-219 Barkly Street, Brunswick – Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses (213 - Ethel, 215 – Edith, 217 – Alice, 219 – Betty)', 211-219 Barkly Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes	No	No	No
HO461	193 Brunswick Road, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Tyrone (House)', 193 Brunswick Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO462	233-239 Brunswick Road, Brunswick – Map 14HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terraces', 233-239 Brunswick Road, Brunswick, Statement of Significance, September 2019*								
HO519	307 Brunswick Road, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 307 Brunswick Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO465	35 Cassels Road, Brunswick Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Lough Brae (House)', 35 Cassels Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO467	38 David Street, Brunswick Map 14HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 38 David Street, Brunswick, Statement of Significance, September 2019*								
HO468	29 Dawson Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Former Millers Ropeworks, now RMIT University', 29 Dawson Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO469	60 Dawson Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Former W.T Rawleigh and Co – factory & warehouse', 60 Dawson Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes - front fence	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO472	140-142 Edward Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses', 140 & 142 Edward Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO473	183-187 Edward Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace', 183-187 Edward Street, Brunswick, Statement of Significance, September 2019*	Yes – recommended to encourage paint removal from no 189 & 187	No	No	Yes	No	No	No	No
HO474	23 Evans Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'House', 23 Evans Street, Brunswick, Statement of Significance, September 2019								
HO476	16-18 Glenlyon Road, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses', 16 & 18 Glenlyon Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO477	60-62 Glenlyon Road, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Attached Houses', 60 & 62 Glenlyon Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO478	46-48 Gold Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'Attached Houses', 46 & 48 Gold Street, Brunswick, Statement of Significance, September 2019*								
HO479	73 Hope Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Oomah (House)', 73 Hope Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO480	76-78 Hope Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses & Fences', 76 & 78 Hope Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO482	94 Hope Street, Brunswick Map 14HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 94 Hope Street, Brunswick, Statement of Significance, September 2019*								
HO523	16 Horne Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Uxbridge (House)', 16 Horne Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO486	5 Laura Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 5 Laura Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes – iron and bluestone palisade fence	No	No	No
HO487	86 Laura Street, Brunswick Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Forfarshire (House)', 86 Laura Street, Brunswick, Statement of Significance, September 2019*								
HO488	23-25 Luscombe Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Attached Houses', 23 & 25 Luscombe Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO489	96 Lydia Street, Brunswick Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 96 Lydia Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO492	112 Moreland Road, Brunswick	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 112 Moreland Road, Brunswick, Statement of Significance, September 2019*								
HO494	46 Murdock Street, Brunswick Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 46 Murdock Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO495	683 Park Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'The Elms (House)', 683 Park Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes – fence and pedestrian gate	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO496	685 Park Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 685 Park Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO498	840 Sydney Road, Brunswick Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'State Savings Bank of Victoria (former)', 840 Sydney Road, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO499	63-65 Union Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Houses', 63 & 65 Union Street, Brunswick, Statement of Significance, September 2019								
HO500	80 Union Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Corner Shop (former) & Residence', 80 Union Street, Brunswick, Statement of Significance, September 2019*	Yes	No	No	Yes	No	No	No	No
HO501	235 Victoria Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Bethany Gospel Hall (former)', 235 Victoria Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO502	273 Victoria Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'First City of Brunswick Scout Hall (former), later Brunswick Cinema, Toscana Social Club', 273 Victoria Street, Brunswick, Statement of Significance, September 2019*								
HO503	241-243 Victoria Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses', 241 & 243 Victoria Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	Yes – cast iron palisade fence	No	No	No
HO504	380-382 Victoria Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Victoria Hotel', 380-382 Victoria Street, Brunswick, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO506	8 Aintree Street, Brunswick East Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 8 Aintree Street, Brunswick East, Statement of Significance, September 2019*								
HO507	23-25 Albert Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses (23 – Canaway House, 25 – Albert House)', 23 & 25 Albert Street, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO508	28-30 Albert Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Glen Iris' & 'Hazel Glen', 28 & 30 Albert Street, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO509	47-51 Albert Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Fleming Park', 47-51 Albert Street, Brunswick East, Statement of Significance, September 2019*	No	No	Yes	Yes	Yes	No	No	No
HO510	19 Balmoral Avenue, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 19 Balmoral Avenue, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO511	159-165 Donald Street, Brunswick East – Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	Yes	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'Former Prestige Mill Complex', 159-165 Donald Street, Brunswick East, Statement of Significance, September 2019								
HO512	23 Holmes Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 23 Holmes Road, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	Yes	No	No	No
HO514	2-4 Inverness Street, Brunswick East, Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Yorkshire Textile Mills (Former)', 2-4 Inverness Street, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	No	No	Yes	No
HO485	38 John Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	Yes	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'Devon (House)', 38 John Street, Brunswick East, Statement of Significance, September 2019*								
HO490	31-33 Lygon Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Terrace Houses (31 – Inverurie, 33 – Keithall)', 31 & 33 Lygon Street, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	Yes	No	No	No
HO515	136A Nicholson Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Dairy & Milk Bar (former)', 136A Nicholson Street, Brunswick East, Statement of Significance, September 2019*	Yes	No	No	Yes	No	No	No	No
HO516	255 Nicholson Street, Brunswick East Map 15HO **Incorporated Plan:**	No	No	Yes – Canary Island Palm	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House & Canary Island Palm', 255 Nicholson Street, Brunswick East, Statement of Significance, September 2019*								
HO517	7 Parkview Avenue, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Canals House', 7 Parkview Avenue, Brunswick East, Statement of Significance, September 2019*	No	No	No	Yes	Yes	No	No	No
HO518	443 Albion Street, Brunswick West Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Faiman & Sons Warehouse (former)', 443 Albion Street, Brunswick West, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO520	31 Burnell Street, Brunswick West Map 14HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House', 31 Burnell Street, Brunswick West, Statement of Significance, September 2019*								
HO521	22 Grantham Street, Brunswick West Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House & Front Fence', 22 Grantham Street, Brunswick West, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO522	70 Heller Street, Brunswick West Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Kororoit (Concrete House)', 70 Heller Street, Brunswick West, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO524	228 Melville Road, Brunswick West	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Brunswick & Coburg UFS Dispensary (former)', 228 Melville Road, Brunswick West, Statement of Significance, September 2019*								
HO525	384 Moreland Road, Brunswick West Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Moreland Baptist Church Complex', 384 Moreland Road, Brunswick West, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO526	33 Newman Street, Brunswick West Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	Yes – Italian cypresses (Cupressus sempervirens within the front yard)	Yes	Yes	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	'House & Front Fence', 33 Newman Street, Brunswick West, Statement of Significance, September 2019								
HO497	1 South Daly Street, Brunswick West – Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Concrete House', 1 South Daly Street, Brunswick West, Statement of Significance, September 2019*	Yes	No	No	Yes	No	No	No	No
HO528	92-94 Whitby Street, Brunswick West – Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'House & Front Fences', 92 & 94 Whitby Street, Brunswick West, Statement of Significance, September 2019*	No	No	No	Yes	Yes	No	No	No
HO527	9 Waxman Parade, Brunswick West Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'Closer Settlement House ('Ranche')', 9 Waxman Parade, Brunswick West, Statement of Significance, September 2019*								
HO529	Corner of Bell Street and Nicholson Street, Coburg Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Bell Street Bridge', Corner of Bell Street and Nicholson Street, Coburg, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	Yes
HO530	160-162 Bell Street, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Coburg Police Station (former)', 160-162 Bell Street, Coburg, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO531	105 Munro Street, Coburg Map 11HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Shop (former) & Residence', 105 Munro Street, Coburg, Statement of Significance, September 2019*								
HO532	153 Reynard Street, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'H.P.L. Morris Chemist (former) & Residence', 153 Reynard Street, Coburg, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO533	425 Sydney Road, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Shop & Residence', 425 Sydney Road, Coburg, Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO534	431 & 433 Sydney Road, Coburg Map 11HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Shops & Residences', 431 & 433 Sydney Road, Coburg, Statement of Significance, September 2019*								
HO536	109 Cumberland Road, Pascoe Vale Map 7HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Rogers Memorial Reserve', 109 Cumberland Road, Pascoe Vale, Statement of Significance, September 2019*	No	No	Yes	Yes	No	No	No	No
HO543	Precinct 49-91 & 60-102 Hickford Street, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Hickford Street Precinct', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO544	Precinct 1-9 & 2-10 Meaker Avenue, Brunswick West Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Meaker Avenue Precinct', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO545	Precinct 4-10 Waxman Parade, Brunswick West Map 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Waxman Parade Precinct', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO546	Precinct 82-136 & 95-155 Tinning Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *'Tinning Street Precinct', Statement of Significance, September 2019*								
HO540	Serial Listing 6 & 10 Allard Street, 5 Balfe Crescent, 46 & 47 Cumming Street, 280 & 284 Hope Street, & 7 Hopetoun Street, 30 Murray Street, 19 & 23 Passfield Street and 18, 37, 43 & 51 Waxman Parade, Brunswick West Map 10HO & 13HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'Closer Settlement Houses', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO541	Serial Listing 42 & 50 Shamrock Street, Brunswick West and 17, 19, 25, 27, 29 & 31 Glenora Avenue, Coburg Map 11HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'War Service Homes (Brick)', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO542	Serial Listing 2 & 5 Akeroa Avenue, 1 Pareora Avenue, 169, 183 & 230 Stewart Street, 1 Temuka Avenue, 1 & 5 Timaru Avenue and 1 Waihi Avenue, Brunswick East Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *'War Service Homes (Timber)', Statement of Significance, September 2019*	No	No	No	Yes	No	No	No	No
HO548	248 & 250 Barkly Street, Brunswick - Attached Houses Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Attached Houses, 248 & 250 Barkly Street Brunswick Statement of Significance 2022*	Yes	No	No	Yes	No	No	No	No
HO549	17 Breese Street, Brunswick - Glenferrie Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *Glenferrie, 17 Breese Street Brunswick Statement of Significance 2022*								
HO550	383 Brunswick Road, Brunswick - Concrete House & Fence Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Concrete House and Fence, 383 Brunswick Road Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO551	30 Davies Street, Brunswick - House Map 11HO & 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 30 Davies Street Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO553	609 Park Street, Brunswick - House Map 15HO **Incorporated Plan:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 609 Park Street Brunswick Statement of Significance 2022*								
HO554	635–637 Park Street, Brunswick - Attached Houses Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Attached Houses, 635-637 Park Street Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO555	639-647 Park Street, Brunswick - Terrace Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Terrace, 639-647 Park Street Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO556	25 Richardson Street (rear), Brunswick - House Map 15HO	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 25 Richardson Street (rear) Brunswick Statement of Significance 2022*								
HO557	11 Thomas Street, Brunswick - Fitwear Hosiery Factory (former) Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Fitwear Hosiery Factory (former), 11 Thomas Street Brunswick Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO558	50–72 Harrison Street, Brunswick East - Brunswick Velodrome Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Brunswick Velodrome,50-72 Harrison Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO560	373-381 Lygon Street, Brunswick East - Abruzzo Club Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Abruzzo Club, 373-381 Lygon Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO561	42A Nicholson Street, Brunswick East - Holy Trinity Orthodox Church Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Holy Trinity Orthodox Church (Former St Cuthberts Church of England), 42A Nicholson Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO562	49A Nicholson Street, Brunswick East - Our Lady Help of Christians Catholic Church Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *Our Lady Help of Christians Catholic Church, 49A Nicholson Street, Brunswick East Statement of Significance 2022*								
HO563	113 Nicholson Street, Brunswick East - Flats Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Flats, 113 Nicholson Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO564	148–150 Nicholson Street, Brunswick East - Church School (former) & Cretan Brotherhood Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Church School (former) & Cretan Brotherhood, 148-150 Nicholson Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO565	2 St Phillip Street, Brunswick East - Worth's Hosiery Factory (former) Map 15HO	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Worth's Hosiery Factory (former), 2 St Phillip Street Brunswick East Statement of Significance 2022*								
HO566	52 St Phillip Street, Brunswick East - House, Stables & Garden Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, Stables & Garden, 52 St Phillip Street Brunswick East Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO567	72–76 Melville Road, Brunswick West - St David's Uniting Church & Hall Map 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *St David's Uniting Church & Hall, 72-76 Melville Road Brunswick West Statement of Significance 2022*	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO568	20 Anketell Street, Coburg - Erindale Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Erindale, 20 Anketell Street Coburg Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO569	126 Bruce Street, Coburg - Baptist Church (former) Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Baptist Church (former), 126 Bruce Street Coburg Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO570	19 Edward Street, Coburg - Scout Hall (former) Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	No	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Scout Hall (former), 19 Edward Street Coburg Statement of Significance 2022								
HO571	1/86 Gordon Street, Coburg - Walham Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Walham, 1/86 Gordon Street Coburg Statement of Significance 2022*	Yes	No	No	Yes	No	No	No	No
HO573	24 Jessie Street, Coburg - Moreton Bay Fig Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Moreton Bay Fig, 24 Jessie Street Coburg Statement of Significance 2022*	No	No	Yes (Moreton Bay Fig)	Yes	No	No	No	No
HO574	131 Moreland Road, Coburg - Roslyn Map 12HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Roslyn, 131 Moreland Road Coburg Statement of Significance 2022								
HO575	181 Moreland Road, Coburg - House Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 181 Moreland Road Coburg Statement of Significance 2022*	Yes	No	No	Yes	No	No	No	No
HO576	50 Murray Road, Coburg North - Coburg Olympic Swimming Pool Map 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Coburg Olympic Swimming Pool, 50 Murray Road Coburg North Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO577	415–425 Sydney Road, Coburg - Coburg Market Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	Yes	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *Coburg Market, 415-425 Sydney Road Coburg Statement of Significance 2022*								
HO578	490 Sydney Road, Coburg - Shop Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Shop, 49 Sydney Road Coburg Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO579	492 Sydney Road, Coburg - Shop Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Shop, 492 Sydney Road Coburg Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO581	32 Carr Street, Coburg North - House Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	House, 32 Carr Street Coburg North Statement of Significance 2022								
HO582	30-34 Charles Street, Coburg North - Coburg Velodrome Map 8HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Coburg Velodrome, 30-34 Charles Street Coburg North Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO583	28 McMahons Road, Coburg North - House Map 9HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 28 McMahons Road Coburg North Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO584	737 Pascoe Vale Road, Glenroy - Glenroy Library Map 2HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: *Glenroy Library. 737 Pascoe Vale Road Glenroy Statement of Significance 2022*								
HO585	Deveraux Street and surrounds includes: Deveraux Street, Ash Grove, Vincent Street, Short Street, Draska Court and Xavier Street, Oak Park - Bluestone Retaining Walls Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Bluestone Retaining Walls, Deveraux Street, Draska Court, Short Avenue, Vincent Street, Ash Grove and Xavier Street, Oak Park Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO588	22 Josephine Street, Oak Park - House Map 6HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 22 Josephine Street Oak Park Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO589	4 Vincent Street, Oak Park - House Map 6HO	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated Plan: Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 4 Vincent Street Oak Park Statement of Significance 2022*								
HO591	12 Forster Court, Pascoe Vale South - House Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 12 Forster Court Pascoe Vale South Statement of Significance 2022*	No	Yes	No	Yes	No	No	No	No
HO592	44 Eastgate Street, Pascoe Vale South - House Map 10HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *House, 44 Eastgate Street Pascoe Value South Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO594	Hanover Street Precinct, Brunswick 2, 27-49 & 64 Hanover Street, Brunswick	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Hanover Street Precinct Statement of Significance 2022*								
HO595	Irving Estate Precinct, Brunswick West 1, 2-8 & 11 Bonar Street; 1, 2-36 & 31 Bakers Parade; 22-26 Wales Street; 9, 2-12 & 29 McGregor Avenue, Brunswick West Map 10HO & 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Irving Estate Precinct Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO596	Railway Place Precinct, Coburg 1-25 & 29-43 Railway Place, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:**	Yes	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Railway Place Precinct Statement of Significance 2022								
HO597	Sydney Road and Bell Street Interwar Shops Precinct, Coburg 491-509 Sydney Road; 94, 81B-91A & 112 Bell Street, Coburg Map 11HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Sydney Road and Bell Street Interwar Shops Precinct Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO598	Victoria Street Precinct, Brunswick 223-229 Victoria Street, Brunswick Map 14HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Victoria Street Precinct (Brunswick) Statement of Significance 2022*	No	No	No	Yes	No	No	No	No
HO600	Serial Listing Brunswick Electricity Supply Substations	No	No	No	Yes	No	No	No	No

PS Map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	10 Dawson Street, Brunswick; 425B Victoria Street, Brunswick; 7 Methven Street, Brunswick East; 339 Albion Street, Brunswick; 318-324 Lygon Street, Brunswick East; 119 Brunswick Road, Brunswick; 188 Brunswick Road, Brunswick; Colebrook Street, Brunswick; 24 Gray Street, Brunswick; 14 Frith Street (faces Howarth Street), Brunswick; 2 Russell Street, Brunswick; 25A Stewart Street, Brunswick; 2A Walker Street, Brunswick West; Brunswick & 59 Ryan Street, Brunswick East. Map 13HO, 14HO & 15HO **Incorporated Plan:** Moreland Heritage Exemptions Incorporated Plan 2023 **Statement of Significance:** *Brunswick Electricity Supply Substations Statement of Significance 2022*								

43.02 DESIGN AND DEVELOPMENT OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **DDO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

43.02-1 Design objectives

19/01/2006
VC37

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

43.02-2 Buildings and works

31/07/2018
VC148

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. The buildings and works must be associated with a dwelling.	Clause 59.05

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.	Clause 59.05

Exemption from notice and review

A schedule to this overlay may specify that an application 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.

43.02-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land:	Clause 59.02

Class of application	Information requirements and decision guidelines
– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

Exemption from notice and review

A schedule to this overlay may specify that an application 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.

43.02-4 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

HERITAGE PROTECTION

1.0 Design objectives

08/09/2022
C195more

To protect and enhance the environment of heritage places.

To ensure that the character and appearance of heritage places is not adversely affected by the design of new buildings on adjoining land.

To ensure that building heights, building bulk and setbacks on sites adjoining heritage places are compatible with and enhance the character and appearance of heritage places.

2.0 Buildings and works

08/09/2022
C195more

A permit is not required to construct a building or carry out works if the following requirements are met to the satisfaction of the responsible authority:

- The overall height of the building is consistent with the height of the heritage place.
- The siting and setback of the building is consistent with the siting of the heritage place.
- The new building is consistent with the character and design of the existing heritage place including the scale, bulk and building materials.
- The roof shape and pitch are consistent with that of the heritage place including the scale, bulk and building materials.

A permit is not required for repairs to and routine maintenance of buildings that do not change the external appearance of the building.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The Brunswick Heritage Study “Keeping Brunswick’s Heritage”
- The character and appearance of any proposed buildings or works on land specified in Column 1 of the table to this schedule and their impact on the heritage significance, character and appearance of any heritage place on land specified opposite in Column 2 of the table to this schedule.
- Whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character of the area.

Table to Schedule

Column 1 Land adjoining a heritage place	Column 2 Heritage place
308-312 Albert Street	306 Albert Street – office
369 Albert Street 1-3 Gardner Street	361-367 Albert Street - cottages
369-371 Albert Street 375 Albert Street	373 Albert Street – house
115 Albion Street 125 Albion Street	117-123 Albion Street – Harnett House
8 Allard Street 12 Allard Street	10 Allard Street – house
49 Nicholson Street 3 Barkly Street	1 Barkly Street – house
61 Lygon Street 132 Barkly Street (or 109 Brunswick Road)	130 Barkly Street – bluestone cottage
63 Lygon Street 153 Barkly Street	151 Barkly Street – cottage
157 Barkly Street 163 Barkly Street	159-161 Barkly Street – cottages
5 Brett Street 9 Brett Street	7 Brett Street – house
58 Brunswick Road	56 Brunswick Road – Brunswick South Primary School
64 & 64B Brunswick Road 68 Brunswick Road	66 Brunswick Road – former cinema
179 Brunswick Road 193 Brunswick Road	181-189 Brunswick Road – houses
16 Cohuna Street 24 Cohuna Street	20 Cohuna Street – house
38-46 Tinning Street 19 Colebrook Street Railway sidings and track, Colebrook Street	1-7, 9-17 Colebrook Street – grain stores
45 Cumming Street 14 Duggan Street	47 Cumming Street – house
6 Davies Street	2 Davies Street – masonic temple
9 Davies Street 13 Davies Street	11 Davies Street – house
24 Davies Street	26 Davies Street – house
30 Davies Street	28 Davies Street – house
198 Dawson Street	196A Dawson Street - MMTB substation

1A Melville Road	
208 Dawson Street 210 Dawson Street 5 Passfield Street 7 Passfield Street 16-18 Passfield Street 26 Passfield Street	208A Dawson Street - Hudson Reserve
18 De Carle Street 22 De Carle Street	20 De Carle Street – house
5 Donald Street 9 Donald Street	7 Donald Street – house
187 Edward Street 193 Edward Street	189-191 Edward Street – cottages
88 Glenlyon Road	86 Glenlyon Road - Brunswick creche
1-7 Albion Street (cnr Harrison Street) 42 Harrison Street 44 Harrison Street Roberts Reserve	38 & 48 Harrison Street – cottages
45 Heller Street 53 Heller Street	49 Heller Street “Chaumont”
162 Hope Street	160 Hope Street – house
268 Hope Street 276 Hope Street	81-185 & 272 Hope Street – church, manse, school and convent
51 King Street 294 Glenlyon Road	53 King Street – house
312-316 Lygon Street 326 Lygon Street	318-324 Lygon Street – infant welfare centre
39A Melville Road 47 Melville Road	41-43 Melville Road – former Western Theatre
102 Melville Road 106-108 Melville Road	104 Melville Road – house
10 Miller Street 22 Miller Street	12-20 Miller Street – John Welsh Pty Ltd
220 Moreland Road	222-238 Moreland Road – Moreland terrace
51 Nicholson Street	53 Nicholson Street – church
653 Park Street 657 Park Street	655 Park Street – house
905 Park Street	903 Park Street – former superintendent’s house
903 Park Street 907 Park Street	905 Park Street – house
17 Passfield Street 21 Passfield Street	19 Passfield Street – house

21 Passfield Street 25 Passfield Street	23 Passfield Street – house
255 Nicholson Street	195-197 Stewart Street – Brunswick East Primary School
705-713 Sydney Road 721-737 Sydney Road	715-719 Sydney Road – Don Bosco Youth Centre
805 Sydney Road	807-813 Sydney Road – MMTB depot
3 Timaru Avenue 173 Stewart Street	1 Timaru Street – 'Mernda'
62 Tinning Street 74-80 Tinning Street	64-72 Tinning Street & 7-9 Cassels Road – Downs Ropeworks
427 Victoria Street (Raeburn Reserve) 29 Holloway Road 32 Holloway Road	423A-425 Victoria Street – Brunswick Park & Oval
3 Waihi Avenue 202 Stewart Street	1 Waihi Avenue – house
195 Weston Street	193 Weston Street - house

08/09/2022
C195more

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

PARK STREET

1.0 Design objectives

08/09/2022
C195more

To sustain and enhance the character of Melbourne's boulevards and unique inner parks together with the development of architectural and historic value they have attracted.

To protect areas or objects of special importance or quality in Melbourne.

2.0 Buildings and works

08/09/2022
C195more

Height of buildings and works

Buildings and works must not exceed a height of 9 metres.

This requirement cannot be varied with a permit.

The height of the building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Reconstructed or replacement buildings

A permit may be granted to replace a building or works existing at the approval date but which does not meet the height requirement of this schedule. The replacement building may be higher than 9 metres only if the responsible authority is satisfied an increased height improves the amenity of the area.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The character of groups, streets or precincts of buildings in which similarity of height is an important factor.
- Buildings are close to, at, or below tree scale, when this is considered desirable.
- Any shadows which reduce amenity, particularly of public spaces.
- Any loss of privacy caused by overlooking.
- The importance of maintaining a cornice or other architectural treatment giving character to a street or boulevard.

Background documents

Amendment 151 to the Melbourne Metropolitan Planning Scheme

Speech by the Hon Lou Lieberman, Minister for Planning, Victoria, 30 September 1980

Press Release by the Hon. Lou Lieberman, Minister for Planning, Victoria, 1 October 1980.

08/09/2022
C195more

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

34 UNION STREET BRUNSWICK

1.0 Design objectives

08/09/2022
C195more

To provide a high quality interface between Victorian housing, RMIT School of Design and Printing / Melbourne Institute of Textiles and the Upfield Railway Reserve.

To enhance the public realm through landscaping, pedestrian & cycling amenities and informal surveillance.

To provide a high quality example of the use of energy efficient design.

To increase permeability of the urban environment.

To encourage innovative design that reflects the urban character and form of the location.

To provide for quality design treatments which facilitate the development of urban villages within the municipality.

To create a sense of arrival at the centre of the Jewell Urban Village.

2.0 Buildings and works

08/09/2022
C195more

Height

Buildings and works must not exceed a height of 12 metres. Building height should be greater at the north eastern extremity of the site, and not exceed 8 metres on the north western extremity of the site.

This requirement can only be varied with a permit when both design excellence and a 5 star HERS rating are met.

The height of the building or works is the height of its highest point above the permanent footpath at the centre of the site frontage.

Setbacks

Setbacks to Union Street should be characteristic to the street and current development.

Setbacks from the northern boundary should enable the utilisation of northern light.

Setbacks to the western boundary should provide a landscape buffer / green space function, and address visual bulk, overshadowing and overlooking impacts on adjoining residences.

Setback on the eastern boundary should reflect an articulated zero lot line approach.

Permeability

Development should increase permeability through the site. Access should be well lit and able to service pedestrian and bicycle usage.

Opportunities to increase visible permeability both north - south and east - west through the site should be encouraged.

Design and articulation

Fencing on the southern boundary should reflect the characteristics of adjoining properties to the west.

The fabric utilised in construction should be sympathetic to the character of the neighbouring development, but provide an innovative and contemporary treatment of the site.

The eastern boundary should be highly articulated, with design features such as balconies and windows achieving a zero lot line.

Development along the eastern boundary should be designed to high acoustic standards to minimise the amenity impact of the Upfield Railway.

Innovative design that achieves a more sustainable form of development should be achieved within the site. Opportunities for natural ventilation and cooling, reduction of impervious surfaces (including roof gardens), passive solar design, reuse of grey water should be utilised.

Development should achieve a 4 star HERS rating.

The provision of car parking should reflect the proximity of fixed rail transport to the site.

Car parking should be provided in manner so as not to be intrusive to the design elements of structures.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- Any relevant urban village policy and any urban village framework plan adopted by the responsible authority.
- The Design objectives and Buildings and works elements of this clause.
- The character of buildings in which similarity of height is an important factor, and a gradation of development height across the site.
- The contribution of the building to the interpretation of the area as part of the Arts Precinct.
- The architectural quality and innovative response of the building design.
- The contribution of the development to providing a contemporary design that provides a visual marker of the heart of the Jewell Urban Village.
- The extent to which the development accommodates an integrated mix of uses on the site, including office style commercial uses adjoining the Union Street boundary.
- The interface with the Upfield Railway Corridor and amenity / landscape improvements to the corridor.
- The interface with the RMIT School of Design and Printing and the Melbourne School of Textiles.
- The interface with existing Victorian housing to the west of the site.
- Any loss of privacy caused by overlooking of properties along the western boundary.

Refer to:

Urban Villages: A sustainable future for Moreland, Integrated Urban Management, 23 June 1999.

08/09/2022
C195more

SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**.

22 FRENCH AVENUE BRUNSWICK

1.0 Design objectives

08/09/2022
C195more

To provide a high quality interface between housing in French Avenue and Lord Street and Methven Park.

To enhance the public realm through landscaping and give informal surveillance of Methven Park.

To consider the visual impact of any new development on the heritage value of Methven Park.

To provide a high quality example of the use of energy efficient design and environmentally sustainable development.

To improve pedestrian access from French Avenue to Methven Park.

To encourage contemporary and innovative design that reflects is respectful of the urban character and landscape attributes of the location.

To provide for quality design treatments which facilitate the development of urban villages within the municipality.

To ensure that new development includes appropriate acoustic measures to attenuate noise levels from adjoining industrial uses being audible within the building.

To provide a design that respects and protects the recognised heritage value of adjoining properties.

To ensure that any new development is compatible with the existing scale and character of residential buildings on adjoining and nearby sites.

2.0 Buildings and works

08/09/2022
C195more

Height

Buildings and works must not exceed a height of 9 metres. Building height should be greater at the north western extremity of the site, and not exceed 7 metres on the eastern extremity of the site.

Building height on the southern boundary should be articulated and in keeping with the park interface.

This requirement can only be varied with a permit when both design excellence and a 5 star HERS rating are met.

The height of the building or works is the height of its highest point above the permanent footpath at the French Avenue frontage.

Setbacks

Setbacks to French Avenue should be characteristic to the street and current residential development.

Setbacks from the southern boundary should enable the utilisation of northern light for the adjoining property in Lord Street and Methven Park.

Setbacks to the eastern and southern boundary should provide a landscape buffer / green space function, and address visual bulk, overshadowing and overlooking impacts on adjoining properties.

Permeability

Development should increase permeability through the site. Access should be well lit and able to service pedestrian and bicycle usage.

Opportunities to increase visible permeability north south through the site should be encouraged.

Design and articulation

Property demarcation on the southern boundary should be landscaped to produce a visual transition between public and private land.

The fabric utilised in construction should be sympathetic to the character of the neighbouring development, but provide an innovative and contemporary treatment of the site.

All development on the site should be highly articulated to break the visual bulk, and give rhythm to the development.

Innovative design that achieves a more sustainable form of development should be achieved within the site. Opportunities for natural ventilation and cooling, reduction of impervious surfaces (including roof gardens), passive solar design, reuse of grey water should be utilised.

Development should achieve a minimum 4 star HERS rating.

Car parking should be provided in manner so as not to be intrusive to the design elements and landscape perception of the development.

Include connection with the parkland with landscape treatment within the setback that respects the existing vegetation in Methven Park.

Any development must be designed and constructed to include noise attenuation levels in accordance with the Building Code of Australia and relevant Australian Standards for acoustic control to a maximum of 45dB(a) in habitable rooms within the development.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- Any relevant urban village policy and any urban village framework plan adopted by the responsible authority.
- The Design objectives and Building and works requirements of this clause.
- The quality of the interface with Methven Park, and any impacts on its heritage qualities.
- The character of buildings in which similarity of height is an important factor, and a gradation of development height across the site.
- The architectural quality of structures and overall environmental sustainability of the development.
- The ability of the design of the development to accommodate an integrated mix of uses on the site.
- The interface with residential properties in Lord Street and French Avenue.
- Any loss of privacy caused by overlooking.

- The interface with industrial properties.
- The extent to which any new residential development protects its internal amenity from adjoining industrial uses.

Refer to:

Urban Villages: A sustainable future for Moreland, Integrated Urban Management, 23 June 1999.

08/09/2022
C195more

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6.**

452 TO 456 VICTORIA STREET BRUNSWICK

1.0 Design objectives

08/09/2022
C195more

To provide a high quality interface to Clifton Park.

To enhance the public realm through landscaping, pedestrian & cycling amenities and informal surveillance

To provide a high quality example of the use of energy efficient design.

To increase permeability of the urban environment.

To encourage innovative design that reflects the scale and bulk of surrounding development.

To provide an appropriate interface to the Industrial 1 Zone on the southern boundary to ensure compatibility between adjoining land uses.

2.0 Buildings and works

08/09/2022
C195more

Height

Buildings and works must not exceed a height of 12 metres, and 7 metres on the western boundary of the site.

In regards to residential development, these heights may only be varied with a permit, when both design excellence and a 5 star HERS rating are met.

The height of the building or works is the height of its highest point above the permanent footpath at the centre of the site frontage to Victoria Street.

Building heights should address potential visual bulk, overshadowing and overlooking impacts on adjoining residences.

Setbacks

Setbacks to the western boundary and to the property at No.454 Victoria Street should provide a landscape buffer / green spaces function, and address visual bulk, overshadowing and overlooking impacts on adjoining residences.

Setbacks on the eastern boundary should allow opportunities for visual landscape treatments to demarcate the boundary between the site and Clifton Park.

Setbacks on the southern boundary, particularly for residential uses, should provide an appropriate buffer / interface treatment to minimise the potential for conflict between adjoining uses.

Permeability

Development should increase permeability through the site, especially from Pearson Street to Clifton Park. Access should be well lit and able to service pedestrian and bicycle usage.

Opportunities to increase visible permeability both north-south and east-west through the site should be encouraged.

Design and articulation

The fabric utilised in construction should be sympathetic to the scale and bulk of housing on Pearson Street and at No.454 Victoria Street whilst providing an innovative and contemporary treatment of the site.

All boundaries of the development should be highly articulated and have design features that provide rhythm, and add to the visual richness of the area.

Innovative design that achieves a more sustainable form of development should be achieved within the site. Opportunities for natural ventilation and cooling, reduction of impervious surfaces (including roof gardens), passive solar design, reuse of grey water should be utilised.

Residential Development should achieve a 4 star HERS rating.

Car parking should be provided in manner so as not to be intrusive to the design elements of structures.

Landscaping should take into account any significant existing trees on the site and appropriate interface treatments to Clifton Park.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The design objectives and building and works objectives within this schedule.
- The potential impact of development on the existing dwelling at No.454 Victoria Street.
- The character of buildings in Pearson Street where similarity of height is an important factor, achieving a gradation of development height across the site.
- Innovation in the treatment of the boundary between the development and Clifton Park so as to achieve a harmonious transition between areas.
- The architectural quality and innovative response of the buildings on the site.
- The ability of the design of the development to accommodate an integrated mix of uses on the site.
- The interface with Clifton Park and opportunities for landscape interfaces in conjunction with the Clifton Park Masterplan.
- Any loss of privacy caused by overlooking.
- The ability of the design of the development to accommodate an integrated mix of uses on the site.

08/09/2022
C195more

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

2 JOHN STREET, 12-20 MILLER STREET, BRUNSWICK EAST

1.0 Design objectives

08/09/2022
C195more

To ensure that residential and commercial development on the site is integrated with the surrounding neighbourhood by providing for public vehicle, bicycle and pedestrian access between John Street and Miller Street.

To create a safe, attractive and communal public realm through clear delineation between public and private areas, landscaping and other streetscape design elements, pedestrian priority and safe pedestrian environments through laneway access to vehicle parking.

2.0 Buildings and works

14/02/2023
C225more

Vehicle and Pedestrian Access

The design and siting of any new development of the land not associated with its existing industrial use must make provision for:

- A public road linking Miller Street and John Street generally in accordance with the *'Miller Street and John Street Connection Plan'*, which forms part of this schedule.
- Car parking should be provided at the rear of dwellings and where appropriate accessed by public laneways generally in accordance with the *'Miller Street and John Street Connection Plan'* or within basement car parking areas.
- A landscaped element must be integrated within any future development plan, providing public access.

The public road and laneways must be designed and constructed in accordance with Merri-bek City Council standards and make appropriate provision for two-way vehicular traffic, on street car parking, safe pedestrian access for all, bicycles and street tree landscaping.

Environmental Sustainable Design of Dwellings and Other Buildings

Dwellings and other buildings should incorporate innovative design that achieves high standards of environmental sustainability. Opportunities for passive solar design, natural ventilation and cooling, natural lighting, solar hot water, natural gas appliances, storm water retention and re-use, and grey water re-use should be utilised.

3.0 Subdivision

08/09/2022
C195more

Except for the consolidation of existing lots or the realignment of existing boundaries, any application to subdivide land must include a Plan of Subdivision showing public roads generally in accordance with the *'Miller Street and John Street Connection Plan'*.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

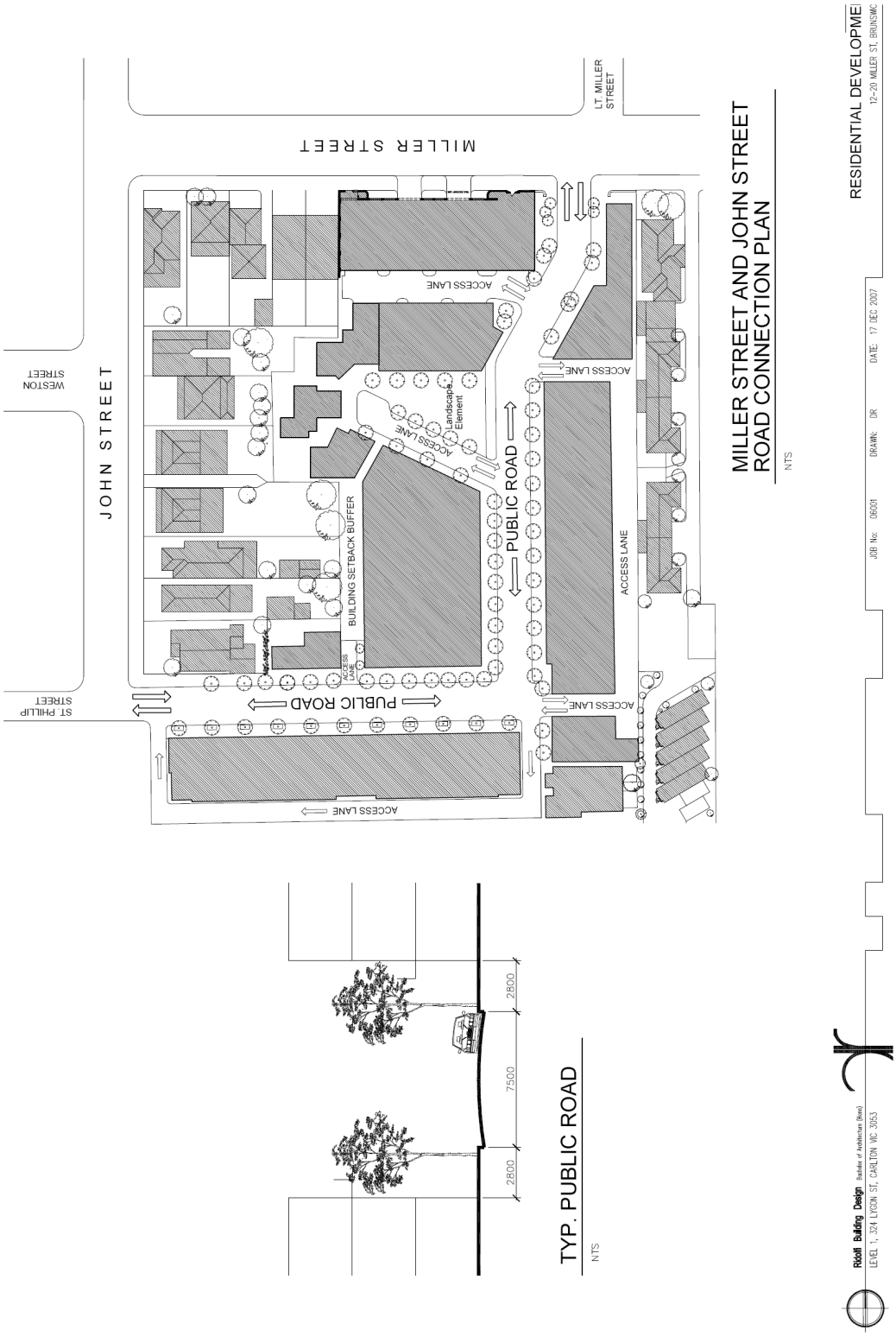
None specified.

6.0 Decision guidelines

08/09/2022
C195more

None specified.

Map 1 to Schedule 7 to Clause 43.02: Miller Street and John Street Connection Plan



08/09/2022
C195more

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

2- 6 & 8-10 WALTER STREET, HADFIELD ALSO KNOWN AS LOTS 1 & 2 ON LP 208653K

1.0 Design objectives

08/09/2022
C195more

To ensure that residential development is integrated throughout the overlay area and with the surrounding neighbourhood, by providing appropriate public vehicle, bicycle and pedestrian linkages.

To provide for public pedestrian links from Middle Street through to Walter Street.

To ensure that new development promotes a safe walkable environment.

To ensure that new development responds positively to the neighbourhood character of the area.

To ensure that development on the site incorporates environmentally sustainable design.

2.0 Buildings and works

08/09/2022
C195more

Environmental Sustainable Design of Dwellings and Other Buildings

Any new development on the site should, where appropriate, incorporate an environmental management plan that demonstrates how the development provides for environmentally sustainable design in the areas of:

- Passive solar design;
- Natural ventilation;
- Reduction of impervious surfaces;
- Stormwater reduction and management; and
- Orientation and layout of the development.

Building heights

The building heights of new development at the interface with the street and adjoining properties should respond to the predominant residential neighbourhood character.

3.0 Subdivision

14/02/2023
C225more

Vehicle and Pedestrian Access

The subdivision for the land must, where appropriate, make provision for:

- Public pedestrian access from Walter Street to Middle Street. Vehicle access may also be provided.
- Unless Lots 1 & 2 LP 208653k are consolidated and re-subdivided as a master-planned development, a public pedestrian link must be made between Lots 1 & 2 to facilitate access between Walter Street and Middle Street.
- Public pedestrian links must be designed to meet the relevant objectives of Element 5 of the "Safe Design Guidelines for Victoria".
- Roads must be public and designed and constructed in accordance with Merri-bek City Council standards and make appropriate provision for two-way vehicular traffic, on street car parking (at a rate of 1 space for every two dwellings), safe pedestrian access for all, bicycles and street tree landscaping.
- Waste management trucks and street sweepers must be able to turn around at the end of each street.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The extent to which the proposed development allows for the integrated development of land in the overlay area in accordance with the provisions of this overlay.
- The extent to which the proposed development improves the pedestrian environment and in particular whether the development provides opportunities for passive surveillance of public linkages throughout the development.
- The extent to which the development is consistent with any Council adopted neighbourhood character of the area.
- The overall environmental sustainability of the development, including any environmental management plan demonstrating how the development achieves environmentally sustainable design, in the areas of natural ventilation and cooling, reduction of impervious surfaces (including roof gardens), lot orientation and passive solar design, appropriate use of daylight and the retention of stormwater.

Background document

Safer Design Guidelines for Victoria, DSE, 2005

08/09/2022
C195more

SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO10**.

NOISE AMENITY AREA

1.0 Design objectives

08/09/2022
C195more

To ensure that development for residential and other noise sensitive uses incorporates appropriate noise attenuation measures in its design to have regard to nearby existing industrial activity and attenuate noise levels within the building and external areas.

To ensure that land use and development in the vicinity of existing industrial areas does not adversely affect the viability of established industry within the surrounding area.

To ensure that noise attenuation measures are consistent with high quality urban design and architecture and do not detract from the streetscape or public realm.

2.0 Buildings and works

08/09/2022
C195more

No permit is required for buildings or works unless it is associated with a use listed below.

- Accommodation
- Child care centre
- Education centre
- Funeral parlor
- Crematorium
- Hospital
- Library

Building design

Any new development that will accommodate residential or other noise sensitive uses must:

- Provide acoustic insulation for habitable rooms that may be affected by noise emanating from existing industrial uses in order to achieve maximum internal noise levels in habitable, unfurnished rooms of 38 dba during the day and 27 dba at night with all windows and doors closed.
- Consider noise attenuation measures to external balconies, courtyard, recreation areas and other sensitive amenity areas facing existing industrial uses as required.
- Provide noise attenuation measures that feature high quality urban design and architecture that includes articulated, diverse facades and activated frontages.

Conditions and requirements for Permits

Any planning permit issued for development of the subject site for a noise sensitive use listed in Section 2.0 must include a condition requiring that:

- Any new building must incorporate noise attenuation measures to achieve maximum internal noise levels in habitable, unfurnished rooms of 38 dba during the day and 27 dba at night with all windows and doors closed.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

None specified.

6.0 Decision guidelines

08/09/2022
C195more

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:

- How the design of the development respects the operations of the surrounding land use.
- The building design and materials to be used to buffer the development against background noise and minimise the infiltration of noise into the building and external areas.
- The architectural quality and innovative response of the building design.
- Whether the development complies with any other relevant policy of this scheme.

08/09/2022
C195more

SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11**.

1-9 LYGON STREET, 64 BRUNSWICK ROAD, BRUNSWICK AND 6-20 LYGON STREET, 60 & 60A BRUNSWICK ROAD, BRUNSWICK EAST

1.0 Design objectives

08/09/2022
C195more

To recognise the corner sites as a gateway to the Brunswick Major Activity Centre.

To ensure that the height of any new development sits comfortably within its low rise environment.

To ensure that any development is of high quality contemporary and innovative architecture.

To ensure that any development provides for active street frontages at ground level and surveillance of streets and adjoining open space from upper levels.

To encourage the creation of a high quality and safe public realm along the main street frontages.

To ensure that new development enhances the amenity of the adjoining Linear Park Reserve and achieves activation between new development and the park.

To ensure that development incorporates environmentally sustainable design measures.

To ensure any future redevelopment at 64 Brunswick Road responds to the significance of the adjacent heritage building at 66-68 Brunswick Road, Brunswick.

To ensure signage is appropriately located to avoid any detrimental visual impacts.

2.0 Buildings and works

03/02/2023
C227more

Built form

- Development should comply with the preferred building heights as detailed in *Diagram 1 – Preferred built form outcome.*

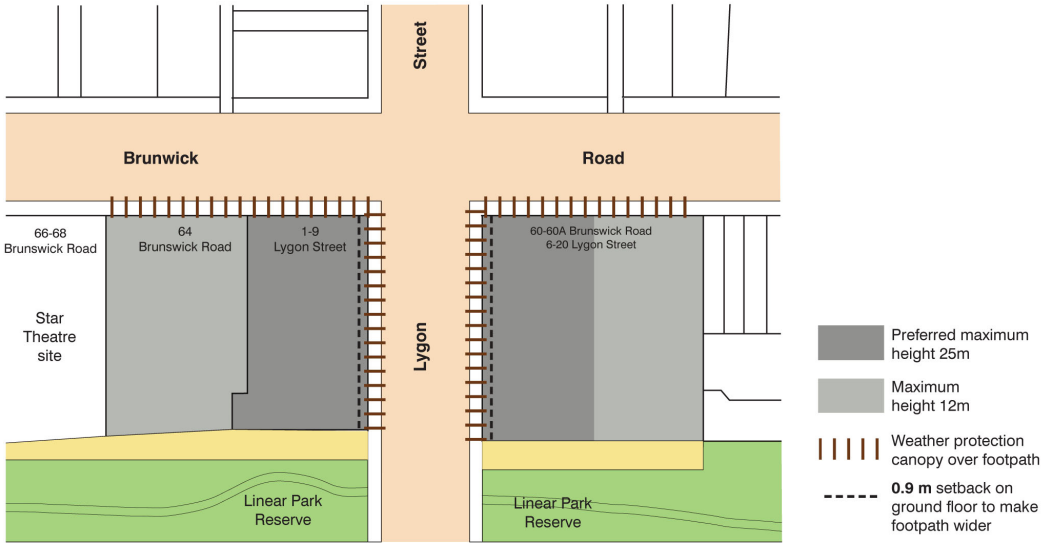


Diagram 1: Preferred built form outcome

- The preferred maximum height does not include architectural features and/or screening devices to building services such as lift over-runs and roof-mounted equipment which should be integrated into the design of the building.

- Development which varies from the preferred maximum building height detailed in Diagram 1 must demonstrate how the design objectives of this schedule will be met.
- Development either side of Lygon Street should adopt a complimentary form in terms of height and scale to provide symmetry on both sides of Lygon Street.

Active frontage (Lygon Street and Brunswick Road)

- Development should incorporate active street frontages at ground level along Lygon Street and Brunswick Road in accordance with the design guidelines contained at Clause 15.01-2L of this scheme.

Linear Park Reserve interface

- Development should incorporate an active frontage along the southern interface with the Linear Park Reserve. This may be achieved by incorporating all or a number of the following design measures:
  - Providing openable, non-reflective, transparent glazing to the southern property boundary.
  - Providing a ground floor setback from the southern property boundary to allow for an active frontage to a forecourt area within the property boundary.
  - Providing direct access to and from the Linear Park Reserve (if an agreement can be reached with the land manager).

Pedestrian access, movement and amenity

- Development should comply with Diagram 2: Pedestrian and vehicle access and movement in relation to pedestrian access, movement and amenity.
- Development should be designed to respect Lygon Street, Brunswick Road and the Linear Park Reserve as the main pedestrian routes.
- Development should make a positive contribution to a high quality pedestrian environment by:
  - Providing ground floor building setbacks to accommodate the widening of footpaths along the Lygon Street frontage;
  - Relocating affected and/or new infrastructure under ground where possible;
  - Providing a canopy for weather protection over the footpath of abutting streets;
  - Providing high quality streetscape treatment (including street furniture and landscaping) along main pedestrian routes.
- Additional pedestrian connections between the Linear Park Reserve and Brunswick Road should be:
  - Located along the western boundary of 64 Brunswick Road and/or the eastern boundary of 6-20 Lygon Street and 60 Brunswick Road;
  - Designed to have active frontages to ensure safety and high quality pedestrian amenity;
  - Separated from any access lane for vehicles.
- Pedestrian connections between the Linear Park Reserve and Brunswick Road along the western boundary of 1-9 Lygon Street are discouraged.

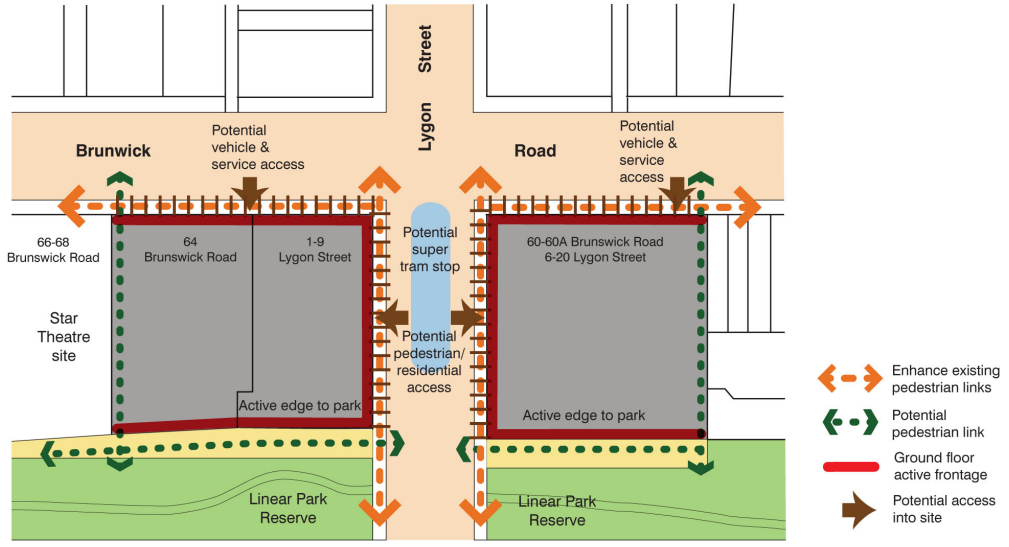


Diagram 2: Pedestrian and vehicle access and movement

Car parking and access

- Development should comply with Diagram 2: Pedestrian and vehicle access and movement in relation to vehicle access.
- Areas set aside for car parking are to be located and designed:
  - to avoid fronting onto Lygon Street, Brunswick Road or the Linear Park Reserve at either ground or upper.
  - so as to not dominate any street frontage or be visually intrusive when viewed from Lygon Street, Brunswick Road or the Linear Park Reserve.
- Vehicle access to the sites should be provided from the Brunswick Road frontage along the eastern boundary of 6-20 Lygon Street and western boundary of 1-9 Lygon Street.

Environmental sustainable design

- Development should incorporate, where appropriate environmental sustainable design measures in the areas of energy and water efficiency, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of the development, building materials and waste minimisation.

Heritage context (64 Brunswick Road)

- Any development at 64 Brunswick Road should not exceed the preferred height of 12 metres at the front boundary. This height may be varied if appropriate front setbacks are provided and it can be demonstrated that any increased height will not adversely affect the adjoining heritage place.
- Any new development should be designed to provide transitional setbacks that are sympathetic to the adjoining heritage place.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

- A permit is required to display a Section 1 sign specified in any category of advertising control specified in Clause 52.05, if it is located above 12 metres or in the southern elevation at the interface with the Linear Park Reserve.
- Installation and display of signs above 12 metres is strongly discouraged.
- Signs facing the Linear Park Reserve should not be internally or externally illuminated.

5.0 Application requirements

08/09/2022
C195more

An application for development should include, as appropriate, the following information to the satisfaction of the responsible authority:

- An Urban Design Report demonstrating how the proposal responds to the design objectives and buildings and works requirements of this schedule.
- An Environmental Management Plan (EMP) prepared by a suitably qualified person that demonstrates how the development provides for environmentally sustainable design measures.
- A Green Travel Plan (GTP) outlining site-specific initiatives and actions to encourage the use of sustainable transport options.
- An Electromagnetic Field (EMF) emission report detailing the level of EMF from the adjacent electricity sub-station and any mitigation strategies to remove any unacceptable levels of EMF emissions.
- A Traffic Impact Assessment Report (TIAR).

6.0 Decision guidelines

14/02/2023
C225more

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:

- The design objectives of this schedule.
- The architectural quality of the building design.
- Whether the development makes a positive contribution to the overall vitality of the Brunswick Major Activity Centre.
- The contribution the development makes to urban design, walkability and streetscape appearance of the area.
- Whether the development produces a high quality landmark building that reinforces the gateway to the Brunswick Major Activity Centre and to the City of Merri-bek.
- Whether the development is sympathetic to adjoining commercial, residential uses, public open space and heritage places.
- The effects of overshadowing on the Linear Park Reserve.
- Whether the design of the development can accommodate an integrated mix of uses including retail, office and residential.
- The overall environmental sustainable performance of the development.
- Any structure plan for the area adopted by the responsible authority.
- Whether the proposed development achieves the design objectives set out in the *Activity Centre Design Guidelines* published by the Department of Sustainability and Environment (2005).
- Whether the proposed development achieves the design objectives set out in the *Design Guidelines for Higher Density Residential Development* published by the Department of Sustainability and Environment (2004).

08/09/2022
C195more

SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

GAFFNEY STREET PRECINCT - 14-22 GAFFNEY STREET, COBURG NORTH

1.0 Design objectives

08/09/2022
C195more

To sensitively manage interface issues between new development and established areas.

To encourage the creation of a high quality public realm with pedestrian friendly environment and a hierarchy of streets with active street frontages along Gaffney Street and the Upfield Bike Path.

To promote buildings of high architectural quality and visual interest to the street.

To ensure new development has flexible floor spaces that can sustain a variety of business operations and residential accommodation where appropriate.

To ensure that development addresses and provides passive surveillance to Gaffney Street, the Upfield Bike Path, communal open spaces and primary internal streets.

To ensure new development protects and enhances the Upfield Bike Path.

To ensure traffic and public transport related impacts are considered and mitigated as appropriate.

To ensure new development provides noise attenuation measures where required.

To ensure that development incorporates best practice environmentally sustainable design initiatives.

To establish convenient, safe and efficient movements and connections within the development and to the existing street network and transport opportunities.

To ensure that development incorporates best practice accessible design features to meet the access needs of all sectors of the community.

To provide high quality internal amenity for occupants including access to good natural light to all habitable rooms.

2.0 Buildings and works

08/09/2022
C195more

A permit is required to construct a fence.

Heights and setbacks

Where maximum preferred building heights are not specified, building heights should not exceed 25.2 metres in height.

Gaffney Street interface

- A maximum height of 20 metres only is permitted for buildings fronting Gaffney Street that incorporates, in accordance with Figure 1 below:
  - A zero lot line podium with a maximum height of 14 metres, that supports active frontages to Gaffney Street; and
  - Built form above podium height that is set back a minimum of 5 metres.

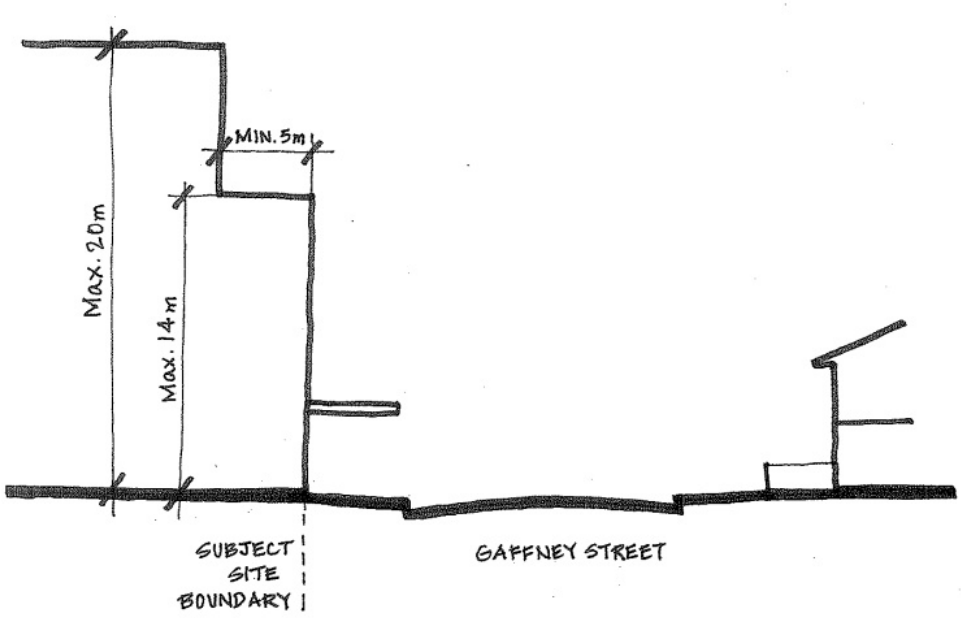


Figure 1. Gaffney Street interface

Upfield rail corridor interface

- Buildings that have an interface with the Upfield railway corridor should respond to the rail line in accordance with figure 2 below.

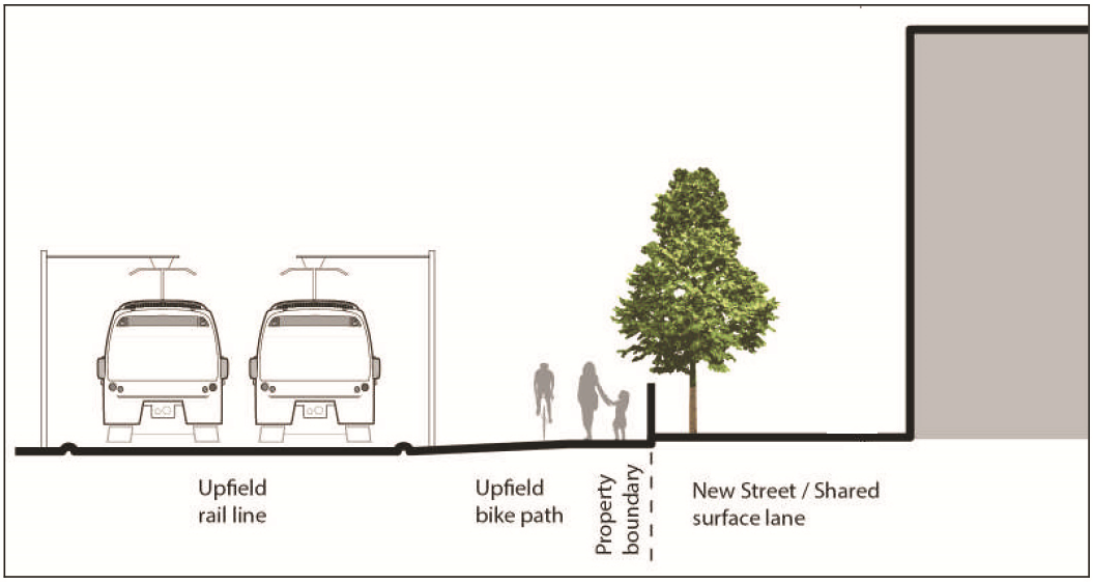


Figure 2. Upfield rail corridor interface

- Buildings (excluding the boundary fence, road and landscaping furniture) that have an interface with the Upfield railway corridor must be set back no less than 10 metres from the centre line of the existing eastern railway track.
- Visual and functional connection of new development with Batman Station and the Upfield Bike Path should be provided to facilitate activation of this interface.
- Built form that creates an interesting skyline at the interface with the Upfield rail corridor.

North and east site interfaces with Residential 1 Zone land

- Buildings that have interfaces with residential properties at the north and east site boundaries should provide building setbacks in accordance with Figures 10 and 11 of the *Urban Design Framework, 14-22 Gaffney Street Coburg North*.

Design and articulation

- Development should be appropriately articulated and modulated and provide visual interest through glazing and variation in materials and textures.
- Development along all existing and new primary road frontages and communal open spaces should be designed to ensure activation with all levels providing a high degree of passive surveillance of adjacent public areas.
- Avoid high fencing, where provided high fencing must be visually permeable.
- Buildings fronting Gaffney Street must provide:
  - Built scale appropriate to the street and proximity of pedestrians.
  - Windows facing Gaffney Street of at least 80% of the width of any commercial premises.
  - Maximise the number of entries to any ground floor residential dwellings.
  - Clear glazing to street frontages.
  - Facade design that incorporates lighting to add to a sense of security at night.
  - The provision of roller doors is not encouraged.
  - Visually permeable or transparent security grilles, which are encouraged to be internally mounted.
  - A suitable interface with the adjacent existing bus stop on Gaffney Street having regard to any proposed road upgrades, to the satisfaction of the Public Transport Development Authority and Roads Corporation.
- Loading facilities and building services should not be located on existing or new primary road frontages, unless they can be visually integrated into the site.
- Vehicle ingress and egress to individual dwellings should not be located on existing or new primary road frontages.
- Development should minimise blank walls, large service areas, continuous garage doors and dense planting at ground level street frontages.
- Development incorporating ten or more dwellings must be designed to incorporate adaptable, accessible and visitable design features.
- Development is encouraged to incorporate public art that celebrates the cultural heritage significance of the area.
- Main entries and lobby spaces should be legible from the street frontage with good physical and visual connections to the street.
- Development should be designed to provide passive surveillance of primary and secondary streets and courtyards including through the orientation of balconies and openings of habitable rooms.

Integrated development

- Where development is staged, each stage of the development should be integrated with the previous stage and where appropriate provide opportunity for integration with future adjacent stages.

Landscaping and public realm

- Development should ensure appropriate street tree planting, landscape concepts and street furniture are provided along all accessways and pedestrian links.
- Canopies along Gaffney Street must not preclude street tree planting.

Noise attenuation

- Building and works must be sited and designed to incorporate noise attenuation measures to minimise railway noise levels or other external noise sources within a development: This may be achieved by:
  - Providing adequate soundproofing where noise levels are expected to exceed ambient levels.
  - Using noise resistant materials and construction methods.
- Noise attenuation measures should be taken into account when designing external courtyard, balcony and recreation areas and other sensitive amenity areas.
- Noise attenuation measures must be integrated with appropriate urban design outcomes to achieve articulated diverse facades and active frontages.

Movement and access

- Any development must include the creation of an accessway on the western boundary of the property to provide an interface with the railway line, provide street planting opportunities and incorporate or provide upgrades to the existing Upfield Bike Path.
- Any development must seek to protect and enhance the Upfield Bike Path to improve pedestrian amenity, bicycle access and the active movement network.
- Development should provide for the connection of new roads and laneways to the existing roads and laneways, to create a highly permeable and accessible environment.
- Primary vehicular access to the site must be provided from Gaffney Street.
- Development must provide for a pedestrian link between the south-west corner of the site adjacent to the Upfield Bike Path / Batman Train Station and the laneway in the north-east corner of the site connecting to Sydney Road.
- Roads and laneways must make appropriate provision for vehicular traffic, safe pedestrian access for all, bicycles and street tree landscaping.
- Where practicable, redevelopment of the site should provide shared zones for pedestrians, cyclists and vehicles.

Environmentally sustainable design

- Any development on the site must incorporate environmental sustainable design measures in the areas of energy efficiency, greenhouse gas emissions, integrated water management, natural ventilation, storm water reduction and management, solar access, orientation, transport, waste reduction/management and construction materials selection.
- Development must provide an overall road layout that maximizes the opportunity for solar efficient lot layouts and building orientation within the site and that does not compromise the existing passive solar access of existing dwellings surrounding the site.

3.0 Subdivision

08/09/2022
C195more

Any application to subdivide land must include a Plan of Subdivision showing roads, pedestrian links and any public open space.

An application to subdivide land that will impact on achieving the objectives of the Design and Development Overlay or would prejudice the implementation of the Integrated Transport Plan, as required in the Section 173 Agreement registered on title, will not be supported.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

08/09/2022
C195more

An application for development or subdivision of the subject site must include, as appropriate, the following information to the satisfaction of the Responsible Authority:

- An urban context report including site context plan and design response.
- A written statement that demonstrates how the proposed development achieves the design objectives and buildings and works requirements of this schedule.
- An Environmentally Sustainable Design Management Plan (EMP) prepared by a suitably qualified environmental engineer or equivalent that demonstrates how the development provides for best practice environmentally sustainable design.
- An Acoustic Engineering Report prepared by a suitably qualified person demonstrating the use of suitable materials and building treatments to ensure internal noise levels are satisfactory.
- A Circulation and Movement Plan prepared by a suitably qualified person demonstrating the internal road hierarchy including primary and secondary roads and areas to be accessed by loading and building services, vehicles, pedestrians and cyclists.
- An Accessibility Report prepared by a suitably qualified person detailing how the development will incorporate adaptable, accessible and visitable design features, in accordance with Australian Standard 4299-1995: Adaptable Housing.

6.0 Decision guidelines

21/09/2022
C212more

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:

- The design objectives of this schedule.
- The Urban Design Framework, 14-22 Gaffney Street Coburg North.
- The architectural quality and innovative response of the buildings.
- The contribution the design makes to the urban design, walkability, bicycle access, permeability and streetscape appearance of the area.
- Whether the development incorporates appropriate noise attenuation measures to minimise railway noise levels or other relevant external noise sources within the development having regard to the proposed use of the land.
- The overall environmental sustainability performance of development.
- Whether the proposed development implements the outcomes outlined in the Integrated Transport Plan.
- Whether the proposed development provides the works that are required to the public transport and road networks in the vicinity of the site to mitigate against the impacts arising from the development of the site.
- The views of Head, Transport for Victoria.

7.0 Background documents

Urban Design Framework, 14-22 Gaffney Street Coburg North, David Lock Associates, June 2013.

Draft Moreland Higher Density Design Code, Moreland City Council, July 2016.

Moreland Industrial Land Strategy 2015-2030, Hansen Partnership, National Economics, August 2004.

14-22 Gaffney Street, Coburg: Rezoning Application, Traffic and Car Parking Impact Assessment Report, Traffix Group, January 2012.

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SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO18**.

BRUNSWICK ACTIVITY CENTRE - SYDNEY ROAD AND UPFIELD CORRIDOR

1.0 Design objectives

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- To encourage a new mid-rise built form character with lower built form at the interfaces with the adjoining low rise residential areas.
- To complement the valued built form and heritage character along Sydney Road and respect the form, design and context of buildings of individual heritage significance in the precinct.
- To ensure the street wall remains the visually dominant element of all development in Sydney Road and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.
- To establish a new cohesive built form character in off-corridor locations to the east and west of Sydney Road to achieve an appropriate balance between a sense of enclosure and openness and to ensure new street walls reinforce the existing character of street walls in nominated off-corridor streets.
- To protect the amenity of existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties within and adjacent to the activity centre.

2.0 Buildings and works

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A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building facade provided that:
  - The alteration does not include the installation of an external roller shutter;
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
  - Construct a dwelling if there is at least one dwelling existing on the lot;
  - Construct or extend a dwelling if there are two or more dwellings on the lot;
  - Construct or extend a dwelling if it is on common property; and
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with 1 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Building height

- Building height should not exceed the preferred maximum building heights as shown in *Overall Building and Streetwall Heights, Map 1A (North)* and *Map 1B (South)*.

- Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building. This does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met:
  - No more than 50% of the roof area is occupied by the equipment (other than solar panels);
  - The equipment is located in a position on the roof so as to minimise additional overshadowing on neighbouring properties and public spaces;
  - The equipment does not extend higher than 3.6 metres above the maximum building height; and
  - The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

Buildings of individual heritage significance

- Development on sites containing buildings of individual heritage significance where no preferred maximum height is specified on *Map 1A (North)* and *Map 1B (South)* should demonstrate:
  - How the proposed building height responds to the heritage significance of the site and its context; and
  - How the design objectives of this schedule have been met.

Street walls

- Buildings within the commercial zone and mixed use zone should be constructed to the street frontage.
- Street wall height on the following streets should be between 5 and 8 metres:
  - Barkly Street (west of Black Street);
  - Union Street;
  - Manallack Street, Railway Place (north of Union Street);
  - Charles Street; and
  - Thomas Street.
- Street wall heights on the following streets should be between 7 and 10 metres:
  - Little Gold Street;
  - Florence Street;
  - Rosser Street;
  - Frith Street;
  - Beith Street;
  - McIver Street;
  - Howarth Street;
  - Wilkinson Street
  - Merri Street; and
  - Saxon Street.

- Street wall height on Sydney Road (including parapets) must be between 8 and 11 metres. A permit cannot be granted to construct a building or carry out works which are not in accordance with this requirement. This does not include:
  - Land on Sydney Road south of Brunswick Road, where the street wall height (including parapets) should be between 8 and 11 metres;
  - Alterations to an existing façade provided the existing street wall height does not change.
- Street wall height on the following street should be between 8 and 11 metres:
  - Barkly Street (between Sydney Road and Black Street);
  - Dawson Street;
  - Victoria Street; and
  - Albert Street (east of Sydney Road).
- Street wall heights on the following streets should be between 9 and 12 metres:
  - Albion Street;
  - Breese Street;
  - West Street;
  - Duckett Street;
  - Hope Street;
  - Ovens Street;
  - Merrifield Street;
  - Ballarat Street;
  - Phoenix Street between Sydney Road and the Upfield Rail Line; and
  - Lobb Street.
- Street wall heights on Albert Street (west of Sydney Road) should be between 11 and 14 metres.
- Street wall heights on Dods Street should be between 12 and 15 metres.
- Street wall heights on Wilson Avenue should be between 15 and 18 metres.
- Street wall heights on the following streets should be between 17 and 20 metres:
  - Brunswick Road;
  - Michael Street between Sydney Road and Upfield Rail Line;
  - Weston Street;
  - Staley Street;
  - David Street (West side); and
  - Barkly Street (east of Sydney Road).
- On secondary street frontages of corner properties having the primary frontage to Sydney Road, the street wall height requirements on the Sydney Road frontage also apply to the secondary street frontage for the depth of the upper level setback.
- On the following corner properties, the street wall height at the frontage is to apply to the sideage for the depth of the upper level setback:
  - Black Street and Barkly Street;

- Black Street and Wilson Avenue;
- Saxon Street and Michael Street;
- Saxon Street and Phoenix Street;
- Henry Street and Albert Street;
- Breese Street and Victoria Street;
- Boase Street and Ballarat Street;
- Boase Street and William Street;
- Staley Street and Blyth Street (south of Blyth);
- Frith Street and McIver Street;
- Frith Street and Howarth Street; and
- Beith Street and Howarth Street.

- Street facades within the Commercial 1 Zone should extend to both sides of the property boundary.
- Development that seeks to vary the street wall heights must demonstrate how the design objectives and requirements of this schedule will be met.

Buildings of individual heritage significance

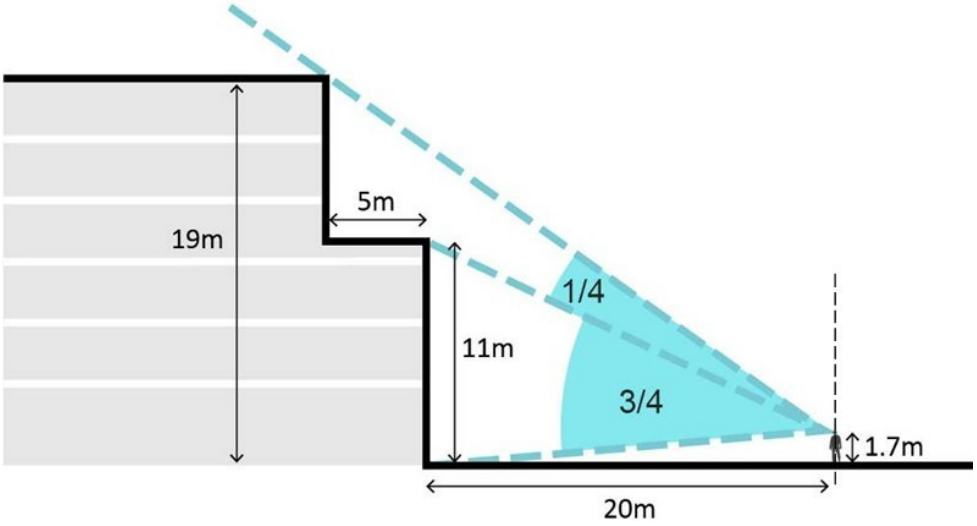
- Development on sites containing buildings of individual heritage significance where no preferred maximum street wall height is specified on Map 1A (North) and Map 1B (South) should demonstrate:
  - Whether a street wall is appropriate having regard to heritage significance of the site and its context;
  - How the design objectives of this schedule have been met.

Upper levels (Sydney Road)

- Any part of a building (including balconies but excluding shading devices) above the street wall height should:
  - Be set back at least 5 metres from the street boundary.
  - On narrow corner lots the upper level setback at the secondary street frontage may be varied. Narrow lots are generally those lots where the depth is greater than fives time the width, and where the lot size is smaller than 750m^2.
  - Be designed to ensure that it occupies no more than one quarter of the vertical angle defined by the whole building in the view from an eye-level of 1.7 metres on the opposite side of the street, as illustrated in *Figure 1* below.
  - Where an existing building with a street wall height of less than 11 metres is to be retained for heritage reasons new development may occupy more than one quarter of the vertical angle defined by the whole building outlined in *Figure 1* below.
  - Adopt the same street setback for at least 75% of the height of the upper levels to avoid 'wedding cake' built form outcomes.
  - Materials at the upper levels of the building should be distinct from materials of the lower levels of the building.

- The architectural expression of the upper and lower building components should be complementary and upper levels should be visually recessive.
- Be designed to respect the form and design of adjacent civic buildings and heritage places.

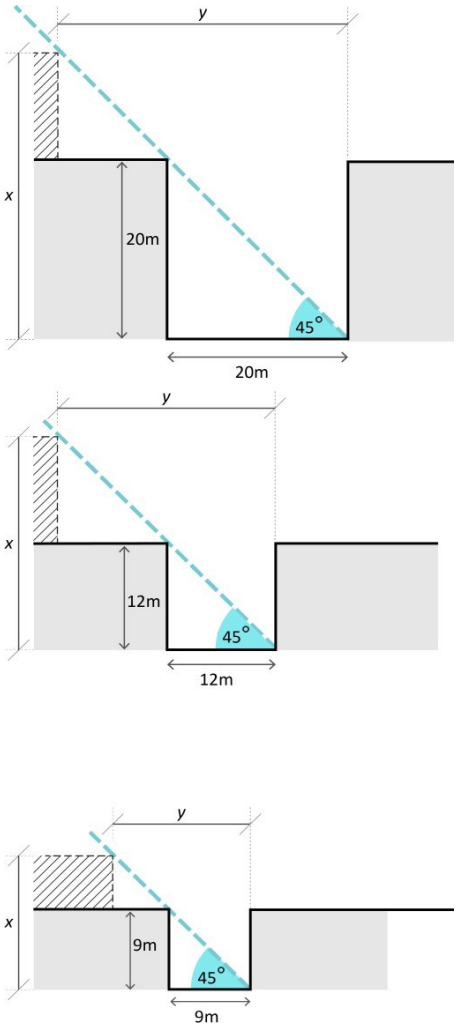
Figure 1: Upper Level Setbacks along Sydney



Upper levels (other than Sydney Road)

- Any part of a building above the street wall height should:
  - Be setback at least 5 metres from the street boundary. Balconies and other architectural features may protrude into the setback by a maximum of 2 metres.
  - On narrow corner lots the upper level setback at the secondary street frontage may be varied. Narrow lots are generally those lots where the depth is greater than fives time the width, and where the lot size is smaller than 750m^2.
  - From ground level not exceed the horizontal distance from the opposite street boundary as illustrated in *Figure 2* below.
  - Adopt the same street setback for at least 75% of the height of the upper levels to avoid 'wedding cake' built form outcomes.
  - Be designed to respect the form and design of adjacent civic buildings and heritage places.
- Development that seeks to vary the upper level setbacks must demonstrate how the design objectives and requirements of this schedule will be met.

Figure 2: Upper level setbacks and heights (streets other than Sydney Road)



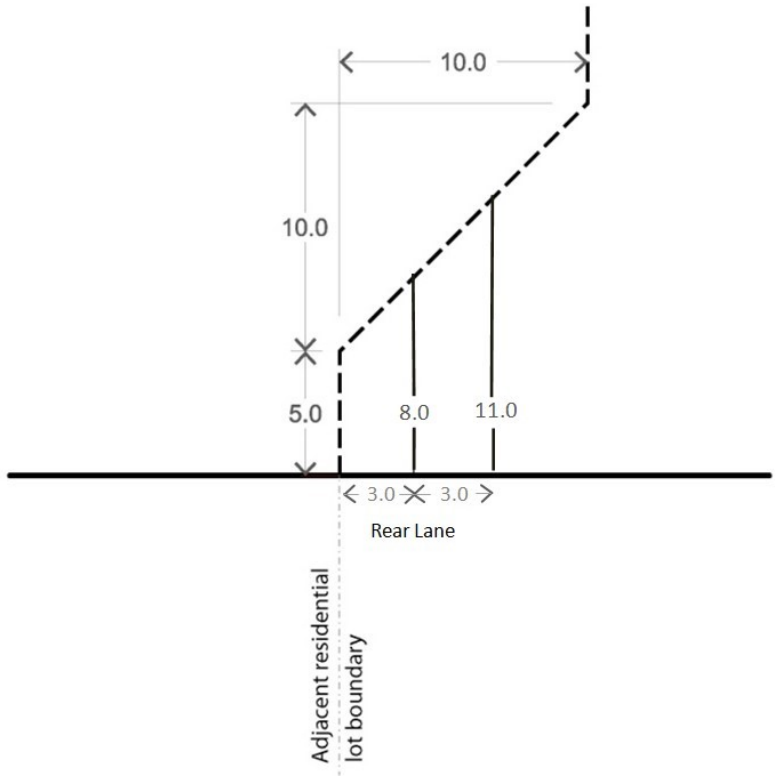
Buildings of individual heritage significance

- Development on sites containing buildings of individual heritage significance where no upper level setback is specified should demonstrate:
  - How the proposed upper level setback responds to the heritage significance of the site and its context; and
  - How the design objectives of this schedule have been met.

Setbacks to residential land

- Any part of a building adjacent to residentially zoned land outside the activity centre (including across a lane) should be set back from the residential boundary at that interface by a dimension equivalent to its height above 5 metres, up to a maximum setback of 10 metres, as illustrated in *Figure 3* below. This equates to:
  - A maximum height of 5 metres at the boundary of the adjacent residential property.
  - A maximum height of 8 metres where the site is separated from the adjacent residential property by a 3 metre wide lane.
  - A maximum height of 11 metres where existing lanes are widened to 6 metres.

Figure 3: Setbacks adjacent to residentially zoned land outside the activity centre



Building layout and detailed design

- Development should incorporate active edges at street level fronting all streets (except rear access lanes) and the Upfield Shared Path in accordance with *Building Edge Conditions Map 3A (North)* and *Map 3B (South)* to invigorate street life and contribute to a safe and pedestrian friendly environment. The Frontage types in *Map 3A (North)* and *Map 3B (South)* are as follows:
  - Frontage Type A: Retail – A display window and/or entrance, measuring 65 - 80% of the width of the street frontage of each individual premise.
  - Frontage Type B: Commercial – A display window and/or entrance, measuring at least 60% of the width of the street frontage of each individual premise.
  - Frontage Type C: Residential – Individual entry doors to ground floor dwellings. Privacy is to be provided by elevating the ground floor approximately 0.5 to 1 metre above the street level and/or provide a landscaped front setback.
- Development that abuts the Upfield Shared Path should be designed to avoid large areas of blank walls. Where unavoidable, large areas of blank walls should be treated with materials, artwork or in other ways that provide an attractive and visually interesting environment.
- Development should incorporate windows in all upper level facades facing streets and the Upfield Shared Path.
- Development should minimise the impact of vehicle access and car parking on the public realm by:
  - Locating vehicle access at the rear of buildings where possible;
  - On secondary frontages, rear access is preferred but where not possible, vehicle access should be provided to the side of corner properties away from the front façade; and
  - Locating car parking where it cannot be seen from the public realm.
- In commercial and mixed use zones, development should have a ground floor ceiling height that allows for a range of commercial uses.

- Development should incorporate awnings over the footpath for the full width of the building frontage along Sydney Road and Key Pedestrian Streets indicatively shown on *Open Space and Public Realm Network Map 2A (North)* and *Map 2B (South)*.
- Services cabinets should be located at the rear of buildings wherever possible, or the side of corner buildings away from the front façade where rear access is not available. Where they can only be located in the front façade, the size of services cabinets should be minimised and they should be integrated with the overall façade design.
- Building facades on the street boundaries of Sydney Road should incorporate vertical articulation to reinforce the prevailing fine-grain pattern of subdivision and buildings.

Public realm

- Development adjacent to Jewell, Brunswick and Anstey Railway Stations should maintain or enhance the visibility of and access to railway station buildings.
- Development should incorporate the proposed public linkages indicatively shown on *Map 2A (North)* and *2B (South)*.
- Development should maximise permeability through the Activity Centre and the accessibility to the Upfield Shared Path.
- Development should not overshadow the opposite footpath of Sydney Road and Key Pedestrian Streets indicatively shown on *Map 2A (North)* and *Map 2B (South)* between 10.00am and 2.00pm at the equinox.
- Development should not overshadow more than 50% of any existing or proposed public space, including parks and plazas, between 10.00am and 2.00pm at the equinox.

Upfield shared path interface

- The ground floor of development abutting the Upfield Shared Path should be set back a minimum of 1 metre.

Category 2 Employment Areas

- Development within Category 2 – Employment Areas should achieve commercial built form outcomes, including increased floor to ceiling heights and flexible floor plates, at ground and first floor to facilitate opportunities for employment uses.
- Ground floor commercial spaces should provide for activation, for example through entrances, transparent glazing and architectural features which encourage interaction and visual interest.

Exemption from notice and review

An application to construct a building or construct or carry out works 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 Planning and Environment Act 1987 (the Act) unless the proposal seeks to do any of the following:

- Exceed the preferred maximum building height specified in section 2.0 of this schedule, or
- Exceed the preferred maximum street wall height specified in section 2.0 of this schedule, or
- Reduce the setbacks above the street wall specified in section 2.0 of this schedule, or
- Reduce the rear setback requirements specified in section 2.0 of this schedule.

3.0 Subdivision

21/09/2022
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Exemption from notice and review

An application to subdivide land 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 Signs

21/09/2022
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None specified.

5.0 Application requirements

21/09/2022
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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:

- For a development of four or more storeys:
  - A computer model of the proposal compatible with Council's software;
  - A three-dimensional perspective which shows the proposed development within the streetscape in the context of adjacent development;
  - Streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
  - Three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.

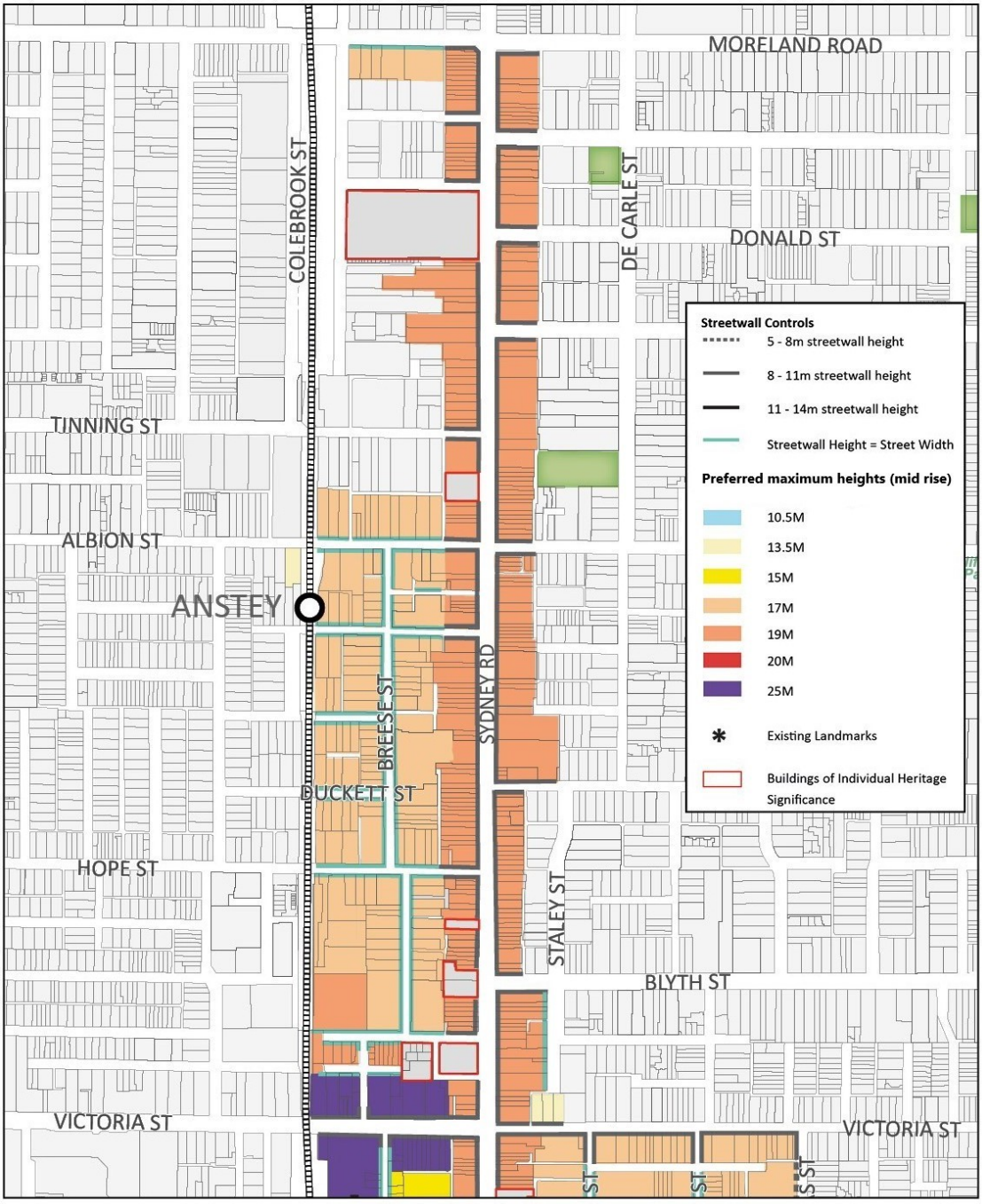
6.0 Decision guidelines

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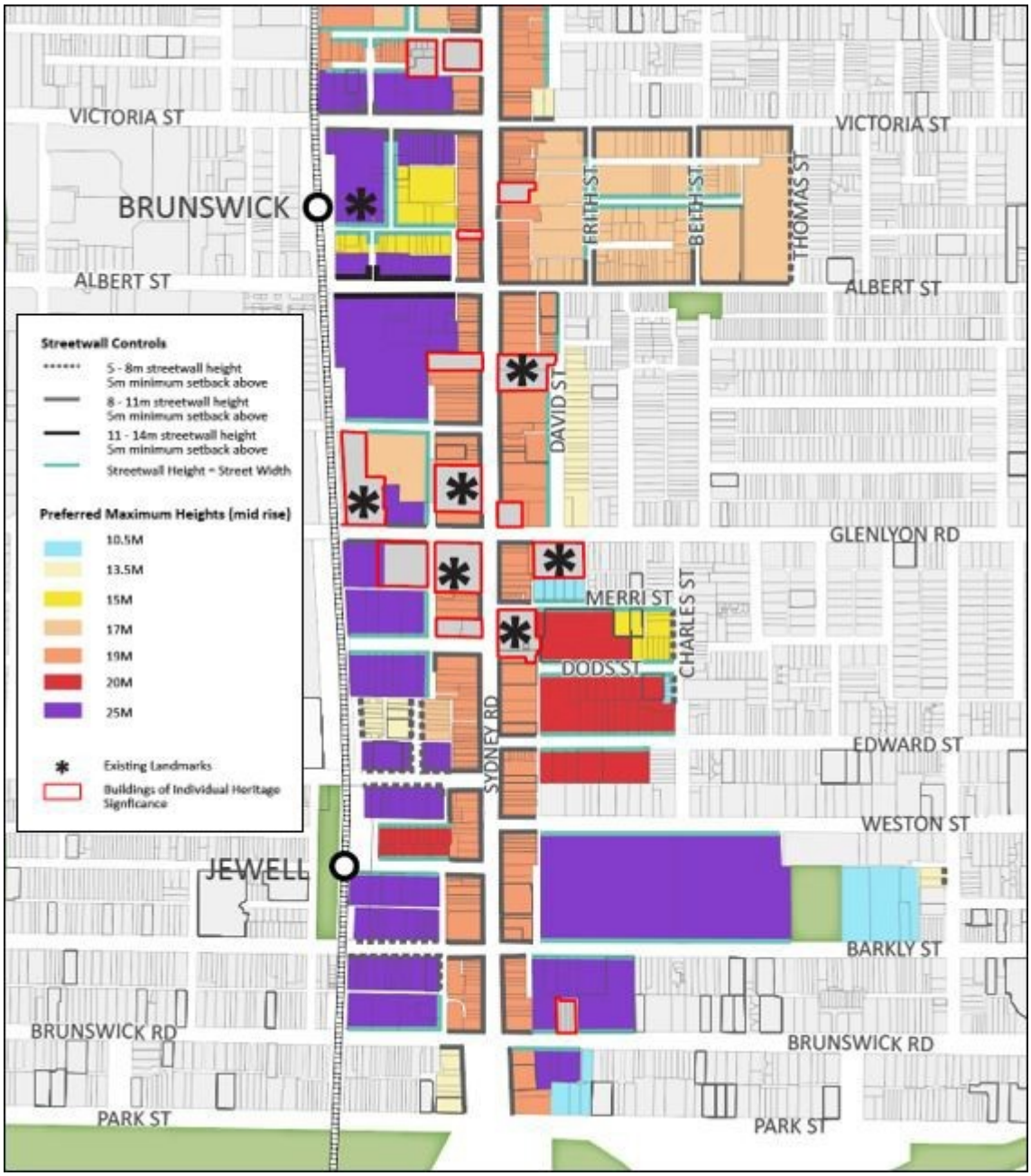
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Brunswick Structure Plan Reference Document*, Moreland City Council, 2018.
- How development within Category 2 Employment areas responds to the built form requirements for Category 2 Employment areas.
- The opportunities and constraints of the site.
- Whether the maximum building height is achievable having regard to lot size, dimensions (width and depth) and/or those sites within or adjoining the Heritage Overlay.
- Whether an increased upper level setback is required having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.
- Whether the preferred maximum street wall height is achievable having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.
- How the development responds to the fine grain character of Sydney Road.
- How the development considers views along Sydney Road to landmark buildings of individual heritage significance.
- The extent to which development achieves the design objectives in Part 1.0 of this schedule.

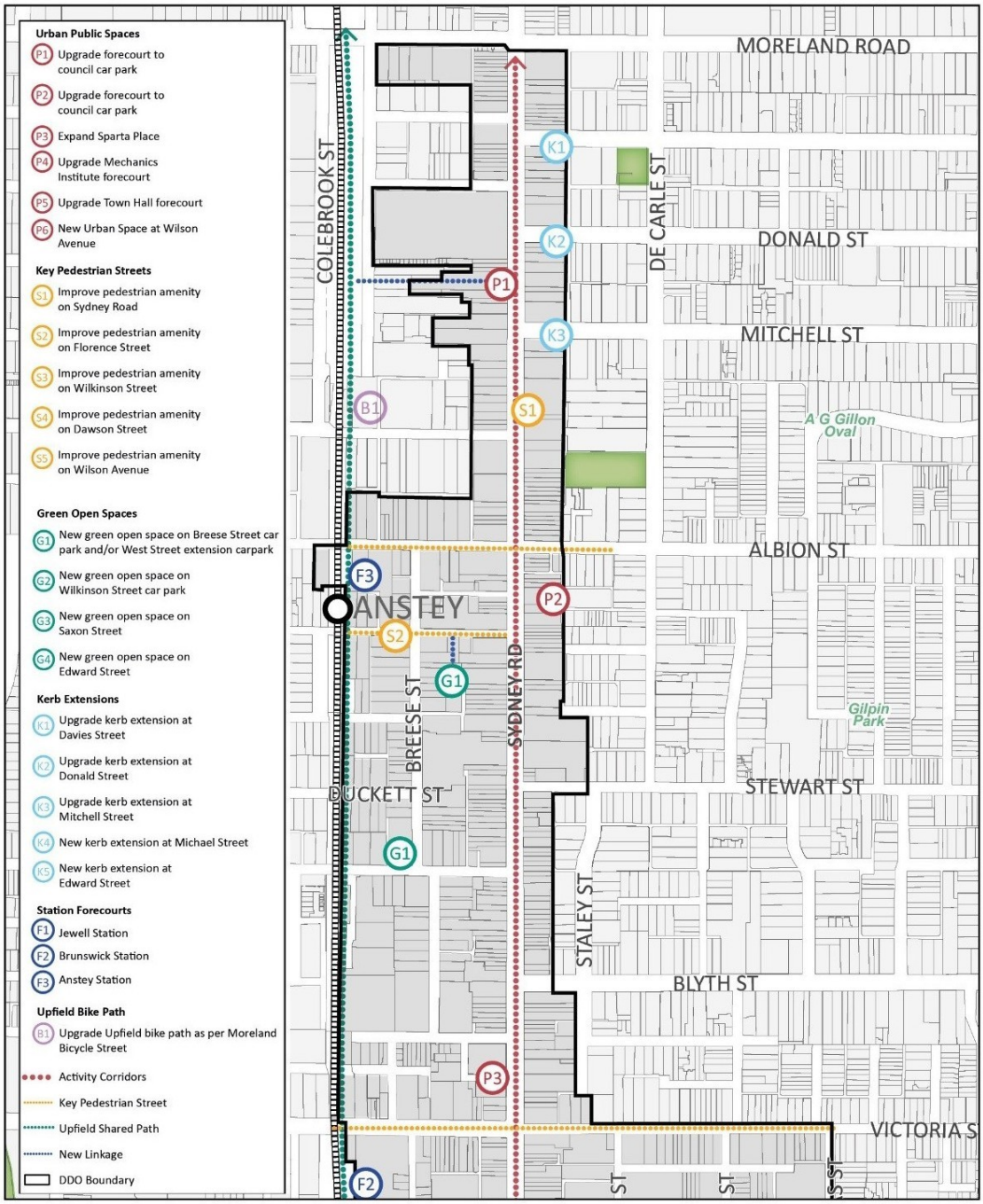
Map 1A: Overall Building and Streetwall Heights (North)



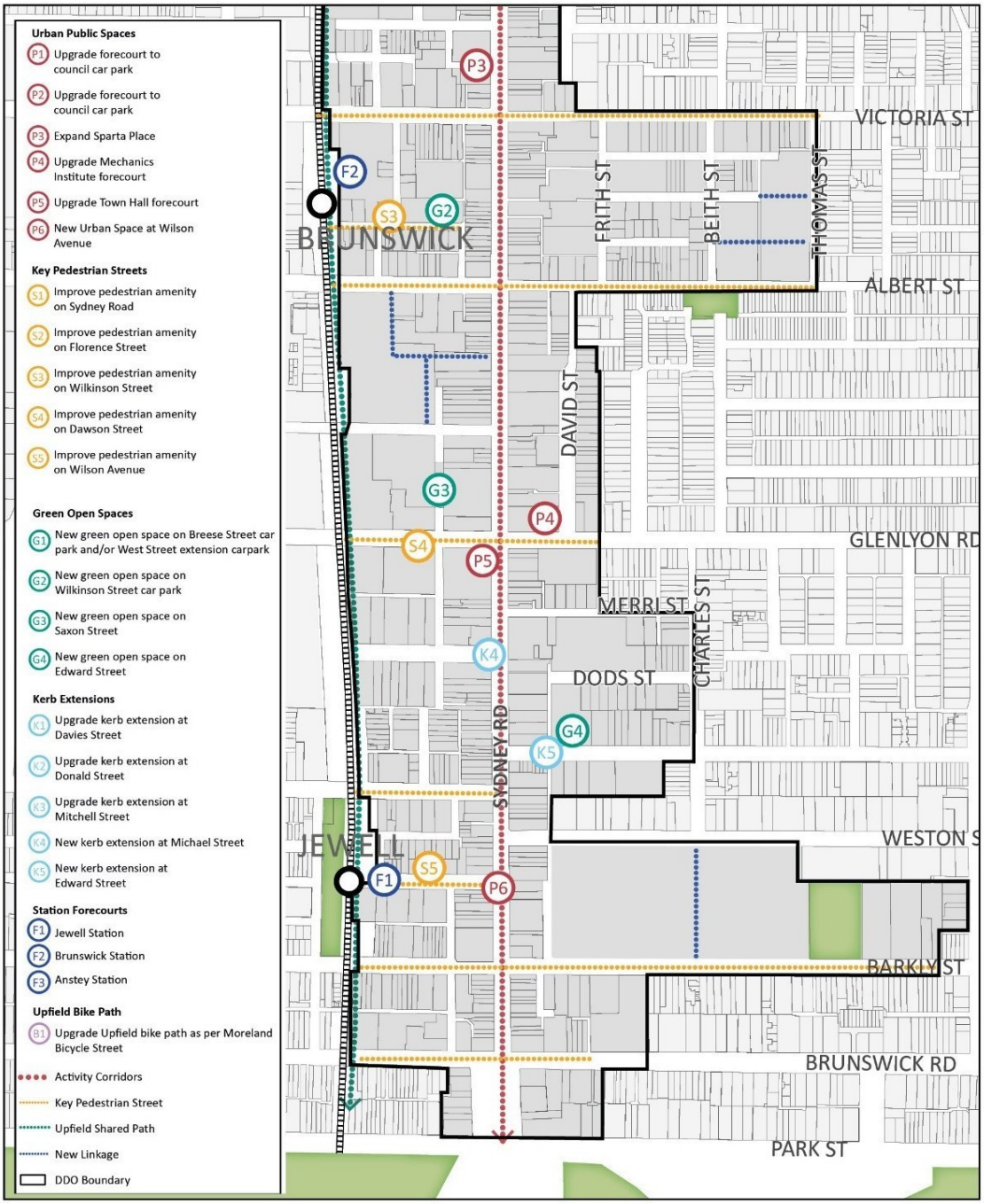
Map 1B: Overall Building and Streetwall Heights (South)



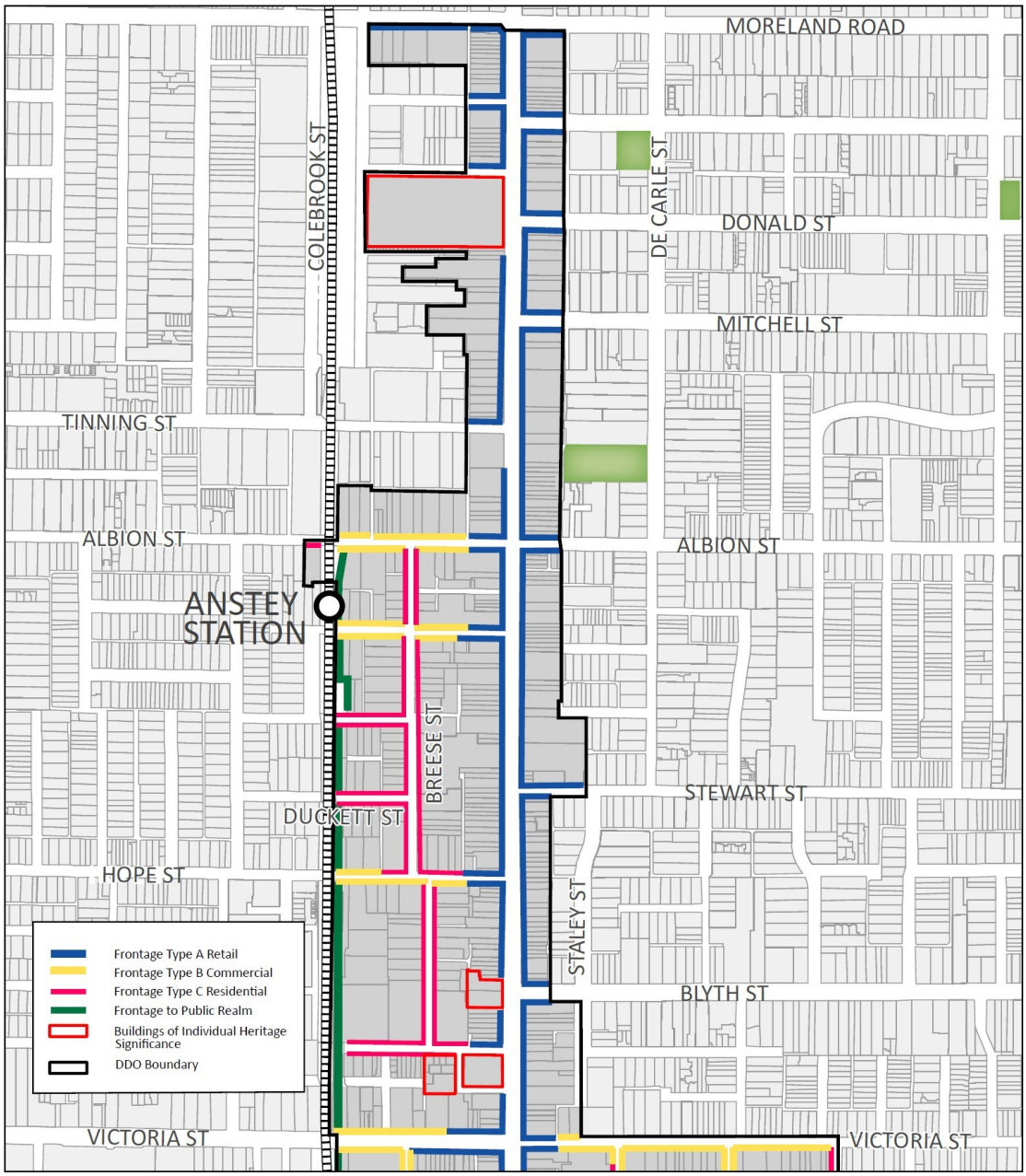
Map 2A: Open Space and Public Realm Network (North)



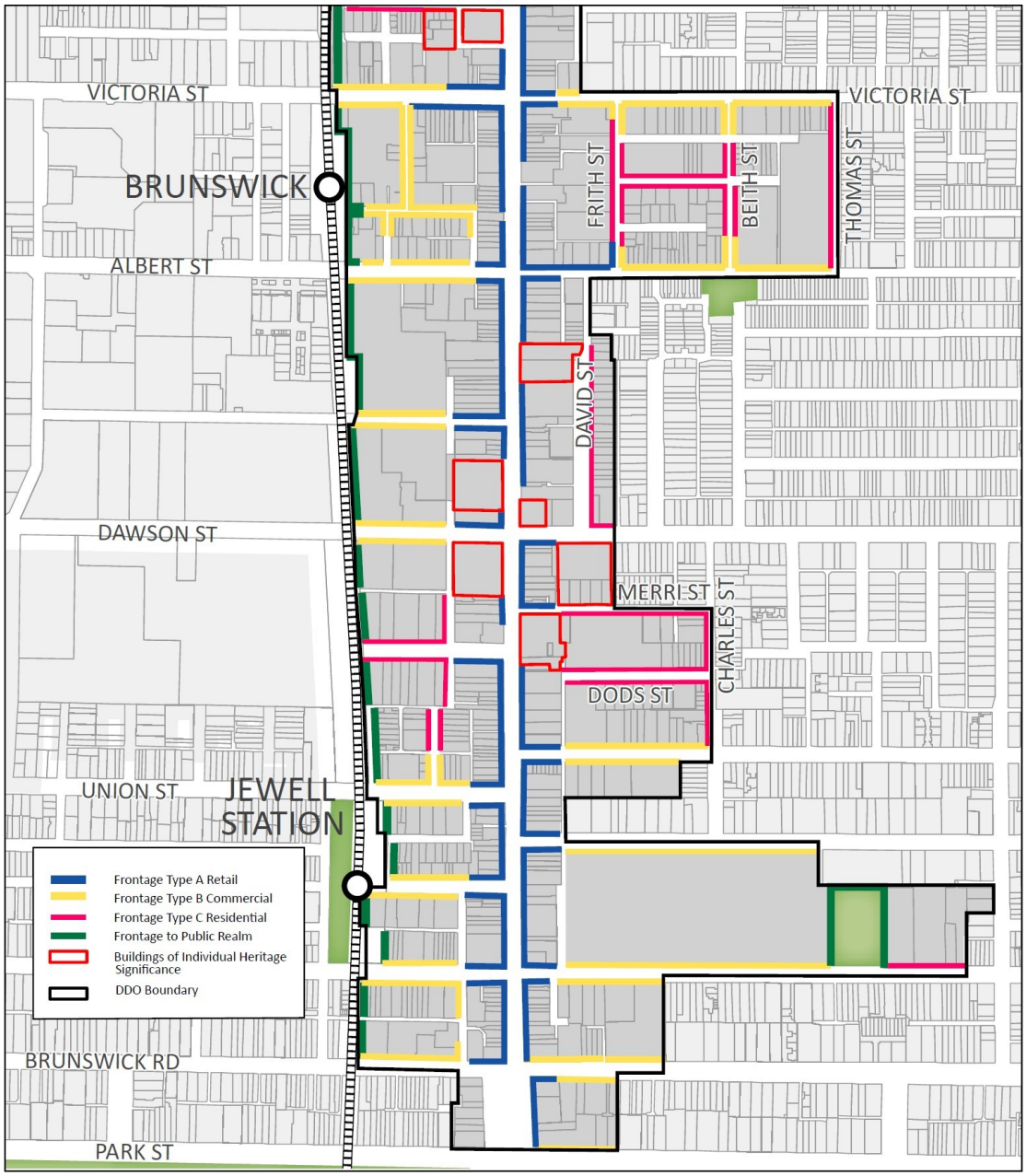
Map 2B: Open Space and Public Realm Network (South)



Map 3A: Building Edge Conditions (North)



Map 3B: Building Edge Conditions (South)



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SCHEDULE 20 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO20**.

BRUNSWICK ACTIVITY CENTRE - NICHOLSON STREET LOCAL AREA

1.0 Design objectives

21/09/2022
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- To create a new mid-rise built form character that provides a built form transition from the Nicholson Street Activity Corridor to adjoining low rise residential areas.
- To ensure development does not dominate and obstruct sightlines to existing key churches and iconic sites.
- To establish a consistent street wall along the western side of Nicholson Street between Miller Street and Albert Street.
- To ensure development is designed to respect the form and design of civic buildings and heritage places.
- To protect and enhance the amenity, and maintain solar access to existing public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties adjacent to and within the activity centre.

2.0 Buildings and works

21/09/2022
C212more

A permit is not required to:

- Construct or carry out works for development on site that forms part of a development plan approved in accordance with Schedule 11 to the Development Plan Overlay (DPO11).
- Install an automatic teller machine.
- Alter an existing building facade provided that:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
  - Construct a dwelling if there is at least one dwelling existing on the lot.
  - Construct or extend a dwelling if there are two or more dwellings on the lot.
  - Construct or extend a dwelling if it is on common property.
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with 1 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Building height

- Building height should not exceed the preferred maximum building heights as shown in *Nicholson Street Local Area Built Form Controls,Map 1A (North)* and *Map 1B (South)*.
- Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building. This does not include

architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met:

- Not more than 50 per cent of the roof area is occupied by the equipment (other than solar panels);
- The equipment is located in a position on the roof so as to minimise additional overshadowing or neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

- Development on sites where no maximum building height is detailed in *Map 1A (North)* and *Map 1B (South)* should demonstrate:
  - How the proposed overall building height responds to its context including any identified heritage places; and
  - How the design objectives and requirements of this schedule have been met.
  - The height of any building (including services) on 120, 122 and 124 Nicholson must not impact on the Fresnel Zone associated with radio transmissions from 221 Nicholson Street, Brunswick East. A permit cannot be granted to vary this requirement.

Street walls

- Street wall heights should not exceed the preferred maximum height specified in *Map 1A (North), Map 1B (South)* and *Diagram 1: Nicholson Street Local Area Section Diagrams*.
- Development that seeks to vary the upper storey setbacks detailed in *Map 1A (North), Map 1B (South)* and *Diagram 1* should demonstrate how the design objectives and requirements of this schedule will be met.

Upper levels

- Development above the street wall height or behind an existing parapet should be:
  - Set back at least the minimum distance specified in *Map 1A (North), Map 1B (South)* and *Diagram 1*. Balconies must not intrude into this setback.
  - Designed to differentiate it from the building's street wall component through façade articulation; and materials.
- Materials at the upper levels of the building should be distinct from materials of the lower levels of the building.
- The architectural expression of the upper level and lower building components should be complementary and upper levels should be visually recessive.
- Development that seeks to reduce the upper level setback specified on *Map 1A (North), Map 1B (South)* and *Diagram 1* should demonstrate how the design objectives will be met.
- On narrow corner lots the upper level setback at the secondary street frontage may be varied. Narrow lots are generally those lots where the depth is greater than five times the width, and where the lot size is smaller than 750m^2.

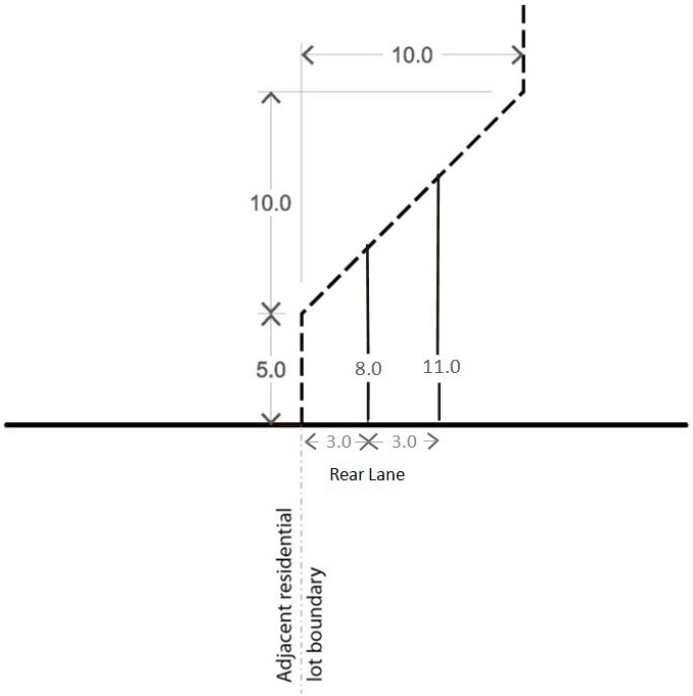
Setbacks to residential land

- Any part of a building adjacent to residentially-zoned land outside the activity centre (including across a lane) should be set back from the residential boundary at that interface by a dimension

equivalent to its height above 5 metres, up to a maximum setback of 10 metres as shown in Figure 1 below. This equates to:

- A maximum height of 5 metres at the common boundary.
- A maximum height of 8 metres where the site is separated from the adjacent residential property by a 3 metre wide lane.
- A maximum height of 11 metres where existing lanes are widened to 6 metres.

Figure 1: Setbacks adjacent to residentially zoned land outside the activity centre



Buildings layout and detailed design

- Development should incorporate active edges at street level fronting all streets (except rear access lanes) in accordance with *Figure 7: Land use pattern and activity – Nicholson Street corridor* as shown in the *Brunswick Structure Plan Reference Document*, Moreland City Council, 2018, to invigorate street life and contribute to a safe and pedestrian friendly environment. The frontages are as follows:
  - Frontage Type A: Retail - A display window and/or entrance, measuring at least 80% of the width of the street frontage of each individual premises.
  - Frontage Type B: Commercial - A display window and/or entrance, measuring at least 60% of the width of the street frontage of each individual premise.
  - Frontage Type C: Residential - Individual entry doors to ground floor dwellings. Privacy is to be provided by elevating the ground floor approximately 0.5 to 1 metre above the street level and/or provide a landscaped front setback.
- Development should incorporate windows in all upper level facades facing streets.
- Development should minimise the impact of vehicle access and car parking on the public realm by:
  - Locating vehicle access at the rear of buildings where possible;
  - On secondary frontages, rear access is preferred but where vehicle access is not possible, it should be provided to the side of corner properties away from the front facade; and
  - Locating car parking where it cannot be seen from the public realm.

- In commercial and mixed use zones, development should have a ground floor ceiling height that allows for a range of appropriate uses.
- In commercial zones, development should incorporate awnings over the footpath for the full width of the building frontage.
- Services cabinets should be located at the rear of buildings wherever possible, or the side of corner buildings away from the front façade where rear access is not available. Where they can only be located in the front façade, the size of services cabinets should be minimised and they should be integrated with the overall façade design.
- Building facades on the street boundaries of Nicholson Street should incorporate vertical articulation to reinforce the prevailing pattern of subdivision and buildings.

Category 2 Employment Areas

- Development within Category 2 – Employment Areas should achieve commercial built form outcomes, including increased floor to ceiling heights and flexible floor plates, at ground and first floor to facilitate opportunities for employment uses.
- Ground floor commercial spaces should provide for activation, for example through entrances, transparent glazing and architectural features which encourage interaction and visual interest.

Exemption from notice and review

An application to construct a building or construct or carry out works 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 *Planning and Environment Act 1987* (the Act) unless the proposal seeks to do any of the following:

- Exceed the preferred maximum building height specified in section 2.0 of this schedule, or
- Exceed the preferred maximum street wall height specified in section 2.0 of this schedule, or
- Reduce the setbacks above the street wall specified in section 2.0 of this schedule, or
- Reduce the rear setback requirements specified in section 2.0 of this schedule.

3.0 Subdivision

21/09/2022 C212more

Subdivision of existing sites not associated with a development proposal that achieves the design objectives and requirements of this schedule is discouraged.

Exemption from notice and review

An application to subdivide land 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 Signs

21/09/2022 C212more

None specified.

5.0 Application requirements

21/09/2022 C212more

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:

- For a development of four or more storeys:
  - A computer model of the proposal compatible with Council's software;

- A three-dimensional perspective which shows the proposed development within the streetscape in the context of adjacent development;
- Streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
- Three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.

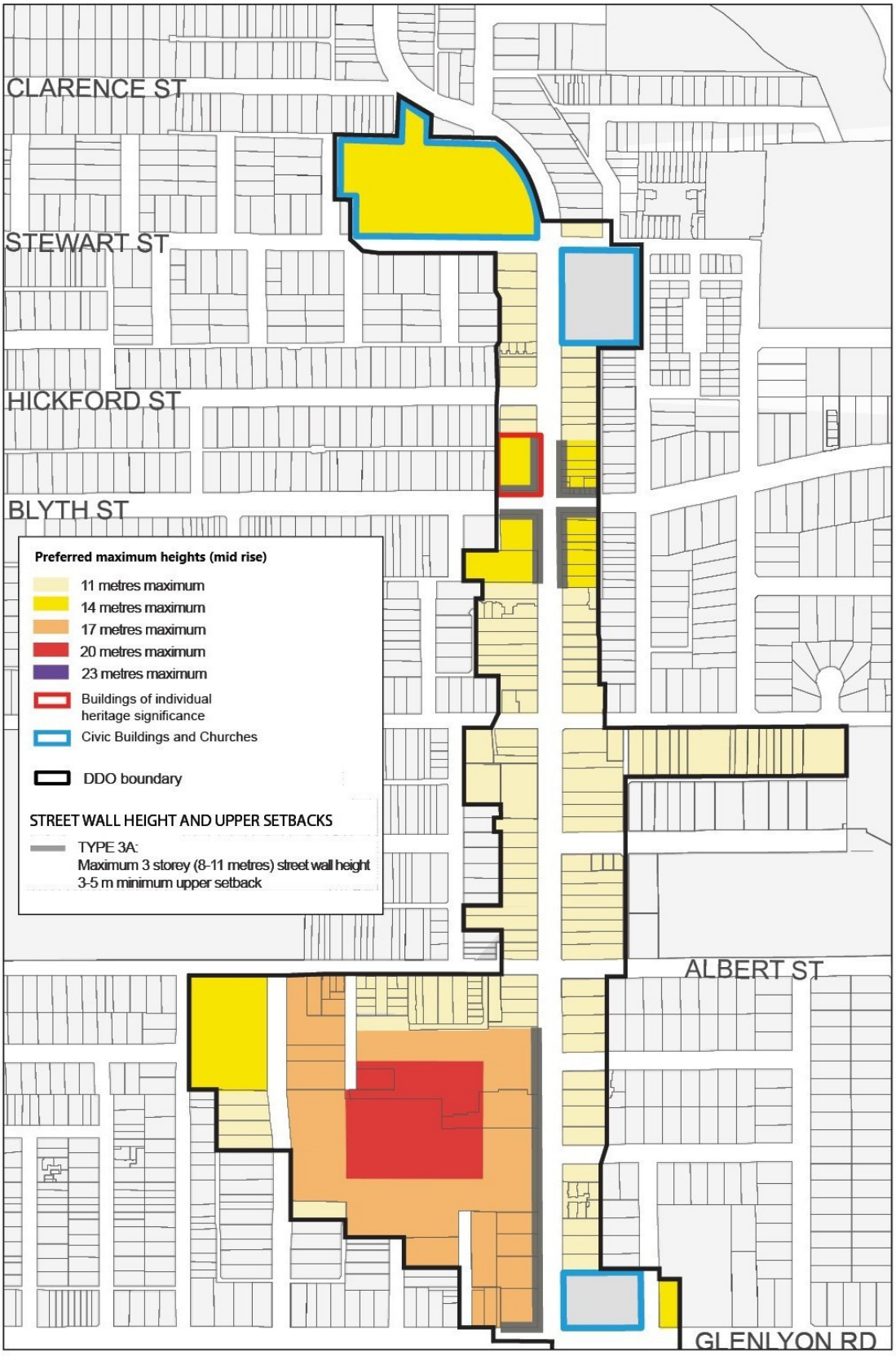
6.0 Decision guidelines

21/09/2022
C212more

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:

- The *Brunswick Structure Plan Reference Document,* Moreland City Council, 2018.
- How development within Category 2 Employment areas responds to the built form requirements for Category 2 Employment areas.
- Whether any proposal seeking to vary the upper level setbacks meet the design objectives of the schedule.
- The opportunities and constraints of the site, including whether the maximum building height is achievable having regard to lot size, dimensions (width and depth) and/or those sites within or adjoining the Heritage Overlay or any other relevant consideration.
- Whether an increased upper level setback is appropriate having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.

Map 1A: Nicholson Street Local Area Built Form Controls (North)



Map 1B: Nicholson Street Local Area Built Form Controls (South)

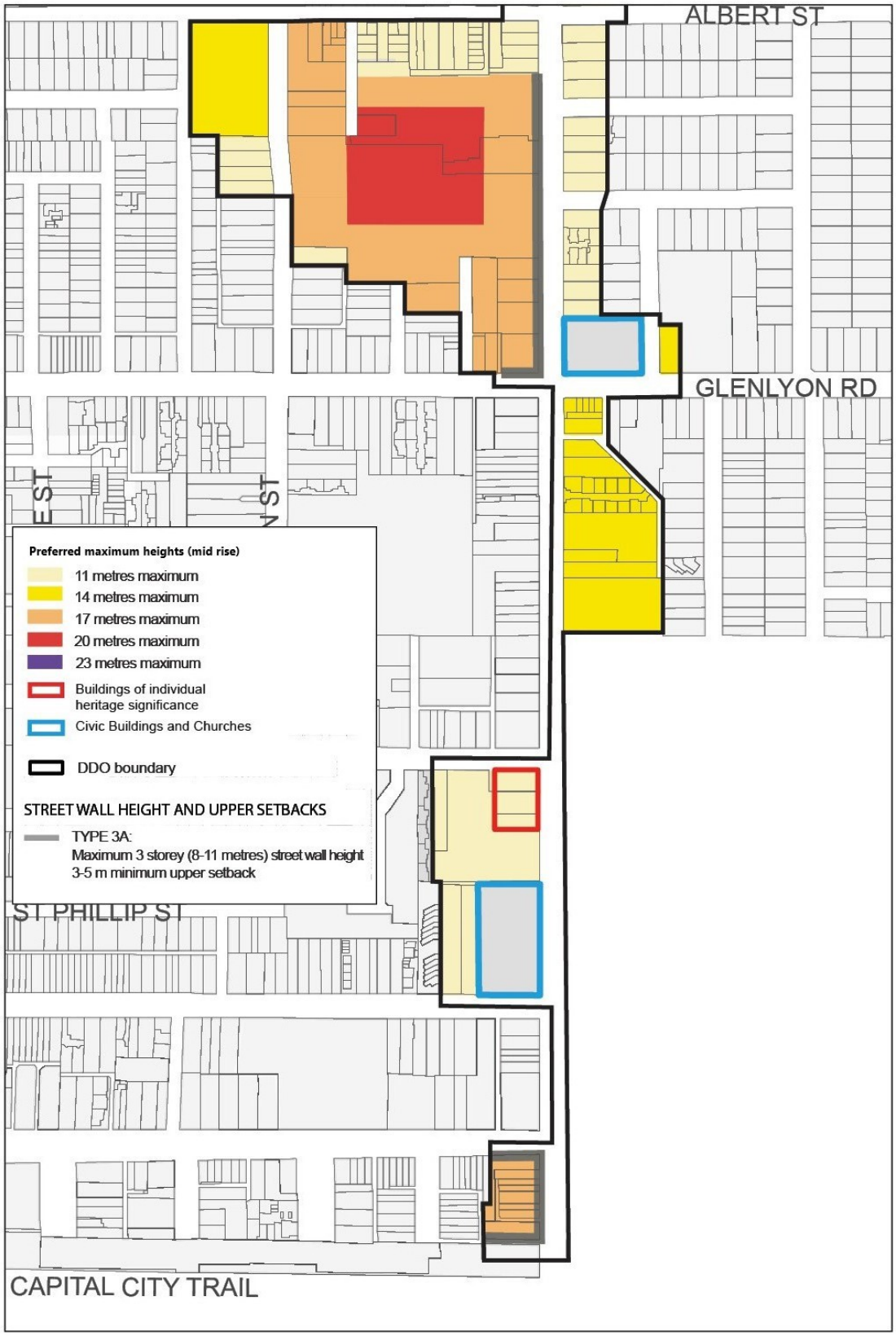
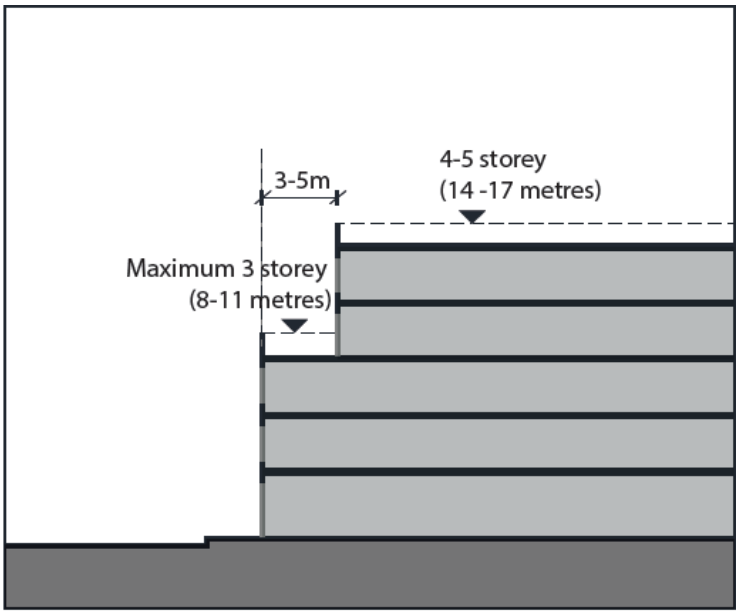


Diagram 1: Nicholson Street Local Area Section Diagram



TYPE 3A: Maximum 3 storey (8-11 metres) street wall height
3-5 m minimum upper setback

21/09/2022
C212more

SCHEDULE 19 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

BRUNSWICK ACTIVITY CENTRE - LYGON STREET LOCAL AREA

1.0 Design objectives

21/09/2022
C212more

- To create a new mid rise built form character that provides a built form transition between the Lygon Activity Corridor and adjoining low-rise residential areas.
- To ensure highly visible development is limited to identified key redevelopment sites and responds to specific design objectives.
- To ensure the street wall remains the visually dominant element of all development in Lygon Street and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.
- To ensure development is designed to respect the form, design and context of buildings of individual heritage significance.
- To protect and enhance the amenity, and maintain solar access to existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties adjacent to or within the activity centre.

2.0 Buildings and works

21/09/2022
C212more

A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building facade provided that:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
  - Construct a dwelling if there is at least one dwelling existing on the lot.
  - Construct or extend a dwelling if there are two or more dwellings on the lot.
  - Construct or extend a dwelling if it is on common property.
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with 1 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Building height

- Building height should not exceed the preferred maximum building heights as shown in *Lygon Street Local Area Built Form Controls, Map 1A (North)* and *Map 1B (South)*.
- Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building. This does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met:
  - Not more than 50% of the roof area is occupied by the equipment (other than solar panels);
  - The equipment is located in a position on the roof so as to minimise additional overshadowing or neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
  - The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

Buildings of individual heritage significance

- Development on sites containing buildings of individual heritage significance shown on *Map 1A (North)* and *Map 1B (South)* should demonstrate:
  - How the proposed building height responds to the heritage significance of the site and its context; and
  - How the design objectives have been met.

Street walls

- Street wall heights should not exceed the street wall heights specified on *Map 1A (North), Map 1B (South)* and *Diagram 1: Lygon Street Local Area Section Diagrams*.
- Development on sites containing buildings of individual heritage significance shown on *Map 1A (North)* and *Map 1B (South)* where no preferred maximum street wall height is specified should demonstrate:
  - Whether a street wall is appropriate having regard to the heritage significance of the site and its context;
  - How the proposed street wall height responds to the heritage significance of the site and its context; and
  - How the design objectives have been met.
- Development that seeks to vary the upper storey setbacks detailed in *Map 1A (North), Map 1B (South)* and *Diagram 1* should demonstrate how the design objectives and requirements of this schedule will be met.

Upper levels

- Development above the street wall height or behind an existing parapet should be:
  - Set back at least the minimum distance specified in *Map 1A (North), Map 1B (South)* and *Diagram 1*. Balconies must not intrude into this setback.
  - Designed to differentiate it from the building's street wall component through façade articulation and materials.

- Material at the upper levels of buildings should be distinct from materials of the levels of the building.
- The architectural expression of the upper levels and lower level building components should complementary and upper levels should be visually recessive.
- Development that seeks to reduce the upper level setback specified on *Map 1A (North), Map 1B (South)* and *Diagram 1* should demonstrate how the design objectives will be met.
- On narrow corner lots the upper level setback at the secondary street frontage may be varied. Narrow lots are generally those lots where the depth is greater than five times the width, and where the lot size is smaller than 750m^2.

Buildings of individual heritage significance

- Development on sites containing buildings of individual heritage significance shown on *Map 1A (North), Map 1B (South)* where no preferred maximum upper level setback is specified should demonstrate:
  - How the proposed upper level setback responds to the heritage significance of the site and its context; and
  - How the design objectives have been met.

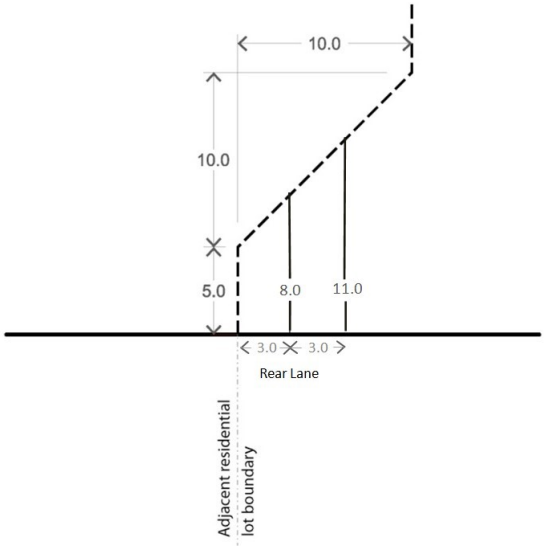
Key redevelopment sites

- Development on key redevelopment sites identified in *Map 1* should:
  - Ensure new development contributes to the overall legibility of the Lygon Street Local Area and Brunswick Activity Centre as a whole by defining a high quality gateway at the northern end of Lygon Street.
  - Enhance the character of the precinct with a new high quality, highly visible and accessible open space adjacent the intersection of Lygon and Albion streets.
  - Enhance the view corridor from Holmes Street on approach from the north and the view corridor from Lygon Street on approach from the south.
  - Ensure new development does not dominate the Lyndhurst Hotel.
  - Protect identified heritage places to the east side of Lygon Street.
  - Integrate high quality public open space into the redevelopment of the property at 1 Holmes Street.

Setbacks to residential land

- Any part of a building adjacent to residentially zoned land outside the activity centre (including across a lane) should be set back from the residential boundary at that interface by a dimension equivalent to its height above 5 metres, up to a maximum setback of 10 metres as shown in *Figure 1* below. This equates to:
  - A maximum height of 5 metres at the common boundary.
  - A maximum height of 8 metres where the site is separated from the adjacent residential property by a 3 metre wide lane.
  - A maximum height of 11 metres where existing lanes are widened to 6 metres.

Figure 1: Setbacks adjacent to residentially zoned land outside the activity centre



Building layout and detailed design

- Development should incorporate active edges at street level fronting all streets (except rear access lanes) in accordance with *Figure 6: Land use pattern and activity – Lygon Street corridor* as shown in the *Brunswick Structure Plan Reference Document*, Moreland City Council, 2018, to invigorate street life and contribute to a safe and pedestrian friendly environment. The frontage types are as follows:
  - Frontage Type A: Retail - A display window and/or entrance, measuring at least 65% - 80% of the width of the street frontage of each individual premises.
  - Frontage Type B: Commercial - A display window and/or entrance, measuring at least 60% of the width of the street frontage of each individual premise.
  - Frontage Type C: Residential - Individual entry doors to ground floor dwellings. Privacy is to be provided by elevating the ground floor approximately 0.5 to 1 metre above the street level and/or provide a landscaped front setback.
- Development should incorporate windows in all upper level facades facing streets.
- Development should minimise the impact of vehicle access and car parking on the public realm by:
  - Locating vehicle access at the rear of buildings where possible;
  - On secondary frontages, rear access is preferred but where vehicle access is not possible should be provided to the side of corner properties away from the front facade; and
  - Locating car parking where it cannot be seen from the public realm.
- In commercial and mixed use zones, development should have a ground floor ceiling height that allows for a range of appropriate uses.
- In commercial zones, development should incorporate awnings over the footpath for the full width of the building frontage.
- Services cabinets should be located at the rear of buildings wherever possible, or the side of corner buildings away from the front façade where rear access is not available. Where they can only be located in the front façade, the size of services cabinets should be minimised and they should be integrated with the overall façade design.
- Building facades on the street boundaries of Lygon Street should incorporate vertical articulation to reinforce the fine-grain the prevailing pattern of subdivision and buildings.

Category 2 Employment Areas

- Development within Category 2 – Employment Areas should achieve commercial built form outcomes, including increased floor to ceiling heights and flexible floor plates, at ground and first floor to facilitate opportunities for employment uses.
- Ground floor commercial spaces should provide for activation, for example through entrances, transparent glazing and architectural features which encourage interaction and visual interest.

Exemption from notice and review

An application to construct a building or construct or carry out works 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 *Planning and Environment Act 1987* (the Act) unless the proposal seeks to do any of the following:

- Exceed the preferred maximum building height specified in section 2.0 of this schedule, or
- Exceed the preferred maximum street wall height specified in section 2.0 of this schedule, or
- Reduce the setbacks above the street wall specified in section 2.0 of this schedule, or
- Reduce the rear setback requirements specified in section 2.0 of this schedule.

3.0 Subdivision

21/09/2022 C212more

Subdivision of existing sites not associated with a development proposal that achieves the design objectives and requirements of this schedule is discouraged.

Exemption from notice and review

An application to subdivide land 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 Signs

21/09/2022 C212more

None specified.

5.0 Application requirements

21/09/2022 C212more

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:

- For a development of four or more storeys:
  - A computer model of the proposal compatible with Council's software;
  - A three-dimensional perspective which shows the proposed development within the streetscape in the context of adjacent development;
  - Streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
  - Three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.

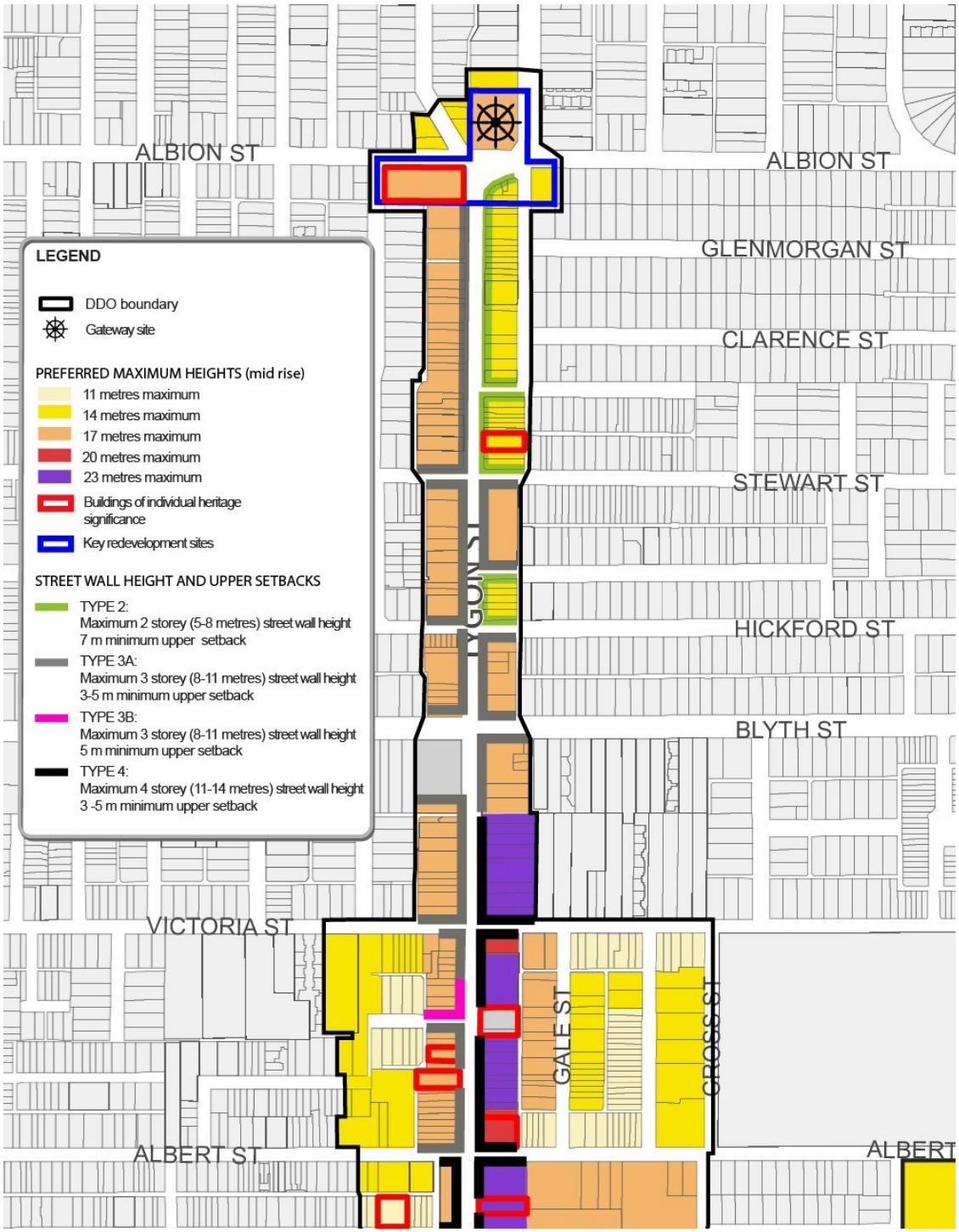
6.0 Decision guidelines

21/09/2022 C212more

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:

- The *Brunswick Structure Plan Reference Document*, Moreland City Council, 2018.
- How development within Category 2 Employment areas responds to the built form requirements for Category 2 Employment areas.
- The opportunities and constraints of the site.
- How the development responds to the fine grain character of Lygon Street.
- How the development considers views along Lygon Street to buildings of individual significance.
- Whether the maximum building height is achievable having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.
- Whether an increased upper level setback is appropriate having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.

Map 1A: Lygon Street Local Area Built Form Controls (North)



Map 1B: Lygon Street Local Area Built Form Controls (South)

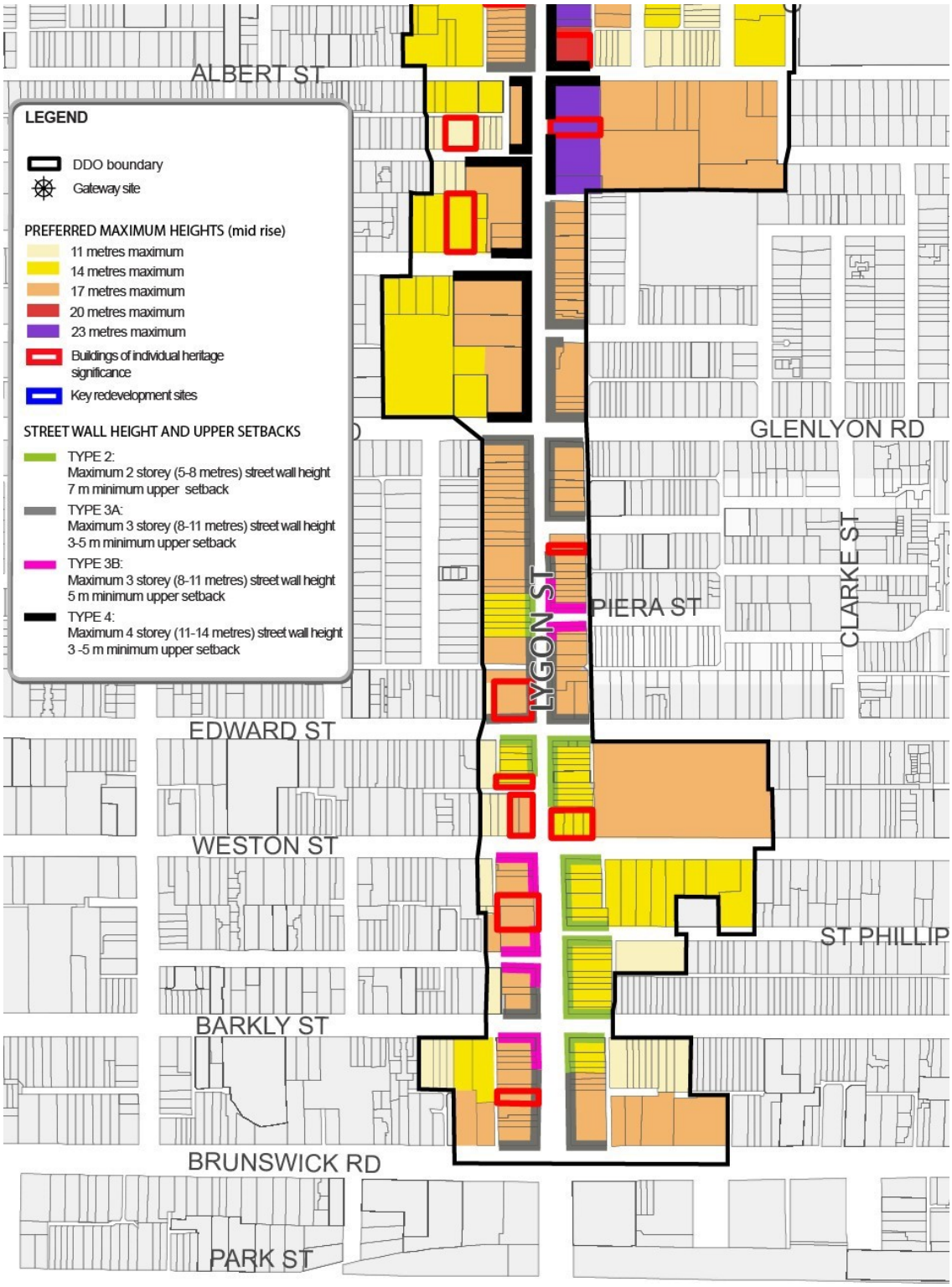
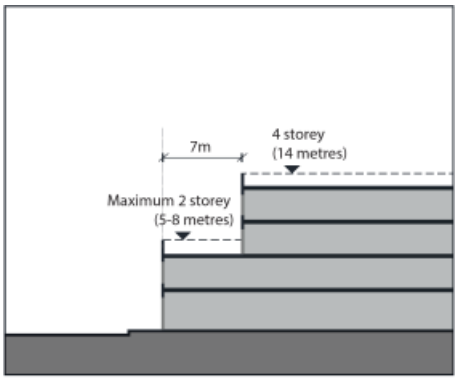
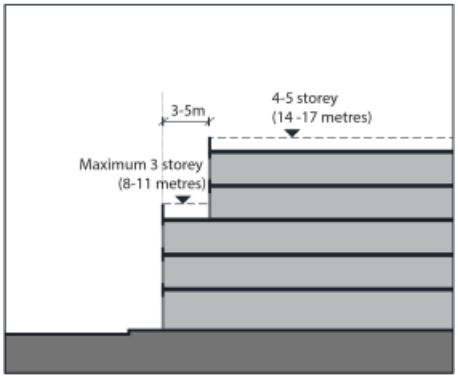


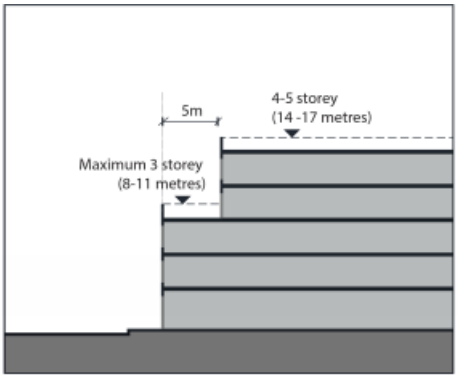
Diagram 1: Lygon Street Local Area Section Diagrams (South)



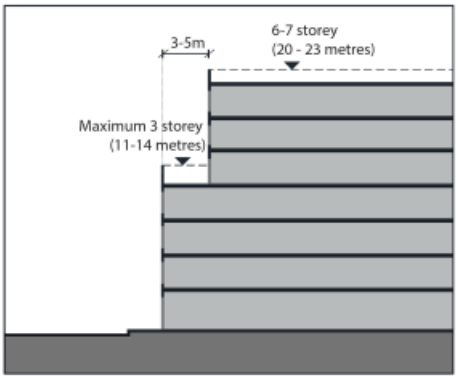
TYPE 2: Maximum 2 storey (5-8 metres) street wall height
7 m minimum upper setbackk



TYPE 3A: Maximum 3 storey (8-11 metres) street wall height
3-5 m minimum upper setback



TYPE 3B: Maximum 3 storey (8-11 metres) street wall height
5 m minimum upper setback



TYPE 4: Maximum 4 storey (11-14 metres) street wall height
3 -5 m minimum upper setback

08/09/2022
C195more

SCHEDULE 22 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO22**.

LAND BOUND BY BARKLY STREET TO THE NORTH, NICHOLSON STREET TO THE EAST, BRUNSWICK ROAD TO THE SOUTH, BRUNSWICK EAST

1.0 Design objectives

08/09/2022
C195more

To promote design excellence and high quality contemporary and innovative architecture throughout the precinct.

To encourage development to provide high-density forms of residential accommodation above ground floor and first floor commercial spaces.

To encourage the creation of a high quality public realm, active street frontages at ground level, linkages between Barkly Street and Brunswick Road and surveillance of streets.

To encourage an equitable and reasonable standard of privacy, daylight, solar access, natural ventilation and outlook from within buildings in the precinct.

To ensure that the height, siting and design of development does not adversely impact on the amenity of neighbouring properties.

To avoid unreasonable visual bulk of development when viewed from surrounding streets and properties by ensuring appropriate scale, form and articulation.

To establish a high quality architecturally designed signature building on the corner of Brunswick Road and Nicholson Street.

To ensure that development within the precinct incorporates environmentally sustainable design.

To ensure development provides noise attenuation measures where required that may be affected by established business operations and traffic.

To ensure that development is designed to meet the access needs of all sectors of the community.

To ensure that development does not result in safety and congestion issues at intersections with primary roads (Transport Zone 2) or secondary roads (Transport Zone 3).

To satisfy Head, Transport for Victoria's requirements to ensure that the development of land does not adversely affect the level of service, safety and amenity of the adjacent arterial road network.

2.0 Buildings and works

08/09/2022
C195more

Built form

- Development of a signature building at the intersection of Nicholson Street and Brunswick Road should not exceed 25.2 metres (7 storeys).
- The height of new development at 39 – 47 Nicholson Street should not exceed 18 metres (5 storeys).
- Development fronting Barkly Street should not exceed 10.9 metres (3 storeys) in height unless otherwise specified in this schedule.
- The height of new development adjacent to 46 Barkly Street should not exceed 10.9 metres (3 storeys).
- Development fronting Brunswick Road should not exceed 14.5 metres (4 storeys) in height unless otherwise specified in this schedule.
- The height of new development adjacent 31 – 35 Brunswick Road should not exceed 10.9 metres (3 storeys).

- A maximum building height of 21.6 metres (6 storeys) will be considered for properties fronting Barkly Street and Brunswick Road, provided it is well setback from the street frontage and separated from residential interfaces.
- An application to vary the building heights must achieve exemplary architectural design and clearly demonstrate compliance with the design objectives of this schedule.
- The height requirements do not apply to any rooftop building, plant or equipment that is located and designed to minimise its visibility from any adjoining road to the satisfaction of the responsible authority.
- Demonstrate how the development will incorporate adaptable, accessible and visitable design features.

Pedestrian access, movement and amenity

Any new development should make a positive contribution to the pedestrian environment by:

- providing linkages between Brunswick Road and Barkly Street that caters for pedestrians and cyclists;
- providing high quality streetscape treatment (including street furniture, lighting and landscaping) along main pedestrian routes;
- providing a canopy for weather protection over the footpath to Brunswick Road and Nicholson Street where possible; and
- relocating affected and/or new utilities, cabling and service infrastructure under ground where possible.

Car parking and vehicle access

- Car parking should be provided in a manner so as not to be intrusive to the design elements of structures and to not dominate the street frontage.
- Areas set aside for car parking are to be located to avoid fronting on to Brunswick Road, Nicholson Street or Barkly Street at either ground or podium levels.
- The number of access points to Brunswick Road, Nicholson Street and Barkly Street should be kept to a minimum.

Environmentally sustainable design

Development should incorporate, where appropriate, environmentally sustainable design measures in the areas of energy and water efficiency, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of the development, green travel and alternative transport modes, building materials and waste minimisation.

Exemption from notice and review

An application for buildings and works that is consistent with the *Brunswick Road, Nicholson Street, Barkly Street Development Precinct Height and Massing Study 2009* prepared by Rothe Lowman for EG Funds Management 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.

3.0 Subdivision

08/09/2022
C195more

None specified.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

21/09/2022
C212more

An application for development of land within the precinct must include, as appropriate, the following information to the satisfaction of the Responsible Authority:

- For a development of four or more storeys:
  - A computer model of the proposal compatible with Council's software;
  - A three-dimensional perspective which shows that proposed development within the streetscape in the context of adjacent development;
  - Streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
  - Three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.
- An Environmental Management Plan prepared by a suitably qualified environmental engineer that demonstrates how the development provides for environmentally sustainable design throughout its full life cycle to the satisfaction of the responsible authority. The Environmental Management Plan should:
  - Identify strategic or other documented sustainability targets or performance standards;
  - Document the means by which the appropriate targets or performance standards may be met;
  - Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring where relevant; and
  - Demonstrate that the design element, technologies and operation practices included in the Environmental Management Plan can be maintained over time.
- An Acoustic Engineering Report prepared by a suitably qualified person demonstrating the use of suitable materials and building treatments to ensure internal noise levels are satisfactory.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The design objectives and building and works requirements of this schedule.
- The architectural quality and innovative response of the building design.
- The extent to which the development makes a positive contribution to the overall vitality of the Brunswick Major Activity Centre and Nicholson Street/Brunswick Road Urban Village Precinct.
- The contribution the development makes to urban design, walkability, permeability and streetscape appearance of the area.
- The layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking.
- The overall environmental sustainable performance of the development.
- The extent to which the development can accommodate an integrated mix of uses including office, retail and residential.
- Whether the development is sympathetic to adjoining uses and internal residential amenity is protected from adjoining non-residential uses.

- The extent to which the proposed development achieves the design objectives set out in the Design Guidelines for Higher Density Residential Development published by the Department of Sustainability and Environment (2004).
- Proposed access locations and treatments, and the impacts on traffic conditions on surrounding streets, as considered under a Transport Impact Assessment Report.
- The views of VicRoads and the Department of Transport.

7.0 Background documents

Moreland Industrial Land Use Strategy, Hansen Partnership & National Economics, August 2004.

Design Guidelines for Higher Density Residential Development, Department of Sustainability and Environment, 2004.

Design Guidelines for Development of Four or More Storeys, Moreland City Council, June 2005.

Activity Centre Design Guidelines, Department of Sustainability and Environment, 2005.

Draft Brunswick Structure Plan 2008, Moreland City Council, 2008.

Brunswick Road, Nicholson Street, Barkly Street Development Precinct Height and Massing Study, Rothe Lowman for EG Funds Management, June 2010.

08/09/2022
C195more

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**.

BALFE PARK PRECINCT, BRUNSWICK EAST

1.0 Design objectives

08/09/2022
C195more

To ensure that development is consistent with the objectives of the Balfe Park Precinct, Brunswick East, Urban Design Framework (Figure 1), Brunswick Structure Plan and Clause 22.11 Development of four or more storeys.

To encourage multi-level development adjacent to Nicholson Street that provides transitional heights and design attenuation to Balfe Park and John Street.

To support commercial development that provides opportunities for employment generating uses.

To balance incremental multi-level development, internal amenity outcomes and development potential across the Precinct.

To encourage development to provide high density forms of residential accommodation above ground floor commercial spaces.

To integrate Balfe Park with the surrounding building form, streetscapes and movement network.

To enhance the amenity and safety of Balfe Park and the public realm.

To improve the permeability of the Precinct and the movement network for all modes, through the creation of links between Nicholson Street and Balfe Park and a multifunctional north south laneway between Glenlyon Road and Little Miller Street.

To create a meeting place at the Nicholson Street end of the Balfe Park/Nicholson Street pedestrian link for passive recreation, informal meeting and waiting for trams.

To ensure the scale of development creates a consistent Nicholson Street streetscape.

To ensure building design incorporates Best Practice environmentally sustainable design initiatives.

To ensure that development is designed to meet the access needs of all sectors of the community.

To ensure new development provides noise attenuation measures.

To encourage the reconfiguration and consolidation of land within the Precinct.

To satisfy the Head, Transport for Victoria requirements to ensure that development does not adversely affect the level of service, safety and amenity of the adjacent arterial road and tram network.

2.0 Buildings and works

08/09/2022
C195more

Built Form

- The height and form of development, including active and activated edges, should be in accordance with Figures 1 and 2.
- Development should be designed to provide naturally lit internal amenity.
- Development should consider height and shadowing impacts to adjoining properties, in particular access to sunlight and the development objectives of this schedule.
- Development that interfaces with Balfe Park should avoid unreasonable visual bulk when viewed from the park.
- Properties fronting Nicholson Street should have a zero lot line, and clear glazed frontages with canopies at ground level that contribute to a consistent preferred streetscape.
- Residential entries fronting Nicholson Street should be designed to limit indentation and not detract from the commercial function of the street.

- Development must incorporate a minimum three (3) metre setback at ground and upper levels, as shown in Figure 1, to:
  - provide for a continuous laneway connection between Glenlyon Road and Little Miller Street.
  - improve rear vehicle access to properties fronting Nicholson Street.
- Development should be oriented to Balfe Park and create activated edges at ground level and passive surveillance at upper levels, particularly along the north-south laneway link, that include but are not limited to, building frontages, prominent pedestrian entrances, links to Nicholson Street, private open space and windows.
- Development should front and activate the new pedestrian connection/s between Nicholson Street and Balfe Park where possible, to create welcoming, safe and functional pedestrian thoroughfares.
- The meeting place is to be created by setbacks to the ground floor corners of the buildings adjacent to the Nicholson Street entrance of the east-west pedestrian link, and designed to provide a high amenity space through the creation of seats, shelter, landscaping and access to sunlight.
- Development fronting Miller Street and Little Miller Street should provide front setbacks for gardens and landscaping.
- Developments should be designed to be adaptable in accordance with *Australian Standard 4299-1995: Adaptable Housing.*

Pedestrian access, movement and amenity

- The design and siting of development should provide for enhanced and new pedestrian and cyclist links through the Precinct, and a meeting place, particularly between Nicholson Street and Balfe Park, as detailed in Figure 1.

Car parking and vehicle access

- Development must incorporate rear setbacks to accommodate the provision and construction of a continuous 3 metre wide laneway, in addition to vehicle access requirements that connects Glenlyon Road to Miller Street via Little Miller Street, and utilises appropriate traffic calming measures.
- Laneway design and function must not be vehicle traffic dominated, but treated as a compatible shared pedestrian, bicycle and vehicle space.
- Vehicular access should be from rear lanes, or where the *Balfe Park Precinct, Brunswick East, Urban Design Framework* (Figure 1) outlines access via a new lane. Where no lane is available, access should be from side streets.
- Vehicle access points to Nicholson Street should be made redundant and kerb reinstated.
- Vehicle ingress and egress into development, including loading facilities and building servicing, must be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.
- Car parking facilities should not dominate the public realm and be integrated into the architecture of the building. Basement car parks should be naturally ventilated.

Environmentally Sustainable Design

- Development must incorporate, where appropriate, Best Practice environmentally sustainable design and address the following:
  - Building energy management (conservation and generation);
  - Water sensitive urban design/integrated water management;

- Construction materials selection;
- Indoor environment quality;
- Waste management and reduction;
- Transport;
- Demolition and construction phase;
- Innovation;
- Public realm design; and
- Urban ecology.

Noise attenuation

- Any new development that will accommodate residential or other noise sensitive uses must be sited and designed to incorporate noise attenuation measures to minimise tram noise levels and/or other external noise sources within the development or adjoining uses to the satisfaction of the responsible authority.
- Development that incorporates sensitive uses must have regard to existing commercial and industrial use and incorporate a high level of noise attenuations so as to limit the impact of the sensitive use on existing businesses in the Precinct.
- Noise attenuation measures must be integrated with urban design objectives to achieve articulated facades and active frontages.

3.0 Subdivision

08/09/2022
C195more

Consolidation of land to facilitate the creation of viable development sites is encouraged.

4.0 Signs

08/09/2022
C195more

None specified.

5.0 Application requirements

21/09/2022
C212more

Buildings and works

An application for development must include, as appropriate, the following information to the satisfaction of the responsible authority:

- For a development of four or more storeys:
  - a computer model of the proposal compatible with Council's software;
  - a three-dimensional perspective which shows the proposed development within the streetscape in the context of adjacent development;
  - streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
  - three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.
- An Environmentally Sustainable Design Management Plan prepared by a suitably qualified person(s), demonstrating Best Practice in environmentally sustainable design. The Environmental Management Plan should:
  - Identify strategic or other documented sustainability targets or performance standards;

  - Document the means by which the appropriate targets or performance standards may be met;
  - Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring when relevant; and
  - Demonstrate that the design elements, technologies and operation practices included in the Environmental Management Plan can be maintained over time.
- An Acoustic Engineering Report prepared by a suitably qualified person demonstrating the use of suitable materials and building treatments to ensure internal noise levels are satisfactory.
- A Traffic Impact and Management Report prepared by a suitably qualified person that identifies:
  - onsite car parking provisions;
  - expected traffic volumes and impact on the existing road network, including impacts on the operational efficiency and road safety at the Nicholson Street/ Miller Street intersection;
  - necessary intersection treatments and traffic management devices;
  - upgrades or modifications to existing roads;
  - provision of new roads;
  - internal street functional hierarchy;
  - impact on pedestrian and bicycle routes, and
  - measures to reduce conflict and improve pedestrian and bicycle amenity.
- A Green Travel Plan prepared by a suitably qualified person outlining site-specific initiatives and actions to encourage the use of more sustainable transport options.
- An Accessibility Report prepared by a suitably qualified person detailing how the development will incorporate adaptable, accessible and visitable design features, including accordance with *Australian Standard 4299-1995: Adaptable Housing*.
- A detailed response as to how the development achieves the objectives of Clause 22.07, as appropriate.
- An Urban Context and Design Response Report for development which seeks to vary the preferred building heights and podium setbacks in Figures 1 and 2 that demonstrates how the design objectives and requirements of this schedule are met.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The *Brunswick Structure Plan and Balfe Park Precinct, Brunswick East, Urban Design Framework.*
- Whether the proposed development achieves the design objectives and requirements of this schedule.
- The extent to which the development makes a positive contribution to the overall social, economic and environmental vitality of the Nicholson Street Local Area 3B and broader Brunswick Major Activity Centre.
- Whether development contributes to the function and amenity of the north-south laneway between Glenlyon Road and Miller Street.
- Whether development provides an appropriate transition in height and design detail to Balfe Park and surrounding properties.

- The contribution the development makes to urban design, walkability, permeability and streetscape appearance of the area.
- Whether the development improves the amenity and connections with Balfe Park.
- Whether the proposal incorporates public benefits such as affordable housing, community space, landscaping, or other physical improvements or services for the local community.
- The extent to which the development can accommodate an integrated mix of uses including large format retail, showroom or offices.
- Whether the development allows for the future development of adjacent land in a form consistent with the design objectives of this schedule and the Brunswick Structure Plan.
- The views of VicRoads and the Department of Transport.

7.0 Background documents

Brunswick Structure Plan, Moreland City Council, August 2010

Balfe Park Precinct, Brunswick East, Urban Design Framework, Hansen Partnership Pty Ltd, October 2011

Figure 1 – Balfe Park Precinct, Brunswick East, Urban Design Framework (including preferred heights)

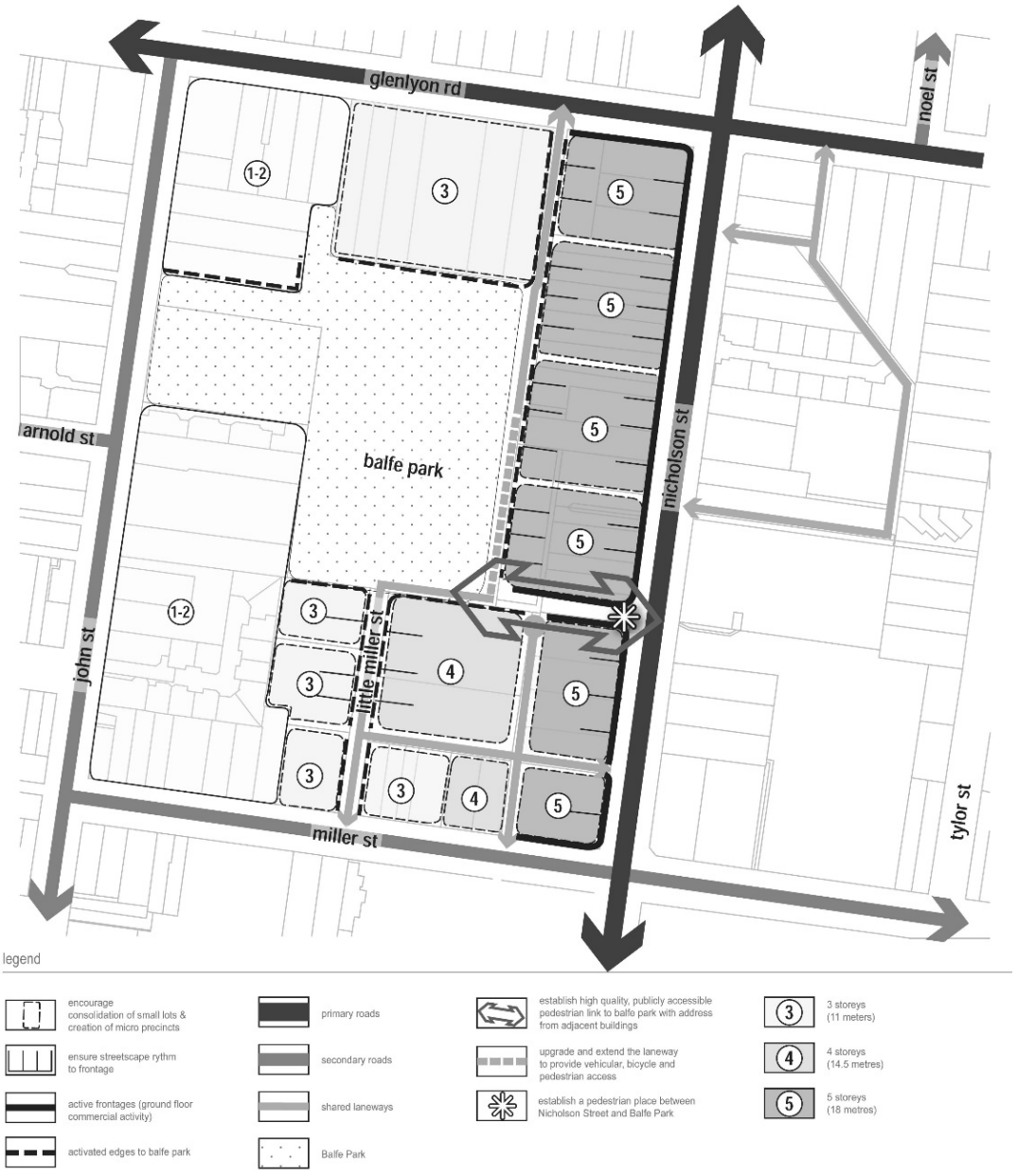
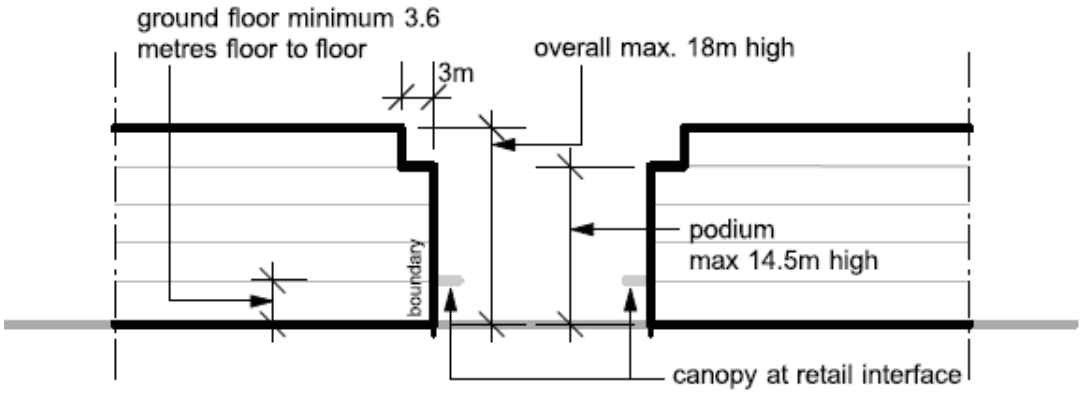


Figure 2 – Built Form Envelope



Source: *Brunswick Structure Plan,* Moreland City Council, August 2010

21/09/2022
C212more

SCHEDULE 24 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO24**.

NEIGHBOURHOOD CENTRES

1.0 Design objectives

14/02/2023
C225more

- To implement the Moreland Neighbourhood Centres Strategy, 2017.
- To ensure built form outcomes are appropriate to the context of Merri-bek's Neighbourhood Centres.
- To improve the quality of higher density and mixed use developments by providing appropriate built form guidance.
- To improve amenity outcomes for residents in higher density and mixed use developments and for residents in adjacent buildings.
- To ensure that new development makes a positive contribution to the public realm.

2.0 Buildings and works

21/09/2022
C212more

A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building facade provided that:
  - The alteration does not include the installation of an external roller shutter; and
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing for development in the Commercial 1 Zone.

Building Height Requirements

Any new building must not exceed the maximum height shown on the maps in Subclause 7.0 to this schedule. The maximum heights shown for the following neighbourhood centres cannot be varied with a permit:

Figure 7: Bell Street/Melville Road, Pascoe Vale South

Figure 8: Gaffney Street/Pascoe Vale Station`

Figure 9: Gaffney Street/Sussex Street, Coburg North

Figure 10: West Street, Hadfield

Figure 11: Bonwick Street, Fawkner

Figure 12: Snell Grove, Oak Park

Figure 13: Merlynston Station, Merlynston

Figure 14: Moreland Road/Melville Road, Brunswick West.

The maximum building height requirement may be exceeded for architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment if all of the following are met:

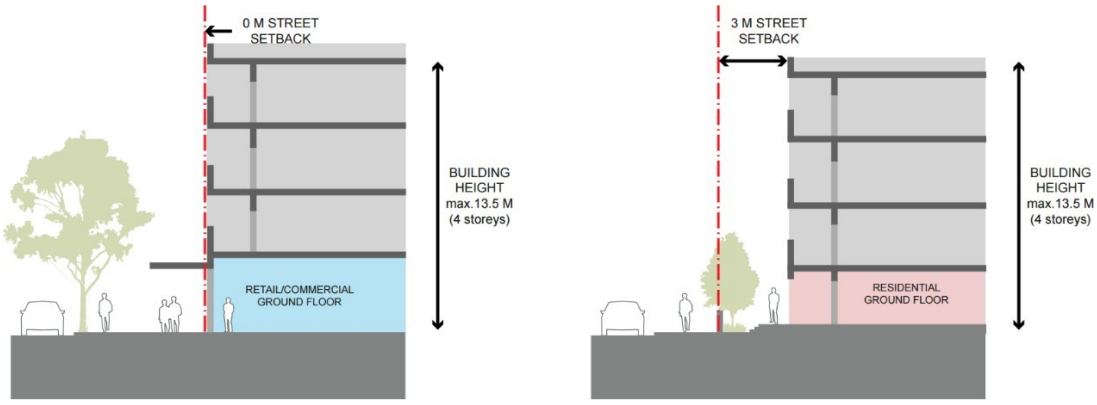
- No more than 50% of the roof area is occupied by the equipment (other than solar panels).
- The equipment is located in a position on the roof so as to minimise additional overshadowing on neighbouring properties and public spaces.
- The equipment does not extend higher than 1.2 metres above the maximum building height.
- The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.

Front Setback Requirements

- All buildings with retail and commercial uses at ground floor should be constructed to the street boundary as shown in Figure 1. This may be varied, if the setback is:
  - Not required to create a consistent street wall.
  - Designed as part of the public realm.
  - Fully accessible to the public, or offices are proposed at ground floor.
- All buildings with residential uses at ground floor should be setback in accordance with Clause 55.03-1 Standard A3 or B6, or 3 metres, whichever is lesser, as shown in Figure 1.
- On corner sites the setback from the main street frontage should wrap around the corner then graduate to match the setback of the secondary street, or be set back 3 metres, whichever is the lesser.

Ground floor awnings, architectural features, sunshades and artworks may encroach into the front setback. No other part of a building including balconies may encroach into the front setback.

Figure 1: Front setbacks for retail/commercial ground floor and residential ground floor



Side Setback Requirements

With No Outlook

- Within the Commercial 1 Zone: 0 metres from the property boundary (build to side boundaries to create continuous street edge).
- Any part of a building abutting a property in any other zone should comply with the side setback requirements of Clause 55 (ResCode Standard A10 or B17).

With Outlook

- Primary outlook (living/balcony outlook): 4.5 metres from the property boundary should be planted with trees.
- Secondary outlook (bedrooms outlook): 2 metres from the property boundary should be planted with trees.
- Any part of a building abutting any other zone must comply with the side setback requirements of Clause 55 (ResCode Standard A10 or B17).

Separation of buildings within sites should have regard to the building separation distances in the *Moreland Apartment Design Code,* September 2015.

Architectural features, sunshades and artworks may encroach into the side and rear setbacks. No other part of a building, including balconies, may encroach into the setback.

Rear Setback Requirements

- Buildings abutting a property boundary should be setback:
  - 3 metres from the property boundary for any part of a building up to a height of 4 metres as shown in Figure 2.
  - A minimum of 6 metres from the property boundary for any part of a building exceeding 4 metres, as shown in Figure 2.
- A minimum of 8.6 metres for any part of a building exceeding 10.5 metres adjacent to a site in the Neighbourhood Residential Zone, as shown in Figure 3.

Laneways to the rear of a property in the Commercial 1 Zone (with the exception of properties adjacent to the Neighbourhood Residential Zone) should be counted as part of the setback, as shown in Figure 2.

Architectural features, sunshades and artworks may encroach into the rear setbacks. No other part of a building, including balconies, may encroach into the setback.

Figure 2: Rear Building Setbacks

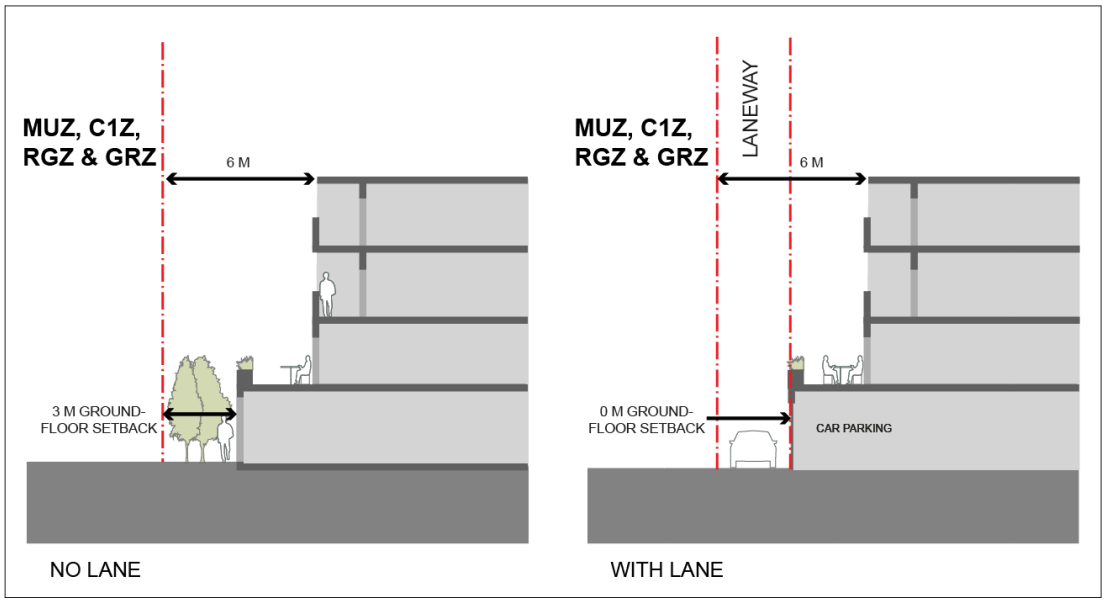
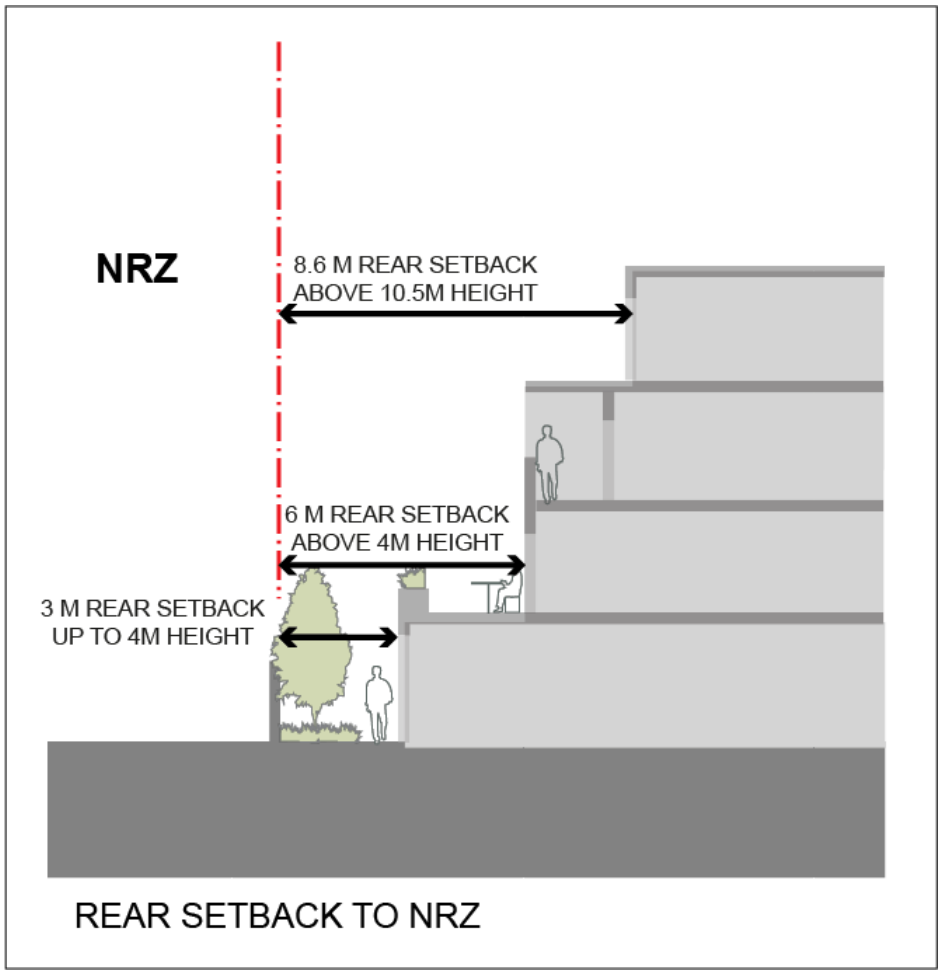


Figure 3: Rear building setbacks for sites adjacent to the Neighbourhood Residential Zone



Building Frontage Requirements

Active Frontages

- Development should incorporate the following at street level fronting all streets (except rear laneways) and public open spaces:
  - Commercial – A display window and/or entrance, measuring 65 - 80% of the width of the street frontage of each individual premise. Large signage and/or non-transparent glazing should be avoided. Non-transparent glazing up to a height of 1.7 metres may be used for office uses.
  - Residential – Individual entries to ground floor dwellings and habitable room windows facing the street. Privacy should be provided by elevating the ground floor approximately 0.5 to 1 metre above the street level and/or providing landscaping in a front setback.
- Parks and public spaces should be substantially fronted by dwellings and/or other occupancies with direct access and outlook. Separation between public and private land should be clear and may be delineated by paths and/or streets.
- On corner lots active frontages should address both streets. Blank side walls and associated garages/car parking are discouraged.

Awnings

- Development with retail and commercial uses at ground floor should incorporate awnings designed to provide adequate weather protection over the footpath for the full width of the building frontage.
- New awnings should match the existing height and depth of existing awnings.

Building Articulation

- Building façades should be designed with an appropriate rhythm and proportion that respond to the building's uses and context, and contribute to a fine grain urban character.
- New buildings should adopt solid architectural expression that emphasises the street edge through the use of recessed balconies, framed elements and solid balustrades.
- Side setbacks should incorporate articulation to break down building mass through the use of materials and finishes.

Car Parking and Vehicle Entry

- The impact of vehicle access and car parking on the public realm should be minimised by:
  - Locating vehicle access to the rear of buildings wherever possible, or to the side, where rear access is not available.
  - Locating car parking where it cannot be seen from the public realm.
- Locate vehicle crossings to minimise the removal of street trees, on-street car parking spaces, or encroachment into landscaped front setbacks.
- Pedestrian safety and sight lines should be maximised.
- Where car stackers are proposed, ensure they are suitably located to minimise adverse amenity impacts to adjoining sites.

Site Services

- Service infrastructure should be concealed or integrated into building design.
- Waste storage areas should be screened from view of the street.

Landscaping

- Provide at least one tree in the front setback, selected in accordance with the *Moreland Tree Planting Manual for Residential Zones,* 2019.
- Provide tree planting along the side and rear boundaries for properties located in the Residential Growth Zone and Mixed Use Zone.

3.0 Subdivision

21/09/2022 C212more

None specified.

4.0 Signs

21/09/2022 C212more

None specified.

5.0 Application requirements

21/09/2022 C212more

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:

- For a development of four or more storeys:

- A computer model of the proposal compatible with Council's software;
- A three-dimensional perspective which shows the proposed development within the streetscape in the context of adjacent development;
- Streetscape elevations showing the existing streetscape, and how the proposed development sits within the streetscape elevation;
- Three-dimensional perspective diagrams which show the form of the proposal at oblique views from neighbouring streets where any part of the proposal will be visible.

6.0 Decision guidelines

21/09/2022
C212more

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 the development is consistent with the *Moreland Neighbourhood Centres Strategy,* 2017 and any other policy or planning provision applying to the area.
- Whether an appropriate Building Type has been proposed as per Appendix One of the *Moreland Neighbourhood Centres Strategy*, 2017.
- Whether the development provides an appropriate transition to properties in an adjoining zone.
- The extent to which the development achieves the design objectives in clause 1.0 and requirements of clause 2.0 of this schedule.

7.0 BACKGROUND DOCUMENTS

Moreland Neigbourhood Strategy, 2017

8.0 NEIGHBOURHOOD CENTRE FRAMEWORK PLANS

Figure 4: Grantham Street/Union Street, Brunswick West Neighbourhood Centre

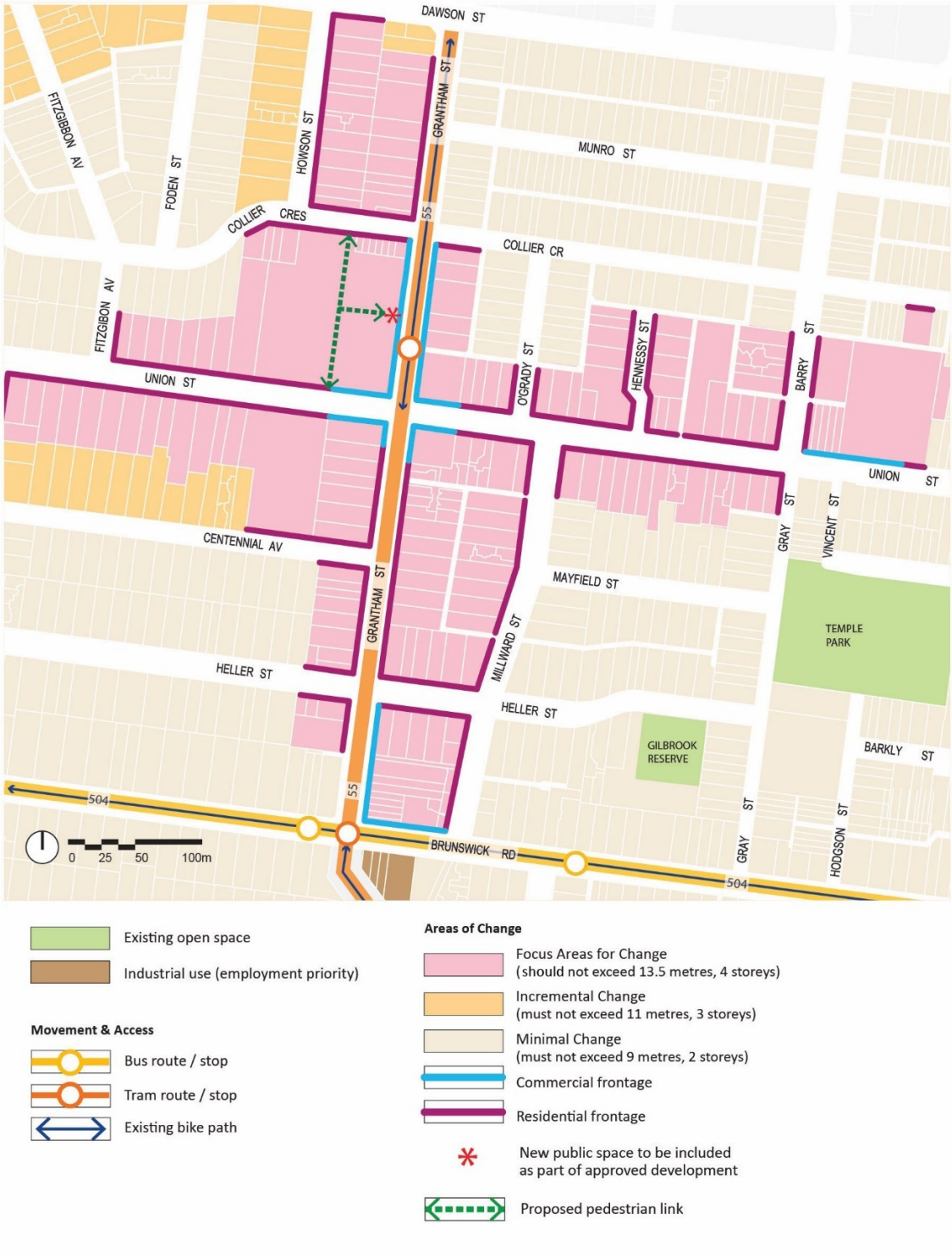


Figure 5: Melville Road/Albion Street/Victoria Street, Brunswick West Neighbourhood Centre



Figure 6: Nicholson Street/Holmes Street/Moreland Road, Coburg Neighbourhood Centre

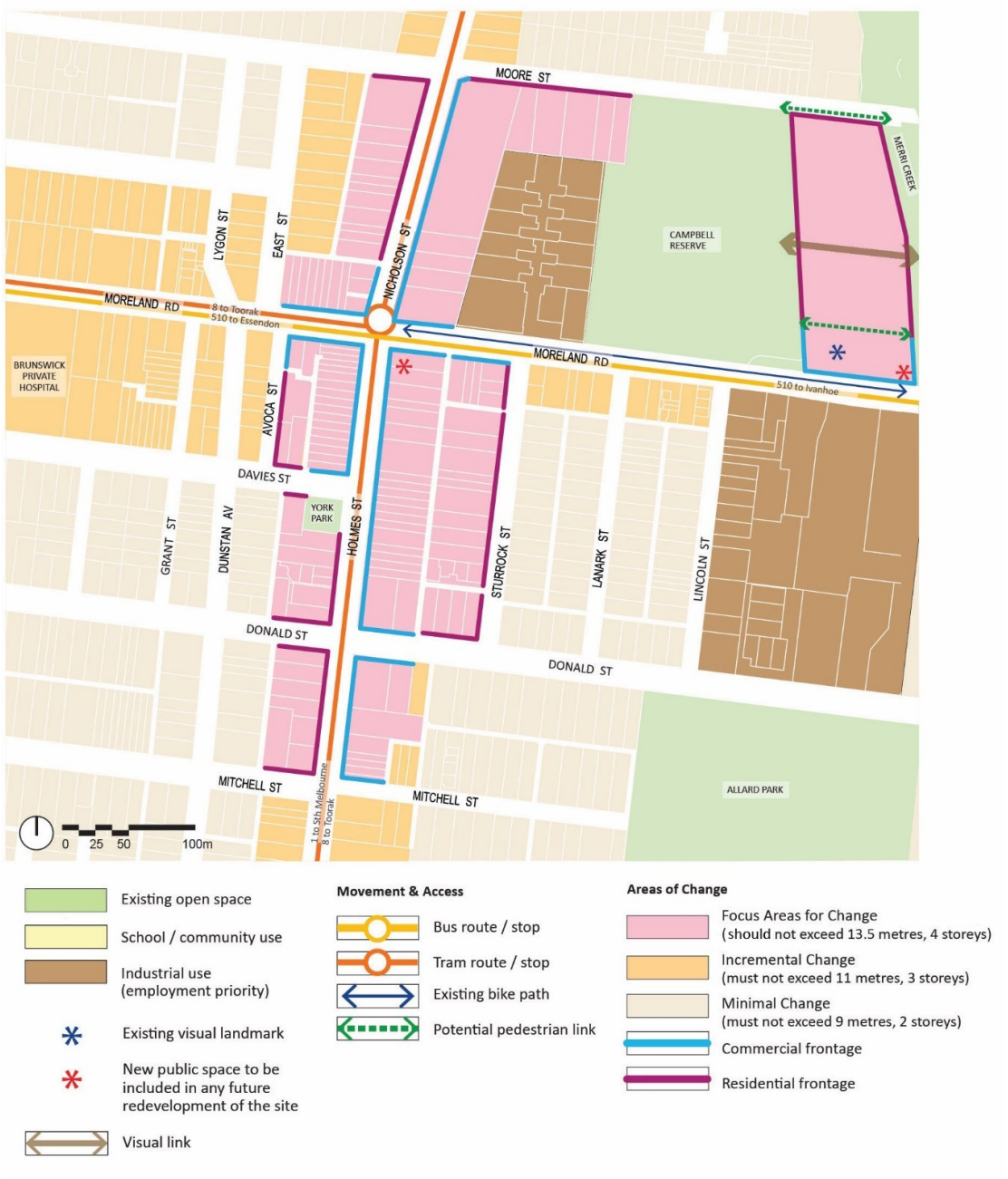


Figure 7: Bell Street/Melville Road, Pascoe Vale South Neighbourhood Centre

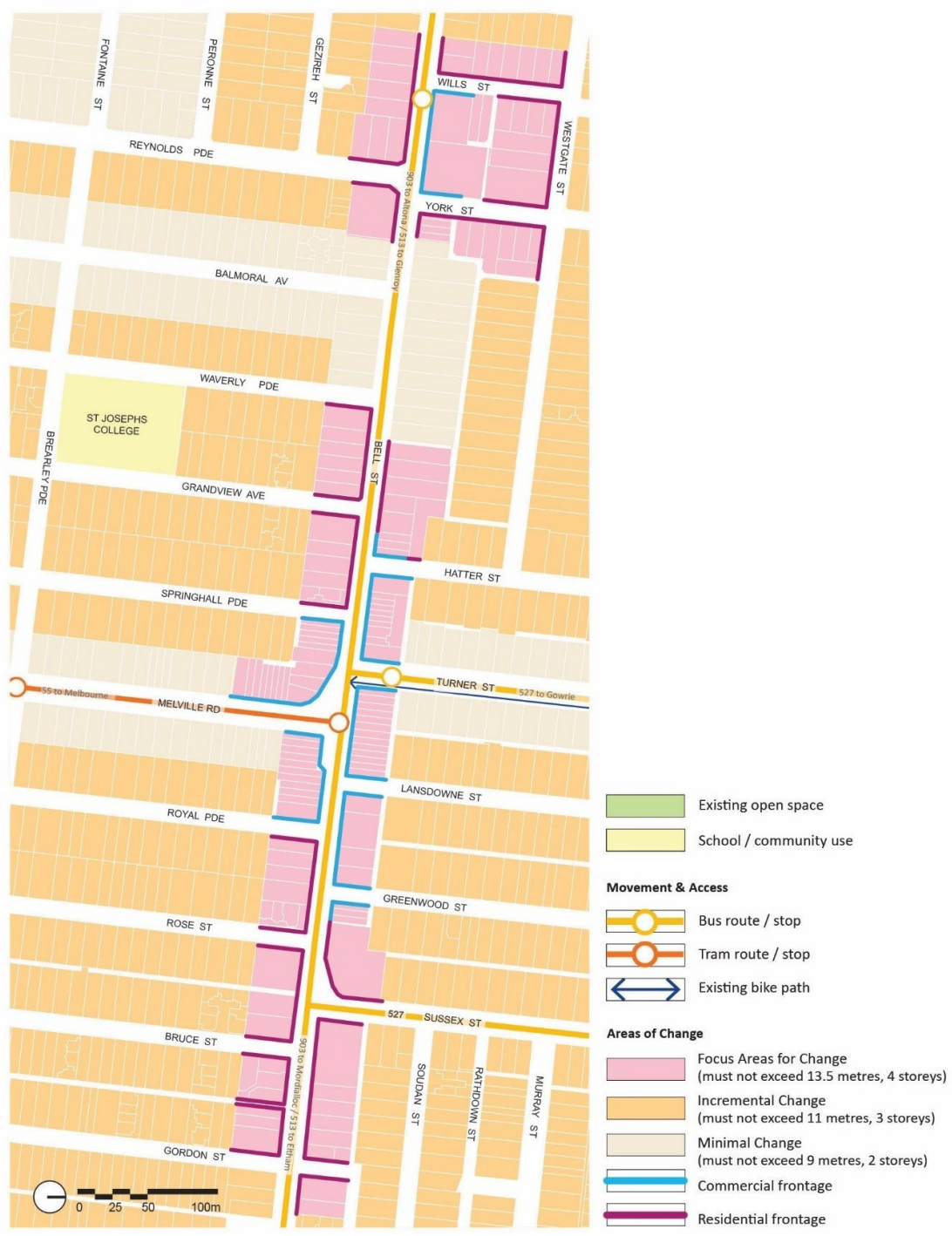


Figure 8: Gaffney Street/Pascoe Vale Station, Pascoe Vale Neighbourhood Centre

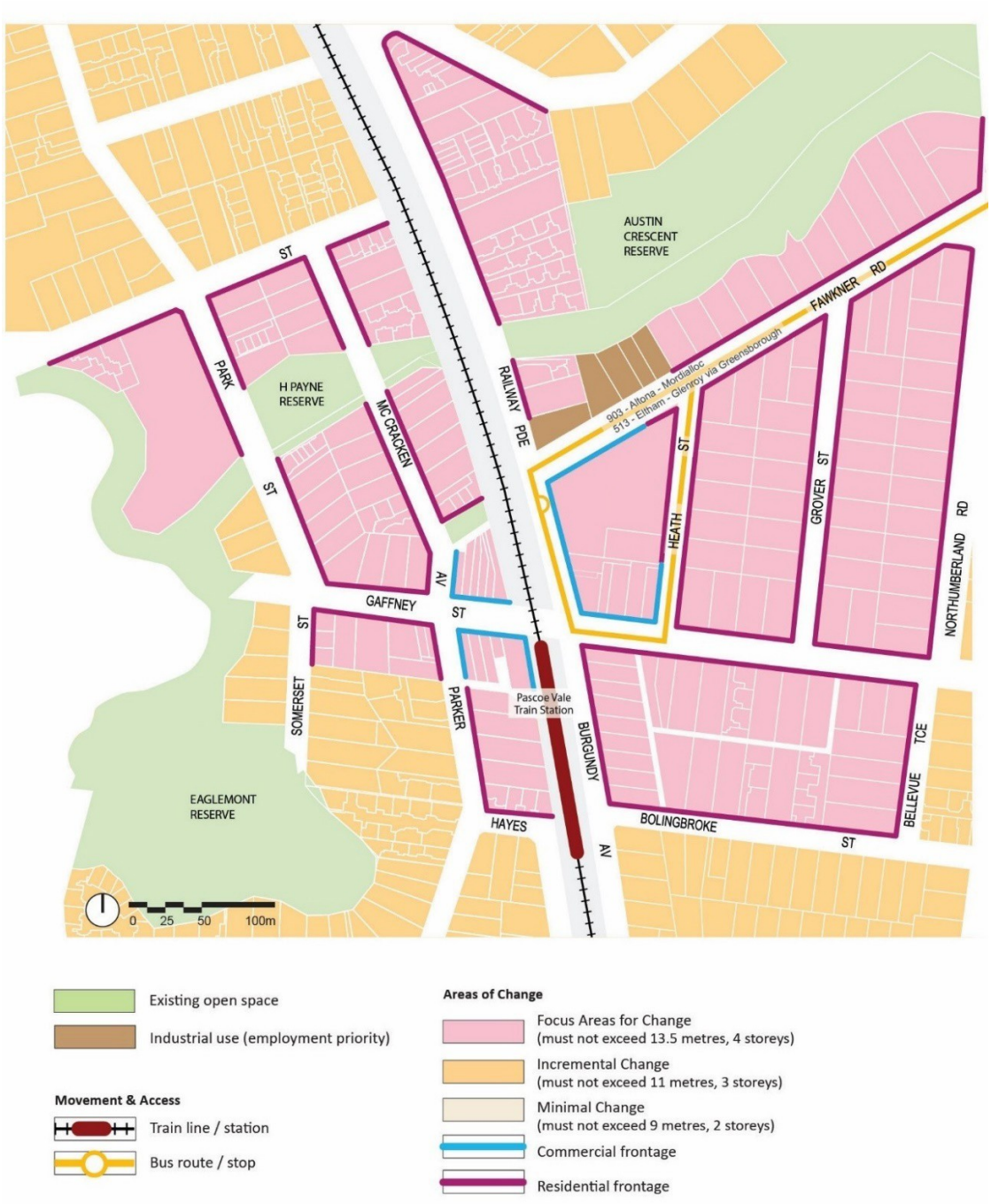


Figure 9: Gaffney Street/Sussex Street, Coburg North Neighbourhood Centre

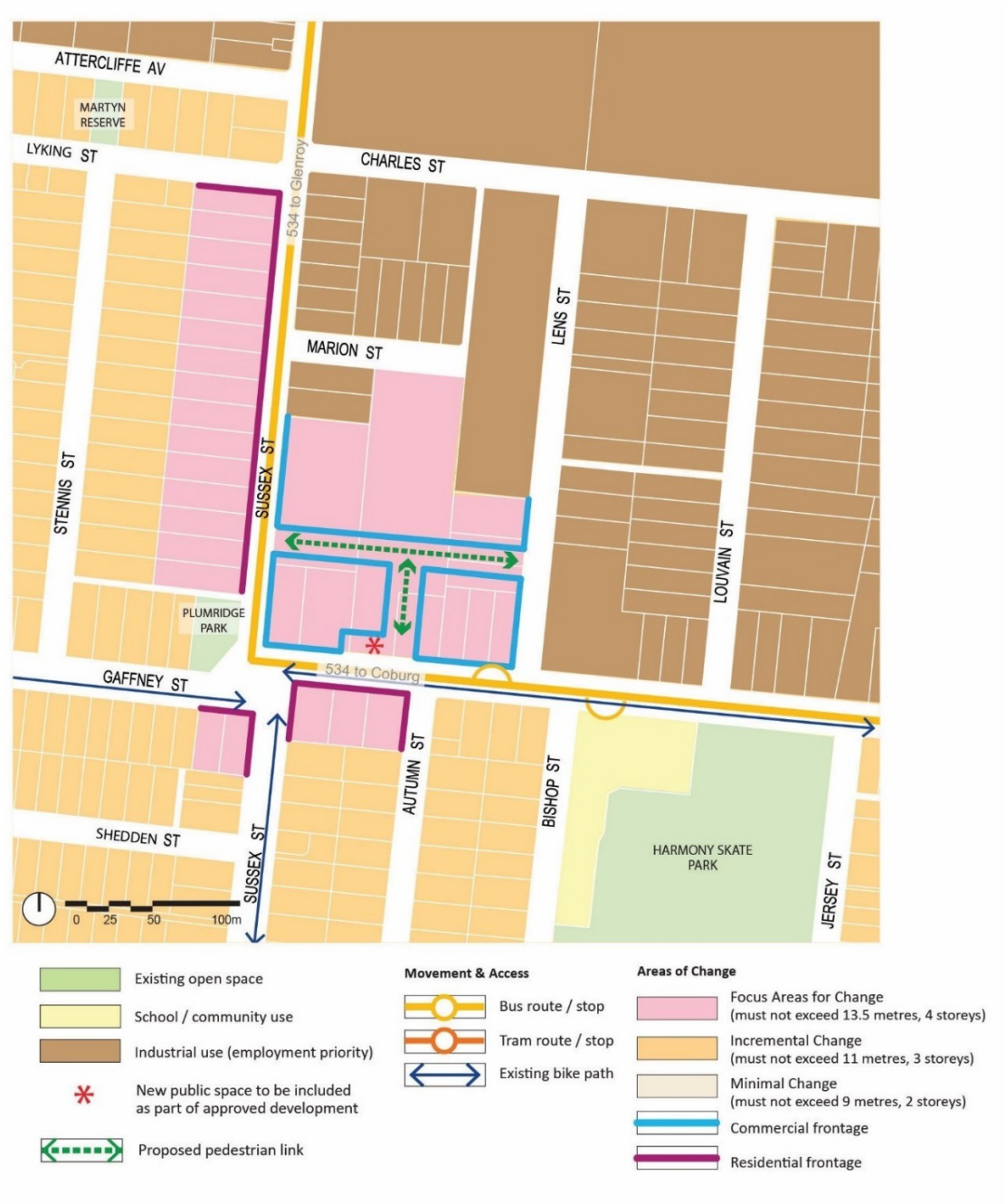


Figure 10: West Street, Hadfield Neighbourhood Centre

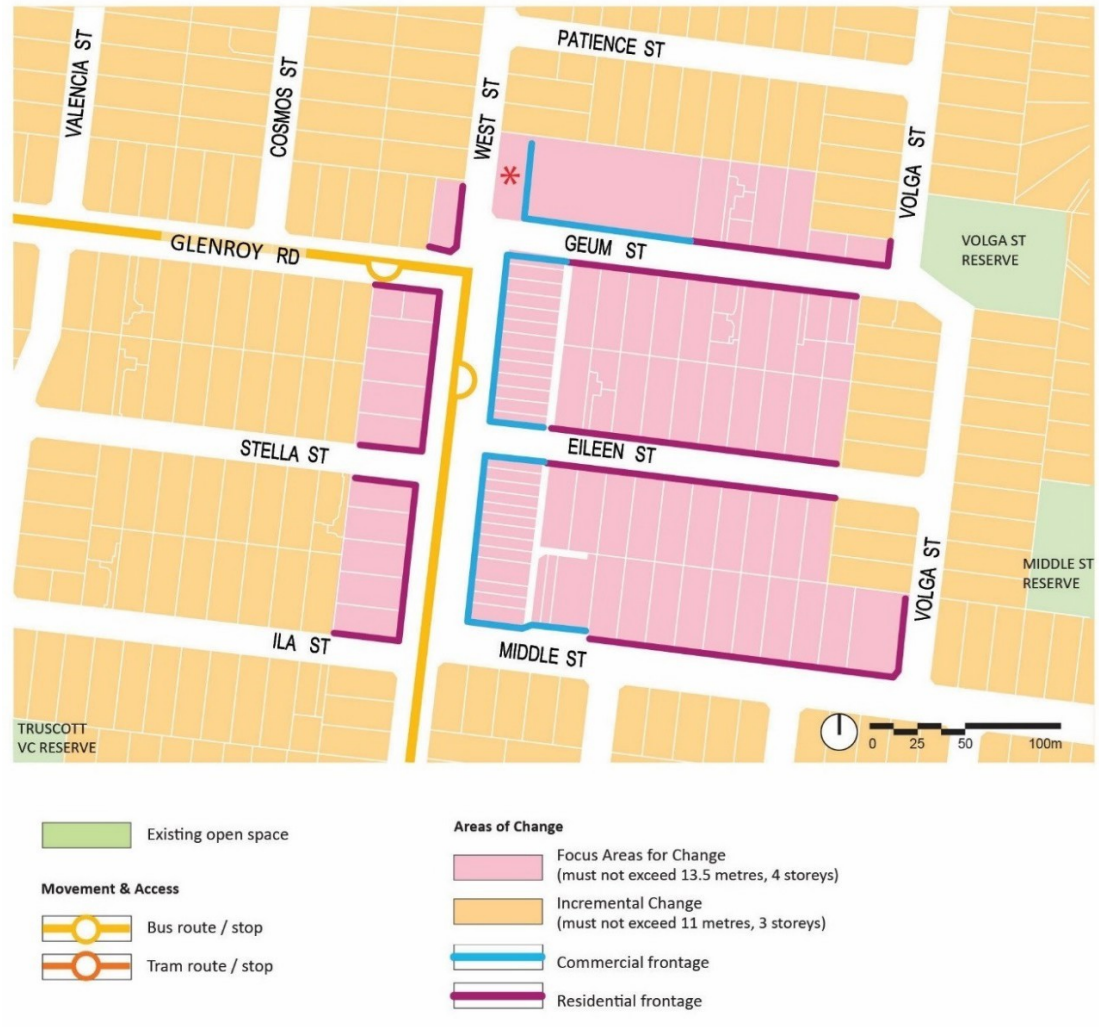


Figure 11: Bonwick Street, Fawkner Neighbourhood Centre

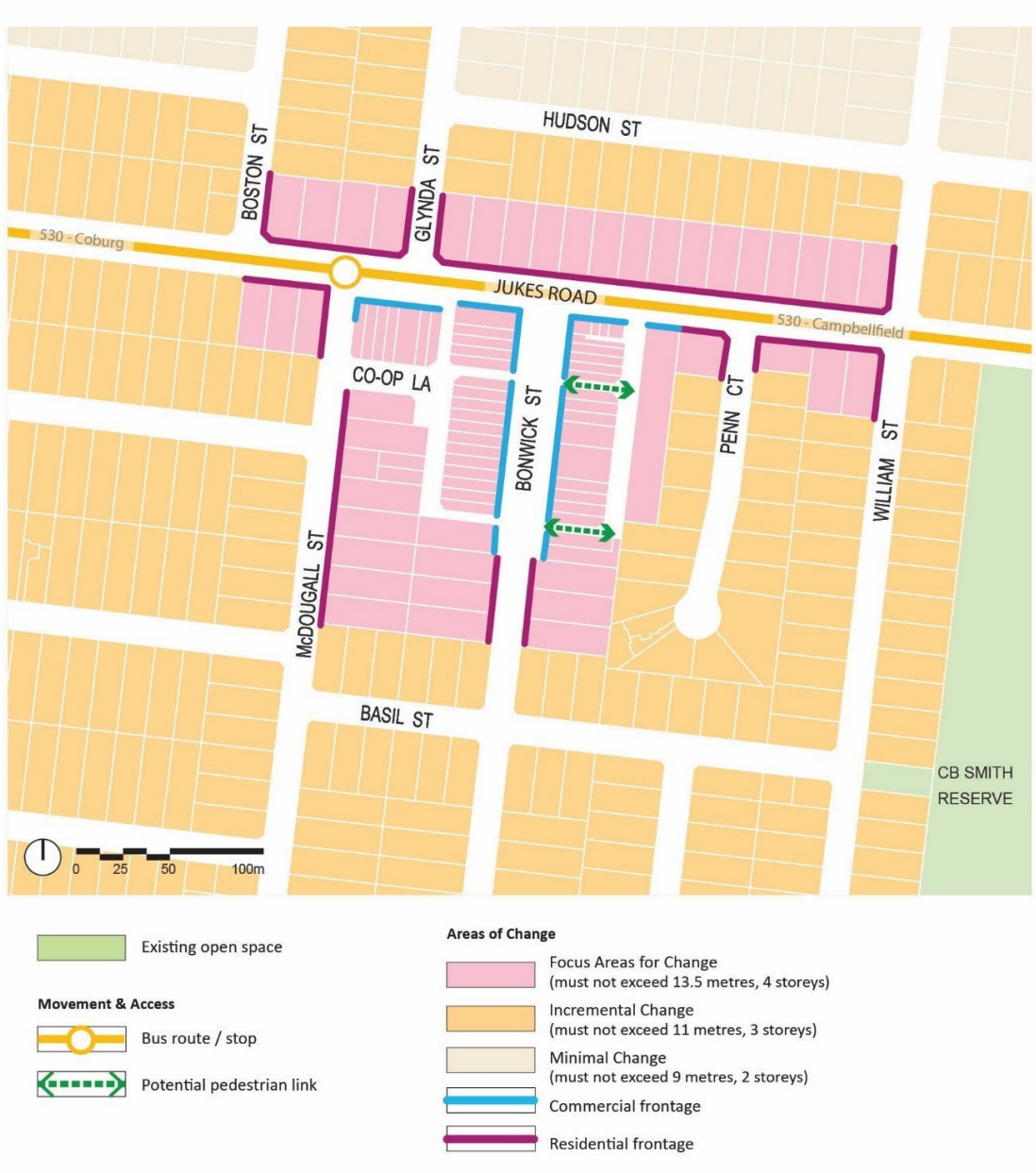


Figure 12: Snell Grove, Oak Park Neighbourhood Centre

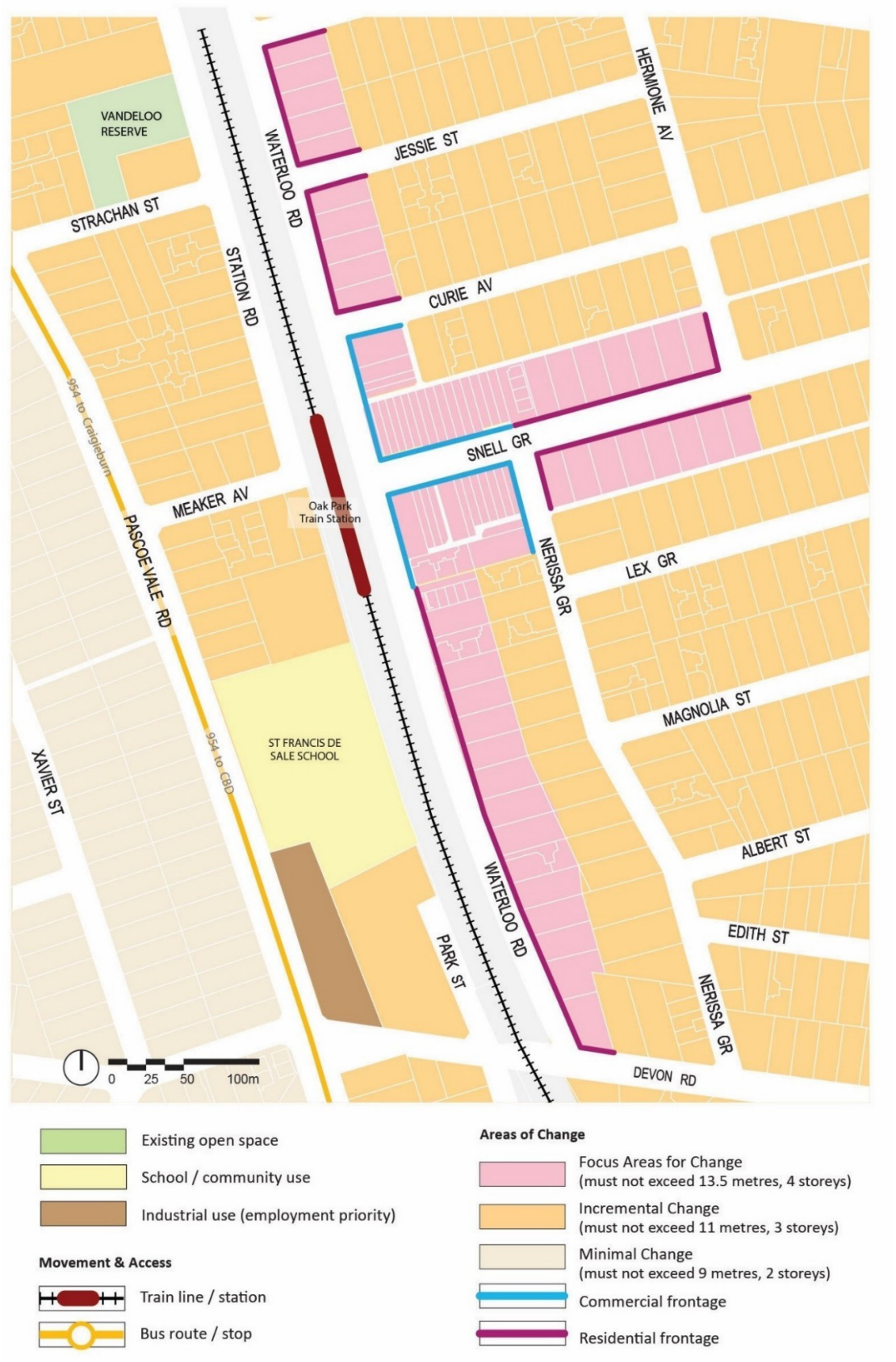


Figure 13: Merlynston Station, Merlynston Neighbourhood Centre

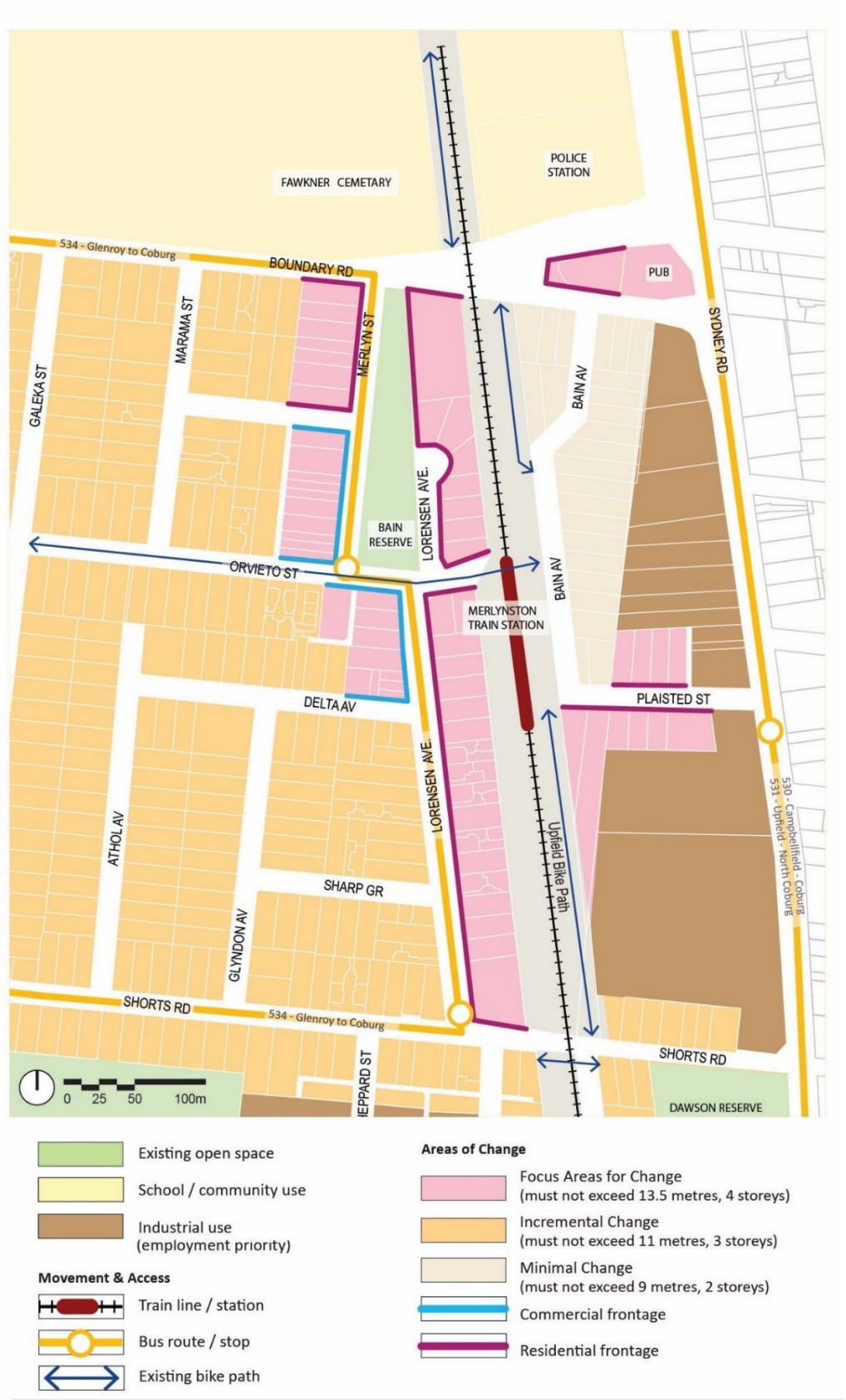


Figure 14: Moreland Road/Melville Road, Brunswick West Neighbourhood Centre



08/09/2022
C195more

SCHEDULE 26 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO26**.

395-429 ALBERT STREET, BRUNSWICK – ALBERT STREET URBAN RENEWAL PRECINCT

1.0 Design objectives

08/09/2022
C195more

To support quality medium density residential development that is mid-rise built form in character, with a pedestrian scale to the precinct edges and a western interface that is scaled down and provides a separation to respond to the lower scale and heritage significance of existing dwellings.

To provide a quality public realm interface by including a visual and public pedestrian connection between Albert Street and Clifton Park, a high level of passive surveillance to external public spaces and internal communal areas, and quality landscape design to integrate into the parkland context.

To ensure building massing, separation and orientation optimises park views for new dwellings.

To ensure reasonable future development potential for the precinct, and encourage site consolidation to improve overall design and development outcomes.

To prioritise pedestrian and cycle movements over vehicle movements within and around the precinct.

2.0 Buildings and works

14/02/2023
C225more

No permit is required to:

- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
  - Construct a dwelling if there is at least one dwelling existing on the lot;
  - Construct or extend a dwelling if there are two or more dwellings on the lot;
  - Construct or extend a dwelling if it is on common property; and
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with 1 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Built Form

For the purpose of this schedule:

- Four (4) storeys means a height of 15 metres;
- Eight (8) storeys means a height of 28 metres.

Development fronting Clifton Park should not exceed four (4) storeys.

Development within the precinct should not exceed eight (8) storeys.

Taller buildings above four (4) storeys in height should be set back from the four storey podium at the Albert Street and Clifton Park interfaces and from existing dwellings adjacent to the precinct, and be designed to be visually recessive when viewed from Clifton Park, Albert Street and the rear of properties fronting Albert and Pearson Streets. Balconies should not encroach into upper level setbacks.

Development must be designed and oriented to optimise daylight access to new dwellings and solar access to communal and public spaces across the precinct.

Building siting, separation and orientation should optimise park views for new dwellings and public paths as indicated in the Framework Plan at Map 1.

Development should avoid creating a continuous wall of built form along the Clifton Park and Albert Street frontages by providing physical breaks between buildings.

Visual connections between Albert Street and Clifton Park should be provided, primarily through a new network of public streets and/or pedestrian paths through the site and through breaks between buildings.

Development should provide for a mix of dwelling sizes including 1, 2 and 3 bedroom dwellings.

Built form that exceeds 8 storeys must meet the following criteria, to the satisfaction of the Responsible Authority:

- How the development meets the design objectives of this schedule.
- How the development is of exemplary design quality (i.e. substantially superior to an acceptable design), particularly with regard to the external presentation of development and ground level street and park interfaces.
- How the visual impacts of the development on existing dwellings and parkland are mitigated through the design response.

Albert Street Interfaces

Development must create active frontages and dwelling entries at ground floor and primary outlooks at all levels to provide for passive surveillance and activation of Albert Street.

A minimum 3 metre landscaped setback to Albert Street should be provided. A lesser setback may be provided if commercial or other non-residential uses are proposed at ground floor. Balconies should not encroach into the setback.

Development must provide for the upgrade of the Albert Street footpath and street tree planting immediately adjacent to the precinct (design details to be resolved at the planning permit application stage).

Access and loading areas for any retail or commercial uses should be from the side or rear of buildings fronting Albert Street.

Clifton Park Interfaces

Buildings and private open space should be clearly separated from the boundary of Clifton Park by a public path, as per Map 1, to provide a clear delineation between the public and private realm.

A 3 metre landscaped setback to Clifton Park should be provided, as shown in Figures 2 and 3. The setback may be reduced if commercial or other non-residential uses are proposed at ground floor. Balconies should not encroach into the setback.

Development must create active frontages and should create dwelling entries at ground floor and primary outlooks at all levels to provide for passive surveillance and activation of Clifton Park.

Western Residential Interface

The siting and setbacks of any development on the western boundary of the precinct should comply with Clause 55 Standard B17, Standard B21 and Standard B22.

Any new development along the western interface of the precinct must provide for a transition down in height to appropriately respond to the character, built form and height of the existing heritage precinct to the west.

Development should vary setbacks to upper floors to avoid poor built form outcomes.

Note: Laneways that exist along the rear boundary of adjacent properties should be counted as part of the setback envelope.

Circulation, Access and Parking

Development must provide for the public paths shown in Map 1.

The Primary Public Path shown in Map 1 must be provided and should generally be shared across the properties at 427 and 429 Albert Street. It should be a minimum 3 metre wide public path which is open to the sky.

Development which fronts the Primary Public Path should be setback and designed to create active frontages to this link.

Development should facilitate the creation of internal roads that will provide access to multiple stages of development to minimise the number of individual accessways and crossovers to Albert Street.

Land parcels should be consolidated or designed to incorporate shared vehicle access to minimise the number of vehicle crossovers to Albert Street.

Any internal roads, laneways and pedestrian paths intended to be vested in Council must be designed and constructed in accordance with Merri-bek City Council standards (including dimensions) and where appropriate make provision for two-way vehicular traffic, vehicles associated with waste management, safe pedestrian access for all, bicycles and tree planting.

Any above-basement car parking areas must be screened from view of the street and park and should be sleeved by dwellings or other uses.

All development must have legal access to a road.

The existing laneway connecting to Pearson Street at the west of the precinct should be considered for pedestrian access into the precinct. No vehicle access should be provided from this laneway into the precinct.

Landscaping

Landscape design should contribute significantly to the future character of the precinct and integrate the precinct into the surrounding parklands context.

The landscape design should, where appropriate:

- Soften the visual impact of buildings on Clifton Park and the public path;
- Maintain any existing significant trees;
- Contribute to reduction of the urban heat island effect;
- Provide for summer shading and access to winter sun;
- Incorporate green roofs and walls;
- Provide for deep soil planting where possible. If deep soil planting is not possible due to contamination, adequate above ground allowance must be made to accommodate significant vegetation and landscaping; and
- Incorporate water sensitive urban design principles.

The landscape design should include any associated street and park landscaping in Albert Street and Clifton Park to be delivered by the development, including trees in the park as shown in Figures 2 and 3, and street trees along Albert Street immediately adjacent to the precinct.

Reasonable future development potential

New development must be designed to have regard to the reasonable development potential of adjacent sites in the precinct, including consideration of shared accessways and opportunity for public easements, as well as adequate building separation distances.

Map 1 to Schedule 26 to Clause 43.02 – Framework Plan



Figure 1 – Cross Section A

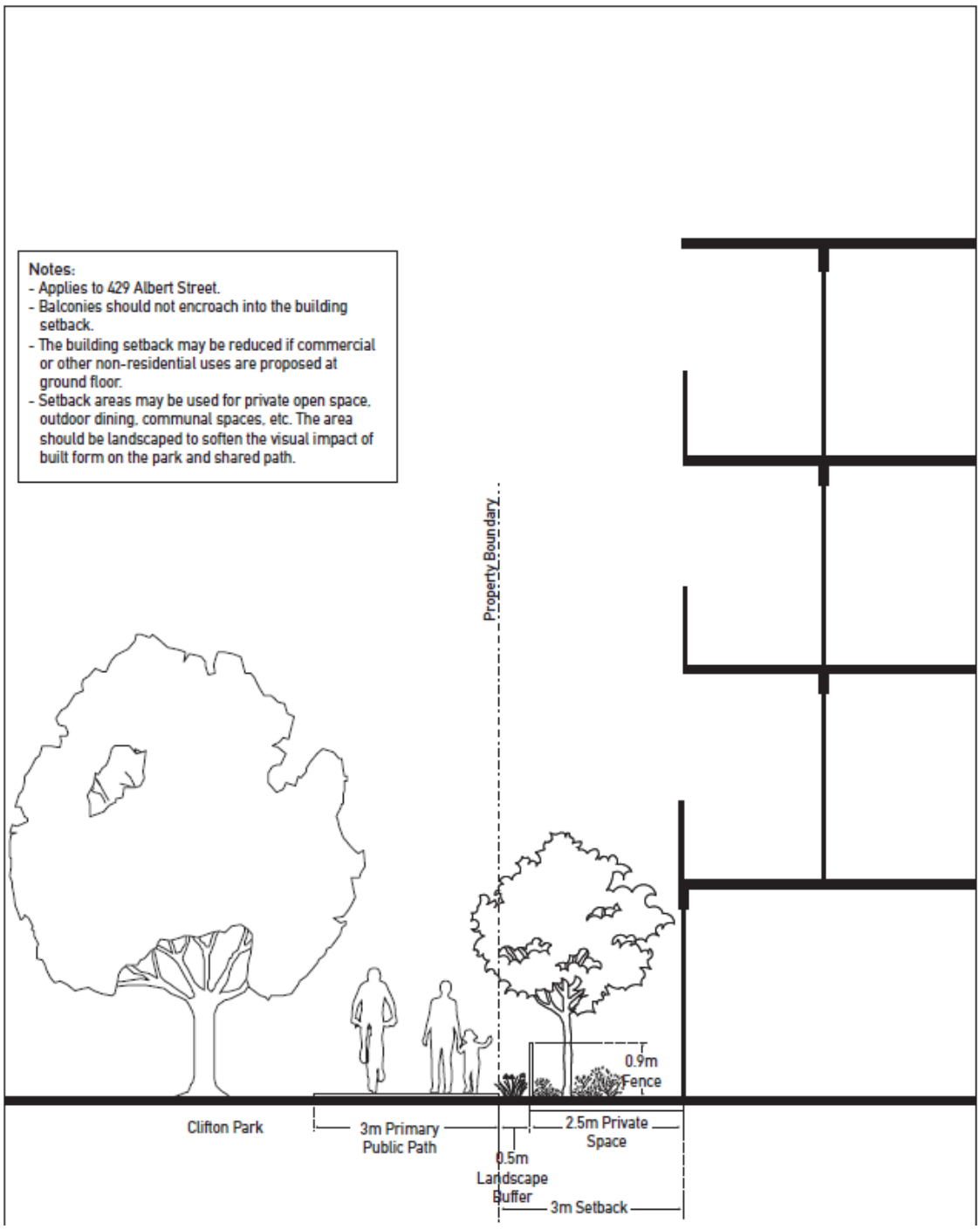
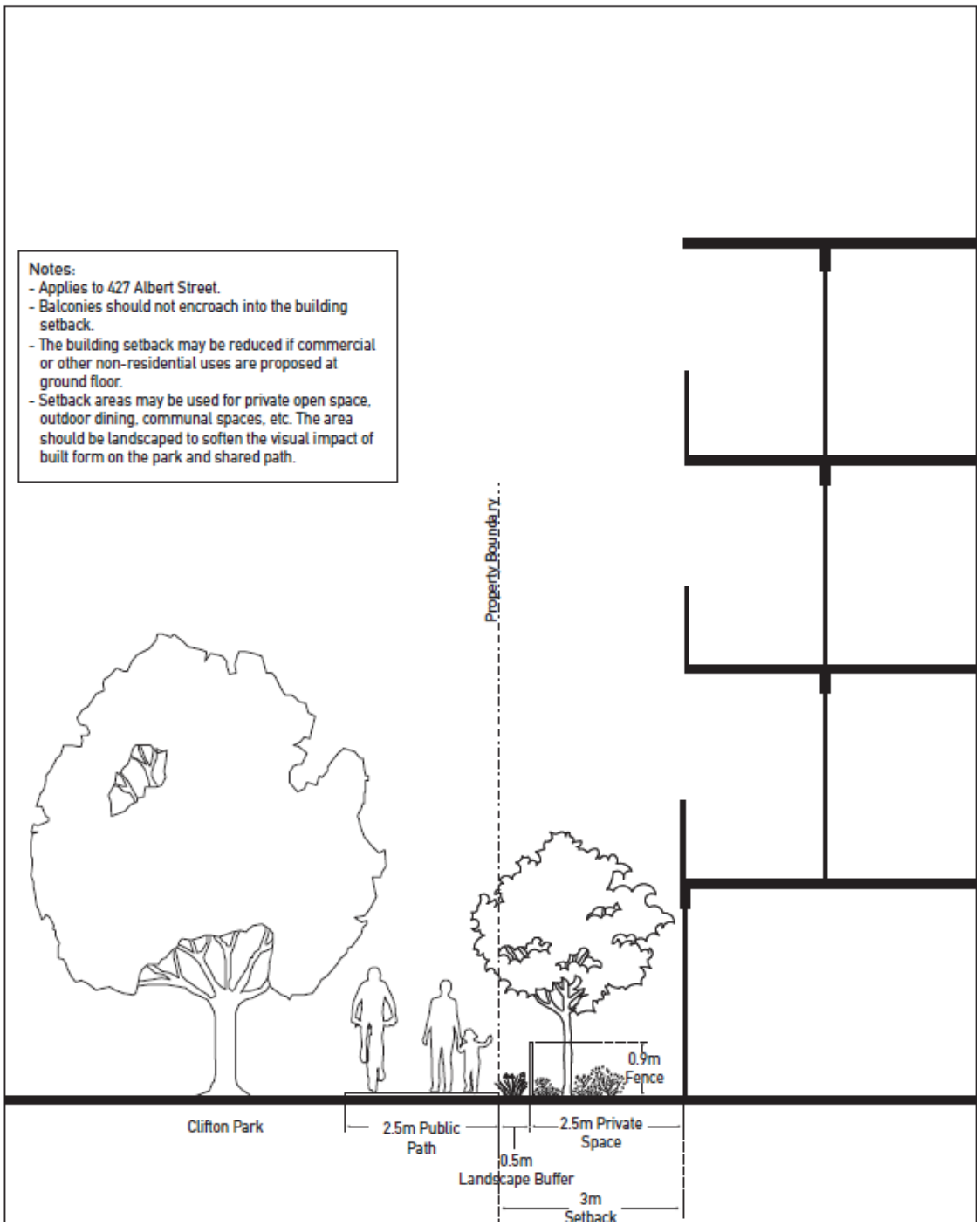


Figure 2 - Cross Section B



3.0 Subdivision

08/09/2022 C195more

A permit to subdivide land must meet the following requirements:

- Applications that do not support the development objectives of this schedule are discouraged.
- The consolidation of narrow lots to encourage better development is encouraged.
- Except for the consolidation of existing lots or the realignment of existing boundaries, any application to subdivide land must include a Plan of Subdivision showing public paths set aside and vested in Council generally in accordance with Map 1.

4.0 Signs

08/09/2022 C195more

None specified.

5.0 Application requirements

14/02/2023
C225more

Buildings and works

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

An application for development must include, where appropriate, having regard to the particular stage of development, the following information to the satisfaction of the responsible authority:

- The following upgrade works/actions to be confirmed by a section 173 Agreement or other suitable guarantee, including the timing for these items. The cost of these upgrade works/actions are to be paid for by the developer and considered in addition to any developer contribution made under Schedule 1 to Clause 45.06 and the Schedule to Clause 53.01 of the Merri-bek Planning Scheme:
  - When and how any upgrades to both sides of Albert Street, including the undergrounding or bundling of powerlines and street tree planting, will be achieved.
  - When and how any upgrades to Clifton Park will be achieved, including:
  - the need for any additional infrastructure to manage conflicts resulting from the 'active use' of the sports grounds in Clifton Park (e.g. protective nets behind goal posts).
  - the construction of the public path along the interface with Clifton Park, including tree planting.
  - the creation of a 'paper road' to delineate private land from public land and provide legal pedestrian access, where needed, to new dwellings fronting the park.
  - Development must provide for the upgrade of the Albert Street footpath and street tree planting immediately adjacent to the precinct (design details to be resolved at the planning permit application stage).
  - The path fronting Clifton Park should be provided on public land in accordance with Figures 1, 2 and 3.
- An Urban Design Report, prepared by an urban design professional or architect, addressing the following:
  - How the development addresses the design objectives and the buildings and works requirements,
  - How the proposal integrates with any developed portions of the precinct and yet to be developed portions to ensure the internal amenity is not compromised
  - How the proposal ensures the reasonable development opportunities of adjoining sites are maintained.
- A Traffic Engineering Report prepared by a suitably qualified person confirming the suitability of traffic and access arrangements for each stage of development, including for waste collection, having regard to the relevant requirements set out at Clause 3.0 above.
- A Landscape Design Report prepared by a suitably qualified person detailing the planting strategy, including proposed plant species, associated with each stage of development including an assessment of the significance of existing trees and potential to retain them.
- An Acoustic Engineering Report prepared by a suitably qualified person demonstrating the use of suitable materials and building treatments to ensure appropriate acoustic mitigation from any existing noise sources within and external to the precinct.

6.0 Decision guidelines

08/09/2022
C195more

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:

- The Moreland Industrial Land Strategy 2015-2030 (as amended from time to time).
- How the development meets the design objectives in subclause 1.0 of this schedule.
- How the development meets the built form requirements at subclause 2.0 of this schedule.

05/11/2021
C180more

SCHEDULE 29 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO29**

430-436 VICTORIA STREET AND 7 GARDINER STREET, BRUNSWICK

1.0 Design objectives

05/11/2021
C180more

To ensure buildings are developed at an appropriate scale that complements existing development fronting the western edge of Clifton Park.

To ensure buildings limit overshadowing and visual impacts to protect the amenity of Clifton Park.

To provide a landscape design that integrates the development into the parkland context.

To provide activation and surveillance of the public realm and minimise the visual impacts of car parking, access and loading.

To ensure new development includes measures to mitigate potential amenity impacts of existing industrial uses.

2.0 Buildings and works

05/11/2021
C180more

The following buildings and works requirements apply to an application to construct a building or construct or carry out works.

Height

Building height should not exceed 18 metres and 5 storeys.

Building edge fronting Victoria Street, Gardiner Street and Clifton Park should not exceed 14 metres and four storeys in height.

Setbacks

Buildings should be set back from Victoria Street a minimum of 3 metres.

Buildings should be set back from the Clifton Park boundary to accommodate deep soil volumes of existing mature trees and provide space for new planting to support the development's integration with the parkland setting.

For buildings above 4 storeys in height, the upper levels should:

- Be set back a minimum of 3m from the building edge along Victoria Street and Gardiner Street;
- Avoid multiple setbacks that create a ‘wedding cake’ built form outcome; and
- Not overshadow the eastern path in Clifton Park between 9am to 3pm on 22 September.

Design and articulation

Buildings should:

- Avoid large expanses of blank walls of built form along the park and street interfaces;
- Use a combination of design features, setbacks and breaks in the upper levels to help the buildings appear recessive when viewed from Clifton Park;
- Emphasise pedestrian entries with design features, including landscaped treatments;

- Provide windows with views of adjacent streets and public spaces for surveillance of the public realm; and
- Facilitate tree planting by the provision of deep soil planting areas.

Development should be designed with a primary frontage to Victoria Street with active uses and windows that wrap around the North-East and North-West corners of the building to enhance the legibility as the primary pedestrian entrance to the site.

Development should avoid level changes between any connections with the park.

Only low semi-transparent fencing should be used along the park interface.

Car parking and Access

Vehicle access and loading areas should be provided from Gardiner Street only.

Car parking and associated structures should not detract from the activation of the public realm.

Internal amenity

Buildings should be designed and constructed to include acoustic attenuation measures that will reduce noise levels from surrounding industrial activity.

Landscaping

The landscape design should provide:

- Landscape setback to Victoria Street;
- Landscape setback to Clifton Park that softens the building on the park and integrates the site within the landscape setting.
- Deep soil planting to accommodate generous vegetation including canopy trees for cooling and shading.

3.0 Subdivision

05/11/2021
C180more

None specified.

4.0 Signs

05/11/2021
C180more

None specified.

5.0 Application requirements

05/11/2021
C180more

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 Tree Management Report for existing trees where their Tree Protection Zone is impacted by the proposal.

6.0 Decision guidelines

05/11/2021
C180more

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:

- The landscape integration with Clifton Park.
- The visual impact and overshadowing of Clifton Park.

- Views of the development from the Park.
- The interface between the development and Clifton Park
- The external appearance of the building and its contribution to the Victoria Street and Gardner Street streetscapes.
- How the landscaping contributes to a reduction of the urban heat island effect.
- How the design responds to the location of existing canopy trees and canopy cover along the eastern part of Clifton Park.
- How the development responds to potential amenity impacts from the surrounding industrial uses.

43.03 INCORPORATED PLAN OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **IPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require:

- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

43.03-1 Requirement before a permit is granted

19/01/2006
VC37

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

43.03-2 Exemption from notice and review

31/07/2018
VC148

An application under any provision of this planning scheme which is generally in accordance with the incorporated plan 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.

43.03-3 Decision guidelines

31/07/2018
VC148

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

43.03-4 Preparation of the incorporated plan

01/07/2014
VC116

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The incorporated plan must describe:

- The land to which the plan applies.

- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO2**.

13-17 DUGGAN STREET, BRUNSWICK WEST INCORPORATED PLAN – JUNE 2003

This plan applies to land known as 13-17 Duggan Street, Brunswick West. The land is bounded by Albion Road to the north, Duggan Street to the east, Egginton Street and Shiels Reserve to the south and City Link (Tullamarine Freeway) to the west.

1.0 Requirement before a permit is granted

08/09/2022
C195more

None specified.

2.0 Permits not generally in accordance with incorporated plan

08/09/2022
C195more

The responsible authority can consider an application for use and / or to construct a building or construct or carry out works that is not generally in accordance with the Incorporated Plan.

3.0 Conditions and requirements for permits

08/09/2022
C195more

Applications for a planning permit must be accompanied by the following information:

- A report detailing how the proposal complies with the Incorporated Plan and this schedule, including:
- An assessment of how the proposal meets the Built Form and Urban Design Guidelines.
- An audit undertaken by an accredited auditor, using the FirstRate system, showing a minimum 4 star energy rating for each occupancy and average 5 star rating for each building.
- Proposed noise mitigation treatments, supported by an acoustic engineer's report, to address the impact of noise generated by City Link (Tullamarine Freeway).
- A traffic management plan (including bicycles) prepared by a suitably qualified person, in accordance with the Incorporated Plan.
- A landscape plan prepared by a suitably qualified person, in accordance with the Incorporated Plan.
- Design details of the proposed drainage system, including on site stormwater retention and reuse systems in accordance with the Incorporated Plan and Council's Stormwater Management Plan.
- A waste management plan that identifies all waste storage and collection areas, number of bins to be provided and appropriate ventilation of storage areas.
- Detailed architectural drawings.
- A schedule of colours, materials and finishes to be used on all external surfaces.
- A Construction Management Plan that details measures to be put in place during construction to minimise off site impacts and stormwater contamination.
- Any other requirements as specified by Council.

Before any permit can be issued for the site, a Section 173 Agreement under the *Planning and Environment Act 1987* is required to be entered into between Council and the land owner. The Agreement will confirm the value of public works contribution and link the 5% open space contribution to Council's upgrading of Shiels Reserve.

4.0 Decision guidelines

08/09/2022
C195more

None specified.

5.0 Preparation of the incorporated plan

08/09/2022
C195more

None specified.

08/09/2022
C195more

SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO3**.

21-35 HOPE STREET, BRUNSWICK INCORPORATED PLAN – SEPTEMBER 2003

This plan applies to land known as 21-35 Hope Street, Brunswick. The land is bounded by Hope Street to the north, Percy Street to the west, a large warehouse building to the south and the Upfield Rail Line to the east.

1.0 Requirement before a permit is granted

08/09/2022
C195more

None specified.

2.0 Permits not generally in accordance with incorporated plan

08/09/2022
C195more

The responsible authority can consider an application for use and / or to construct a building or construct or carry out works that is not generally in accordance with the Incorporated Plan.

3.0 Conditions and requirements for permits

08/09/2022
C195more

Applications for a planning permit must be accompanied by the following information:

- A report detailing how the proposal complies with the Incorporated Plan and this schedule, including:
  - An assessment of how the proposal meets the Built Form and Urban Design Guidelines.
  - An audit undertaken by an accredited auditor, using the FirstRate system, showing a minimum 4 star energy rating for each occupancy and minimum 5 star rating for each building.
  - Proposed noise mitigation treatments, supported by an acoustic engineer's report, to address the impact of noise generated by the Upfield Railway Line and the industrial use to the south of the site on the internal amenity of dwellings. (Required for buildings immediately adjacent to the Upfield Railway Line and/or the industrial building to the south.)
  - A traffic management plan (including bicycles) prepared by a suitably qualified person, in accordance with the Incorporated Plan.
  - A landscape plan prepared by a suitably qualified person, in accordance with the Incorporated Plan.
  - Design details of the proposed drainage system, including on site stormwater retention and reuse systems in accordance with the Incorporated Plan and Council's Stormwater Management Plan.
  - A waste management plan that identifies all waste storage and collection areas, number of bins to be provided and appropriate ventilation of storage areas.
  - Detailed architectural drawings.
- A schedule of colours, materials and finishes to be used on all external surfaces.
- A Construction Management Plan that details measures to be put in place during construction to minimise off site impacts and stormwater contamination.
- Any other requirements as specified by Council.
- Before any permit can be issued for the site a stormwater retention and management plan must be prepared for the whole site, consistent with the Moreland Stormwater Management Plan, to the satisfaction of the Responsible Authority.

4.0 Decision guidelines

08/09/2022
C195more

None specified.

5.0 Preparation of the incorporated plan

08/09/2022
C195more

None specified.

08/09/2022
C195more

SCHEDULE 4 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO4**.

KING KHALID ISLAMIC COLLEGE PRIMARY SCHOOL CAMPUS INCORPORATED PLAN, MAY 2004

1.0 Requirement before a permit is granted

08/09/2022
C195more

None specified.

2.0 Permits not generally in accordance with incorporated plan

08/09/2022
C195more

A permit may be granted for the use, development and subdivision of land that is not generally in accordance with the Incorporated Plan.

3.0 Conditions and requirements for permits

08/09/2022
C195more

Applications for a planning permit must be accompanied by a report that describes how the proposal complies with the Incorporated Plan.

4.0 Decision guidelines

08/09/2022
C195more

Before deciding on an application for subdivision, use or buildings and works, the responsible authority may consider where relevant the form of use and development detail in the Incorporated Plan.

5.0 Preparation of the incorporated plan

08/09/2022
C195more

None specified.

09/03/2023
C201more

SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO5**.

SHEPPARD AND NORRIS STREET INCORPORATED PLAN 2021

1.0 Requirement before a permit is granted

09/03/2023
C201more

None specified.

2.0 Permits not generally in accordance with incorporated plan

09/03/2023
C201more

A permit may be granted to construct a building or to construct or carry out works that is not in accordance with the incorporated plan if those buildings and works are in association with an industrial land use to which Clause 63.01 applies.

A permit may be granted for a use that is not in accordance with the incorporated plan.

A permit may be granted for a development that is not in accordance with the incorporated plan unless that plan states that a permit must not be granted for the form of development proposed.

3.0 Conditions and requirements for permits

09/03/2023
C201more

The following conditions and/or requirements apply to permits:

Affordable Housing Contribution

All permits for subdivision, the construction of two or more dwellings on a lot or the construction of a building for use for Accommodation on the land must include conditions requiring the owner/s of the land to enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 which must provide, to the satisfaction of the responsible authority that:

- The land owner must make a contribution towards affordable housing (Affordable Housing Contribution) to the satisfaction of the Council.
- For the purposes of the agreement "affordable housing" is to have the same meaning as any definition of that phrase contained within the Planning and Environment Act 1987, or any other definition as agreed between the land owner and the Council.

The agreement must:

- Include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.
- Provide that Affordable Housing is to include accommodation for households having Very Low and Low Household Incomes.
- Provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:
  - For development up to and including four storeys in height: A number of dwellings equal to 5% of the total dwellings that are constructed on the land, or any lesser number of dwellings as agreed between the parties, must be identified as Affordable Housing Dwellings by the land owner.
  - For development five storeys in height: A number of dwellings equal to 15% of the total dwellings that are constructed on the land must be identified as Affordable Housing Dwellings by the land owner.

  - Where the permit is for Accommodation other than dwellings the manner in which the number of Affordable Housing Dwellings is to be calculated.
  - The Affordable Housing Dwellings are to be made available by the land owner for purchase by a Housing Agency which is registered as either a housing association or housing provider under the Housing Act 1983 (Housing Agency).
  - The price at which the Affordable Housing Dwellings are to be made available for purchase to a Housing Agency must not exceed an amount that is 50% less than the most recent 12-month median unit price for Coburg North as published in the Victorian State Government 'Victorian Property Sales Report - Median Unit by Suburb Quarterly' as at the date the agreement to purchase is made (Offer Price).
  - Alternatively, the land owner and the purchaser may agree to a purchase price that is different to the Offer Price for any or all of the Affordable Housing Dwellings.
  - If the number of dwellings to be provided is not a whole number then the land owner must instead make to a Registered Housing Association an Affordable Housing Payment.
  - The amount of the Affordable Housing Payment must not be less than an amount equal to the number of dwellings to be constructed, multiplied by a figure which represents 2.5% of the most recent 12-month median unit price for Coburg North as published in the Victorian State Government 'Victorian Property Sales Report - Median Unit by Suburb Quarterly' as at the date the agreement to purchase is made.
- Provide that the Affordable Housing Dwellings are, to the satisfaction of the Responsible Authority, to include a mix of dwelling sizes and configurations; have internal layouts identical to other comparable dwellings in the building and are externally indistinguishable from other dwellings in the development.
- Provide that it is open to the parties to reach agreement as to any other, alternative method by which the land owner can make or deliver the Affordable Housing Contribution.
- Provide that where the parties have agreed on a contribution as being the alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.
- Provide that the cost of preparing and lodging the agreement, including any Land Titles Office registration fees, must be paid for in full by the owner(s).

Environmental Audit conditions

All permits for use of the land for a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) or for the construction or carrying out of buildings and works in association with a sensitive use must include the following condition:

"All the recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority.

Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works."

Impact of Industrial land uses

Applications to construct two or more dwellings on the land or to use and develop the land for Accommodation must detail how the impact of existing industrial uses in the immediate area, including residual industrial uses within the Precinct, on occupants of the proposed building are to be addressed to the satisfaction of the Responsible Authority.

Landscape Plan

Applications must be accompanied by a landscape plan showing existing vegetation retained (on the subject site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection, planting plan and irrigation system in accordance with the incorporated plan and the Moreland Tree Planting Manual for Residential Zones, 2019.

4.0 Decision guidelines

09/03/2023
C201more

None specified.

5.0 Preparation of the incorporated plan

09/03/2023
C201more

The purpose of the Incorporated Plan is to provide built form and layout guidance for redevelopment of the land for residential purposes.

An incorporated plan must include the following requirements:

- Measures to support the provision of quality residential development that includes a range of dwelling typologies and building heights, with a focus on higher built forms in the south western portion of the site and development of up to three storeys adjacent to existing residential properties;
- Provision of a quality public realm interface including a public pedestrian connection between Sheppard Street and Hosken Reserve, a high level of passive surveillance of the Reserve and quality landscape design to integrate into the parkland context.
- Roadworks to enable service vehicles to safely access and egress the precinct.
- The provision of a public connection between the southern ends of Sheppard Street and Norris Street;
- The provision of trees and other vegetation to contribute to a new neighbourhood character, soften the interface of buildings with the street and with Hosken Reserve and to reduce the urban heat island effect.

43.04 DEVELOPMENT PLAN OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **DPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

43.04-1 Objectives

31/07/2018
VC148

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2 Requirement before a permit is granted

31/07/2018
VC148

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

43.04-3 Exemption from notice and review

31/07/2018
VC148

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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.

43.04-4 Preparation of the development plan

31/07/2018
VC148

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

BARKLY SQUARE SHOPPING CENTRE

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

A permit may be granted to use and develop the land before a development plan has been prepared to the satisfaction of the responsible authority.

3.0 Conditions and requirements for permits

08/09/2022
C195more

An application to develop the land must be accompanied by the following information, as appropriate:

- Any development plan for the site approved by the responsible authority.
- The likely effects, if any, on adjacent land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.

4.0 Requirements for development plan

08/09/2022
C195more

A development plan must include the following requirements:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Provision for at least 673 car spaces in association with shop floor area.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Provision of car parking and loading facilities and means of access to them.
- Points of ingress and egress from the land.

08/09/2022
C195more

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**.

HOFFMAN BRICKWORKS

1.0 Objectives

08/09/2022
C195more

None Specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

Prior to issuing any planning permit for the use and/or development of Building E (or any building which replaces the Gatehouse Building) or Building 6A (or any new building to the west of Building 5) within the historic core (Lot P on PS502822H), a car park management plan must be submitted to and approved by the responsible authority. Any planning permit application for use and/or development within the historic core must address and incorporate the relevant requirements of the approved car park management plan.

3.0 Conditions and requirements for permits

03/02/2023
C227more

The following conditions and/or requirements apply to permits:

- Any planning permit for either the use or development of Building E (or any building which replaces the Gatehouse Building) or Building 6A (or any new building to the west of Building 5) within the historic core (Lot P on PS502822H) must include a condition requiring that an agreement be entered into between the responsible authority and the landowner pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide for the following matters:

  a A comprehensive schedule for the restoration, adaptation and re-use of the Kilns and Buildings 5 and 6 and the interpretation plan for the heritage site ensuring that these works occur in advance or in parallel with the various construction stages of the proposed new buildings so that restoration, adaptation and re-use of the Kilns and Buildings 5 and 6 is completed to a commercially leasable standard prior to the completion or occupation of the new buildings.

  b The establishment of a ‘Heritage Maintenance Fund’.

  c The costs of preparing and executing the agreement must be borne by the land owner.

4.0 Requirements for development plan

08/09/2022
C195more

A development plan must include the following requirements:

The development plan must be consistent with the approved 1999 Conservation Management Plan (Helen Lardner Conservation & Design, April 1999) or any relevant permit issued by Heritage Victoria to the satisfaction of the responsible authority.

The development plan must be generally in accordance with the Development Concept Plans titled “CONCEPT PLAN HOFFMANS BRICKWORKS REDEVELOPMENT” (dated 06/05/02, Rev 25/09/06 and prepared by Glenvill) or any subsequent approved concept plans to the satisfaction of the Responsible Authority and must include:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - The layout of existing and proposed buildings and works;
  - All heritage buildings;
  - Proposed uses on all parts of the land;

– Horizontal and vertical building envelopes;

– An overall landscape concept including details of the location and species, of all proposed trees, shrubs and ground covers and the treatment of landscaped surfaces;

– Details of all proposed public vehicle and pedestrian access ways.

– Details of the traffic measures along Dawson Street;

– Design treatment of the Dawson Street and Gilpin Park interfaces including fencing, landscaping and paving works;

– The staging of all development;

– The proposed subdivision of the development;

– Consistency with Heritage Victoria Permit No.6262 or any other relevant Heritage Victoria approval(s); and

– Acoustic measures along the eastern and western boundaries.

The approved Development Plan may be amended to the satisfaction of the responsible authority following community consultation.

Requirement for a conservation management plan

A conservation management plan must be developed and approved to the satisfaction of the responsible authority and Heritage Victoria.

The conservation management plan must include, amongst other things: Recognition of the heritage significance of the site;

- A conservation strategy of all heritage features on the site; A management strategy; An interpretation plan;
- The identification of feasible and compatible uses;
- A funding strategy;

And must consider amongst other things:

- A portion of one of the kilns to be preserved and not subject to any adaptation for uses other than the interpretation of the existing fabric.
- Building 5 to be used for the interpretation of the Hoffman brickworks site and any other uses must have a minimal impact.

The conservation management plan must be prepared in accordance with the Burra Charter, Australia, ICOMOS.

The approved Conservation Management Plan may be amended to the satisfaction of the responsible authority if the amendments are consistent with the above principles.

5.0 Reference Documents

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

- The relevant conservation management plan or any amendment to it;
- The Moreland City Council's Hoffman Brickworks urban design guidelines (McGauran Soon, November 1997);
- Any applicable heritage study and any applicable conservation policy;
- The requirements and conditions of any Heritage Victoria approvals;
- The provisions of any relevant study associated with the development;
- The character and appearance of any proposed buildings or works and their impact on the heritage significance, character and appearance of any heritage places;

- Whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character of the area;
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area;
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed car parking;
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area, or will adversely affect the significance, character or appearance of the heritage place;
- The staging of the subdivision;
- The staging of the development;
- Letters of Agreement between Council, the applicant and other interested parties (dated 8 April 1998); and
- The views of the community

08/09/2022
C195more

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

STEWART STREET (FORMER CITIPOWER SITE)

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

None specified.

3.0 Conditions and requirements for permits

08/09/2022
C195more

The following conditions and/or requirements apply to permits:

An application for use and development of the land must be accompanied by a plan, drawn to scale, that shows:

- The boundaries and dimensions of the site.
- The layout and all uses of the proposed buildings and works.
- Elevation drawings of all buildings.
- Details of materials and finishes to all buildings and surfaces.
- Details of the location, quality and size including botanical names of all proposed trees, shrubs and ground covers and the treatment of all landscaped surfaces.
- Design details of all proposed vehicle and pedestrian access ways.
- Design details of the traffic measures along Stewart Street including indented parking, kerb treatments, tree planting on the north and south side of Stewart Street.
- Design treatment of the Stewart Street interfaces including fencing, landscaping and paving works.
- Acoustic measures to the proposed dwellings fronting Stewart Street.
- Design details of the on-site water retention system.
- Design details of the rain water tanks provided to each dwelling.
- Design details of the proposed drainage system.

4.0 Requirements for development plan

08/09/2022
C195more

A development plan must include the following requirements:

- The development plan must be generally in accordance with the Development Concept Plans (Drawing Nos TP00 -TP18).

08/09/2022
C195more

SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6**.

GOWANBRAE

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

A permit may be granted to subdivide the land before a development plan has been prepared to the satisfaction of the responsible authority provided that no more than 50 residential lots are created in any twelve month period.

3.0 Conditions and requirements for permits

03/02/2023
C227more

The following conditions and/or requirements apply to permits:

- Any new dwelling must incorporate noise attenuation measures to achieve internal noise levels generally in accordance with Australian Standard 2021-1994 "Acoustics – Aircraft Noise Intrusion – Building Siting and Construction".

Decision Guidelines for Permits

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

- The provisions and requirements of the approved development plan.
- The need for a development contribution towards the provision of reticulated service infrastructure, community facilities and transport systems as set out in the development plan and appropriate agreements, conditions or other arrangements to guarantee such contributions.
- The relationship of the proposed subdivision to the existing and proposed subdivision and use of adjoining land.

4.0 Requirements for development plan

08/09/2022
C195more

A development plan must include the following requirements:

- The proposed use of each part of the land
- The relationship of the land to the existing or proposed land uses on adjoining land Population targets for component areas of the plan
- A proposed road layout pattern and design which is ecologically sustainable, enhances the residential character of the area and establishes a movement network which:
  - Provides good internal and external access for residents
  - Maximises safety
  - Encourages use of public transport
  - Minimises through traffic
  - Provides for connection between the proposed urban area and abutting areas
- Proposed public transport facilities
- The means by which significant employment will be created or opportunities for employment facilitated.

- Proposed commercial and community centres and facilities in a sustainable hierarchy Proposed schools
- A range of housing and lot types and densities including proposed medium density and other special housing areas
- Provision for water, sewerage, drainage, electricity and gas services Major drainage lines, water features, proposed retarding basins and floodways, and the means by which these will be managed and water quality maintained
- Open space and recreation facilities and major pedestrian/cycle networks
- An overall scheme for landscape planting and the preservation of stands of existing indigenous vegetation and individual trees where possible and any areas for regeneration
- Sites of conservation, heritage and archaeological significance and the means by which they will be managed
- The staging and anticipated timing of development
- The arrangements for the provision and funding of social and physical infrastructure.

The development plan may consist of one or more separate plans and may include detailed plans of sub areas within the plan as well as supporting documentation.

5.0 Decision Guidelines

In considering a development plan, the responsible authority must take the following matters into consideration:

- The purpose of the zone
- The extent of noise generated by aircraft movement from Essendon Airport.
- Whether satisfactory arrangements have been made for the conservation of the natural characteristics (such as scenic beauty, environmental significance and buildings or sites of historic or archaeological significance) and other assets of the area.
- The pattern of land ownership in the area Future accessibility in the area and the wider region
- The manner in which the plan can proceed in the event that the owner of any parcel is not able or intending to develop
- The views of the owners and occupiers of lots adjoining the land and any other person who, in the opinion of the responsible authority, may be affected by the development plan.

08/09/2022
C195more

SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

FORMER BRUNSWICK SECONDARY COLLEGE

This schedule applies to the former Brunswick Secondary College site, situated on land bounded by Victoria, Gardiner and Albert Streets to the north, west and south, and industrial land to the east.

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

None specified.

3.0 Conditions and requirements for permits

08/09/2022
C195more

None specified.

4.0 Requirements for development plan

08/09/2022
C195more

The development plan will include a plan or set of plans, drawn to scale, and must show or include:

General

- A site analysis plan, including boundaries and dimensions of the site.
- A description of the proposed uses, including proposed hours of operation, client numbers and staff numbers.
- The proposed layout and use of each part of the site, including siting and setbacks from all boundaries.
- Any buildings to be demolished.
- The location, appearance, height dimensions and footprint of all new buildings and works.
- All new buildings to achieve a 4 star energy rating under the First Rate System.
- Design details of the proposed drainage system, including on-site storm water retention systems.
- All external storage and waste collection areas.
- Any staging of buildings and works.

Traffic and access

- A traffic management plan showing any traffic management and traffic control works required, both internal and external of the site, to accommodate predicted traffic generated by the development.
- The proposed location and design details of all vehicle, bicycle and pedestrian access ways within the site, including ingress and egress from the site.
- Traffic management and traffic control devices required external to the site must be designed so that heavy vehicle access to the surrounding Brunswick Core Industrial Precinct is not impeded.

Car parking

- A report assessing the car parking and loading requirements of all site uses.
- The number, location, layout, dimensions and access of all car parks and loading facilities.

- Identification of relationship between car park provision and needs of specific site uses, including shared car parks where possible and appropriate number of car parking spaces.
- A management plan for the operation and maintenance of the car park areas.
- The identification of car parks accessible to staff and visitors to the site.

Open space and landscaping

- The location of all proposed open space, including the potential identification of open space with public access, where possible.
- Identification of relationship between open space provision and needs of specific site uses, including shared open space where possible.
- A landscape masterplan which includes details on furniture and lighting, retention of any existing mature trees, quantity and size at maturity of all proposed plants, the botanical names of proposed trees, shrubs and groundcovers, and the treatment of landscaped surfaces and specification of works to be undertaken prior to planting.
- A management plan for controlling and maintaining all open space and landscaped areas.

Interface with adjoining uses

- An assessment of any potential noise, odour and particulate impacts on the site with reference to existing and continuing industrial uses adjacent to the site. This assessment should include any mitigation treatments required to ensure a high standard of internal amenity for community uses on the site.
- The proposed design treatment of the interface with industry, including setbacks, fencing, landscaping, internal building layout, noise attenuation construction measures and any other measures required to minimise impacts of use of the site on the viability of immediately adjacent industrial uses and on the broader Brunswick Core Industrial Precinct.
- Proposed internal design treatments required to address the interface between uses within the site, including the privacy requirements of sensitive community facilities proposed for the site, and the interface between community facilities and the business incubator proposed for the site.

Environmental Management Plan

- An environmental management plan, addressing all relevant decontamination measures.

The development plan will be made available for public inspection for 14 days prior to its consideration by the responsible authority.

5.0 Decision guidelines

Before deciding whether or not the development plan is satisfactory, the responsible authority requires that an agreement be entered into under Section 173 of the Planning and Environment Act 1987, between the Department of Human Services and the responsible authority, to require the preparation an Environmental Management Plan to address decontamination measures, consistent with the proposed future use and development of the site. The responsible authority must be satisfied that the development plan is consistent with the approved Environmental Management Plan.

When approving the development plan, the responsible authority must consider any relevant policy set out in the State Planning Policy Framework and Local Planning Policy Framework.

Before deciding on an application the responsible authority must consider:

- Whether the application is consistent with the approved development plan
- The approved Environmental Management Plan

- The impact of the proposed development on nearby industrial uses
- The impact of nearby industrial uses on the proposed development
- Any relevant Council policy

08/09/2022
C195more

SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

173 - 199 ELIZABETH STREET, COBURG NORTH

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

The Responsible Authority may grant a permit for subdivision, use or development prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, use or development will not prejudice the approval of the development plan or future development.

The following types of applications may be considered by the Responsible Authority:

- the use and development of the land for the purposes of a temporary sales/information centre;
- the use and development of the land for the purposes of a temporary store;
- the erection of temporary signage not meeting the exemptions under Clause 52.05;
- the removal of native vegetation pursuant to Clause 52.17;
- a two lot subdivision creating one lot relating to the Neighbourhood Hub area and a balance lot;
- the creation, variation or removal of an easement or restriction;
- the carrying out of works associated with any drainage measures to be incorporated on the site including the construction of retaining walls;
- the construction or carry out of works associated with a telecommunications facility not meeting the exemption of Clause 52.19-2;
- the use and development of a temporary carpark associated with an as-of-right use or a use listed in this section of this schedule;
- buildings and works associated with the existing Administration Building (Building 8);
- earthworks.

3.0 Conditions and requirements for permits

08/09/2022
C195more

Any permit for a development must include a condition requiring the preparation of a Sustainable Design Statement (SDS) to the satisfaction of the Responsible Authority. The Sustainable Design Statement must be in accordance with the whole-of-site Environmental Management Plan forming part of the approved Development Plan. Where in the opinion of the Responsible Authority the EMP provides satisfactory detail in relation to a particular development, the Responsible Authority may waive the requirement for a SDS.

4.0 Requirements for development plan

14/02/2023
C225more

A development plan must have regard to the adopted *Objectives for the Redevelopment of the former Kodak Site (Sept 2006)* and may consist of plans or other documents and must show or include the following:

General

- A Site Analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing or proposed uses on adjoining land.

- An Environmental Noise Assessment identifying potential noise sources in the area and recommending noise attenuation measures where appropriate or required.
- A Built Form Analysis identifying the subdivision pattern and built form character of the surrounding area and recommending appropriate built form outcomes for the redevelopment of the site.
- A Viewshed Analysis identifying important views into and from the site including recommendations for how these views should be protected.
- An assessment of existing vegetation on the land.
- A Community Facilities Audit and Analysis which identifies the following:
  - Existing and planned services in the surrounding area and the impact the development of the site will have on these services;
  - The need to provide additional community facilities on site or whether any existing community facilities in the local area should be upgraded or extended;
  - The location of any new community facilities on site or in the surrounding area;
  - The developer contributions (monetary or building) towards the upgrading or extension of existing community facilities; or provision of new facilities in the surrounding local area;
  - Timing of the provision of any required community facilities coordinated with the overall development of the site.
- A Heritage Strategy and Management Plan that:
  - Recommends the best ways in which the site's heritage significance should be incorporated in the development;
  - Recommends how the site's heritage interpretation is best managed in the long term;
  - Considers the heritage significance of the adjoining Newlands Estate to recommend the ways in which the development can best respond.
- An assessment of the existing engineering infrastructure servicing the site.
- A strategic assessment to identify viable employment-generating uses for the site and an economic assessment of proposed employment-generating uses.
- A Landscape Context Analysis that documents the existing landscape character of the surrounding area and recommends ways in which the development should protect and integrate with positive landscape elements.
- Consideration of all expert analyses and assessments in the preparation of the proposed layout and features of the plan.

Housing

- A minimum lot yield of 380 dwellings.
- Provision of a variety of dwelling sizes and household types including, but not limited to, dwellings in the form of single detached houses, townhouses and flats/apartments.
- Provision of medium density housing and taller buildings around the neighbourhood hub and / or central to the site.
- Key urban design principles to be addressed in the provision of medium density housing and any other strategic sites where a specific design outcome is preferred.

Affordable Housing

- A written report describing how affordable housing will be distributed through the site and how the proposed mix and type of housing responds to local housing need.

Accessible and Adaptable Development

- Details showing how the development will incorporate adaptable, accessible and visitable design features.

Neighbourhood Hub

- Provision of a small neighbourhood hub on Elizabeth Street in the vicinity of the Newlands Primary School consisting of a range of including neighbourhood based community and retail facilities, small office/commercial, open space and medium density housing.
- Urban design principles to be incorporated into the neighbourhood hub should include but not be limited to:
  - Provision of active frontages;
  - Provision of a high quality, safe and pedestrian-friendly public realm;
  - Design for active and passive surveillance;
  - Parking to be located to avoid visual domination of Elizabeth Street.

Traffic and Transport

- A Traffic Engineering Analysis that identifies:
  - Expected traffic volumes and the impact on the existing road network;
  - Any necessary treatments of intersections to surrounding streets;
  - Any upgrades or modifications to existing roads;
  - Internal street functional hierarchy;
  - Location of any proposed traffic management devices.
- The provision of multiple access points from the existing road network that avoids the creation of a 'gated' or cul-de-sac estate.
- An indicative layout of the internal local roads proposed for the site that complements the form and structure of the surrounding network and provides a high level of amenity and connectivity.
- Typical proposed road cross-sections to demonstrate that emergency and service vehicles will be able to appropriately manoeuvre through the site.
- The designation of a possible bus route through the site and provision for appropriate road pavement widths along this potential route to facilitate the future needs for a bus along these roads that considers the views of the DoT Public Transport Division.
- The provision of pedestrian and cycle links through the site which provide convenient and safe access from / to bus stops, Edgars Creek, the Newlands Primary School and the neighbourhood hub.
- The formalisation of open space links, including provision of a shared pedestrian and cycle path along the Edgars Creek corridor in the immediate vicinity of the site.
- The retention of the former Kodak bridge for pedestrian and cycling purposes only.

Environmentally Sustainable Development

- Provision of an overall road layout that maximises the opportunity for solar efficient lot layouts within the site and that does not compromise the existing passive solar access of existing dwellings surrounding the site.
- Provision of a whole-of-site Stormwater Drainage Master Plan that addresses the following:

  - Water Sensitive Urban Design principles and protection of the environmental values of Edgars Creek;
  - On-site retention, treatment and/or reuse of stormwater to reduce run-off from the site and improve the quality of stormwater entering Merri-bek's stormwater drainage system.
- A comprehensive, whole-of-site Environmental Management Plan demonstrating best practice and addressing, amongst other things, the following:
  - Energy Efficiency;
  - Water Sensitive Urban Design/ integrated water management;
  - Public realm design for access and mobility;
  - Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes including public transport and cycling.
- The Environmental Management Plan must:
  - identify strategic or other documented sustainability targets or performance standards that the site is aiming to meet;
  - document the means by which the appropriate target or performance will be achieved;
  - identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring where relevant;
  - demonstrate that the design element, technologies and operational practices that comprise the Environmental Management Plan can be maintained over time.

Open Space and Landscape

- Public open space on the site to be kept to a minimum unless the need for provision of additional public open space can be demonstrated to the satisfaction of the Responsible Authority.
- The identification of existing public open space in the adjoining Edgars Creek corridor and works proposed within the creek corridor in the immediate vicinity of the site.
- A Landscape Concept Plan for the site which provides:
  - key design principles for the overall landscape themes and palate of species to be used within road reserves and public open spaces;
  - the integration of landscaping within the streetscapes and areas of public open space with the existing Edgars Creek corridor;
  - the linking of open space areas with pedestrian / cycling routes;
  - the identification of trees to be retained;
  - enhancement planting and weed management within Edgars Creek in the immediate vicinity of the site;
  - the identification of sites for public space elements which reinforce a sense of local place or local identity, promote the history of the site and that engage with the community.

Interface with Edgars Creek

- The protection and enhancement of the Edgars Creek natural systems through the revegetation of local native species, weed control and erosion control measures.
- Improvement of water quality within the creek through the use of Water Sensitive Urban Design within the site to control the quantity and quality of stormwater flows entering the creek.
- The enhancement of recreation opportunities along Edgars Creek through the creation of a resting place or node in the vicinity of the site for people to stop, rest, eat and contemplate.

- The provision of links, views and access from the surrounding areas to the creek and open space.
- New road, subdivision layout and development that protects and does not compromise the scenic qualities and visual character of the Edgars Creek corridor by providing adequate setbacks for development from the creek corridor, providing adequate landscaping buffers to screen any development and by avoiding inappropriate placement of fill.
- Lots to be orientated to front onto Edgars Creek to provide passive surveillance and improved pedestrian access to the creek corridor, where the site's topography allows.

Engineering Infrastructure

- Provision of all appropriate utility services to residential lots and development parcels.
- Recognition of the existing Melbourne Water easement running east-west through the land.

Environmental Audit Requirements

- The development plan must be consistent with and incorporate the requirements of:
  - The Coffey Environments, *Environmental Audit Report: Former Kodak (Australasia) Pty Ltd Manufacturing Site, 173 Elizabeth Street, Coburg, Victoria*, dated 11 April 2008 (Project Ref ENVIABTF08394AA-R03 Rev.1); and
  - The conditions of the Statements of Environmental Audit for the Southern Audit Area and North West Audit area dated 11 April 2008 (annexed to the Environmental Audit Report); and
  - The Goulder Associates Pty Ltd, *Groundwater Monitoring and Management Plan* for the North West Audit Area (Report Ref 05613503/252 dated 26 November 2007 and any amendment of that plan from time to time.

Staging

- An indication of the likely staging and anticipated timing of development of the land.

08/09/2022
C195more

SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11.**

THIS SCHEDULE APPLIES TO THE MAJORITY OF LAND BOUND BY NICHOLSON STREET, GLENLYON ROAD, JOHN STREET AND ALBERT STREET, BRUNSWICK EAST, DESCRIBED AS 'THE PRECINCT'.

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

03/02/2023
C227more

The Responsible Authority may consider an application to use an existing building, subdivide land, construct a building associated with an existing building or construct or carry out works in the Precinct prior to the approval of a Development Plan, provided it does not prejudice the preparation and approval of a Development Plan.

3.0 Conditions and requirements for permits

08/09/2022
C195more

The following conditions and/or requirements apply to permits:

- Any permit for a development must include a condition requiring the preparation of a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority. The SDA must be in accordance with the Environmental Management Plan (EMP) forming part of the approved Development Plan. An SDA must be prepared by a suitably qualified person(s) and must demonstrate how the targets and requirements of the approved EMP will be met for each development within the Precinct. Where, in the opinion of the Responsible Authority, the EMP provides satisfactory detail in relation to a particular development, Council may waive the requirement for an SDA.
- Any permit for a restaurant or licensed premises within 50 metres of a residential zone must include a condition to cease operation by 11pm.
- Any permit sought along the John Street frontage should be limited to only residential and office use.

4.0 Requirements for development plan

03/02/2023
C227more

Any development plan must be generally in accordance with the Concept Plan for the Precinct at Section 6.0 and must show or include the following:

General

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land.
- Details of any buildings to be demolished and reused.
- An assessment of compliance with the Activity Centre Design Guidelines (Department of Sustainability and Environment, 2005).
- A Community Facilities Assessment which may include the following, as appropriate:
  – existing and planned services in the surrounding area and the impact the development of the Precinct will have on these services;

  – the need to provide additional community facilities within the Precinct or whether any existing community facilities in the local area should be upgraded or extended, unless demonstrated that the development is adequately served by existing facilities;

  – the location of any new community facilities to be located within the Precinct or in the surrounding area;

– uses that support the local arts and creative industries by providing a distinctive focal point or 'arts hub';

– details of the developer contributions (monetary or building) towards the upgrading or extension of existing community facilities, or provision of new facilities in the surrounding local area, as a result of any new development unless demonstrated that the development is adequately served by existing facilities(this may include a range of costs, works and/or land proportionate to the scale and impact of development within the Precinct or on individual sites); and

– timing of the provision of any required community facilities coordinated with the development of the precinct and/or individual sites.

- A servicing and infrastructure report, detailing how the development will be serviced, having regard to the Environmental Management Plan.
- Consideration of all expert analyses and assessments in the preparation of the Development Plan.
- An Adverse Amenity Impacts Assessment(s) (AAIA) prepared by a suitably qualified person(s). The results of the AAIA must provide guidance for any further staging and development of the Precinct. The report must identify all potential adverse amenity impacts from nearby uses and consider:

  – Whether the proposed use and development is likely to be affected by any surrounding industrial activities;

  – Whether the proposed use and development is likely to be affected by any remaining industrial uses within the Precinct;

  – Whether the proposed use and development is likely to be affected by any odour, noise and dust sources from the existing industries; and

  – What ameliorative or remedial measures can and will be taken to minimise or avoid adverse impacts identified in the report.

Built Form and Layout

Details of urban design principles, including information on general streetscape treatments, architectural styles, interface treatments, building heights and setbacks, general materials and finishes, and building frontages. The urban design principles must detail how the development will achieve or deliver the following outcomes for the Precinct, generally in accordance with the Concept Plan at Section 6.0:

- A safe shared vehicle and pedestrian environment within Main Street, connecting Nicholson Street and John Street, as the focus of the Precinct.
- Adequate sunlight access to pedestrian focal points and other recreation spaces in the public realm through the set back of adjacent buildings.
- Adequate sunlight access to the buildings adjacent the new Main Street.
- Connections from Rickard Street, Gamble Street, Elm Grove and adjoining laneways into the new Main Street as appropriate.
- Graduated building heights in accordance with the Concept Plan at Section 6.0.
- Articulated facades to the public realm utilising a diversity of materials and finishes whilst providing active and passive surveillance.
- Active frontages to the public realm and a high level of pedestrian amenity.
- A preference for residential uses to be established along John Street. Design responses that:

  – Incorporate existing industrial building fabric on boundaries at residential interfaces (as appropriate); and

– Ensure buildings are appropriately articulated and recessed at upper levels to minimise mass and bulk from interface areas(shown as‘Interface Treatment’ on the Concept Plan at Section 6.0), particularly when viewed from residential properties and streets.

- The proposed layout and use of each part of the Precinct, including building footprints, lighting and safety measures, indicative floor areas of land uses, streets and public places.
- The location of parking with an emphasis on ensuring active facades and/or visually interesting street edge treatments and streetscapes.
- Retention of residential amenity for properties in John Street by locating main entrances to larger retail uses from Nicholson Street and towards the core of the Precinct.
- Public spaces that deliver an inviting central town square or significant public space emphasising pedestrian and recreational use and creating a focal point from Nicholson Street.
- Development with an interface to a Residential or Mixed Use Zone (shown as ‘Interface Treatment’ on the Concept Plan at Section 6.0) should:

  – maintain the existing access to sunlight to adjoining private open space and habitable rooms or satisfy Clause 55 overshadowing standards; and

  – satisfy Clause 22.11 overlooking objectives.

Access and Transport

An Integrated Transport Plan prepared by a suitably qualified person(s) to the satisfaction of the Responsible Authority. The views of the Department of Transport and the Head, Transport for Victoria must be considered prior to the approval of the Integrated Transport Plan. The Integrated Transport Plan must include and demonstrate the following:

- A site layout plan showing convenient and safe access to and from Nicholson Street generally opposite Sumner Street, which includes development set back from Nicholson Street if this is required to facilitate staged and/or final site access arrangements, to the satisfaction of the Head, Transport for Victoria. This must include:

  – a traffic signalised intersection; and

  – a fully accessible (Disability Discrimination Act 1992 compliant) tram stop.
- How the cost for the provision of the traffic signalised intersection and fully accessible tram stop will be distributed between parties.
- The primary access point to the Neighbourhood Activity Centre (the Precinct) via a signalised intersection in Nicholson Street opposite Sumner Street.
- No vehicle access to or from the Precinct via Gamble Street.
- The vehicular traffic role in Main Street west of Gamble Street will be subservient to the pedestrian and bicycle roles.
- A parking plan that:

  – provides centralised parking areas to serve the Precinct;

  – locates and designs parking to ensure safety in parking areas while avoiding car parking being visually dominant; and

  – incorporates measures to preclude visitors, employees and residents from within the Precinct from parking in the adjoining and nearby streets.
- How development will support and integrate public transport and sustainable transport options to and from the Precinct.
- Access and transport management showing the location and details of all pedestrian, cycle, vehicle, truck and other traffic access ways, including ingress and egress from the Precinct.

- How vehicles associated with the retail and commercial uses within the Precinct primarily use the Nicholson Street access point or points to enter and exit the Precinct.
- Internal street functional hierarchy.
- Any necessary treatments of intersections to surrounding streets, and/or any upgrades or modifications to existing roads, and the process for works and/or costs proportionate to the scale and impact of development.
- The location of any proposed traffic management devices.
- Typical proposed road cross-sections to demonstrate that emergency and service vehicles will be able to appropriately manoeuvre through the Precinct.
- How development will support and integrate the existing Nicholson Street tram service and Glenlyon Road bus service.
- How development and streetscape improvements will support and integrate with the John Street and Albert Street bicycle routes.
- The nature of connections to the local road network and streetscape improvements along the streets adjoining the Precinct and along the length of John Street.
- How development will retain adjoining residential area amenity by traffic management measures to limit traffic volumes in adjoining residential streets to their designed performance capacities.
- The function of the new Main Street, including pedestrian, cycling, management of vehicles, access and egress information and parking facilities.
- How development optimises accessibility for the mobility impaired.

Environmentally Sustainable Design

A comprehensive Environmental Management Plan prepared by a suitably qualified person(s) demonstrating best practice in environmentally sustainable design and addressing the following:

- Building energy management (conservation and generation);
- Water sensitive urban design/integrated water management;
- Construction materials selection;
- Indoor environment quality;
- Waste management and reduction;
- Public realm design for access and mobility;
- Transport;
- Demolition and construction phase; and
- Innovation.

The Environmental Management Plan must:

- Identify strategic or other documented sustainability targets or performance standards for the Precinct;
- Document the means by which the appropriate targets or performance standards may be met;
- Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring where relevant; and
- Demonstrate that the design element, technologies and operational practices included in the Environmental Management Plan can be maintained over time.

Affordable, Accessible and Adaptable Housing

- Details showing how affordable housing will be distributed through the site and how the proposed mix and type of housing responds to local housing need.
- Details showing how the development will incorporate adaptable, accessible and visitable design features.

Open Space and Landscape

- Details on the provision of public open space within the Precinct designed for intensive use in an urban setting in accordance with the objectives of the Moreland Open Space Strategy, August 2004.
- A landscape masterplan including proposed landscaping themes, appropriate to the differences in context within parts of the Precinct, lighting, street furniture, and streetscape improvements in and around the Precinct.

Staging

- An indication of the likely staging and anticipated timing of development for the Precinct.

Development Plan Consultation

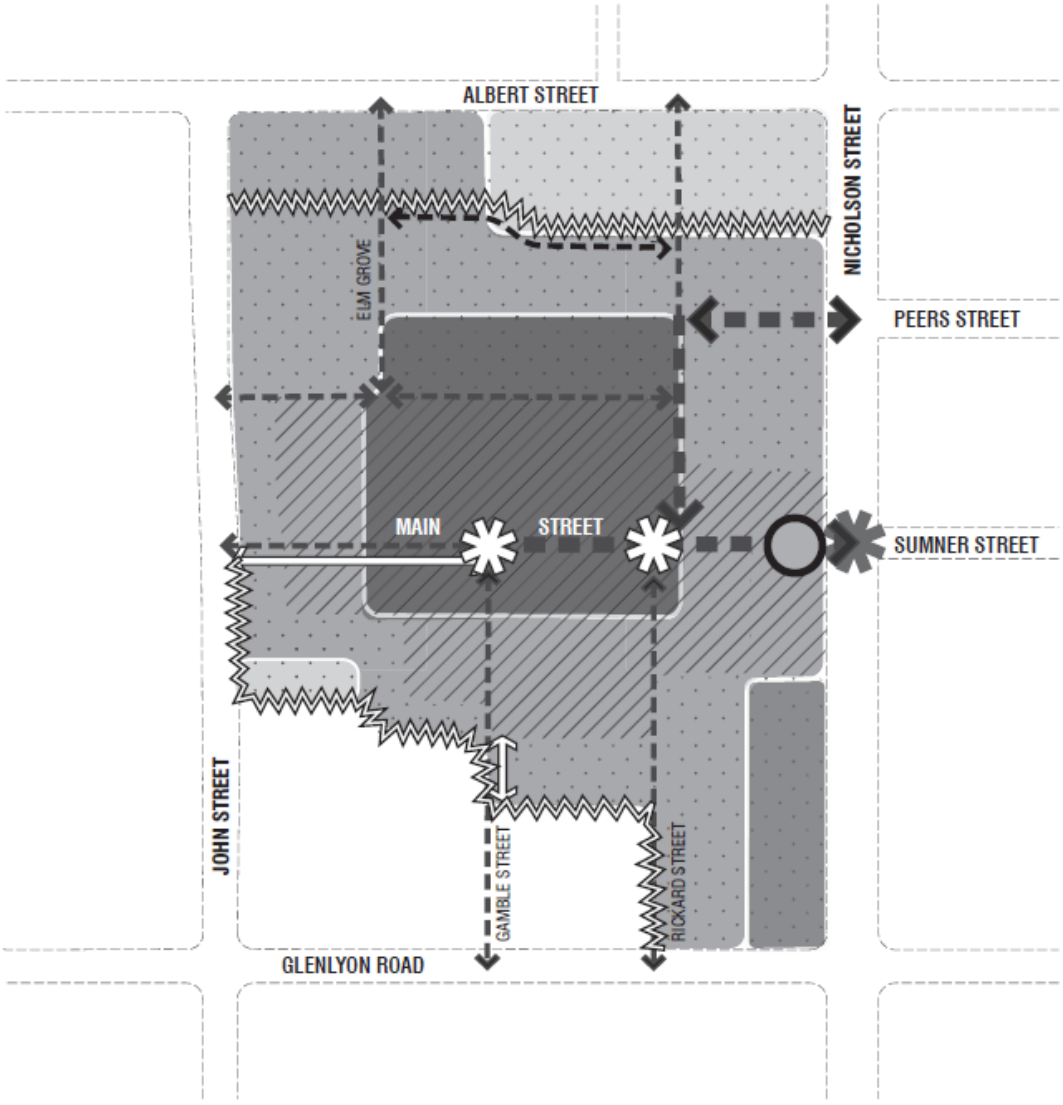
- The Responsible Authority may authorise the display of a Development Plan, or an amendment to a Development Plan, once satisfied appropriate content has been provided pursuant to the provisions of this Schedule.

5.0 Reference Document

Draft Brunswick Structure Plan 2008, Moreland City Council.

6.0 Concept Plan

Map 1 to Schedule 11 to Clause 43.04



LEGEND

- MINOR LINKAGE
- MAJOR LINKAGE
- PEDESTRIAN AND CYCLIST LINKAGE
- PRIMARY ACCESS (SIGNALISED INTERSECTION AND DDA COMPLIANT TRAM STOP)
- 3 STOREY MAXIMUM (11 METRES)
- 4 - 5 STOREY MAXIMUM (14.5 - 18 METRES)
- 5 STOREY MAXIMUM (18 METRES)
- 6 STOREY MAXIMUM (21 METRES)
- INTERFACE TREATMENT
- RETAIL CORE / MIXED USE
- RESIDENTIAL / MIXED USE / COMMERCIAL
- CENTRE OF URBAN VILLAGE / NEIGHBOURHOOD ACTIVITY CENTRE
- PEDESTRIAN FOCAL POINT

08/09/2022
C195more

SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO12**.

PUBLIC HOUSING RENEWAL – GRONN PLACE, BRUNSWICK WEST

1.0 Objectives

08/09/2022
C195more

None specified.

2.0 Requirement before a permit is granted

08/09/2022
C195more

A permit may be granted before a development plan has been approved to use or subdivide land, construct a building or construct or carry out works to the satisfaction of the Responsible Authority. Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the Development Plan requirements specified in this Schedule.

3.0 Conditions and requirements for permits

08/09/2022
C195more

The following conditions and/or requirements apply to permits, as appropriate:

- Prior to the commencement of any permitted demolition, buildings or works, a detailed Construction Management Plan as relevant to that demolition or those buildings or works must be prepared to the satisfaction of the Responsible Authority. The Construction Management Plan:
  - must address (as relevant); demolition, bulk excavation, management of the construction site, hours of construction, noise, control of dust, public safety, construction vehicle road routes and traffic management (including location of construction vehicle access and worker parking), soiling and cleaning of roadways, discharge of any polluted water and stormwater, security fencing, disposal of site waste, location of cranes, location of site offices, storage of plant and equipment, redirection of any above or underground services and the protection of trees on or adjacent to the site to be retained in accordance with an Arboricultural Assessment Report prepared in accordance with this schedule.
- Prior to the commencement of any permitted demolition, buildings or works, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority that addresses a cohesive approach to waste and recycling collections for the entire development. The Waste Management Plan must:
  - Identify and specify the type of bins to be used, location areas, where they will be stored, collection points and times, responsibility for collection and return, and details of screening and ventilation
  - Specify how recycling materials will be managed and collected
  - Show access routes for waste collection vehicles that do not rely on reversing movements.
  - Explore a waste management system that diverts organic waste from landfill
  - Explore centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.

4.0 Requirements for development plan

14/02/2023
C225more

A Development Plan must include the following requirements.

General

The Development Plan must be prepared to the satisfaction of the Responsible Authority in consultation with Merri-bek City Council.

The Development Plan must demonstrate:

- high quality integrated social and private housing that is socially, economically and environmentally sustainable and delivers high levels of residential amenity and liveability
- an increase in the number of social housing dwellings that achieves dwelling diversity across the site with a range of one, two and three or more bedroom dwellings balancing issues of equity in the delivery of social and private housing that is well integrated and is visually indistinguishable.
- creation of safe buildings and spaces within the site that adopts Crime Prevention Through Environmental Design (CPTED) design principles to determine the siting of buildings, access ways and dwelling design
- integration with the surrounding area by responding to existing or preferred neighbourhood character, enhancing the public realm and existing networks and delivering 'good neighbour' outcomes
- opportunities for legible access and address points for the site, buildings and spaces, including defining spaces that foster social connections between residents and the wider community and prioritise pedestrian and bicycle access within and external to the site
- landscaping and open space (including communal parks, playgrounds and other pocket spaces) that is resilient, well connected and enhances the sense of place, sustainability and liveability of the site and local area and which meets the needs of both social housing and private residents
- delivery of adaptable buildings and spaces that are accessible and practical for people of all abilities that respond to the future needs of residents.

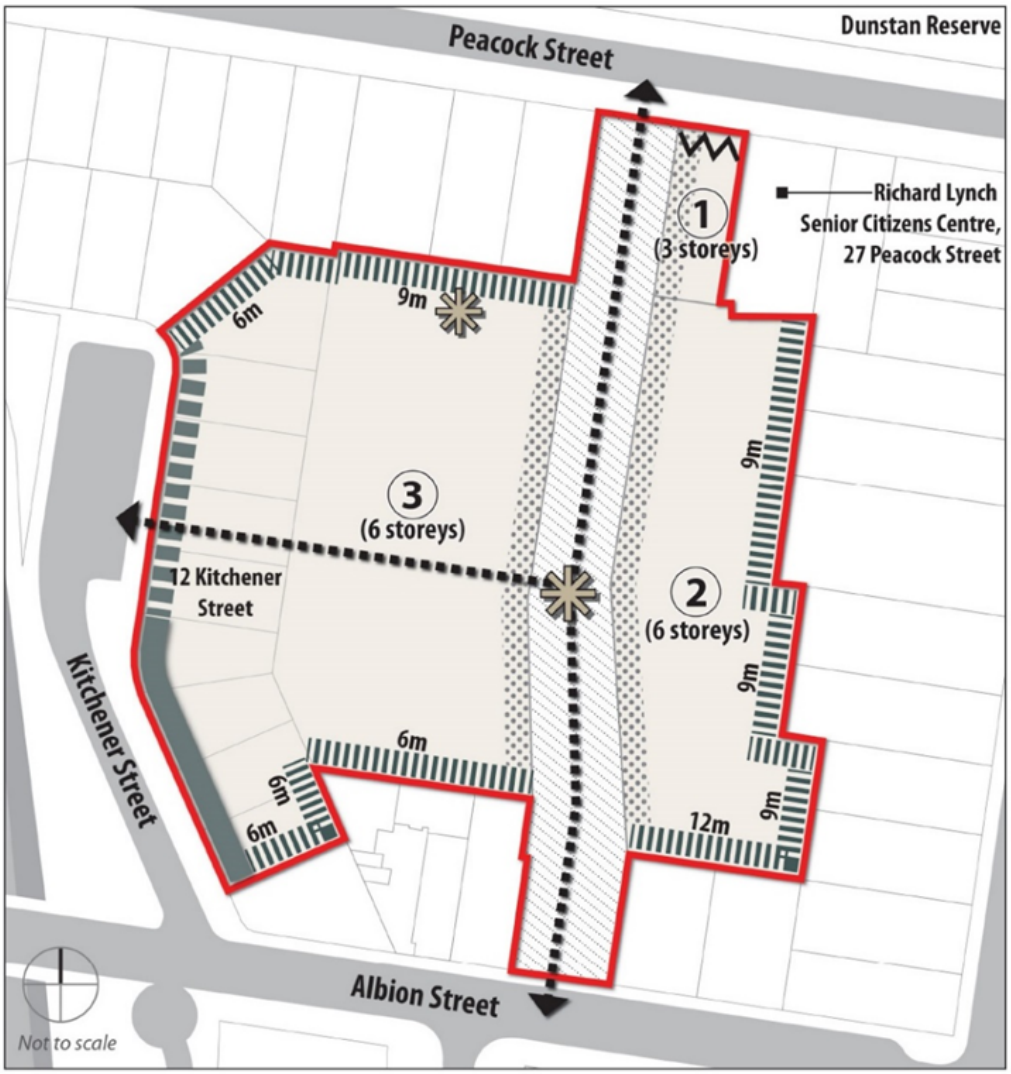
Land Use

The Development Plan could show or make provision for community facilities in appropriate locations at ground level fronting Peacock Street or Albion Street or the publicly accessible open space corridor, where they will be accessible to all residents of the Estate and the surrounding community. The Development Plan must demonstrate that potential amenity impacts can be appropriately managed.

Concept Plan

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule to the satisfaction of the Responsible Authority.

Map 1 to Schedule 12 to Clause 43.04



LEGEND

- Site
- Internal connections
- ③ Precinct (with associated maximum building height)
- Potential location of new open space area (may include community garden)
- Open space corridor

INTERFACE TREATMENTS

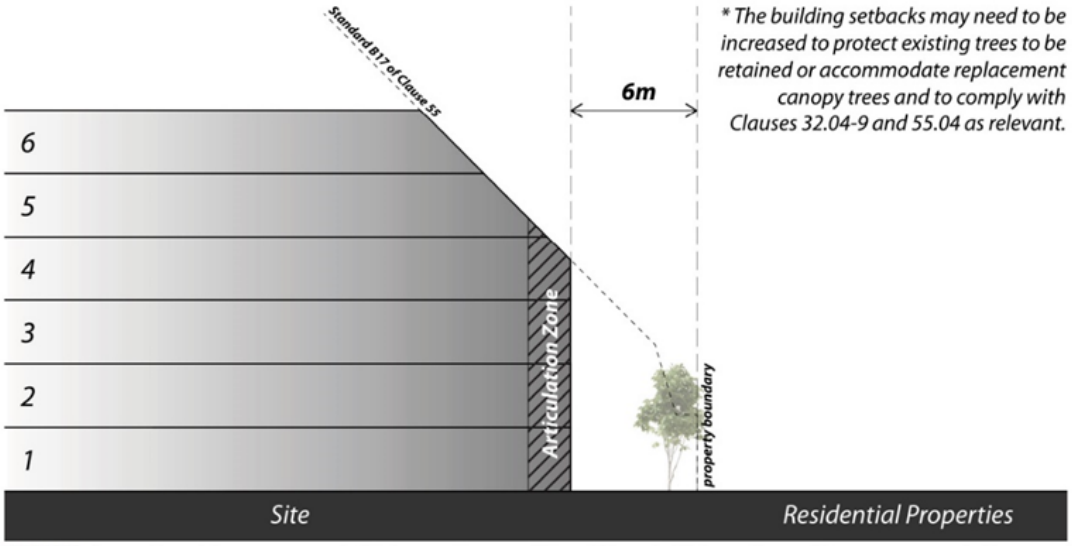
- 6m — Interface Treatment A (Direct General Residential Zone Interfaces with associated boundary setbacks)
- Interface Treatment B (Kitchener Street – Northern Portion)
- Interface Treatment C (New Open Space Corridor Through Site)
- Interface Treatment D (Peacock Street)
- Interface Treatment E (Kitchener Street – Southern Portion)

PRECINCT	MAXIMUM BUILDING HEIGHT
1	3 storeys
2	6 storeys
3	6 storeys

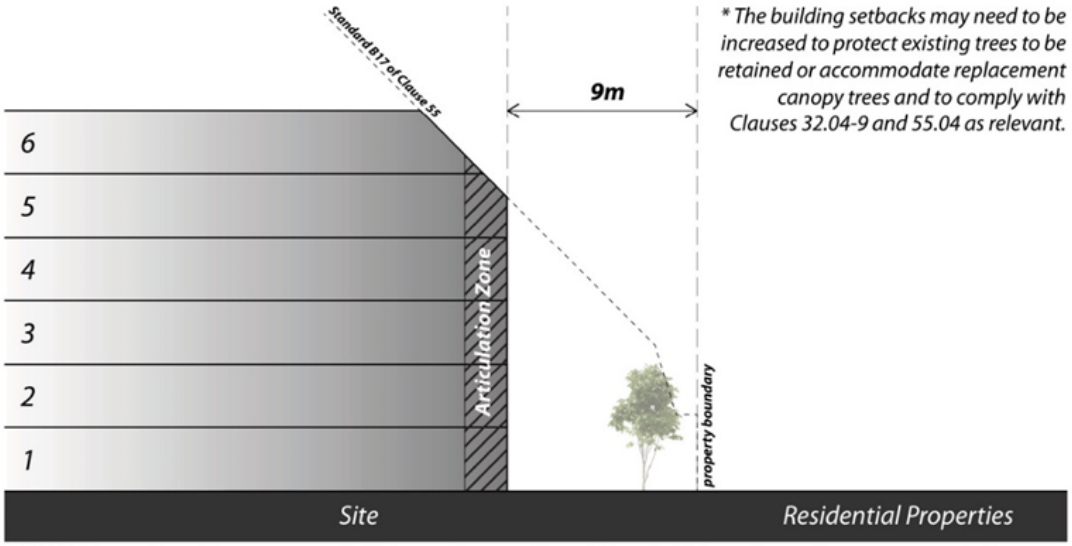
Building Heights and Setbacks

The Development Plan must show:

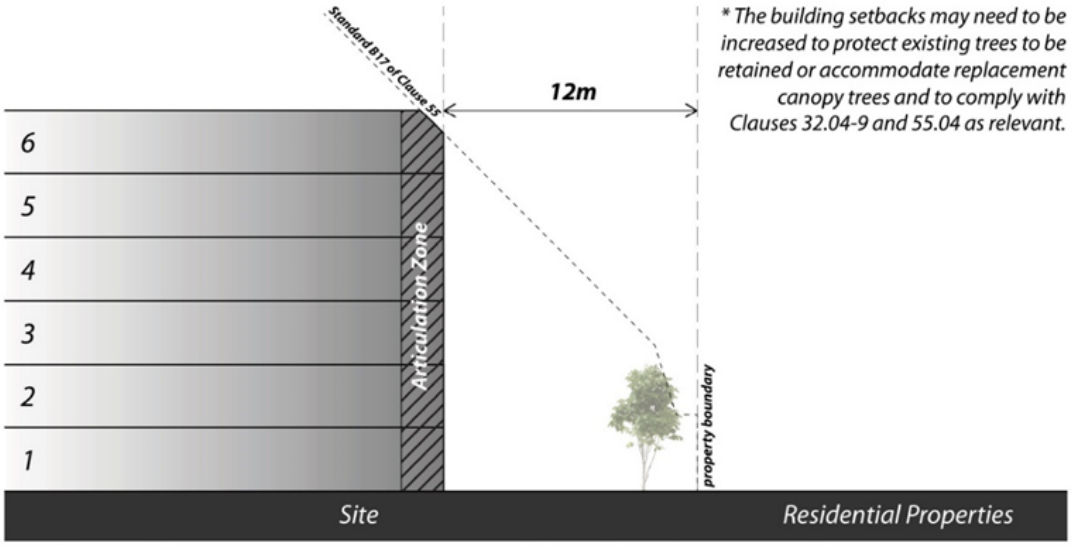
- Building heights that do not exceed the maximum buildings heights specified in the table to the Concept Plan.
- Boundary setbacks as outlined in each relevant Interface Treatment or an increased setback in locations where necessary to protect existing trees to be retained or accommodate replacement canopy trees.
- For **Interface Treatment A (Direct General Residential Zone Interfaces):**
  - boundary setbacks as shown on the Concept Plan and increased as required to comply with Clause 32.04-9 and the Clause 55.04 as relevant.



Interface Treatment A (Direct General Residential Zone Interfaces - 6m minimum setback). - Refer to concept plan for relevant interface.

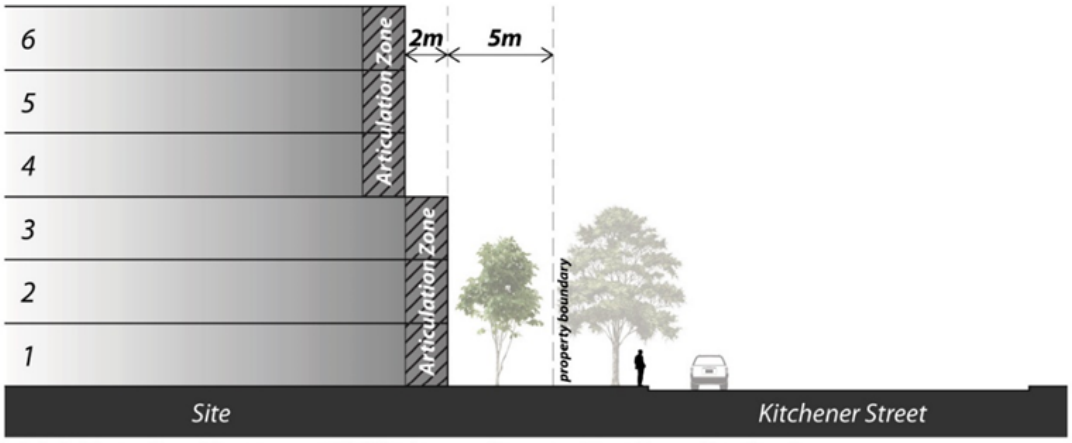


Interface Treatment A (Direct General Residential Zone Interfaces - 9m minimum setback). - Refer to concept plan for relevant interface.



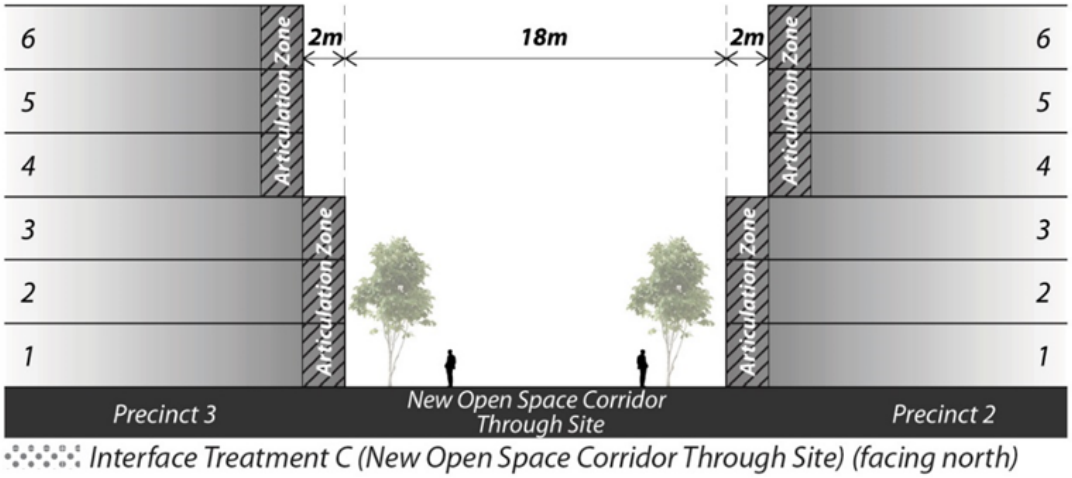
Interface Treatment A (Direct General Residential Zone Interfaces - 12m minimum setback). - Refer to concept plan for relevant interface.

- For I**nterface Treatment B (Kitchener Street – northern portion):**
  - 5 metre boundary setback up to 3 storeys, and an additional 2 metre setback above 3 storeys.



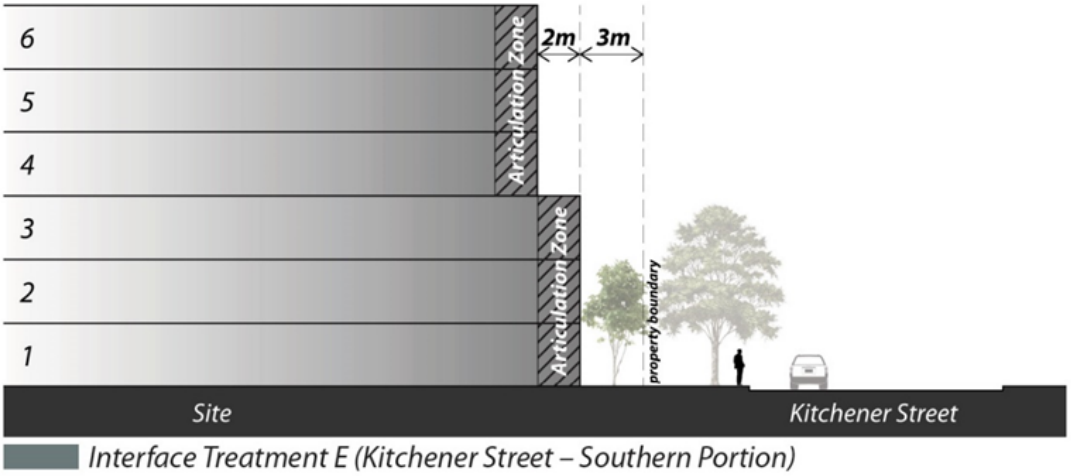
Interface Treatment B (Kitchener Street – Northern Portion)

- For **Interface Treatment C (New Open Space Corridor Through Site):**
  - 18 metre wide open space corridor with a zero setback to the corridor up to 3 storeys, and an additional 2 metre setback above 3 storeys.



Interface Treatment C (New Open Space Corridor Through Site) (facing north)

- For **Interface Treatment D (Peacock Street):**
  - in accordance with Clause 55.03-1.
- For **Interface Treatment E (Kitchener Street – southern portion):**
  - 3 metre boundary setback up to 3 storeys and an additional 2 metre setback above 3 storeys.



Other Built Form Requirements

The Development Plan should show:

- Highest built form in the western portion of site towards Kitchener Street and the Tullamarine Freeway, and towards Albion Street on the western side of the open space corridor, with a transition down to lower built forms at residential interfaces to the north and south, and to 12 Kitchener Street.
- Visual bulk of buildings reduced through variation in heights within each Precinct and the placement of balconies and use of discontinuous forms, articulated facades and varied materials, particularly in the articulation zones shown on the Interface Treatment Diagrams.
- Buildings and works such as architectural features, sunshades and artworks may be constructed within setback areas, provided they demonstrate a positive contribution to the overall façade composition.
- The location of car parking spaces within basement levels or suitably concealed behind buildings, or behind appropriate architectural features.
- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials.
- Building envelopes that are adapted to:
  - Protect existing trees to be retained;
  - Provide a minimum of 2 hours of sunlight available to a least 50% to public open space areas between 9.00am and 3.00pm on the September equinox;
  - Provide reasonable levels of direct sunlight to the public realm, and surrounding footpaths on the September equinox that are commensurate with the proposed use of the spaces and ensure the amenity enjoyed by existing and future residents is not unreasonably compromised.
- Active frontages to Albion, Peacock and Kitchener Streets, internal connections and open space areas, through the following:

  - Avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages; and
  - Provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection.
- Where a non-residential use is proposed, provision of the following:
  - A minimum 4 metres floor to floor height;
  - An entrance and/or clear glazed window at the frontages of the non-residential use; and
  - Weather protection at the frontages of the non-residential uses.
- Appropriate mitigation measures to minimise the adverse impacts on existing or potential future sensitive uses in proximity of the site.
- Appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from the Tullamarine Freeway, Albion Street and any non-residential uses on the site.
- A 6 metre setback to all boundaries of 12 Kitchener Street if it does not form part of the site at the time the Development Plan is prepared.

Landscape and Open Space

The Development Plan should show:

- A new publicly accessible open space corridor through the site between Albion and Peacock Streets generally located as shown on the Concept Plan. The corridor is to be a minimum 18 metres wide and may contains vehicle access to the site from each street.
- Two open space areas, as shown on the Concept Plan. These areas may form part of the communal open space required under Clause 55.07-2 or Clause 58.03-2 and/or public open space.
- A community garden, which may be located in either of the two open space areas shown on the Concept Plan.
- Informal Outdoor Recreational facilities designed to meet the needs of all residents.
- Retention of all trees identified in the required Tree Management Plan as trees to be retained.
- Tree planting and/or replacement as follows :
  - Any high or medium value tree identified in the required Arboricultural Assessment Report on a two for one ratio;
  - Replacement trees that provide equivalent amenity value to residents and the public realm;
  - Landscaped buffers and setbacks at residential interfaces consisting of existing trees to be retained and/or replacement canopy trees
  - Additional street trees along the frontages of Albion, Peacock and Kitchener Streets, subject to agreement from Merri-bek City Council
  - New canopy trees along the new open space corridor and internal connections and within new open space areas.

Circulation

The Development Plan should show:

- An indicative layout of internal roads that:
  - Complements the form and structure of the surrounding road network
  - Recognises the primacy of pedestrian and bicycle access within the site

  - Provides a high level of amenity and connectivity, whilst managing the movement of vehicles travelling to and from the site;
  - Are of sufficient width to accommodate footpaths and street trees.
- The location of on-site car parking for residents, workers (if applicable) and visitors. Some or all of the existing car parking within Kitchener Street may be used for visitor parking subject to agreement from Merri-bek City Council
- A pedestrian path along the new open space corridor between Albion and Peacock Streets
- Provision for secure bicycle parking for residents and workers if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors.
- Bicycle parking located at primary frontages and in proximity to pedestrian access ways.
- Bicycle parking provided at a minimum of:
  - one space per dwelling without a car space
  - one space per five dwellings with a car space
  - one space per 10 dwellings for visitors.
- Bicycle servicing facilities that are located in highly visible and well-lit places.

Required documents, plans and reports

The following documents, plans and reports must form part of any Development Plan (as applicable if the Development Plan is approved in stages) and must be prepared to the satisfaction of the Responsible Authority

1. A **Planning Report** that demonstrates how the recommendations of the other plans required by this Schedule have been incorporated into the proposed development of the land.

2. A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:

- The urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport
- Views to be protected and enhanced, including views of and from the site
- Key land use and development opportunities and constraints.

3. **Preliminary Architectural Plans and Design Report** that show the distribution and design of built form on the site which must be generally accordance with the Concept Plan included in this Schedule, including, but not limited to:

- A design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01 of the Merri-bek Planning Scheme
- Demonstration of compliance with the requirements of Clause 55 and 58 as relevant
- Demolition works
- Building envelopes including maximum building heights, building setbacks to all interfaces, and building depths
- The proposed built form edge and interface treatments to adjoining streets and adjoining residential properties
- Conceptual elevations and cross-sections, indicating level changes across the site
- Shadow diagrams of both the existing conditions and proposed shadows demonstrating that the overshadowing criteria outlined in this Schedule can be met in accordance with the overshadowing criteria outlined in this clause

- Images which show how the proposed built form will be viewed from the surrounding area, particularly the Albion Street corridor, Dunstan Reserve and adjoining residential properties
- The mix of dwelling types and sizes for each precinct
- The location of any non-residential uses within each building or area
- Vehicle access, circulation and parking locations
- Pedestrian and bicycle access and circulation
- Open space area/s surrounding buildings and the proposed use and access of all spaces.

4. An **Integrated Transport and Traffic Management Plan** that addresses, but is not limited to, the following:

- The range and scale of residential and non-residential uses anticipated on the site
- The estimated population of residents, visitors and workers (if applicable)
- Estimated vehicle trip generation levels resulting from use and development within the site
- Estimated levels of vehicle ingress and egress points
- The likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic management treatments
- The location of on-site car parking for residents, visitors and staff (if applicable)
- Areas for loading and unloading of vehicles and access to those areas
- Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program
- Provision for an electric vehicle charging space

5. An **Arboricultural Assessment Report** that addresses, but is not limited to:

- Assessment of trees on or adjacent to the site, including retention value;
- Recommendations for the protection of trees to be retained to conform to *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* to ensure long-term health, including designation of tree protection zones and structural root zones
- Recommendations for trees to replace any trees of moderate or high retention value required to be removed where replacement trees provide equivalent amenity value to residents and the public realm.

6. A **Tree Management Plan** that addresses, but is not limited to:

- identifying trees which are to be retained
- detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protections fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.

7. A **Landscape and Open Space Plan** that addresses, but is not limited to:

- Existing vegetation to be retained and the appropriate protection zones to allow for their retention
- A planting theme which complements existing trees to be retained and the surrounding neighbourhood character, and that demonstrates water sensitive urban design outcomes
- New canopy trees and landscaping within the public realm / open space areas;
- Delineation of communal and private open spaces, including the community garden, and the treatment of these interfaces
- Hard and soft landscaping treatments of the public realm and communal open spaces

- Interface treatments between adjoining streets and residential properties, including boundary fences
- Integration of sustainability and WSUD measures with WSUD measures informed by the Stormwater Drainage Master Plan
- Maintenance responsibilities.

8. A **Dwelling Diversity Report** that must:

- Demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site
- This should include the number and extent of one, two and three bedroom plus dwellings for social and private housing
- Provide for additional initiatives that actively encourage affordable housing opportunities.

9. An **Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives on a precinct-wide scale. The Plan is to address the areas of energy efficiency, on-site renewable energy systems, resilience to climate related impacts water resources, indoor environment quality, stormwater management, transport, waste management, innovation and urban ecology. The Plan must meet the requirements of Clause 22.08 of the Merri-bek Planning Scheme and all buildings must achieve a minimum of 5 star rating against the Green Building Council of Australia's Green Star rating system for design (or achieve an equivalent standard using an equivalent rating tool).

10. A **Services and Infrastructure Plan** that addresses, but is not limited to:

- An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development
- A description of the proposed provision of all appropriate utility services to development parcels
- Preparation of a Stormwater Drainage Master Plan, including proposed stormwater treatment, capture and reuse (if appropriate), and water sensitive urban design measures as appropriate
- The identification of the location of the location of any on-site drainage retention facilities.

11. An **Environmental Site Assessment** prepared by a suitably qualified professional that addresses, but is not limited to:

- Site history and current site uses, including a photographic record of the buildings to be demolished
- The extent of fill that has occurred on the site, including area, depth and fill material
- The presence and depth of groundwater at the site
- The contamination status of soil on the site
- If intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment
- Advice on the need for a Site Remediation Strategy.

12. Where the development will be undertaken in stages, a **Staging Plan** that addresses, but is not limited to:

- The delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site;
- Site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation; and
- Timeframes for the commencement and completion of each stage and any management of overlap between stages.

13. An **Acoustic Report** that identifies:

- Whether the proposed use and development of the Estate is likely to be affected by noise from nearby uses or abutting roads;
- The likely effect of non-residential uses on the site on the amenity of nearby residential uses; and
- Methods to address the issues identified.

14. A **Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on site.

15. A **Community Engagement Report** which outlines the consultation which has occurred to inform the preparation of the Development Plan, including but not limited to the following stakeholders:

- City of Merri-bek
- Office of the Victorian Government Architect
- Transport for Victoria (including VicRoads and Public Transport Victoria)
- Estate Residents
- Community Groups
- Neighbouring owners and occupiers

44 LAND MANAGEMENT OVERLAYS

19/01/2006
VC37

44.01 EROSION MANAGEMENT OVERLAY

06/09/2021
VC171

Shown on the planning scheme map as **EMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-1 Erosion management objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- Buildings and works associated with a dependent person's unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for: - A carport, garage, pergola, verandah, deck, shed or similar structure. - A rainwater tank. The buildings and works must be associated with a dwelling.	Clause 59.05

44.01-3 Vegetation removal

31/07/2018
VC148

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

44.01-4 Table of exemptions

17/02/2022
VC200

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – Section 65 of the *Forests Act 1958*; or – Section 41 of the *Country Fire Authority Act 1958*. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005.*
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008.*
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:

The requirement to obtain a permit does not apply to:	
	▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken *(Pteridium esculentum)*; or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:	
	▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

44.01-5 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

44.01-6 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-7 Exemption from notice and review

15/09/2022
VC225

An application under this overlay 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.

44.01-8 Decision guidelines

20/03/2023
VC229

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.

- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to a create defendable space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO1.**

1.0 Erosion management objectives to be achieved

08/09/2022
C195more

None Specified.

2.0 Statement of risk

08/09/2022
C195more

None Specified.

3.0 Permit requirement

08/09/2022
C195more

A permit is required for all of the matters specified in Clause 62.02-2 unless this schedule states that a permit is not required.

Conditions for permits

A permit must include the following conditions, as appropriate:

- Prior to the commencement of any buildings and/or works, including the removal, destruction or lopping of any vegetation, and/or the certification of any plan of subdivision:

  – the impact of the final design of the buildings and/or works, removal, destruction or lopping of vegetation and/or subdivision on slope stability must be assessed and certified by a chartered geotechnical practitioner with experience in slope stability;

  – certification by way of a completed "Geotechnical Declaration and Certification" form generally in accordance with the Geotechnical Declaration and Certification Form, Moreland City Council, November 2012, must be lodged with the responsible authority; and

  – any changes to the final design/plan which are recommended by the chartered geotechnical practitioner must be shown on amended plans submitted to, and approved by, the responsible authority.
- The buildings and/or works, including removal, destruction or lopping of vegetation, and/or subdivision must be undertaken in accordance with any requirements of a chartered geotechnical practitioner.
- If the certification by the chartered geotechnical practitioner includes any recommendations or requirement for ongoing maintenance of the buildings and/or works, prior to the commencement of building and/or works the owner must enter into an agreement with Council pursuant to section 173 of the Planning and Environment Act 1987 which is to be registered on the title to the land. The agreement will set out a regime for the recommended or required maintenance and the obligation of the owner to comply with such recommendations and/or requirements. The owner is to pay all reasonable costs of Council in the preparation and execution of the agreement.

Exemptions from permit requirements

Buildings and Works

A permit is not required to construct a building or construct or carry out works if all of the following are satisfied:

- No cut or fill and associated drainage greater than 1 metre in height or depth is required.
- Batters are not steeper than 2H: 1V (H= Horizontal, V = Vertical).
- No change is made to constructed drainage or fixed irrigation systems and there is no net change to fixed domestic irrigation system irrigation rates.
- Any increase in the ground surface area covered by buildings does not exceed a total area of 4 square metres.

Vegetation Removal

A permit is not required to remove, destroy or lop any vegetation if all of the following are satisfied:

- Earthworks associated with the removal of the vegetation do not exceed a total depth of 1 metre below existing ground level.
- The ground surface area of the vegetation canopy to be removed and associated earthworks and land disturbance does not exceed a total area of 4 square metres.
- The vegetation to be removed, destroyed or lopped:

  – has a trunk circumference that is less than 0.5 metres at a height of 1 metre above ground level; or

  – is dead and the roots below ground level are retained.

A permit is not required for the pruning of vegetation provided it is for the purpose of improving a tree or shrubs health or structural stability in accordance with normal horticultural practices for the species involved; for aesthetic reasons; for crop cultivation; or for branches overhanging buildings.

4.0 Application requirements

08/09/2022
C195more

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Plans and elevations, drawn to scale and fully dimensioned, which show, as appropriate:

  - The layout, size and use of existing and proposed buildings and works on the site and adjoining properties, including water tanks, cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines, existing vegetation, sediment control management including retention of soil on site during construction stage and proposed landscaping.

5.0 Decision guidelines

08/09/2022
C195more

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the information accompanying the application meets the requirements of Clause 3.0 of this schedule

6.0 Reference Documents

Erosion Management Information Sheet, Moreland City Council

City of Moreland, Landslide Hazard Assessment, Golder Associates Pty. Ltd. December 2009

Geotechnical Declaration and Certification Form, Moreland City Council, November 2012

44.04 LAND SUBJECT TO INUNDATION OVERLAY

06/09/2021
VC171

Shown on the planning scheme map as **LSIO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

44.04-1 Land subject to inundation objectives and statement of risk

24/01/2020
VC160

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

44.04-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.
- A dependent person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.

- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

44.04-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

44.04-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

44.04-5 Local floodplain development plan

31/07/2018
VC148

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.04-6 Exemption from notice and review

31/07/2018
VC148

An application under this overlay 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.

44.04-7 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

44.04-8 Decision guidelines

06/09/2021
VC171

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- Alternative design or flood proofing responses.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:

  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - Tidal patterns.
  - Coastal inundation and erosion.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

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

1.0 Land subject to inundation objectives to be achieved

08/09/2022
C195more

None specified.

2.0 Statement of risk

08/09/2022
C195more

None specified.

3.0 Permit requirement

08/09/2022
C195more

None specified.

4.0 Application requirements

08/09/2022
C195more

None specified.

5.0 Decision guidelines

08/09/2022
C195more

None specified.

44.05 SPECIAL BUILDING OVERLAY

01/07/2021
VC203

Shown on the planning scheme map as **SBO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

44.05-1 Flooding management objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.
- A dependent person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an upper storey extension to an existing building.
- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.
- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.
- To a replacement fence in the same location and of the same type and materials as the existing fence.
- To a pergola or an open deck area with unenclosed foundations.
- To a carport constructed over an existing carspace.
- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.
- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.
- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.
- To radio masts, light poles or signs on posts or attached to buildings.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works.	Clause 59.08

44.05-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Any of the following classes of subdivision: ▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change. ▪ Subdivide land into lots each containing an existing building or car parking space where: – The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. – An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. ▪ Subdivide land into 2 lots if: – The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired. – The construction or carrying out of the approved building or works on the land has started lawfully. – The subdivision does not create a vacant lot.	Clause 59.08

44.05-4 Application requirements

31/07/2018
VC148

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.05-5 Exemption from notice and review

31/07/2018
VC148

An application under this overlay 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.

44.05-6 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

44.05-7 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0 Flooding management objectives to be achieved

08/09/2022
C195more

None specified.

2.0 Statement of risk

08/09/2022
C195more

None specified.

3.0 Permit requirement

08/09/2022
C195more

None specified.

4.0 Application requirements

08/09/2022
C195more

The following application requirements apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The boundaries and dimensions of the site.
- Relevant ground levels, to Australian Height Datum, taken by a licensed surveyor.
- The layout of existing and proposed buildings and works.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

5.0 Referral of applications

An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application:

- is accompanied by the relevant floodplain management authority's written approval. The written approval must:
  - Be granted not more than three months prior to lodging with the Responsible Authority.
  - Quote the reference number of the approved plans.
  - State applicable flood level and any required floor levels.
- is in accordance with an adopted local floodplain development plan.

6.0 Decision guidelines

08/09/2022
C195more

None specified.

45 OTHER OVERLAYS

19/01/2006
VC37

45.01 PUBLIC ACQUISITION OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **PAO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

45.01-1 Permit required

28/10/2013
VC102

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

45.01-2 Exemption from notice and review

31/07/2018
VC148

An application under this overlay 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.

45.01-3 Referral of applications

28/10/2013
VC102

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

45.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

45.01-5 Land not to be spoiled or wasted

19/01/2006
VC37

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

45.01-6 Reservation for public purpose

19/01/2006
VC37

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the *Planning and Environment Act 1987*, the *Land Acquisition and Compensation Act 1986* or any other act.

45.01-7 Acquiring authority

28/10/2013
VC102

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.

08/09/2022
C195more

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0
14/02/2023
C225more

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Roads Corporation	Road
PAO2	Merri-bek City Council	Public Park and Recreation
PAO3	Merri-bek City Council	Bicycle Path

45.03 ENVIRONMENTAL AUDIT OVERLAY

01/07/2021
VC203

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

45.03-1 Requirement

04/05/2022
VC210

Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

Exemption from requirement

The requirement for a preliminary risk screen assessment statement, an environmental audit statement, a certificate of environmental audit or a statement of environmental audit in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children’s playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.

45.04 ROAD CLOSURE OVERLAY

31/07/2018
VC148

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify a road that is closed by an amendment to this planning scheme.

45.04-1 Road closure

19/01/2006
VC37

A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

45.04-2 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- That the road is closed.

45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **DCPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

45.06-1 Development contributions plan

19/01/2006
VC37

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

45.06-2 Preparation of a development contributions plan

19/01/2006
VC37

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

14/02/2023
C225more

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**.

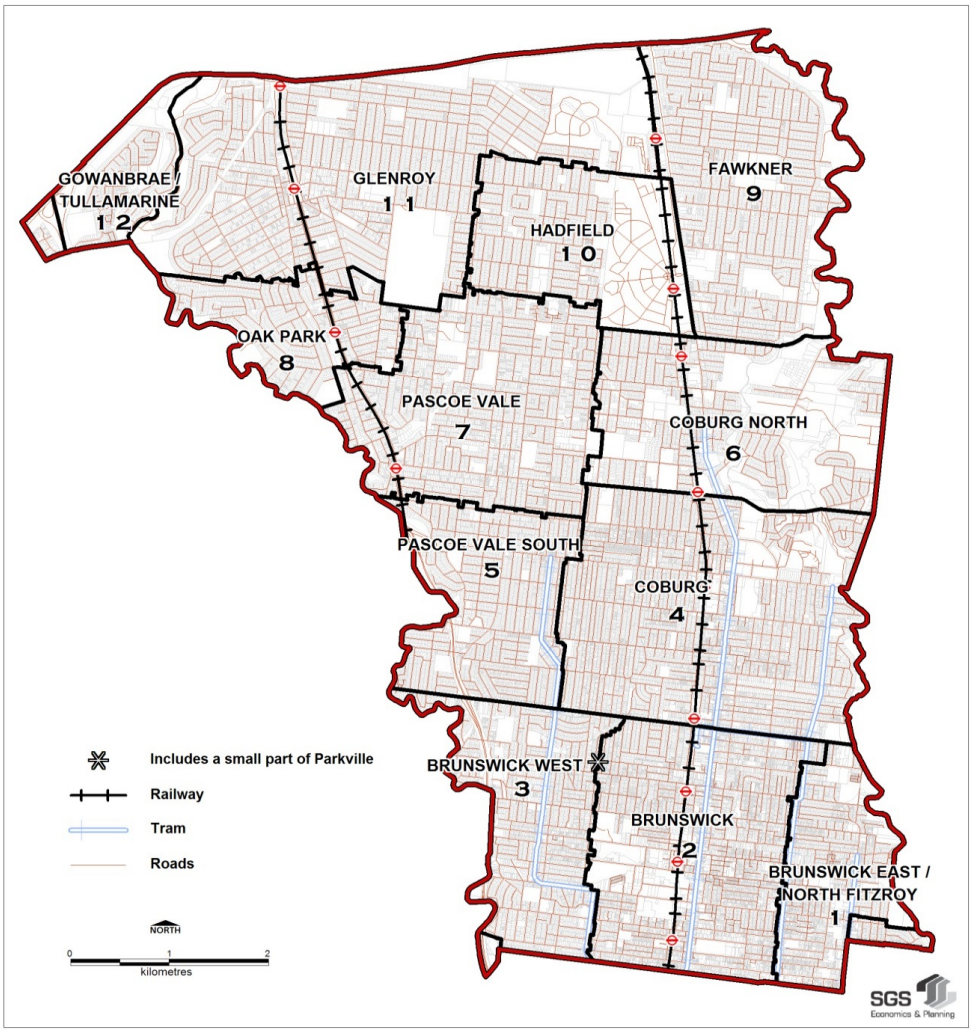
MERRI-BEK DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

1.0 Area covered by the development contributions plan overlay

14/02/2023
C225more

This development contributions plan applies to the area within the red line shown in Map 1 below. This is all land within the City of Merri-bek.

Map 1 to Schedule 1 to Clause 45.06 – DCP Area and Charging Areas



2.0 Summary of costs

10/09/2015
C133

A summary of all costs and incomes is shown in Table 1 below.

Table 1 – summary of dcp costs

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $ (real terms)	Proportion of cost attributable to development %
CI Community Infrastructure	$40,985,000	2012-2023	$3,148,365	7.68%

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $ (real terms)	Proportion of cost attributable to development %
DI Community Infrastructure	$8,215,550	2012-2023	$703,153	8.56%
DI Roads	$61,856,992	2012-2023	$9,581,125	15.49%
DI Drainage	$3,738,000	2012-2020	$504,036	13.48%
DI Planning	$126,000	2012-2013	$20,864	16.56%
TOTAL	**$114,921,542**		**$13,957,544**	**12.15%**

3.0 Summary of contributions

10/09/2015
C133

The development contributions that apply to each charging area in the DCP Area are shown in Table 2 for Residential Development, Table 3 for Industrial Development and Table 4 for Commercial Development.

Development contribution amounts are current as at 01 July 2012. They must be adjusted annually on July 1 each year in accordance with the methodology set out in the Moreland Development Contributions Plan (incorporated document).

Notes:

Residential development is subject to the Development Infrastructure and Community Infrastructure Levy.

Industrial or Commercial development is required to pay a Development Infrastructure Levy but is not required to pay a Community Infrastructure Levy.

Table 2 - Levies payable for residential development per dwelling

Revised Residential									
		Development Infrastructure					Community Infrastructure		
Area	Suburb	Drainage	Road	Planning	Community Facility	Total Development Infrastructure Charge	Community Facility	Total Community Infrastructure Charge	Total Infrastructure Charge
		Per Dwelling	Per Dwelling	Per Dwelling	Per Dwelling	**Per Dwelling**	Per Dwelling	**Per Dwelling**	**Per Dwelling**
1	**Brunswick East/North Fitzroy**	$17.22	$99.28	$1.50	$0.00	**$118.00**	$205.64	**$205.64**	**$323.64**
2	**Brunswick**	$62.33	$193.79	$1.50	$28.24	**$285.86**	$253.50	**$253.50**	**$539.36**
3	**Brunswick West**	$0.00	$174.28	$1.50	$104.71	**$280.49**	$65.04	**$65.04**	**$345.53**
4	**Coburg**	$43.97	$1,073.46	$1.50	$163.93	**$1,282.86**	$177.13	**$177.13**	**$1,459.98**
5	**Pascoe Vale South**	$0.00	$410.32	$1.50	$88.65	**$500.47**	$231.27	**$231.27**	**$731.75**
6	**Coburg North**	$18.23	$567.09	$1.50	$141.95	**$728.77**	$421.54	**$421.54**	**$1,150.31**
7	**Pascoe Vale**	$127.03	$571.26	$1.50	$0.00	**$699.79**	$609.86	**$609.86**	**$1,309.65**
8	**Oak Park**	$43.65	$201.15	$1.50	$0.00	**$246.31**	$391.46	**$391.46**	**$637.76**
9	**Fawkner**	$0.00	$473.97	$1.50	$0.00	**$475.47**	$586.77	**$586.77**	**$1,062.24**
10	**Hadfield**	$19.88	$369.47	$1.50	$50.88	**$441.73**	$203.90	**$203.90**	**$645.64**
11	**Glenroy**	$0.00	$259.00	$1.50	$58.82	**$319.32**	$407.48	**$407.48**	**$726.80**
12	**Gowanbrae/Tullamarine**	$0.00	$288.51	$1.50	$0.00	**$290.01**	$168.80	**$168.80**	**$458.81**

Table 3 - Levies payable for industrial development per 100 square metres of leasable floorspace

Revised Industrial									
		Development Infrastructure					Community Infrastructure		
Area	Suburb	Drainage	Road	Planning	Community Facility	Total Development Infrastructure Charge	Community Facility	Total Community Infrastructure Charge	Total Infratructure Charge
		Per 100 sqm Floorspace	Per 100 sqm Floorspace	Per 100 sqm Floorspace	Per 100 sqm Floorspace	**Per 100 sqm Floorspace**	Per 100 sqm Floorspace	**Per 100 sqm Floorspace**	**Per 100 sqm Floorspace**
1	**Brunswick East/North Fitzroy**	$9.38	$75.21	$0.30	$0.00	**$84.89**	$0.00	**$0.00**	**$84.89**
2	**Brunswick**	$33.95	$146.81	$0.30	$0.00	**$181.06**	$0.00	**$0.00**	**$181.06**
3	**Brunswick West**	$0.00	$132.03	$0.30	$0.00	**$132.33**	$0.00	**$0.00**	**$132.33**
4	**Coburg**	$23.95	$813.22	$0.30	$0.00	**$837.47**	$0.00	**$0.00**	**$837.47**
5	**Pascoe Vale South**	$0.00	$310.85	$0.30	$0.00	**$311.15**	$0.00	**$0.00**	**$311.15**
6	**Coburg North**	$9.93	$429.61	$0.30	$0.00	**$439.84**	$0.00	**$0.00**	**$439.84**
7	**Pascoe Vale**	$69.19	$432.77	$0.30	$0.00	**$502.26**	$0.00	**$0.00**	**$502.26**
8	**Oak Park**	$23.78	$152.39	$0.30	$0.00	**$176.46**	$0.00	**$0.00**	**$176.46**
9	**Fawkner**	$0.00	$359.07	$0.30	$0.00	**$359.37**	$0.00	**$0.00**	**$359.37**
10	**Hadfield**	$10.83	$279.90	$0.30	$0.00	**$291.03**	$0.00	**$0.00**	**$291.03**
11	**Glenroy**	$0.00	$196.21	$0.30	$0.00	**$196.51**	$0.00	**$0.00**	**$196.51**
12	**Gowanbrae/Tullamarine**	$0.00	$218.57	$0.30	$0.00	**$218.87**	$0.00	**$0.00**	**$218.87**

Table 4 - Levies payable for commercial development per 100 square metres of leasable floorspace

Revised Commercial									
		Development Infrastructure					Community Infrastructure		
Area	Suburb	Drainage	Road	Planning	Community Facility	Total Development Infrastructure Charge	Community Facility	Total Community Infrastructure Charge	Total Infratructure Charge
		Per 100 sqm Floorspace	Per 100 sqm Floorspace	Per 100 sqm Floorspace	Per 100 sqm Floorspace	**Per 100 sqm Floorspace**	Per 100 sqm Floorspace	**Per 100 sqm Floorspace**	**Per 100 sqm Floorspace**
1	**Brunswick East/North Fitzroy**	$11.12	$389.34	$1.23	$0.00	**$401.69**	$0.00	**$0.00**	**$401.69**
2	**Brunswick**	$40.27	$759.95	$1.23	$0.00	**$801.45**	$0.00	**$0.00**	**$801.45**
3	**Brunswick West**	$0.00	$683.46	$1.23	$0.00	**$684.69**	$0.00	**$0.00**	**$684.69**
4	**Coburg**	$28.40	$4,209.63	$1.23	$0.00	**$4,239.26**	$0.00	**$0.00**	**$4,239.26**
5	**Pascoe Vale South**	$0.00	$1,609.11	$1.23	$0.00	**$1,610.34**	$0.00	**$0.00**	**$1,610.34**
6	**Coburg North**	$11.78	$2,223.88	$1.23	$0.00	**$2,236.89**	$0.00	**$0.00**	**$2,236.89**
7	**Pascoe Vale**	$82.06	$2,240.24	$1.23	$0.00	**$2,323.53**	$0.00	**$0.00**	**$2,323.53**
8	**Oak Park**	$28.20	$788.83	$1.23	$0.00	**$818.26**	$0.00	**$0.00**	**$818.26**
9	**Fawkner**	$0.00	$1,858.71	$1.23	$0.00	**$1,859.94**	$0.00	**$0.00**	**$1,859.94**
10	**Hadfield**	$12.84	$1,448.91	$1.23	$0.00	**$1,462.98**	$0.00	**$0.00**	**$1,462.98**
11	**Glenroy**	$0.00	$1,015.70	$1.23	$0.00	**$1,016.93**	$0.00	**$0.00**	**$1,016.93**
12	**Gowanbrae/Tullamarine**	$0.00	$1,131.40	$1.23	$0.00	**$1,132.63**	$0.00	**$0.00**	**$1,132.63**

4.0 Land or development excluded from the development contributions plan

24/03/2023
C221more

The following land or development is exempt from the requirement to pay development contributions under the *Merri-bek Development Contributions Plan, January 2015 (amended December 2022)* and the *2015 DCP Addendum, August 2022*:

- Land developed for a non-government school as defined in the Ministerial Direction on Development Contributions Plans of 11 October 2016;
- Land located at 173 – 199 Elizabeth Street, Coburg being the land more particularly described as Lot D and LL on PS 646672U being the whole of the land contained in Certificates of Title Volume 11309 Folio 031 and Volume 11309 Folio 032. (the former Kodak site)
- A development that comprises:
  - renovations or alterations to an existing dwelling;
  - demolition of a dwelling followed by construction of a replacement dwelling on the same land. The exemption applies to a single dwelling but not to a second or subsequent dwellings on the same land;
  - outbuildings normal to an existing dwelling and fences; and
  - reinstatement of a building which has been unintentionally damaged or destroyed provided that for a building other than a dwelling, the exemption relates only to the extent that the floor area of the new building is not greater than the damaged or destroyed building.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Merri-bek Development Contributions Plan. Refer to the incorporated Merri-bek Development Contributions Plan, January 2015 (amended December 2022) and the 2015 DCP Addendum, December 2022 for full details.

45.07 CITY LINK PROJECT OVERLAY

31/07/2018
VC148

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the efficient construction, operation and maintenance of the Melbourne City Link Project, the Exhibition Street Extension Project and CityLink Tulla Widening Project.

To ensure that the display of a Business identification sign on land no longer required for the Melbourne City Link Project or the Exhibition Street Extension Project is limited to a level that does not compete with the display of signs shown on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

45.07-1 Use and development

07/05/2015
VC122

A permit is not required to use or develop land in the:

- City Link Project area if the use or development is part of the Melbourne City Link Project or the Exhibition Street Extension Project.
- CityLink Tulla Widening Project Area if the use or development is part of, or associated with, the CityLink Tulla Widening Project.

45.07-2 Outdoor advertising signs - permit not required

07/05/2015
VC122

A permit is not required to display an outdoor advertising sign if the sign is in a location or area identified on the plan titled "Melbourne City Link Project - Advertising Locations November 2003".

Except in locations shown on the plan where signs are prohibited, additional outdoor advertising signs may be displayed without a permit for a period not exceeding four years from the date of approval (or other such period approved by the Minister) provided that a plan of the sign showing its location and dimensions is approved by the Minister.

In deciding whether or not to approve a plan the Minister must consider:

- The visual impact of the sign on the road and the surrounding area.
- The effect of the sign on the safe and efficient operation of the road.
- Any government policy or agreement relating to the Melbourne City Link Project.

45.07-3 Business identification signs - permit required

19/01/2006
VC37

In locations shown as “prohibited area for advertising signs” on the plan titled “Melbourne City Link Project - Advertising Sign Locations November 2003”, a permit may be granted to display a Business identification sign provided:

- The land is no longer under the control of the Melbourne City Link Project or the Exhibition Street Extension Project.
- The sign is not prohibited by the advertising requirements of the zone and Clause 52.05 - Advertising Signs.

Written advice from the relevant Government agency that the land is no longer part of the Melbourne City Link Project or the Exhibition Street Extension Project is sufficient evidence of the status of the land pursuant to this clause.

In deciding whether or not to grant a permit for a Business identification sign the responsible authority must consider in addition to the decision guidelines under Clause 52.05:

- Whether the Business identification sign detracts from the visual prominence of signs identified on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

45.07-4 Control building

19/01/2006
VC37

A permit is not required to use and develop the Link Control Site under the *Melbourne City Link Act* 1995, for buildings housing link control rooms and ancillary activities, provided the building does not exceed 3 storeys in height and is generally in accordance with plans, Ref Nos: A-SBI-AR-404 A, SK-SB1-4087 A to SK-SBI-4090 A (inclusive), SBI-AR-4001 Revision C, SBI-AR-4002 Revision C, SBI-AR-4030 Revision B, SBI-LS-4102 Revision C, and SBI-CI-4701 Revision A.

A permit is required to use and develop the Link Control Site under the *Melbourne City Link Act* 1995 if the building to house the link control rooms and ancillary activities for the City Link Project exceeds 3 storeys in height or is not generally in accordance with the plans.

45.07-5 Other scheme requirements

07/05/2015
VC122

No other requirement of the scheme applies to a use or development of land in the:

- City Link Project area if the use or development is for the purpose of the Melbourne City Link Project or the Exhibition Street Extension Project.
- CityLink Tulla Widening Project Area if the use or development is for the purpose of part of, or associated with, the CityLink Tulla Widening Project.

This provision prevails over any inconsistent provision in this scheme.

45.07-6 Referral of applications

14/05/2021
VC198

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

45.07-7 Definitions

07/05/2015
VC122

In this clause:

Melbourne City Link Project has the same meaning as in the *Melbourne City Link Act 1995*.

Exhibition Street Extension Project has the same meaning as in the *Melbourne City Link Act 1995*.

CityLink Tulla Widening Project means use and development for and associated with widening and upgrading the Tullamarine Freeway, Melbourne City Link Project and West Gate Freeway corridor within the CityLink Tulla Widening Project Area.

CityLink Tulla Widening Project Area is the area of land affected by this overlay between:

- The northern extremity of the overlay near the Tulla Calder Interchange; and
- The western portals of the Burnley and Domain tunnels.

45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **MAEO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.

To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.

45.08-1 Use of land

14/05/2007
VC30

Any requirement in a schedule to this overlay must be met.

45.08-2 Buildings and works

26/11/2015
VC107

Any requirement in a schedule to this overlay must be met.

Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Note: In Section 3 of Australian Standard AS 2021-2015, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.

45.08-3 Subdivision

14/05/2007
VC30

A permit is required to subdivide land.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

45.08-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the current Melbourne Airport Master Plan approved in accordance with the *Airports Act 1996*.
- Location of the development in relation to the criteria set out in Table 2.1 Building Site Acceptability Based on ANEF Zones in Australian Standard AS 2021-2015.

45.08-5 Exemption from notice

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

45.08-6 Notification requirements

31/07/2018
VC148

In accordance with section 52(1)(c) of the Act, notice of an application under this overlay to use land, subdivide land or to construct a building or construct or carry out works must be given to the airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996*, unless otherwise agreed in writing between the responsible authority and the airport lessee. The notice must be accompanied by a copy of the application, existing condition and development plans.

45.08-7 Transitional arrangements

26/10/2021
VC173

The requirements of Clause 45.08 do not apply to any development for which a building permit issued pursuant to the *Building Act 1993* prior to the date of commencement of Amendment VC173.

The requirements of the planning scheme as in force immediately before the date of commencement of Amendment VC173 continue to apply to a permit application made before that date.

This sub-clause does not apply 12 months after the date of commencement of Amendment VC173.

26/10/2021
VC173

SCHEDULE 2 TO CLAUSE 45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as **MAEO2.**

Purpose

To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.

1.0 Use of land

26/10/2021
VC173

Dwelling

A permit is required to use land for a Dwelling.

The development of a single lot for two or more Dwellings must not exceed a density of one Dwelling per 300 square metres.

Other use

A permit is required to use the land for:

- Accommodation.
- Arts and craft centre.
- Bar.
- Display home centre.
- Education centre.
- Hospital.
- Hotel.
- Office.
- Place of assembly.
- Research and development centre.
- Research centre.
- Restricted recreation facility.

2.0 Buildings and works

26/10/2021
VC173

A permit is required to construct a building or construct or carry out works for a use in Sub-Section 1.0.

A permit is not required to construct the following:

- An open sided car port, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a dwelling which existed as at the date of commencement of Amendment VC173 provided:
  - The extension is less than 50 per cent of the floor area of the dwelling at that date.
  - The dwelling was not constructed between 14 May 2007 and the date of commencement of Amendment VC173 on land that was subject to this overlay during this period.

3.0 Subdivision

26/10/2021
VC173

A permit is required to subdivide land. Each lot must be at least 300 square metres.

A permit may be granted to create smaller lots:

- If the responsible authority is satisfied the lots will not be used for Accommodation.
- Provided the average area of all lots is not less than 300 square metres. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided.

The above lot size provisions do not apply to the subdivision of land in respect of which a permit was granted before the date of commencement of Amendment VC173 to allow the development of that land so long as the form of subdivision is consistent with the permitted development.

45.09 PARKING OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **PO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

45.09-1 Operation

19/04/2013
VC95

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

45.09-2 Parking objectives

19/04/2013
VC95

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

45.09-3 Permit requirement

25/05/2017
VC133

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

45.09-4 Number of car parking spaces required

19/04/2013
VC95

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

45.09-5 Application requirements and decision guidelines for permit applications

25/05/2017
VC133

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:

- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

45.09-6 Financial contribution requirement

19/04/2013
VC95

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

45.09-7 Requirements for a car parking plan

25/05/2017
VC133

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

45.09-8 Design standards for car parking

25/05/2017
VC133

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

45.09-9 Decision guidelines for car parking plans

25/05/2017
VC133

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

MIXED USE, RESIDENTIAL GROWTH, COMMERCIAL AND ACTIVITY CENTRE ZONES

1.0 Parking objectives to be achieved

08/09/2022
C195more

To identify appropriate car parking rates for land uses in the Mixed Use Zone, Residential Growth Zone, Commercial 1 Zone, Commercial 2 Zone and Activity Centre Zone.

2.0 Permit requirement

08/09/2022
C195more

None specified.

3.0 Number of car parking spaces required

08/09/2022
C195more

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
None specified		

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.0 Application requirements and decision guidelines for permit applications

08/09/2022
C195more

None specified.

5.0 Financial contribution requirement

08/09/2022
C195more

None specified.

6.0 Requirements for a car parking plan

08/09/2022
C195more

None specified.

7.0 Design standards for car parking

08/09/2022
C195more

None specified.

8.0 Decision guidelines for car parking plans

08/09/2022
C195more

None specified.

9.0 Background document

08/09/2022
C195more

None specified.

29/03/2018
C170

SCHEDULE 2 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO2**.

PUBLIC HOUSING RENEWAL - GRONN PLACE, BRUNSWICK WEST

This Schedule applies to land in PC367386 and Lots 2,3,4,5,7,8,9 and 10 LP333369 on Gronn Place and Kitchener Street, Brunswick West (referred to in this Schedule as 'the site').

1.0 Parking objectives to be achieved

29/03/2018
C170

To identify appropriate car parking rates for residential uses within the site.

2.0 Permit requirement

29/03/2018
C170

A permit is required to reduce the minimum number of car parking spaces as specified in this schedule.

A permit is not required under Clause 52.06-3.

3.0 Number of car parking spaces required

08/09/2022
C195more

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Dwelling (social housing)	0.6 spaces	to each dwelling for residents
Dwelling (private housing)	0.8 spaces	to each 1 bedroom dwelling for residents
	1 space	to each 2 bedroom dwelling for residents
	1.3 spaces	to each 3 bedroom dwelling for residents
Dwelling (all)	0.1 spaces	to each dwelling for visitors

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

Definition

For the purposes of this schedule 'social housing' has the same meaning as in Section 4(1) of the *Housing Act 1983*.

4.0 Application requirements and decision guidelines for permit applications

29/03/2018
C170

None specified.

5.0 Financial contribution requirement

29/03/2018
C170

None specified.

6.0 Requirements for a car parking plan

29/03/2018
C170

None specified.

7.0 Design standards for car parking

29/03/2018
C170

None specified.

8.0 Decision guidelines for car parking plans

29/03/2018
C170

None specified.

9.0 Background document

08/09/2022
C195more

Traffic Engineering Assessment, DHHS Public Housing Renewal Program at Gronn Place, Brunswick, Traffix Group (July 2017).

45.12 SPECIFIC CONTROLS OVERLAY

04/05/2022
VC210

Shown on the planning scheme map as **SCO** with a number.

Purpose

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

45.12-1 Use or development

31/07/2018
VC148

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

45.12-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

30/10/2019
C178more

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0
29/06/2023
C219more

Specific controls

PS Map Ref	Name of incorporated document
SCO1	Signage on sports grounds, June 2019
SCO3	Bell and Moreland Level Crossing Removal Project Incorporated Document, October 2019
SCO5	10 Dawson Street, Brunswick - February 2021

50 PARTICULAR PROVISIONS

19/01/2006
VC37

This section sets out Particular Provisions which apply to the matters specified.

51 PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

31/07/2018
VC148

51.01 SPECIFIC SITES AND EXCLUSIONS

31/07/2018
VC148

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

51.01-1 Use or development

31/07/2018
VC148

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

51.01-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

31/07/2018
VC148

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

1.0
16/01/2020
C188more

Specific sites and exclusions

Address Of Land	Title of incorporated document
Land required for the Camp Road, Campbellfield Level Crossing Removal Project as shown on the project area maps in the incorporated document.	Camp Road, Campbellfield Level Crossing Removal Project Incorporated Document, April 2017
Land identified in Clause 3.0 of the Tramway Infrastructure Upgrades Incorporated Document, May 2017	Tramway Infrastructure Upgrades Incorporated Document, May 2017

52 PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

31/07/2018
VC148

52.01 COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

05/11/2020
VC191

Purpose

To facilitate the rectification of combustible cladding on buildings.

52.01-1 Permit exemption

05/11/2020
VC191

Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

52.01-2 Exemption from notice and review

05/11/2020
VC191

An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

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.

52.02 EASEMENTS, RESTRICTIONS AND RESERVES

20/09/2010
VC71

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 24A of the *Subdivision Act 1988*.
- Under Section 36 of the *Subdivision Act 1988* to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the *Planning and Environment Act 1987*.
- If the person proceeds under Section 362A of the *Land Act 1958*.
- In the case of a person proceeding under Section 36 of the *Subdivision Act 1988*, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the *Subdivision Act 1988*.

In this clause, **restriction** has the same meaning as in the *Subdivision Act 1988*.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.

03/08/2017
C163

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

1.0

14/02/2023
C225more

Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
Lot 15 Plan of subdivision No. 12300 and being land described in Certificate of Title Volume 6040 Folio 1207995.	The restrictions contained in instrument of transfer Number 1348162.	Removal.
Lots 1, 2, 3 and 4 on Title Plan 710929P and being land described in Certificate of Title Volume 9545 Folio 528	The restriction contained in instrument of transfer 0907859 and 1112304	To vary the covenant to allow the removal/excavation of soil for the purpose of the erection of a dwelling.
Plan of Consolidation 156831 and being the land described in Certificate of Title Volume 9547 Folio 211	The restriction contained in instrument of transfer 0721229 and 0941582	To vary the covenants to allow development for uses associated with a hospital, medical centre or residential aged care facility consistent with the definitions in the Merri-bek Planning Scheme.

2.0

03/08/2017
C163

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0

03/08/2017
C163

Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified		

52.03 LEVEL CROSSING REMOVAL PROJECT

31/01/2020
VC170

Purpose

To facilitate the Level Crossing Removal Project.

52.03-1 Application

31/01/2020
VC170

This clause applies to the use and development of land (other than the subdivision of land) for projects undertaken by the Level Crossing Removal Project and declared under section 10(1)(b) of the *Major Transport Projects Facilitation Act 2009*.

This clause does not apply to a project for which a document has been incorporated into this planning scheme expressly for that project.

52.03-2 Exemption from planning scheme requirements

31/01/2020
VC170

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this Clause 52.03 applies to if the requirements of Clause 52.03 are met.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.03-3 Use and development requirements

20/01/2022
VC205

The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of acquisition is for a road, must be undertaken to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

52.03-4 Consultation requirement

31/01/2020
VC170

Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

52.03-5 Project boundary requirement

31/01/2020
VC170

Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.

52.03-6 Other pre-commencement requirements

04/05/2022
VC210

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
  - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
  - A report that addresses the impact of that development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of that development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

52.03-7 Native vegetation requirements

20/03/2023
VC229

In this clause:

- ***Guidelines*** *means the Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning *(as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)*.

The following requirements may be satisfied for separate components or stages of a project. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

Prior to the removal, destruction or lopping of native vegetation to enable a preparatory use or development, information about that native vegetation must be submitted to the Secretary. The information must include a description of, and maps showing, the native vegetation to be removed, destroyed or lopped in accordance with application requirement 1 in Table 4 of the Guidelines.

Prior to the removal, destruction or lopping of native vegetation (other than to enable a preparatory use or development):

- Information about that native vegetation in accordance with application requirements 1, 5 and 9 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary. The information provided to the Secretary must include information about any native vegetation that has been or is to be removed, destroyed or lopped to enable a preparatory use or development.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines. The biodiversity impacts from the removal, destruction or lopping of native vegetation to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the above offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for the project may be reconciled at the completion of a project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018).

52.03-8 Preparatory use and development

31/01/2020
VC170

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
  - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.

- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.04 [NO CONTENT]

04/11/2022
VC226

52.05 SIGNS

31/07/2018
VC148

Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

52.05-1 Application

31/07/2018
VC148

This clause applies to the development of land for signs.

52.05-2 Requirements

31/07/2018
VC148

Sign categories

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if: ▪ The sign is not within 30 metres of land (not a road) which is in a residential zone.	Clause 59.09

Class of application	Information requirements and decision guidelines
▪ The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign. ▪ The display area of the sign does not exceed 10 square metres.	

52.05-3 Referral of applications

31/07/2018
VC148

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

52.05-4 Expiry of permits

31/07/2018
VC148

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

52.05-5 Existing signs

31/07/2018
VC148

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

52.05-6 Application requirements

20/01/2022
VC205

An application must be accompanied by the following information, as appropriate:

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.

Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

52.05-7 Exemption from notice and review

31/07/2018
VC148

An application for a sign 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 provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

52.05-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.

  - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.
- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:

- Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

Major promotion signs

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

52.05-9 Mandatory conditions

31/07/2018
VC148

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

52.05-10 Signs not requiring a permit

14/11/2022
VC227

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign's display cannot be seen from nearby land.

- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.
- A sign inside a building that cannot generally be seen outside.
- A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.
- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.
- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.
- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.
- A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 7 days after the sale date.
- A sign publicising or providing information about Victoria's container deposit scheme under the *Circular Economy (Waste and Recycling) Act* 2021. The sign must be attached to an automated collection point, or a building used for a transfer station. The total display area for the sign must not exceed 8 square metres. The sign must not be an animated, floodlit or internally illuminated sign.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the *Flags Act 1953*.

52.05-11 Category 1 - Commercial areas

03/02/2022
VC199

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign **Business identification sign** **Home based business sign** **Promotion sign**	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

Section 3 - Prohibited

Sign
Nil

52.05-12 Category 2 - Office and industrial

03/02/2022
VC199

Low limitation

Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign **Business identification sign** **Home based business sign** **Pole sign**	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.
Direction sign	Only one to each premises.
Internally illuminated sign	The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

Section 3 - Prohibited

Sign
Nil

52.05-13 Category 3 - High amenity areas

03/02/2022
VC199

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Above-verandah sign **Business identification sign**	None specified
Electronic sign	The display area must not exceed 3 sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign **Pole sign**	None specified
Promotion sign	The display area must not exceed 3 sqm.
Reflective sign	None specified

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

52.05-14 Category 4 - Sensitive areas

03/02/2022
VC199

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm.
Floodlit sign	None specified

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

08/09/2022
C195more

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

08/09/2022
C195more

Exemption from notice and review

Land	Condition
None specified	

52.06 CAR PARKING

31/07/2018
VC148

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-1 Scope

01/07/2014
VC116

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

52.06-2 Provision of car parking spaces

19/04/2013
VC95

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

52.06-3 Permit requirement

04/10/2018
VC149

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.
- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

VicSmart applications

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

52.06-4 Exemption from notice and review

31/07/2018
VC148

An application under Clause 52.06-3 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 if:

- the application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application 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.

52.06-5 Number of car parking spaces required under Table 1

24/01/2020
VC160

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

Table 1: Car parking requirement

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Amusement parlour	4	3.5	To each 100 sq m of net floor area
Art & craft centre	4	3.5	To each 100 sq m of net floor area
Bar	0.4		To each patron permitted
		3.5	Space to each 100 sq m of leasable floor area
Betting agency	4	3.5	To each 100 sq m of leasable floor area
Bowling green	6	6	To each rink plus 50 per cent of the relevant requirement of any ancillary use
Child care centre	0.22	0.22	To each child
Cinema based entertainment facility	0.3	0.3	To each patron permitted
Convenience restaurant	0.3		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Convenience shop if the leasable floor area exceeds 80 sq m	10		To each premises
		3.5	To each 100 sq m of leasable floor area
Display home centre	5		To each dwelling for five or fewer contiguous dwellings, plus
	2		To each additional contiguous dwelling
		3.5	To each 100 sq m of floor area
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every 5 dwellings for developments of 5 or more dwellings
Education centre other than listed in this table	0.4	0.3	To each student that is part of the maximum number of students on the site at any time
Food and drink premises other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Freezing and cool storage,	1.5	1	To each 100 sq m of net floor area
Fuel depot	10	10	Per cent of site area
Funeral Parlour	0.3	0.3	To each patron permitted
Gambling premises other than listed in this table	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Golf course	4	4	To each hole plus 50 per cent of the relevant requirement of any ancillary uses.
Home based business	1	0	To each employee not a resident of the dwelling
Hotel	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Industry other than listed in this table	2.9	1	To each 100 sq m of net floor area
Landscape gardening supplies	10	10	Per cent of site area
Mail centre	3.5	3	To each 100 sq m of net floor area
Manufacturing sales	4	3.5	To each 100 sq m of leasable floor area
Market	8	3.5	To each 100 sq m of site area
Materials recycling	10	10	Per cent of site area
Medical centre	5		To the first person providing health services plus
	3		To every other person providing health services
		3.5	To each 100 sq m of leasable floor area
Milk depot	10	10	Per cent of site area

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Motel	1	1	To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use
Motor repairs	3	3	To each 100 sq m of net floor area plus
	1	1	for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners
Office other than listed in this table	3.5	3	To each 100 sq m of net floor area
Place of assembly other than listed in this table	0.3	0.3	To each patron permitted
Postal agency	4	3.5	To each 100 sq m of leasable floor area
Primary produce sales	4	3.5	To each 100 sq m of leasable floor area
Primary school	1	1	To each employee that is part of the maximum number of employees on the site at any time
Research and development centre	3.5	3	To each 100 sq m of net floor area
Residential aged care facility	0.3	0.3	To each lodging room
Residential village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Retirement village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Restaurant	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Restricted retail premises	3	2.5	To each 100 sq m of leasable floor area
Rooming house	1	1	To each four bedrooms
Saleyard	10	10	Per cent of site area
Secondary school	1.2	1.2	To each employee that is part of the maximum number of employees on the site at any time
Shop other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Squash court – other than in conjunction with a dwelling	3	3	To each court plus 50 per cent of the relevant requirement of any ancillary use

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Store other than listed in this table	10	10	Per cent of site area
Supermarket	5	5	To each 100 sq m of leasable floor area
Swimming pool – other than in conjunction with a dwelling	5.6	5.6	To each 100 sq m of the site
Tennis court – other than in conjunction with a dwelling	4	4	To each court plus 50% of the requirement of any ancillary use
Trade supplies	10	10	Per cent of site area
Veterinary centre	5		To the first person providing animal health services plus
	3		To every other person providing animal health services
		3.5	To each 100 sq m of leasable floor area
Warehouse other than listed in this table	2	2	To each premises plus
	1.5	1	To each 100 sq m of net floor area
Winery	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

52.06-6 Number of car parking spaces required for other uses

16/01/2018
VC142

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

52.06-7 Application requirements and decision guidelines for permit applications

25/05/2017
VC133

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.

- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

52.06-8 Requirement for a car parking plan

25/05/2017
VC133

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.

- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

52.06-9 Design standards for car parking

03/02/2022
VC199

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m

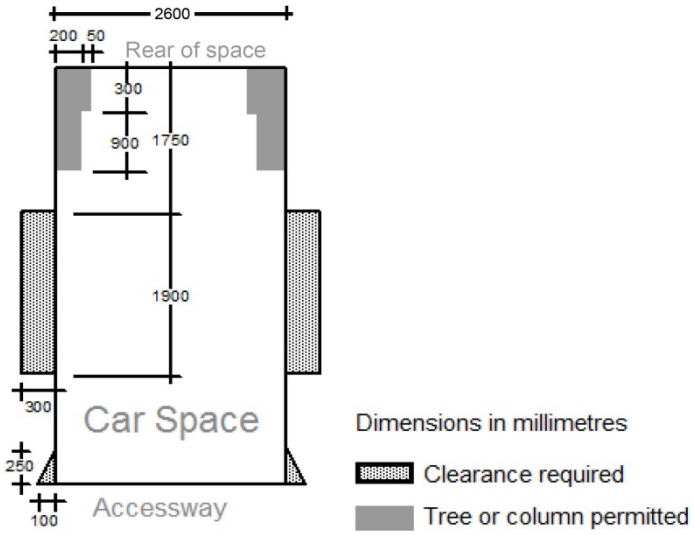
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note *Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.06-10 Decision guidelines

25/05/2017
VC133

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

52.06-11 Construction of car parking

25/05/2017
VC133

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and

- line-marked or provided with some other adequate means of showing the car parking spaces,

before any of the following occurs:

- the new use commences; or
- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

52.07 EMERGENCY RECOVERY

22/11/2022
VC228

Purpose

To facilitate and support recovery from emergencies.

To facilitate the construction and use of temporary accommodation following an emergency.

To enable businesses and services to continue operating following an emergency.

To support the provision of materials and infrastructure required for emergency recovery.

52.07-1 Exemption from planning scheme requirements

04/11/2022
VC226

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following uses or developments if the requirements of clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by an emergency.
- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in clause 45.03-1.
- The use or development of land to which clause 52.14 applies.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.07-2 Information to responsible authority

04/11/2022
VC226

The following requirement does not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Before the commencement of a use or the construction of a building under clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

52.07-3 Temporary accommodation requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the accommodation must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

52.07-4 Continuation of use requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by an emergency must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by an emergency, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by an emergency.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

52.07-5 Vegetation removal requirement

04/11/2022
VC226

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:

- To enable the removal of a building, equipment or other material that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed; or
- To enable the repair or reconstruction of a fence that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

52.07-6 Other development requirements

04/11/2022
VC226

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be carried out to the satisfaction of the responsible authority.

Development of land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.

52.07-7 Exemptions for extractive industry

22/11/2022
VC228

Any requirement of a planning permit, including any condition, or any provision of this planning scheme, that limits, or has the effect of limiting, the hours or days during which an extractive industry may be carried out, does not apply to the quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials if:

- The materials are directly associated with recovery; and
- The quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials occurs within 12 months of an emergency.

52.07-8 Meaning of terms

22/11/2022
VC228

In this clause:

- ***emergency*** means:
  - a bushfire; or
  - an earthquake, flood, wind-storm or other natural event;
- ***recovery*** means the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.

52.08 EARTH AND ENERGY RESOURCES INDUSTRY

24/01/2020
VC160

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

52.08-1 Permit requirement

24/01/2020
VC160

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:	
Extractive industry	Complies with Section 77T of the *Mineral Resources (Sustainable Development) Act 1990*.
Geothermal energy exploration	Complies with the *Geothermal Energy Resources Act 2005*.
Geothermal energy extraction	Complies with Section 62 of the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration exploration	Complies with Section 189 of the *Greenhouse Gas Geological Sequestration Act 2008*.
Greenhouse gas sequestration	Complies with Section 191 of the *Geological Sequestration Act 2008*.
Mineral exploration	Complies with Section 43(3) of the *Mineral Resources (Sustainable Development) Act 1990*.
Mining	Complies with Section 42(7) or Section 42A *Mineral Resources (Sustainable Development) Act 1990*; or Complies with Section 47A of the *Electricity Industry Act 1993*.
Petroleum exploration	Complies with Section 118 of the *Petroleum Act 1998*.
Petroleum production	Complies with Section 120 of the *Petroleum Act 1998*.
Stone exploration	Must not be costeaning or bulk sampling.

52.08-2 Application requirements for mining

24/01/2020
VC160

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

52.08-3 Referral requirements for mining

14/05/2021
VC198

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09 EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS

24/01/2020
VC160

Purpose

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

52.09-1 Application

24/01/2020
VC160

This clause applies to an application to use or develop land:

- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

52.09-2 Application requirements

24/01/2020
VC160

An application to use and develop land for extractive industry must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990.*
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990.*
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990.*

These requirements do not apply if the proposed extractive industry is exempt from:

- The requirement to obtain a work plan under section 77G of the *Mineral Resources (Sustainable Development) Act 1990;* or
- The provisions of the *Mineral Resources (Sustainable Development) Act 1990* under section 5AA of that Act.

52.09-3 Referral of applications

22/03/2022
VC219

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66, if the application is to use or develop land for:

- Extractive industry; or
- Accommodation in a rural zone is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-4 Decision guidelines

24/01/2020
VC160

Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-5 Permit conditions for extractive industry

24/01/2020
VC160

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.
- Conditions that are consistent with the requirements specified in Clause 52.09-6.

52.09-6 Requirements for extractive industry

24/01/2020
VC160

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

52.09-7 Notice of an application

22/03/2022
VC219

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the person or body specified as the person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:

  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.
- An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

This requirement does not apply to:

- An application to extend a building or works.
- An application that is required to be referred to the Secretary under section 55 of the Act.

52.10 RECONSTRUCTION AFTER AN EMERGENCY

05/10/2021
VC208

Purpose

To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.

To facilitate the re-establishment of businesses and services after an emergency.

To facilitate the continued use of land for dwellings after an emergency.

52.10-1 Use exemptions - dwelling

05/10/2021
VC208

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land (other than land in the Urban Floodway Zone) for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- The use must commence within 5 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under clause 52.07.
- The land must not be used for more than the number of dwellings the land was lawfully used for before the dwelling was damaged or destroyed.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-2 Exemption from notice and review

05/10/2021
VC208

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) 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 if the following requirements are met:

- A building or works on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- A use must be a use that was lawfully carried out on the land immediately before the building or works was damaged or destroyed and cannot continue without the building or works being reconstructed.
- A development must be for:
  - The repair of the damaged or destroyed building or works; or
  - The construction of a building, or the construction or carrying out of works, to replace the damaged or destroyed building or works.

- The application must be lodged within 5 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
  - A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
  - The application must only be for the number of dwellings that were damaged or destroyed.

52.10-3 Meaning of terms

05/10/2021
VC208

In this clause, ***emergency*** means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

52.10-4 Transitional provision

05/10/2021
VC208

Clause 52.10-2 of this planning scheme, as in force immediately before the approval date of Amendment VC208, continues to apply to an application lodged before that date for land on which a building was damaged or destroyed by a bushfire after 1 January 2019.

52.11 HOME BASED BUSINESS

31/07/2018
VC148

Purpose

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

52.11-1 Requirements to be met

28/10/2022
VC224

A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. This does not apply to the education or care of children. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the *Transport Act 1983*), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

52.11-2 Permit requirement

15/09/2022
VC225

Despite the requirements of Clause 52.11-1, a permit may be granted for a home based business:

- Which allows no more than three people who do not live in the dwelling to work in the business at any one time; or

- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the *Transport Act 1983*), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.

52.12 BUSHFIRE PROTECTION EXEMPTIONS

05/08/2020
VC176

Purpose

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

52.12-1 Exemptions to create defendable space around buildings used for accommodation

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in the Bushfire Management Overlay.
  - The building must have been:
    - constructed before 10 September 2009; or
    - lawfully constructed without a planning permit before 18 November 2011; or
    - approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

52.12-2 Exemption for vegetation removal along a fenceline

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

52.12-3 Exemption for buildings and works associated with a community fire refuge

05/08/2020
VC176

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 October 2015) of the *Project Development and Construction Management Act 1994*.

52.12-4 Exemption for buildings and works associated with a private bushfire shelter

05/08/2020
VC176

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

52.12-5 Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the *Building Act 1993* for a dwelling or alteration or extension to the dwelling; or

- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.

52.13 VICTORIA'S CONTAINER DEPOSIT SCHEME

14/11/2022
VC227

52.13-1 Purpose

14/11/2022
VC227

To facilitate the provision of automated collection points and transfer stations to support waste reduction and recycling under Victoria's container deposit scheme.

To ensure an automated collection point is designed and sited to minimise impacts on the land and surrounding land uses.

52.13-2 Application

14/11/2022
VC227

This clause applies to the use or development of an automated collection point and transfer station.

52.13-3 Mandatory requirement

14/11/2022
VC227

An automated collection point must not:

- Be attached to another building.
- Be more than 3 metres in height. This includes an attached sign.
- Restrict a vehicular or pedestrian accessway to or from the land or an entry or exit to a building.

52.13-4 Permit exemption

14/11/2022
VC227

Any requirement in a zone or overlay, or a schedule to a zone or overlay, to obtain a permit to construct a building or construct or carry out works does not apply if the requirements of clause 52.13-3 and clause 52.13-5 are met.

This exemption does not apply to a requirement in a:

- Bushfire Management Overlay if the automated collection point is located less than 10 meters from a building used for accommodation, education centre, hospital, leisure and recreation, or place of assembly.
- Environmental Significance Overlay.
- Floodway Overlay.
- Heritage Overlay.
- Land Subject to Inundation Overlay.
- Public Acquisition Overlay.
- Significant Landscape Overlay.
- Special Building Overlay.

52.13-5 Permit exemption requirement

03/08/2023
VC238

For the purpose of clause 52.13-4, an automated collection point must:

- Occupy no more than:
  - 4 existing car spaces on the land; or,
  - 5 existing car spaces on the land if the land contains 50 or more car spaces.
- Be set back more than 4 metres from the frontage.
- Be set back greater than 30 metres from land (not a road) which is in a residential zone, Rural Living Zone or Urban Growth Zone, and not in the same ownership.

- Not be located on vacant land in a residential or rural zone.
- Be of muted, non-reflective external colours and finishes.

52.13-6 Exemption from car parking requirements

14/11/2022
VC227

An automated collection point is exempt from the requirements in clause 52.06.

52.13-7 Exemption from permit conditions

14/11/2022
VC227

Any requirement of a permit, or any permit condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the use or development of land for an automated collection point if the requirements of clause 52.13-3 are met.

52.13-8 Application requirements

14/11/2022
VC227

An application for an automated collection point must be accompanied by the following information as appropriate:

- A site and layout plan that includes:
  - Design for safe pedestrian and vehicle movements.
  - Any additional lighting to be included and any proposed baffling.
  - Any existing automated collection points on the site.
- An operational plan that includes:
  - Operating hours.
  - Noise attenuation measures.
  - Safety details including how the automated collection point will be serviced and emptied.

52.13-9 Decision guidelines

14/11/2022
VC227

Before deciding on an application for the use or development of an automated collection point, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The effect on existing car parking provision if the automated collection point is located on existing car parking spaces.
- The setback of the automated collection point from a frontage and from land (not a road) which is in a residential zone, Rural Living Zone or Urban Growth Zone, and not in the same ownership.
- The effect of siting an automated collection point on vacant land in a residential or rural zone.
- The effect of external colours and finishes.
- The size, density and number of automated collection points including the cumulative impact of automated collection points on the land.
- Whether a proposed operational plan reduces noise and other impacts on nearby land uses.
- Safe pedestrian and vehicle movements on the land.

52.13-10 Exemption from notice and review

14/11/2022
VC227

An application to use or develop an automated collection point including the construction of or putting up for display a sign in conjunction with an automated collection point 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.

An application under any provision of this planning scheme to use or develop a transfer station 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 if:

- The transfer station is used only to collect, consolidate, temporarily store, sort or recover materials under Victoria's container deposit scheme.
- The land is in an industrial zone.
- The land does not abut a commercial, residential, rural zone or Urban Growth Zone.

52.14 2009 BUSHFIRE - REPLACEMENT BUILDINGS

31/07/2018
VC148

Purpose

To support the rebuilding of dwellings, dependent persons' units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

52.14-1 Scope

14/12/2020
VC188

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person's unit; or
  - a building used for agriculture,

  that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person's unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

52.14-2 Exemption from planning scheme requirements

20/01/2022
VC205

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person's unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person's unit or building used for agriculture.
- The existing and proposed access to the lot.

- Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons' units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - The location and dimensions of vehicle access.
  - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person's unit cannot be connected to a reticulated potable water supply.
  - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

- The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons' units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person's unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person's unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Transport Zone 2 or Land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, access must not be created or altered.

52.14-3 Land in an Erosion Management Overlay

31/07/2018
VC148

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4 Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

31/07/2018
VC148

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5 Decision guidelines

31/07/2018
VC148

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person's unit can be located on the land to assist the minimisation of risk to life and property from bushfire.

52.15 HELIPORT AND HELICOPTER LANDING SITE

29/10/2015
VC101

Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

52.15-1 Permit requirement

20/03/2023
VC229

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

No permit is required to use land for a helicopter landing site if any of the following apply:	
Emergency services	The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.
Agriculture	The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.
Public land management	The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following: ▪ Department of Energy, Environment and Climate Action; ▪ The Department of Transport and Planning; ▪ Parks Victoria; or ▪ The Great Ocean Road Coast and Parks Authority, whether on private land or not.
General	The helicopter landing site where either: ▪ The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided: – The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements). – Flight movements do not take place before 7am or after sunset on a weekday. – Flight movements do not take place before 8am or after sunset on a weekend or holiday; or ▪ The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.

52.15-2 Application requirements

18/12/2012
VC93

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.

- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.
- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
  - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
  - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

52.15-3 Decision guidelines

18/12/2012
VC93

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

52.16 NATIVE VEGETATION PRECINCT PLAN

14/07/2022
VC213

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.16-1 Application

12/12/2017
VC138

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

52.16-2 Native vegetation precinct plans

14/07/2022
VC213

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

52.16-3 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

52.16-4 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.16-5 Decision guidelines

14/07/2022
VC213

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.16-6 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

52.16-7 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.16-8 Table of exemptions

30/04/2021
VC185

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Emergency works	Native vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:

The requirement to obtain a permit does not apply to:	
	▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under *Part 2 of the Conservation, Forests and Lands Act 1987*); ▪ in accordance with a fire prevention notice issued under either: – section 65 of the *Forests Act 1958*; or – section 41 of the *Country Fire Authority Act 1958*. ▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and mining	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*.
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

The requirement to obtain a permit does not apply to:	
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ▪ bracken (*Pteridium esculentum*); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	▪ Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function of a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

52.16-9 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.16-4, 52.16-5, 52.16-6 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

08/09/2022
C195more

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0 Native vegetation precinct plan

08/09/2022
C195more

Name of plan
None specified

52.17 NATIVE VEGETATION

14/07/2022
VC213

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.17-1 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

52.17-2 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.17-3 Property vegetation plans

12/12/2017
VC138

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

"This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit."

52.17-4 Decision guidelines

12/12/2017
VC138

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.17-5 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

52.17-6 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.17-7 Table of exemptions

20/03/2023
VC229

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Dead native vegetation	Native vegetation that is dead. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
Emergency works	Native vegetation that is to be removed, destroyed, or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

The requirement to obtain a permit does not apply to:	
Existing buildings	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to: ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building.
Existing buildings and works in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to: ▪ the use or maintenance of a Dwelling; or ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building or works.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act.
Fences	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable: ▪ the operation or maintenance of an existing fence; or ▪ the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ in accordance with a fire prevention notice issued under either: – Section 65 of the *Forests Act 1958*; or – Section 41 of the *Country Fire Authority Act 1958*.

The requirement to obtain a permit does not apply to:	
	▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Grasses	Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: ▪ located within a lawn, garden or other landscaped area; or ▪ maintained at a height of at least 10 centimetres above ground level.
Grazing	Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: ▪ freehold land; or ▪ Crown land in accordance with a license, permit or lease granted under applicable legislation.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Harvesting for timber production – naturally established native vegetation	Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022) and are: ▪ undertaken on public land under a licence or permit issued under section 52 of the *Forests Act 1958*; or ▪ authorised in accordance with Part 5 of the *Sustainable Forests (Timber) Act 2004*.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.

The requirement to obtain a permit does not apply to:	
Lopping and pruning for maintenance	Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to: ▪ the pruning or lopping of the trunk of a native tree; or ▪ native vegetation on a roadside or railway reservation.
Mineral exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
New buildings and works in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.
New dwellings in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone. The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 300 square metres of native vegetation which does not include a tree. ▪ 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

The requirement to obtain a permit does not apply to:	
Personal use	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft. This exemption does not apply to: ▪ contiguous land in one ownership that has an area of less than 10 hectares; ▪ the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or ▪ a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone: ▪ in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or ▪ provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following: – 1 hectare of native vegetation which does not include a tree; or – 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ▪ less than 10 years old; or ▪ bracken (*Pteridium esculentum*); or

The requirement to obtain a permit does not apply to:	
	▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or ▪ less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is: – shown on that plan as being 'certified regrowth'; and – on land that is to be used or maintained for cultivation or pasture during the term of that plan. This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Site area	Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.
Stock movements on roads	Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.
Stone exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:	
	▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Vehicle access from public roads	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road. This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres. This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation. In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.*
Weeds	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

52.17-8 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.17-2, 52.17-4, 52.17-5 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

08/09/2022
C195more

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0 Scheduled area

08/09/2022
C195more

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.0 Scheduled weed

08/09/2022
C195more

Area	Description of weed
None specified	

52.18 CORONAVIRUS (COVID-19) PANDEMIC AND RECOVERY EXEMPTIONS

28/10/2022
VC224

Purpose

To support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of hospitality and other businesses.

52.18-1 Operation

28/10/2022
VC224

This clause contains exemptions from the requirements of this planning scheme and exemptions from conditions of permits.

The exemptions in this clause prevail over any inconsistent provision in this planning scheme or condition of a permit.

The exemptions in this clause do not apply to a requirement in the Heritage Overlay relating to the construction or carrying out of works to an existing building, the alteration of an existing building, or the painting of an existing building, other than a building constructed or placed under an exemption in this clause.

A use or development carried out under an exemption in this clause must comply with the requirements in clause 52.18-6.

In this clause:

- ***drink*** includes liquor;
- ***exemption period*** means the period when a pandemic declaration under the *Public Health and Wellbeing Act 2008* in relation to coronavirus (COVID-19) is in force and for 12 months after;
- ***hospitality*** means:
  - the preparation or sale of food or drink for immediate consumption on, or off, the land; or
  - the consumption of food or drink;
- ***public land*** means Crown land and land that is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

52.18-2 Public land exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the use of land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

52.18-3 Food and drink business extension exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for hospitality during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre, nightclub or winery, and the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for hospitality during the exemption period if the requirements of clause 52.18-6 are met.

52.18-4 Car parking exemption

28/10/2022
VC224

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre, nightclub or winery, during the exemption period.

52.18-5 Permit condition exemptions

28/10/2022
VC224

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre, nightclub or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre, nightclub or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-6 are met. This exemption does not apply to a condition relating to the maximum number of patrons, hours of operation (including any condition that applies to a particular outdoor area), location or playing of music, or noise levels.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a temporary building or moveable building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-6 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the alteration of an existing use of land under an exemption in this clause during the exemption period if the requirements of clause 52.18-6 are met.

52.18-6 Use and development requirements

28/10/2022
VC224

The following requirements apply to the use and development land carried out under an exemption in this clause.

The use of the land must not:

- Continue after the exemption period unless in accordance with the requirements of this planning scheme.
- Unreasonably affect the amenity of the neighbourhood, including through:
  - Transport of materials, goods or commodities to or from the land.
  - Appearance of any building, works or materials.
  - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Land in, or within 30 metres of, a residential zone must not be used for the outdoor consumption of food or drink between the hours of 10.00pm and 7.00am. The responsible authority may vary this requirement to extend the hours of the use.

The use or development of land must not impede access required by emergency services or for waste collection.

The height of a building constructed or placed under an exemption in this clause must not exceed 3.6 metres.

A building must not be constructed or placed under an exemption in this clause within 1 metre of adjacent land in a residential zone if the height of the building exceeds 1.8 metres.

The siting of a building in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the responsible authority.

The siting of a building in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the relevant floodplain management authority.

A building constructed or placed under an exemption in this clause must be removed from the land before the end of the exemption period.

52.19 TELECOMMUNICATIONS FACILITY

04/11/2022
VC226

Purpose

To ensure that telecommunications infrastructure is provided in an efficient and cost-effective manner to meet community needs.

To facilitate an effective state-wide telecommunications network consistent with proper and orderly planning.

To support the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-1 Permit requirement

04/11/2022
VC226

A permit is required to construct a building or construct or carry out works for a telecommunications facility. This does not apply to the construction of a building or the construction or carrying out of works for any of the following:

- A low-impact facility specified in the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth).
- The inspection and maintenance of a facility as defined in the *Telecommunications Act 1997* (Cth).
- A facility authorised by a facility installation permit issued under the *Telecommunications Act 1997* (Cth).
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cth) pursuant to legislation applying to that body.
- A temporary defence facility.
- A telecommunications facility equipment shelter.
- A telecommunications line forming part of a telecommunications network connected to a building, caravan or mobile home.
- An optical fibre ground wire that replaces an electricity ground wire on a high-voltage transmission tower that supports powerlines designed to operate at 222,000 volts or greater.
- A telecommunications facility located underground if any ground disturbed in constructing or installing the facility is reinstated.
- A telecommunications dish with a diameter of 1.2 metres or less.
- A telecommunications dish with a diameter of more than 1.2 metres and less than or equal to 2.4 metres if the following requirements are met:
  - If the dish is in a Heritage Overlay, it must not be visible from a street (other than a lane) or public park.
  - If the dish is in a residential zone, it must:
    - Be set back from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
    - Be set back at least 3 metres from a boundary opposite an existing habitable room window.
    - Not be visible from the street (other than a lane) or a public park.

- A telecommunications tower that replaces an existing light pole on public land if the following requirements are met:
  - The public land manager must be a municipal council.
  - The tower must not be more than 8 metres higher than the light pole.
- A telecommunications tower that replaces an existing telecommunications tower on the same land if the following requirements are met:
  - The tower must not be in a residential zone, or a Significant Landscape Overlay, Heritage Overlay or Neighbourhood Character Overlay.
  - The tower must not be more than 8 metres higher than the existing tower.
  - The tower must not be a lattice tower.
  - The tower must be located within 20 metres of the existing tower.
  - The existing tower must be removed within 60 days of the new tower commencing operation.
- The extension of an existing telecommunications tower if the following requirements are met:
  - The tower must not be in a residential zone.
  - The height of the extension must not exceed 8 metres.
  - The tower must not have been previously extended without a permit.
  - The tower must have been constructed for 12 months before the extension.
- A telecommunications facility on a building if the following requirements are met:
  - If the building is in a residential zone, the height of the facility must not be more than 1 metre higher than the building height of the building.
  - If the building is in a zone other than a residential zone, the height of the facility must not be more than 8 metres higher than the building height of the building.
- A telecommunications facility that provides service coverage during routine or emergency maintenance of an existing facility, construction or installation of a new facility, or additional service coverage for an event, if the following requirements are met:
  - The height of the facility must not exceed 25 metres above its base or the height of the existing facility, whichever is the greater.
  - The facility must not be located on the land for more than a total of 4 months in any 12 month period.

52.19-2 Land in public ownership

04/11/2022
VC226

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

52.19-3 Exemptions from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to construct a building or construct or carry out works for a telecommunications facility 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. This exemption does not apply to:

- An application under a Significant Landscape Overlay, a Heritage Overlay, or Neighbourhood Character Overlay.
- An application under a public land zone if the responsible authority is not the public land manager.
- An application for any of the following:
  - A telecommunications dish.
  - A telecommunications facility on a building within 100 metres of a residential zone.
  - A telecommunications facility on a building within 100 metres of a dwelling not on the same land or land in contiguous ownership.
  - A telecommunications tower in a residential zone.
  - A telecommunications tower within 100 metres of a residential zone.
  - A telecommunications tower within 100 metres of a dwelling not on the same land or land in contiguous ownership.

An application under any provision of this planning scheme to use or develop land for a telecommunications facility 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 if the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.

52.19-4 Application requirements

04/11/2022
VC226

An application must be accompanied by the following information as appropriate:

- A site analysis and design response explaining the design, siting, construction and operation of the telecommunications facility.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

52.19-5 Decision guidelines

04/11/2022
VC226

Before deciding on an application, in addition to the decision guidelines of clause 65, the responsible authority must consider, as appropriate:

- The design, siting, construction and operation of the telecommunications facility.
- The effect of the telecommunications facility on adjacent land.

52.20 VICTORIA'S BIG HOUSING BUILD

01/12/2020
VC190

Purpose

To facilitate the use and development of land for housing projects funded by Victoria's Big Housing Build program.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings.

52.20-1 Application

20/03/2023
VC229

This clause applies to the use or development of land that is:

- Funded wholly or partly, under Victoria's Big Housing Build program; and
- Carried out by or on behalf of the Chief Executive Officer, Homes Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land in an industrial zone, rural zone or Port Zone.
- The use or development of land in a Bushfire Management Overlay.
- A use or development to which Clause 51.01 - Specific Site and Exclusions, or Clause 45.12 - Specific Controls Overlay, or any schedule to the clauses apply.
- A use or development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.20-2.
- A use or development that is inconsistent with an applicable Statement of Planning Policy.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.

In this clause, ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.20-2 Exemption from planning scheme requirements

20/12/2021
VC207

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development Clause 52.20 applies to if requirements of this clause are met.

This exemption does not apply to a requirement in Clauses 45.03 (Environmental Audit Overlay), 45.07 (City Link Project Overlay), 45.08 (Melbourne Airport Environs Overlay), 51.03 (Upper Yarra Valley & Dandenong Ranges Regional Strategy Plan) or 52.02 (Easements, Restrictions and Reserves), or in any schedule to those clauses.

52.20-3 Use and development requirements

14/07/2022
VC230

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning. Plans and documents may be amended to the satisfaction of the Minister for Planning.

The use and development of land to be carried out to the satisfaction of the Minister for Planning must not commence until funding under Victoria's Big Housing Build program is approved.

52.20-4 Consultation requirements

14/07/2022
VC230

Before plans, documents and information required under Clause 52.20-5 are submitted:

- Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.

The requirements of Clause 52.20-4 must be undertaken to the satisfaction of the Minister for Planning and may be varied or waived by the Minister for Planning.

52.20-5 Requirements for plans and documents

20/03/2023
VC229

The following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- Written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how:
  - It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 58 and 59.
  - A proposed use that is not a dwelling or residential building is in conjunction with that use.
  - It complies with Clause 52.20-8 Native vegetation requirement.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times.
- A report that details how the proposed development responds to the development standards of:
  - Clause 52.20-6 for the construction or extension of a dwelling.

  - Clause 52.20-6 and Clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of Clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of Clauses 52.20-6.5, 52.20-6.14, 52.20-6.18 and 52.20-6.21 do not apply to an apartment development or residential building.

- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in Clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the Minister for Planning considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause. This may include street elevations, three dimensional modelling or other methods to describe the proposal.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the Minister for Planning.

52.20-6 Development standards for dwellings and buildings

04/08/2022
VC221

52.20-6.1 Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity. Connection to a reticulated gas service is optional.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

52.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	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.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	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.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

52.20-6.5 Access

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the Minister for Planning.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.

- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

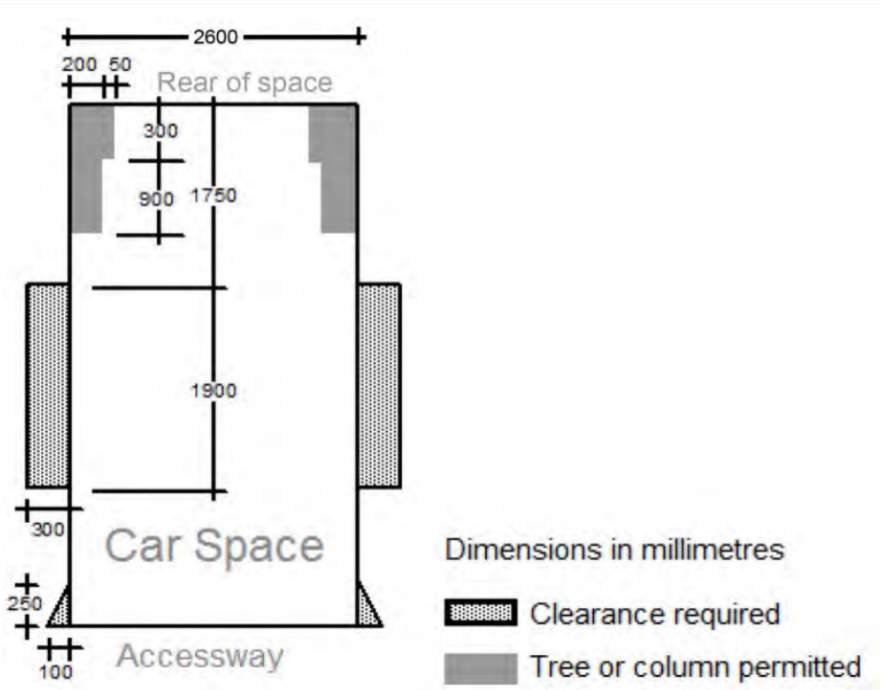
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the Minister for Planning.

Mechanical parking

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the Minister for Planning.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

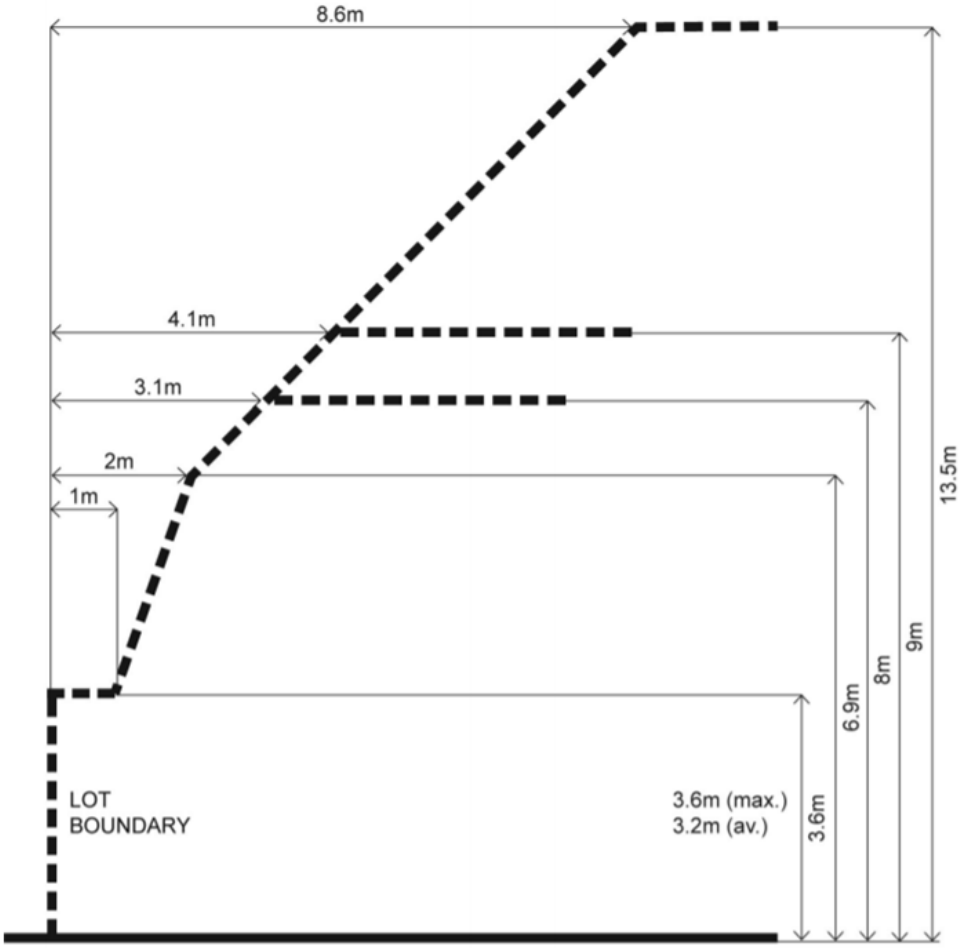
52.20-6.8 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram 2 Side and rear setbacks



52.20-6.9 Walls on boundaries

A new wall constructed on or within 200mm 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 lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

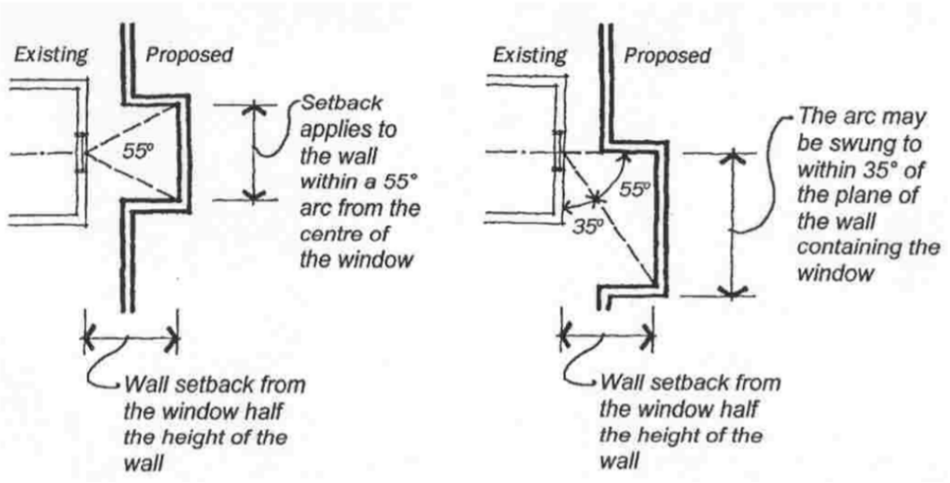
52.20-6.10 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

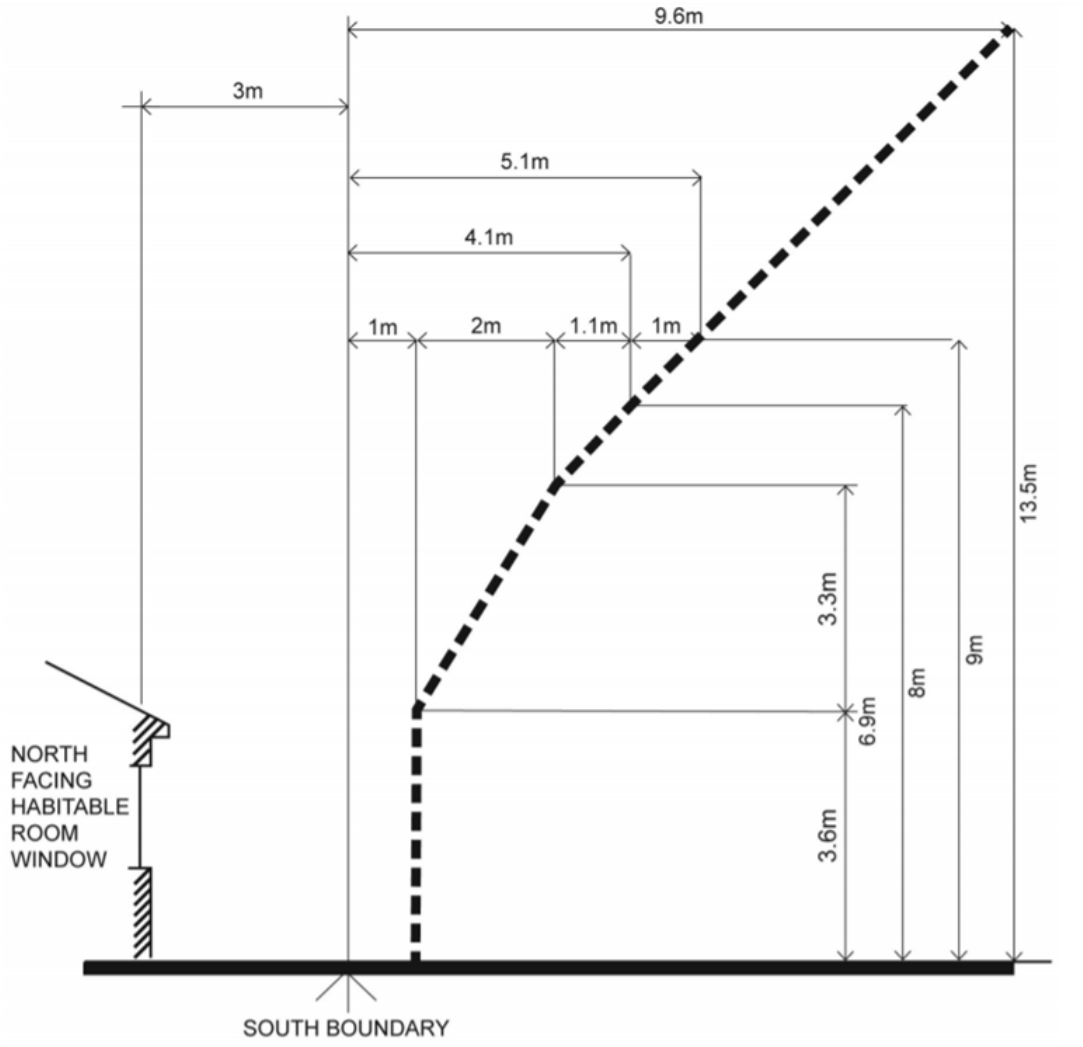
Diagram 3 Daylight to existing windows



52.20-6.11 North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram 4 North-facing windows



52.20-6.12 Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

52.20-6.13 Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.

- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

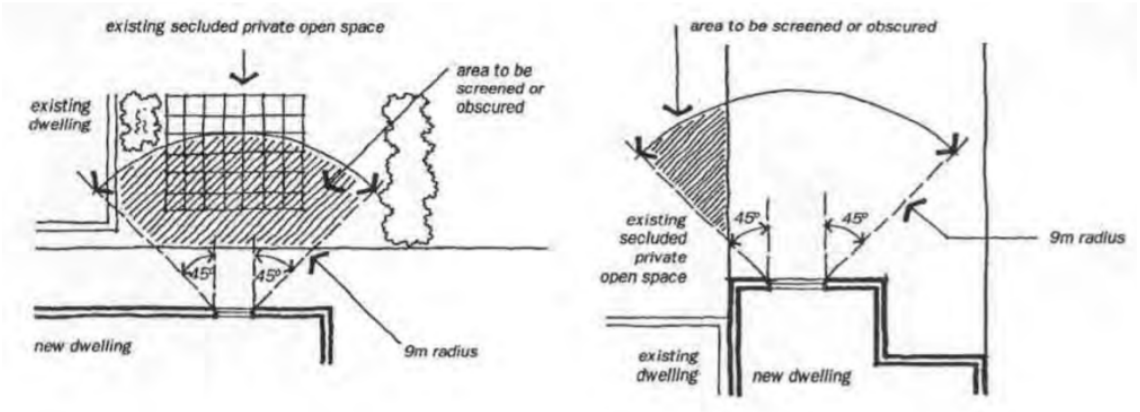
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram 5 Overlooking open space



52.20-6.14 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

52.20-6.15 Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

52.20-6.16 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

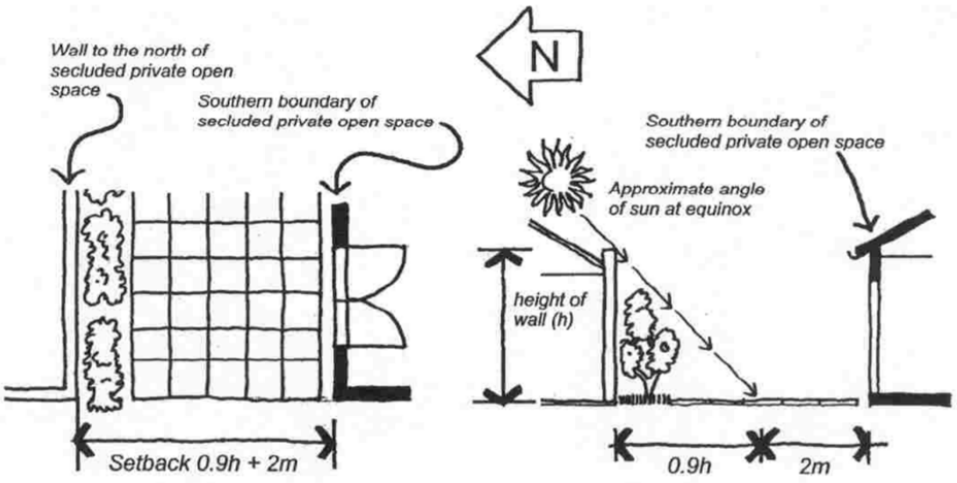
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

52.20-6.17 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram 6 Solar access to open space



52.20-6.18 Storage

A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

52.20-6.19 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2, and
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

52.20-6.20 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

52.20-6.21 Site services

The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

52.20-7 Development standards for apartments

14/07/2022
VC230

52.20-7.1 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

52.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

52.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

52.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil area specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided, trees should be provided in planters specified in Table 6.
  - Consistent with the canopy diameter and height at maturity specified in Table 7.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plant in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.

- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater, and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage pattern of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table 7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	4 metres
B	8 metres	8 metres
C	12 metres	12 metres

52.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

52.20-7.6 Building setback

The built form of the development should respect the existing urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

52.20-7.7 Noise impacts

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

52.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

	Design option A	Design option B
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

52.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

52.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with an area and dimensions specified in Table 10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

52.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 12.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

52.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the Minister for Planning and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

52.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

52.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room

52.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

52.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

52.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.

- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

52.20-7.18 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

52.20-7.19 Site services

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

52.20-7.20 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

52.20-7.21 Wind impacts

Development of five or more storeys should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

52.20-8 Native vegetation requirements

20/03/2023
VC229

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*.

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with the application requirements 1, 5 and 9 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary.
- The biodiversity impacts from the native vegetation must be offset in accordance with the *Guidelines*.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The requirements of Clause 52.20-8 do not apply to any native vegetation identified in the table of exemptions to Clause 52.17-7.

The Secretary may vary the timing of the offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for a project may be reconciled at the completion of a project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018) to the satisfaction of Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary.

The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

52.20-9 Transitional provision

20/03/2023
VC229

The development standards at Clause 52.20-7 for apartment developments and residential buildings in force immediately before the approval date of Amendment VC207 continue to apply to a use or development that has received written confirmation from the Chief Executive Officer, Homes Victoria that an application is funded, either wholly or partly, under Victoria's Big Housing Build program, signed before 30 June 2022.

52.21 PRIVATE TENNIS COURT

31/07/2018
VC148

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

52.21-1 Application

31/07/2018
VC148

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2 Permit requirement

19/01/2006
VC37

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

52.21-3 Application requirements

19/01/2006
VC37

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.

52.21-4 Notice provisions

31/07/2018
VC148

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

52.21-5 Decision guidelines

19/01/2006
VC37

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

52.22 COMMUNITY CARE ACCOMMODATION

26/10/2018
VC152

Purpose

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-1 Application

26/10/2018
VC152

This clause applies to the use and development of land for community care accommodation.

52.22-2 Use exemption

04/11/2022
VC226

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use 'community care accommodation' in the table of uses in the zone or schedule to the zone is met.
- The use is:
  - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
  - funded by, or carried out by, a registered National Disability Insurance Scheme (NDIS) provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not accommodated on the land may access support services provided on the land.

52.22-3 Buildings and works exemption

04/11/2022
VC226

Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is:
  - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
  - funded by, or carried out by, a registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.
- The development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area must be provided in accordance with the minimum garden area requirement specified in the zone.
- The development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, the standards B6, B17, B18, B19, B20, B21 and B22 of clause 55 must be met.

52.22-4 Exemption from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation 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 if the application is made by or on behalf of:

- A government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
- A registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.

52.22-5 Meaning of terms

04/11/2022
VC226

In this clause:

- National Disability Insurance Scheme has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.
- Registered NDIS provider has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.

52.23 ROOMING HOUSE

26/10/2018
VC152

Purpose

To facilitate the establishment of domestic-scale rooming houses.

52.23-1 Application

26/10/2018
VC152

This clause applies to use and development of land for a rooming house.

52.23-2 Use exemption

24/01/2020
VC160

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use 'rooming house' in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-3 Buildings and works exemption

24/01/2020
VC160

Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.

52.25 CREMATORIUM

19/01/2006
VC37

Purpose

To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required

A permit is required to develop and use a crematorium on land that is used for cemetery purposes.

This does not apply to land in the Springvale Crematorium.

Decision guidelines

Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.

52.26 [NO CONTENT]

31/07/2018
VC148

52.27 LICENSED PREMISES

31/07/2018
VC148

Purpose

To ensure that licensed premises are situated in appropriate locations.

To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope

These provisions apply to premises licensed, or to be licensed, under the *Liquor Control Reform Act 1998*.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the *Liquor Control Reform Act 1998*.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the *Liquor Control Reform Act 1998*.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

08/09/2022
C195more

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

1.0 Permit not required

08/09/2022
C195more

Land	Type of licence
None specified	

2.0 Permit may not be granted

08/09/2022
C195more

Land	Type of licence
None specified	

52.28 GAMING

31/07/2018
VC148

52.28-1 Purpose

18/10/2006
VC39

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

52.28-2 Gaming objectives

31/07/2018
VC148

A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

52.28-3 Permit requirement

31/07/2018
VC148

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-4 Prohibition of a gaming machine in a shopping complex

31/07/2018
VC148

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-5 Prohibition of a gaming machine in a strip shopping centre

31/07/2018
VC148

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

52.28-6 Locations for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

52.28-7 Venues for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.

14/01/2021
C200more

SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Objectives

14/01/2021
C200more

To discourage electronic gaming machines in areas of vulnerable communities and socio-economic disadvantage.

To encourage electonic gaming machines to be transferred from areas of -socio economic disadvantage to areas of higher advantage.

To locate, design and operate gaming machine venues to minimise potential negative social and economic impacts associated with electronic gaming machines and deliver a net community community benefit.

To ensure the operations of electronic gaming machine venues do not detrimentally impact on the amenity of the surrounding area.

2.0 Prohibition of a gaming machine in a shopping complex

14/01/2021
C200more

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Union Square Shopping Centre, Brunswick	190 Union Street, Brunswick, on the north west corner of Union Street and Grantham Street.
Barkly Square Shopping Centre, Brunswick	90-106 Sydney Road, Brunswick, including land extending approximately 400 metres east of Sydney Road, south of Weston Street and north of Barkly Street.

3.0 Prohibition of a gaming machine in a strip shopping centre

14/01/2021
C200more

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.0 Locations for gaming machines

14/01/2021
C200more

Gaming machines should not be located:

- In areas of socio-economic disadvantage as defined by the SEIFA Index of Relative Socio-economic disadvantage (IRSD).
- In or immediately adjacent to suburbs with a concentration of gaming machines above the Victorian average.
- In the main shopping, transport, community and civic function areas of activity centres where people congregate for daily convenience and social activities.
- In areas where there are no alternative non-gambling entertainment opportunities, such as hotels, clubs, cinemas, restaurants and bars operating at similar hours.
- On sites within 800 metres of sensitive uses such as community health services, welfare agencies or public, community or social housing.
- On sites that cannot reasonably be considered as a destination in their own right.

5.0 Venues for gaming machines

14/01/2021
C200more

Gaming machines should be located in venues that:

- Have a maximum 18 hours operation and a shutdown period for a minimum of 6 hours, starting no later than 2am.
- Are designed to ensure patrons are not required to enter the gaming lounge in order to access any other activity or area of the venue.
- Have a range of other non-gambling entertainment activities.
- Contain existing gaming machines, rather than creating a new gaming venue.

6.0 Application requirements

14/01/2021
C200more

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Details of the design and layout of the premises.
- A detailed Social and Economic Impact Assessment to determine if the proposal will produce a net community benefit. The assessment should include:
  - A clear definition of the local community which will be affected by the application.
  - Assessment of any vulnerable populations within the defined local community.
  - Assessment of the socio-economic disadvantage of the suburb, including SEIFA Relative Socio-economic Disadvantage (IRSD).
  - Assessment of surrounding context, including location of activity centres, transport routes, areas of congregation, sensitive uses and location of non-gambling entertainment options.
  - Evidence of the impact of the proposal on community wellbeing. This may be provided through a community survey or other appropriate qualitative data.

7.0 Decision guidelines

14/02/2023
C225more

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether there is a net community benefit to be derived from the application.
- Whether the net economic and social impact of approval is likely to increase the social disadvantage of an area of the City of Merri-bek.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether residents will have a choice of gaming and non-gaming entertainment and recreation venues in the local area.
- The impact of the proposal on the amenity of the surrounding area, including through their:
  - Hours of operation.
  - Management of patrons.
  - Generation of noise and disturbance.

52.29 LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK

20/01/2022
VC205

Purpose

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

52.29-1 Application

20/01/2022
VC205

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

52.29-2 Permit requirement

20/01/2022
VC205

A permit is required to:

- Create or alter access to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.
- Subdivide land adjacent to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

52.29-3 Permit not required

14/05/2021
VC198

A permit is not required to:

- Create or alter access, or subdivide land, if carried out by or on behalf of the Head, Transport for Victoria.
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

52.29-4 Referral of applications

20/01/2022
VC205

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

52.29-5 Exemption from notice and review

31/07/2018
VC148

An application 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.

52.29-6 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.

52.30 STATE PROJECTS

29/09/2022
VC222

Purpose

To facilitate the development and delivery of projects by or on behalf of, or jointly or in partnership with, or funded by the State of Victoria or a public authority, or on Crown land.

To prioritise the planning and assessment of those state projects to support Victoria's economic recovery from the coronavirus (COVID-19) pandemic.

To prioritise the planning and assessment of those state projects to support the 2026 Commonwealth Games, including projects that are intended to benefit Victoria after the Games have concluded.

52.30-1 Application

20/03/2023
VC229

This clause applies to any project decided by the Minister for Planning under clause 52.30-2 to be a state project.

In this clause:

- ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*;
- ***green wedge land*** has the same meaning as in Division 1 of Part 3AA of the Act;
- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020;*
- ***project*** means:
  - use or development of land; or
  - creation or alteration of access to a road in a Transport Zone; or
  - creation, variation or removal of an easement or restriction; or
  - variation or removal of a condition in the nature of an easement in a Crown grant;
- ***restriction*** has the same meaning as in the *Subdivision Act 1988;*
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.30-2 State project decision

29/09/2022
VC222

The exemption in clause 52.30-3 applies if the Minister for Planning is satisfied that a proposed project is a state project which:

- will be:
  - carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
  - funded, or partly funded by, the State of Victoria or a public authority; or
  - carried out on Crown land;
- will support:
  - Victoria's economic recovery from the impact of the coronavirus (COVID-19) pandemic; or

  - the 2026 Commonwealth Games; or
  - the reuse or redevelopment of a 2026 Commonwealth Games development after the Games have concluded;

- is consistent with any Great Ocean Road strategic framework plan, Statement of Planning Policy or Yarra Strategic Plan that applies to the land;
- will not subdivide green wedge land into more lots or into smaller lots than allowed for by this planning scheme;
- is consistent with any approved regional strategy plan under Part 3A of the Act and any approved strategy plan under Part 3C or Part 3D of the Act; and
- does not form part of public works declared under section 3, or works subject to a notice under section 8B(4)(a)(i), or does not require an environment effects statement under the *Environment Effects Act 1978*.

In deciding whether a proposed project is a state project, the Minister for Planning may, where relevant:

- Consider the objectives of planning in Victoria.
- Have regard to any relevant Minister's directions.
- Have regard to the *Victoria Planning Provisions*.
- Take into account any significant effects which the Minister considers the proposed use or development may have on the environment or which the Minister considers the environment may have on the proposed use or development.
- Take into account any significant social effects and economic effects which the Minister considers the proposed use or development may have.
- Consider any existing specific control under clause 45.12 or 51.01 that applies to the proposed use or development.

The Minister for Planning's decision under this clause that a proposed project is a state project must not be made after:

- 30 June 2025; or
- if the proposed project will support the 2026 Commonwealth Games or the reuse or redevelopment of a 2026 Commonwealth Games development, 31 December 2027.

52.30-3 Exemption from planning scheme requirements

20/03/2023
VC229

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits a project, requires a project to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a project decided by the Minister for Planning under clause 52.30-2 to be a state project if the requirements of clause 52.30 are met.

This exemption does not apply to the following:

- The subdivision of green wedge land into more lots or into smaller lots than allowed for by this planning scheme.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A use or development carried out by or on behalf of, or jointly or in partnership with, the Chief Executive Officer, Homes Victoria, other than:

  - the use or development of accommodation required for the 2026 Commonwealth Games; or
  - the use or redevelopment of a 2026 Commonwealth Games development for accommodation.
- A use or development to which clause 52.03 applies.
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

52.30-4 Project requirement

29/09/2022
VC222

The project must be carried out generally in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

52.30-5 Consultation requirements

29/09/2022
VC222

Before the project commences:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed project will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and the feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.30-6 Other pre-commencement requirements

29/09/2022
VC222

Before the project commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- A plan that shows the boundary of the land on which the project will be carried out.
- A site and context description that accurately describes and analyses the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the land and surrounding area, including any existing use and development.
- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the land, and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- A report that addresses how the proposed project responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the proposed project but for the exemption in clause 52.30-3.
- A schedule of works and development including staging and the expected commencement and completion times.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the Minister's decision is subject to conditions:

  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the proposed project would require a permit but for the exemption in clause 52.30-3 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed project.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the proposed use or development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.
- If the proposal is for the redevelopment of a 2026 Commonwealth Games development for a dwelling or residential building, a report that demonstrates how the proposed development responds to the standards of clause 52.20-6 and 52.20-7, as applicable.
- Any other plan, document or information the Minister for Planning considers necessary to assist the Minister's assessment of the proposed project or the plans and documents required to be prepared under this clause.

The requirements of this clause may be:

- Satisfied in separate components or stages of a project, but each requirement must be satisfied prior to the commencement of that component or stage.
- May be varied or waived by the Minister for Planning.

The plans and other documents required by this clause may be amended during the project to the satisfaction of the Minister for Planning.

52.30-7 Native vegetation requirements

25/03/2021
VC194

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with application requirements in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the offset requirement.

The secured offset for a state project to which this clause applies may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with application requirements in Tables 4 and 5 (other than requirement 9) of the Guidelines must be prepared to the satisfaction of the Secretary.

The information requirements of this clause may be varied or waived by the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.31 LOCAL GOVERNMENT PROJECTS

25/03/2021
VC194

Purpose

To facilitate the development of land by or on behalf of municipal councils.

52.31-1 Permit exemptions

25/03/2021
VC194

Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council. This exemption does not apply to:

- A development with an estimated cost of more than $10 million.
- A development in the Urban Floodway Zone unless the development is carried out to the satisfaction of the relevant floodplain management authority.
- A development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A development for which the Minister for Planning has decided that an assessment through an environment effects statement under the *Environment Effects Act 1978* is not required if the Minister's decision is subject to conditions.

Any requirement in the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council to the satisfaction of the relevant floodplain management authority.

This clause prevails over any inconsistent provision in this planning scheme.

52.31-2 Exemption from notice and review

25/03/2021
VC194

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council 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. This exemption does not apply to:

- An application for a development with an estimated cost of more than $10 million.
- An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- An application to remove, destroy or lop more than:
  - 0.5 hectares of native vegetation other than a tree; or
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

52.32 WIND ENERGY FACILITY

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

52.32-1 Application

03/08/2021
VC206

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

52.32-2 Use and development of land

03/08/2021
VC206

A permit is required to use and develop land for a wind energy facility.

The use and development of land for a wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

Location	Condition
On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.	Must meet the requirements of clause 52.32-3.
Land described in a schedule to the *National Parks Act 1975*	Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.
Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)	
Land listed in a schedule to Clause 52.32-2	Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.

52.32-3 Turbine within one kilometre of a dwelling

03/08/2021
VC206

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4 Application requirements

04/07/2023
VC234

An application must be accompanied by the following information as appropriate:

Site and context analysis

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.
- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*

- Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.
- A pre-construction (predictive) noise assessment report prepared by a suitably qualified and experienced acoustician that:
  - Reports on a pre-construction (predictive) noise assessment conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.
  - Provides an assessment of whether the proposed wind energy facility will comply with the noise limit for that facility under Division 5 Part 5.3 of the *Environment Protection Regulations 2021*.

  - Where the proposed wind energy facility will be the subject of a wind turbine noise agreement under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021,* specifies the premises of the relevant landowner (including any particular buildings) to which the agreement relates and provides an assessment of whether the proposed wind energy facility will comply with the modified noise limit for that facility specified in the agreement.
  - Is prepared on the basis that the relevant noise standard under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021* will be *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise* and includes an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the standard.

- A report prepared by an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017* that verifies whether or not the pre-construction (predictive) noise assessment was conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

52.32-5 Decision guidelines

04/07/2023
VC234

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.
- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021).

52.32-6 Anemometer

03/08/2021
VC206

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

52.32-7 Application to amend a permit under section 72 of the Act

03/08/2021
VC206

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- increase the maximum height of a turbine.

52.32-8 Application to amend a permit under section 97I of the Act

03/08/2021
VC206

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of a turbine.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of a turbine by more than 20%.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

31/07/2018
VC148

Land where a Wind energy facility is prohibited
None specified

52.33 POST BOXES AND DRY STONE WALLS

31/07/2018
VC148

Purpose

To conserve historic post boxes and dry stone walls.

Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0 Permit requirement for dry stone walls

31/07/2018
VC148

Land
None specified

52.34 BICYCLE FACILITIES

31/07/2018
VC148

Purpose

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-1 Provision of bicycle facilities

19/01/2006
VC37

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

52.34-2 Permit requirement

31/07/2018
VC148

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-3 Exemption from notice and review

31/07/2018
VC148

An application 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.

52.34-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Australian Standard AS 2890.3 1993 Parking facilities Part 3: Bicycle parking facilities.
- Any relevant bicycle parking strategy or equivalent.

52.34-5 Required bicycle facilities

08/08/2019
VC159

Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.

A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

Table 1 to Clause 52.34-5 Bicycle spaces

Use	Employee/Resident	Visitor/Shopper/Student
Amusement parlour	None	2 plus 1 to each 50 sq m of net floor area
Convenience restaurant	1 to each 25 sq m of floor area available to the public	2
Dwelling	In developments of four or more storeys, 1 to each 5 dwellings	In developments of four or more storeys, 1 to each 10 dwellings
Education centre (excluding Child care centre) other than specified in this table	1 to each 20 employees	1 to each 20 full-time students
Hospital	1 to each 15 beds	1 to each 30 beds
Hotel	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public
Industry other than specified in this table	1 to each 1000 sq m of net floor area	None
Library	1 to each 500 sq m of net floor area	4 plus 2 to each 200 sq m of net floor area
Major sports and recreation facility	1 to each 1500 spectator places	1 to each 250 spectator places
Market	1 to each 50 stalls	1 to each 10 stalls
Medical centre	1 to each 8 practitioners	1 to each 4 practitioners
Minor sports and recreation facility	1 per 4 employees	1 to each 200 sq m of net floor area
Motel	1 to each 40 rooms	None
Office other than specified in this table	1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m	1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m
Place of assembly other than specified in this table	1 to each 1500 sq m of net floor area	2 plus 1 to each 1500 sq m of net floor area
Primary school	1 to each 20 employees	1 to each 5 pupils over year 4
Residential building other than specified in this table	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms
Restaurant	1 to each 100 sq m of floor area available to the public	2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.
Retail premises other than specified in this table	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area
Secondary school	1 to each 20 employees	1 to each 5 pupils
Service industry	1 to each 800 sq m of net floor area	None
Shop	1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres

Use	Employee/Resident	Visitor/Shopper/Student
Take-away food premises	1 to each 100 sq m of net floor area	1 to each 50 sq m of net floor area

Table 2 to Clause 52.34-5 Showers

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Table 3 to Clause 52.34-5 – Change rooms

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

52.34-6 Design of bicycle spaces

31/07/2018
VC148

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

52.34-7 Bicycle signage

31/07/2018
VC148

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.

52.35 MAJOR ROAD PROJECTS

14/05/2021
VC198

52.35-1 Purpose

14/05/2021
VC198

To facilitate the delivery of projects carried out by or on behalf of Major Road Projects Victoria.

52.35-2 Application

14/05/2021
VC198

This clause applies to the use and development of land for a project carried out by or on behalf of Major Road Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.35.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.35-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.35 prevail over any inconsistent provision in this planning scheme.

52.35-3 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.35 applies if the requirements of clause 52.35 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.35-4 Use and development requirements

14/05/2021
VC198

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.35, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.35-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.35-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.35-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.35.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
- A statement outlining landscape and urban design measures or treatments required to address any amenity impacts as part of the project.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.35-8 Native vegetation requirements

14/05/2021
VC198

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with the application requirements 1, 5, 9, 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.35-9 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.35, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.35-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.35, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.36 RAIL PROJECTS

14/05/2021
VC198

52.36-1 Purpose

14/05/2021
VC198

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

52.36-2 Application

14/05/2021
VC198

This clause applies to the use and development of land for a project carried out by or on behalf of Rail Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.36.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.36-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.36 prevail over any inconsistent provision in this planning scheme.

52.36-3 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.36 applies if the requirements of clause 52.36 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.36-4 Use and development requirements

20/01/2022
VC205

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.36, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, must be carried out to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.36-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.36-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.36-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.36.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.36-8 Native vegetation requirements

14/05/2021
VC198

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with application requirements 1, 5, 9 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.36-9 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.36, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.36-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.36, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

53 GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

31/07/2018
VC148

53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

31/07/2018
VC148

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

53.01-1 Exemption from public open space requirement specified in the scheme

31/07/2018
VC148

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

53.01-2 Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

31/07/2018
VC148

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

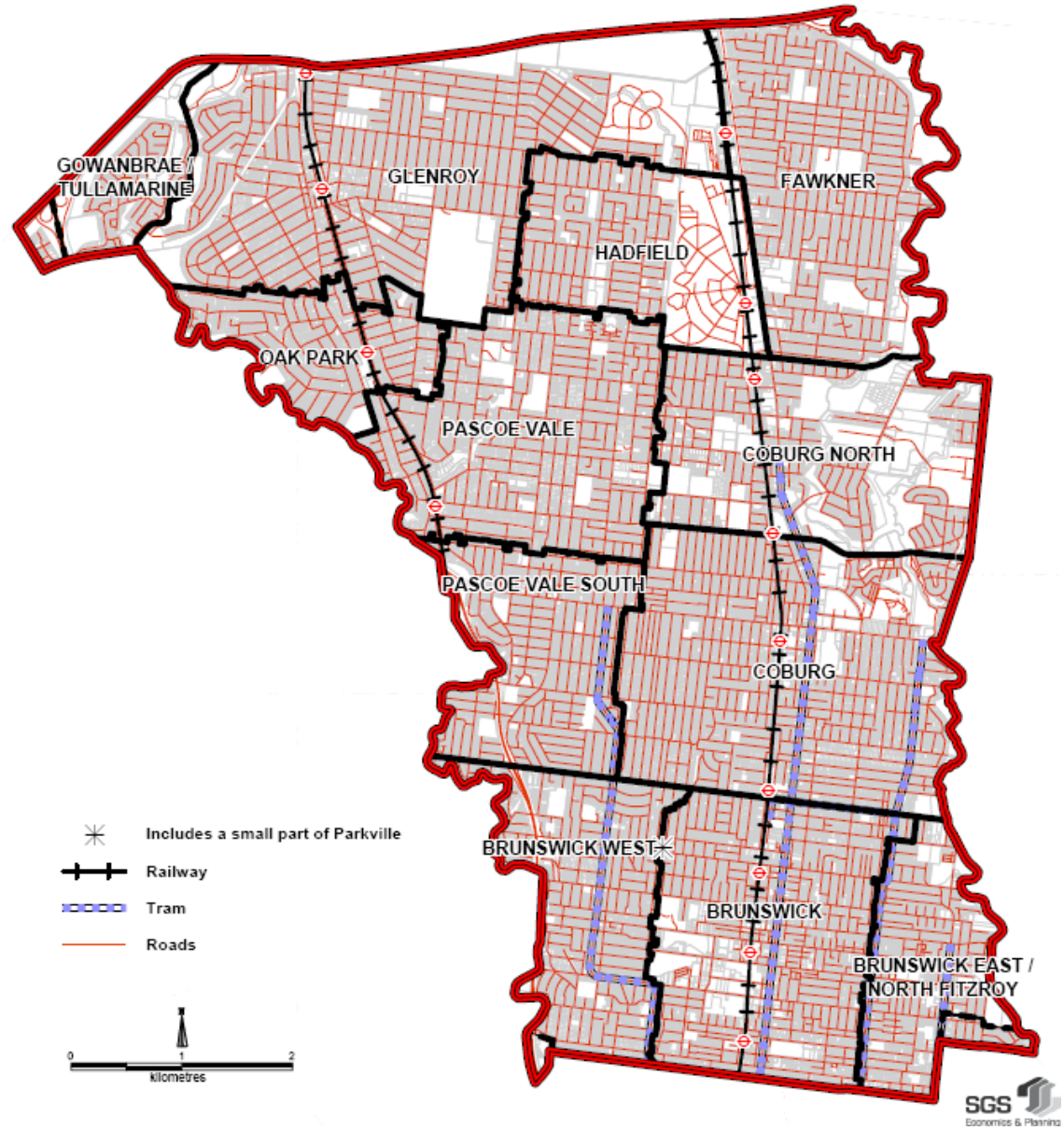
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Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
Location as defined by Map 1:	
1. Brunswick East / North Fitzroy	5.7%
2. Brunswick	6.3%
3. Brunswick West	2.5%
4. Coburg	6.8%
5. Pascoe Vale South	3.4%
6. Coburg North	4.3%
7. Pascoe Vale	3.7%
8. Oak Park	3.1%
9. Fawkner	5.7%
10. Hadfield	4.3%
11. Glenroy	6.5%
12. Gowanbrae / Tullamarine	4.7%

Map 1 to the Schedule to Clause 53.01



1. Brunswick East / North Fitzroy 2. Brunswick 3. Brunswick West 4. Coburg 5. Pascoe Vale South 6. Coburg North 7. Pascoe Vale 8. Oak Park 9. Fawkner 10. Hadfield 11. Glenroy 12. Gowanbrae/Tullamarine

53.02 BUSHFIRE PLANNING

31/07/2018
VC148

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

53.02-1 Application

31/07/2018
VC148

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

53.02-2 Operation

31/07/2018
VC148

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome that must be achieved in a completed development.
- **Approved measures (AM).** An approved measure meets the objective.
- **Alternative measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- **Decision guidelines**. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

53.02-3 Dwellings in existing settlements – Bushfire protection objective

31/07/2018
VC148

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

Approved measures

Measure	Requirement
AM 1.1	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 1.2	A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space. A building is constructed to the bushfire attack level: ▪ That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or ▪ The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply: – A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling. – A minimum bushfire attack level of BAL12.5 is provided in all circumstances.
AM 1.3	A building is provided with: ▪ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

20/03/2023
VC229

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

Approved measures

Measure	Requirement
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.
AM 2.2	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

Measure	Requirement
AM 3.1	A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with defendable space in accordance with: ▪ Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or ▪ If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5. The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.
AM 3.2	A building used for accommodation (other than a dwelling or dependent person's unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is: ▪ Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land. ▪ Constructed to a bushfire attack level of BAL12.5.

Alternative measures

Measure	Requirement
AltM 3.3	Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.
AltM 3.4	Defendable space and the bushfire attack level is determined using Method 2 of *AS3959:2018 Construction of buildings in bushfire prone areas* (Standards Australia) subject to any guidance published by the relevant fire authority.

Measure	Requirement
AltM 3.5	A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that: ▪ The lot has access to urban, township or other areas where: – Protection can be provided from the impact of extreme bushfire behaviour. – Fuel is managed in a minimum fuel condition. – There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat. ▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. ▪ The dwelling is constructed to a bushfire attack level of BAL FZ. This alternative measure only applies where the requirements of **AM 3.1** cannot be met.
AltM 3.6	A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that: ▪ An integrated approach to risk management has been adopted that considers: – The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. – The intended frequency and nature of occupation. – The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation. ▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

Measure	Requirement
AM 4.1	A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with: ▪ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.
AM 4.2	A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:

Measure	Requirement
	▪ A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. ▪ An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Measure	Requirement
AM 5.1	An application to subdivide land, other than where **AM 5.2** applies, demonstrates that each proposed lot is capable of meeting: ▪ The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5. ▪ The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.
AM 5.2	An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: ▪ Each lot satisfies the approved measure in **AM 2.1**. ▪ A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with: – Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or – Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope. ▪ Defendable space wholly contained within the boundaries of the proposed subdivision. ▪ Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilse communal areas, such as roads, where that land can meet the requirements for defendable space. ▪ Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure. ▪ Water supply and vehicle access that complies with **AM 4.1**.
AM 5.3	An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.

Measure	Requirement
AM 5.4	A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

Measure	Requirement
AltM 5.5	A building envelope for a subdivision that creates 10 or more lots required under **AM 5.2** may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that: ▪ All other requirements of **AM 5.2** have been met. ▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.

53.02-5
20/03/2023
VC229

Tables : Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

Table 1 Defendable space and construction

Slope	Vegetation Type	Defendable space distance from building facade (metres)				
		Column A	Column B	Column C	Column D	Column E
All upslopes and flat land (0 degrees)	Forest	48	35	25	19	< 19
	Woodland	33	24	16	12	< 12
	Scrub	27	19	13	10	< 10
	Shrubland	19	13	9	7	< 7
	Mallee/ Mulga	17	12	8	6	< 6
	Rainforest	23	16	11	8	< 8
	Grassland	19	13	9	6	< 6
Downslope >0 to 5 degrees	Forest	57	43	32	24	< 24
	Woodland	41	29	21	15	< 15
	Scrub	31	22	15	11	< 11
	Shrubland	22	15	10	7	< 7
	Mallee/ Mulga	20	13	9	7	< 7
	Rainforest	29	20	14	10	< 10
	Grassland	22	15	10	7	< 7
Downslope >5 to 10 degrees	Forest	69	53	39	31	< 31
	Woodland	50	37	26	20	< 20
	Scrub	35	24	17	12	< 12
	Shrubland	25	17	11	8	< 8
	Mallee/ Mulga	23	15	10	7	< 7
	Rainforest	36	26	18	13	< 13
	Grassland	25	17	11	8	< 8
Downslope >10 to 15 degrees	Forest	82	64	49	39	< 39
	Woodland	60	45	33	25	< 25
	Scrub	39	28	19	14	< 14
	Shrubland	28	19	13	9	< 9

Slope	Vegetation Type	Defendable space distance from building facade (metres)				
		Column A	Column B	Column C	Column D	Column E
	Mallee/ Mulga	26	18	11	8	< 8
	Rainforest	45	33	23	17	< 17
	Grassland	28	20	13	9	< 9
Downslope >15 to 20 degrees	Forest	98	78	61	50	< 50
	Woodland	73	56	41	32	< 32
	Scrub	43	31	21	15	< 15
	Shrubland	31	22	15	10	< 10
	Mallee/ Mulga	29	20	13	9	< 9
	Rainforest	56	42	29	22	< 22
	Grassland	32	23	15	11	< 11
		BAL 12.5	BAL19	BAL29	BAL40	BALFZ
Downslope >20 degrees	All vegetation	Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.				
All slopes	Low threat vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.				
All slopes	Modified vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.				

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2018 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 2 Defendable space and construction

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
All upslopes and flat land (0 degrees)	Forest	48	35	25	19
	Woodland	33	24	16	12

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
	Scrub	27	19	13	10
	Shrubland	19	13	9	7
	Mallee/ Mulga	17	12	8	6
	Rainforest	23	16	11	8
	Grassland	19	13	9	6
Downslope >0 to 5 degrees	Forest	57	43	32	24
	Woodland	41	29	21	15
	Scrub	31	22	15	11
	Shrubland	22	15	10	7
	Mallee/ Mulga	20	13	9	7
	Rainforest	29	20	14	10
	Grassland	22	15	10	7
Downslope >5 to 10 degrees	Forest	69	53	39	31
	Woodland	50	37	26	20
	Scrub	35	24	17	12
	Shrubland	25	17	11	8
	Mallee/ Mulga	23	15	10	7
	Rainforest	36	26	18	13
	Grassland	25	17	11	8
Downslope >10 to 15 degrees	Forest	82	64	49	39
	Woodland	60	45	33	25
	Scrub	39	28	19	14
	Shrubland	28	19	13	9
	Mallee/ Mulga	26	18	11	8
	Rainforest	45	33	23	17
	Grassland	28	20	13	9
Downslope >15 to 20 degrees	Forest	98	78	61	50
	Woodland	73	56	41	32

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
	Scrub	43	31	21	15
	Shrubland	31	22	15	10
	Mallee/ Mulga	29	20	13	9
	Rainforest	56	42	29	22
	Grassland	32	23	15	11
		BAL12.5	BAL19	BAL29	BAL40
Downslope >20 degrees	All vegetation	Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2018 Construction of buildings in bushfire prones areas (Standards Australia) subject to any guidance published by the relevant fire authority.			
All slopes	Low threat vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.			
All slopes	Modified vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.			

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2018 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

Vegetation class	Defendable space distance from building facade (metres)				
	Upslope and flat land (0 degrees)	Downslope (degrees)			
		>0-5	>5-10	>10-15	>15-20
Forest	60	70	85	105	125
Woodland	40	50	62	75	95
Shrubland	25	28	32	36	41
Scrub	35	40	45	50	55
Mallee/Mulga	23	26	30	35	40
Rainforest	30	36	46	60	70

Vegetation class	Defendable space distance from building facade (metres)				
	Upslope and flat land (0 degrees)	Downslope (degrees)			
		>0-5	>5-10	>10-15	>15-20
Grassland	35	40	45	50	55

Table 4 Water supply requirements

Capacity, fittings and access

Lot sizes (square meters)	Hydrant available	Capacity (litres)	Fire authority fittings and access required
Less than 500	Not applicable	2,500	No
500-1,000	Yes	5,000	No
500-1,000	No	10,000	Yes
1,001 and above	Not applicable	10,000	Yes

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building

Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

Column A	Column B
Length of access is less than 30 metres	There are no design and construction requirements if fire authority access to the water supply is not required under **AM4.1**.

Column A	Column B
Length of access is less than 30 metres	Where fire authority access to the water supply is required under **AM4.1** fire authority vehicles should be able to get within 4 metres of the water supply outlet.
Length of access is greater than 30 metres	The following design and construction requirements apply: ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres. ▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
Length of access is greater than 100 metres	A turning area for fire fighting vehicles must be provided close to the building by one of the following: ▪ A turning circle with a minimum radius of eight metres. ▪ A driveway encircling the dwelling. ▪ The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.
Length of access is greater than 200 metres	▪ Passing bays must be provided at least every 200 metres. ▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 6 Vegetation management requirement

Vegetation management requirement
Defendable space is provided and is managed in accordance with the following requirements: ▪ 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 the canopy of trees. ▪ Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.

Vegetation management requirement
▪ Trees must not overhang or touch any elements of the building. ▪ The canopy of trees must be separated by at least 5 metres. ▪ There must be a clearance of at least 2 metres between the lowest tree branches and ground level. Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

Building construction condition
The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and: ▪ has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or ▪ is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness. Any openings in the wall shall be protected in accordance with the following: i. Doorways – by FLR -/60/30 self-closing fire doors ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position iii. Other openings – by construction with a FRL of not less than -/60/- *Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.*

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.

53.03 BROTHELS

31/07/2018
VC148

Purpose

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the *Sex Work Act 1994*.

53.03-1 Permit requirement

31/07/2018
VC148

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the *Sex Work Act 1994*.

53.03-2 Decision guidelines

31/07/2018
VC148

Responsible authorities should consider the matters set out in section 73 of the *Sex Work Act 1994* before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the *Sex Work Act 1994*, unless section 76(2) of *Sex Work Act 1994* applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the *Planning and Environment Act 1987*, or
- An application to amend a permit in accordance with Part 4 Division 1A of the *Planning and Environment Act 1987*, or
- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the *Planning and Environment Act 1987*, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the *Sex Work Act 1994*.

53.04 CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

31/07/2018
VC148

53.04-1 Application

31/07/2018
VC148

These requirements only apply to land in a residential zone.

53.04-2 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Transport Zone 2 or Transport Zone 3.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.

  - Avoid disruption to traffic flow on land in a Transport Zone 2 or Transport Zone 3.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.

53.05 FREEWAY SERVICE CENTRE

14/05/2021
VC198

Purpose

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Head, Transport for Victoria.

To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

53.05-1 Requirements to be met

14/08/2023
VC236

Facilities and services

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.

An application to use or develop land for a freeway service centre must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.02.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the person or body specified as the referral authority in Clause 66.02.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

"This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards."

Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

53.05-2 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The Freeway Service Centres Design Guidelines, May 1997.

53.06 LIVE MUSIC ENTERTAINMENT VENUES

28/09/2020
VC183

Purpose

To recognise that live music is an important part of the State's culture and economy.

To encourage the retention of existing and the development of new live music entertainment venues.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

53.06-1 Application

28/09/2020
VC183

This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

This clause does not apply to:

- The extension of an existing dwelling.
- A noise sensitive residential use that is in an area specified in clause 2.0 of the schedule to this clause.

53.06-2 Meaning of terms

28/09/2020
VC183

In this clause:

- ***live music entertainment venue*** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 3.0 of the schedule to this clause, subject to any specified condition or limitation.
- ***noise sensitive residential use*** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

53.06-3 Requirements to be met

04/05/2022
VC210

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an L_{eq} over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

53.06-4 Application requirements

28/09/2020
VC183

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.
- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.
- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.
- Details of existing and proposed acoustic attenuation measures.
- An assessment of the impact of the proposal on the functioning of live music venues.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

53.06-5 Decision guidelines

28/09/2020
VC183

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.
- The social and economic significance of an existing live music entertainment venue.
- The impact of the proposal on the functioning of live music venues.

18/02/2021
GC175

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

1.0 Areas to which Clause 53.06 does apply

04/05/2022
VC210

Name of area	Description
None specified	

2.0 Areas to which Clause 53.06 does not apply

04/05/2022
VC210

Name of area	Description
None specified	

3.0 Other venues to which Clause 53.06 applies

04/05/2022
VC210

Name of venue	Address	Condition or limitation
None specified		

53.07 SHIPPING CONTAINER STORAGE

31/07/2018
VC148

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

53.07-1 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Transport Zone 2 or a Transport Zone 3.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.
- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.
- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
- The adequacy of traffic measures to:

  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.

53.08 CATTLE FEEDLOT

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

53.08-1 Requirements to be met

31/07/2018
VC148

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.

53.09 POULTRY FARM

11/04/2019
VC156

Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.09-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

53.09-2 Permit not required – Outdoor range area for existing broiler farm

21/09/2018
VC150

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

53.09-3 Requirement – Broiler farm

21/09/2018
VC150

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

53.09-4 Exemption from notice and review

11/04/2019
VC156

The following applications are 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:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a "Class A Broiler Farm", as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.
- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.

Table 1 Minimum setbacks

Chicken numbers	Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)	Minimum distance to land in a residential zone
1,000 chickens or less	50 metres	200 metres
More than 1,000 chickens	100 metres	400 metres

53.09-5 Notice of an application

21/09/2018
VC150

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-6 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).

53.10 USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS

26/05/2020
VC175

Purpose

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

53.10-1 Threshold distance

03/02/2022
VC199

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

Type of use or activity (purpose)	Threshold distance (metres)
Basic metal products	
Iron or steel production:	
▪ up to 1,000,000 tonnes per year	500
▪ exceeding 1,000,000 tonnes per year	1,000
Non-ferrous metal production:	
▪ up to 100 tonnes per year	100
▪ between 100 and 2,000 tonnes per year	300
▪ exceeding 2,000 tonnes per year	500
▪ aluminium by electrolysis	2,000
Chemical, petroleum and coal products	
Ammunition, explosives and fireworks production	1,000
Biocides production and storage	1,000
Briquette production	300
Chemical product manufacture other than listed within this group	300

Type of use or activity (purpose)	Threshold distance (metres)
Coke processing	500
Cosmetics and toiletries production	100
Fertiliser production	1,000
Gasworks	1,000
Industrial gases production	1,000
Organic and inorganic industrial chemicals production other than those listed within this group	2,000
Other petroleum or coal production	500
Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year	500
Petroleum refinery	2,000
Pharmaceutical and veterinary chemical production	1,000
Polyester and synthetic resins production, exceeding 2,000 tonnes per year	1,000
Rubber production:	
▪ synthetic rubber, exceeding 2,000 tonnes per year	1,000
▪ using either organic solvents or carbon black	300
▪ using sulphur	1,000
Soap and detergent production	500
Fabricated metal products	
Abrasive blast cleaning	500
Boiler maker	100
Metal coating and finishing	500
Structural or sheet metal production	500
Food and beverages	
Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day	500
Animal processing	1,000

Type of use or activity (purpose)	Threshold distance (metres)
Bakery (other than one ancillary to a shop):	
▪ exceeding 200 tonnes per year	100
▪ night-time operations, exceeding 200 tonnes per year	500
Flour mill, exceeding 200 tonnes per year	250
Food production other than those listed within this group:	
▪ exceeding 200 tonnes per year	250
▪ including frying, drying or roasting, exceeding 200 tonnes per year	500
Grain and stockfeed mill and handling facility	
▪ with meat meals or tallow	500
▪ no meat meals or tallow	250
Maltworks, exceeding 200 tonnes per year	500
Manufacture of milk products, exceeding 200 tonnes per year	300
Milk depot	100
Pet food production	500
Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year	500
Seafood processor, exceeding 200 tonnes per year	500
Smallgoods production:	
▪ exceeding 200 tonnes per year	100
▪ including smoking and drying, exceeding 200 tonnes per year	500
Miscellaneous manufacturing	
Printing and coating works with heated curing ovens	500
Rendering and casings works	1,000
Non-metallic mineral products	
Bitumen batching plant	1,000
Cement production in amounts:	
▪ up to 5,000 tonnes per year	300

Type of use or activity (purpose)	Threshold distance (metres)
▪ between 5,000 and 150,000 tonnes per year	500
▪ exceeding 150,000 tonnes per year	1,000
Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:	500
Concrete batching plant, with a production rate exceeding 5,000 tonnes per year	300
Glass and glass production including glass wool and fibreglass	500
Plaster or plaster articles production, exceeding 5,000 tonnes per year	200
Rock wool manufacture	500
Solar salt manufacture	1,000
Other premises	
Automotive body, paint and interior repair	100
Rural industry handling, processing or packing agricultural produce	300
Paper and paper products	
Paper or paper pulp production:	
▪ involving combustion of sulphur or sulphur containing materials	5,000
▪ from semi-processed materials	100
▪ from prepared cellulose and rags	200
▪ by other methods than above	None specified
Recreational, personal and other services	
Dry cleaning for commercial and institutional customers, or in bulk quantities	100
Laundry for commercial and institutional customers, or in bulk quantities	100
Textiles	
Carpet backing with latex	500
Dyeing or finishing of cotton, linen and woollen yarns and textiles	300
Leather and artificial leather goods production	300
Leather tanning and dressing:	

Type of use or activity (purpose)	Threshold distance (metres)
▪ up to 250 tonnes per year	300
▪ exceeding 250 tonnes per year	2,000
Rope, cordage and twine production	100
Treatment or production of natural and synthetic fibres and textiles	1,000
Treatment or production of textiles using carbon disulphide	500
Wool scouring	200
Transport and storage	
Bus depot	200
Depot for refuse collection vehicles	100
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes	1,000
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:	
▪ with fixed roofs	300
▪ with floating roofs	100
Storage of wet-salted or unprocessed hides	250
Waste, recycling and resource recovery	
Chemical or oil recycling	1,000
Combustion, treatment or bio-reaction of waste to produce energy	None specified
Composting and other organic materials recycling	None specified
Hazardous waste storage or treatment	1,000
Landfill	None specified
Other recourse recovery or recycling operations	None specified
Soil conditioning or blending	None specified
Transfer station:	
▪ accepting organic wastes	500
▪ other	200
Used plastics treatment or processing	500

Type of use or activity (purpose)	Threshold distance (metres)
Waste tyre recycling and re-treading	1,000
Vehicle recycling or disposal	500
Water and wastewater	
Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day	None specified
Water treatment plant	None specified
Wood, wood products and furniture	
Charcoal production:	
▪ by the retort process	500
▪ other than by the retort process	1,000
Joinery	100
Sawmill, wood products and furniture	500
Wood preservation plant:	
up to 10,000 cubic metres of timber per year	100
exceeding 10,000 cubic metres of timber per year	300

53.11 TIMBER PRODUCTION

31/07/2018
VC148

53.11-1 Timber production on Crown land

31/07/2018
VC148

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

53.11-2 Timber production to comply with the Code of Practice for Timber Production

20/03/2023
VC229

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022). In accordance with Section 6(4A) of the *Planning and Environment Act 1987*, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

53.11-3 Road repairs

31/07/2018
VC148

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

53.11-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
  - Protecting water quality.
  - Conserving flora and fauna.
  - Preventing land degradation, including soil erosion, salinisation and water logging.
  - Preventing adverse effects on groundwater recharge.
- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.

53.12 RACING DOG HUSBANDRY

08/08/2019
VC159

Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1 Requirement

08/08/2019
VC159

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017).

This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

53.12-2 Exemption from notice and review

31/07/2018
VC148

An application to which the requirement in Clause 53.12-1 applies 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 if the approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.

53.13 RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

17/09/2019
VC161

Purpose

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

53.13-1 Application

17/09/2019
VC161

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

53.13-2 Application requirements

01/07/2021
VC203

An application must be accompanied by the following information, as appropriate:

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.

53.13-3 Decision guidelines

28/10/2022
VC224

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land.
- The impact of the proposal on the protection of declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022).

53.13-4 Amendment VC161 transitional provisions

17/09/2019
VC161

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

53.14 RESOURCE RECOVERY

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

53.14-1 Application

31/07/2018
VC148

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

53.14-2 Application requirements

01/07/2021
VC203

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

53.14-3 Decision Guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Any Regional Waste and Resource Recovery Implementation Plan including the *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016).

- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).

53.15 STATEMENT OF UNDERLYING PROVISIONS

31/07/2018
VC148

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the *Planning and Environment Act 1987* if the land had not been reserved for that purpose.

53.15-01 Application

31/07/2018
VC148

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0

08/09/2022
C195more

Incorporated statement

Land	Incorporated Document
None specified	

53.16 PIG FARM

11/04/2019
VC156

Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.16-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

53.16-2 Exemption from notice and review

04/05/2022
VC210

An application to use land or construct a building or construct or carry out works for a pig farm 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 if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Gilt	100 – 160	24 -30	1.8
Boar	100 – 300	24 – 128	1.6
Gestating sow	160 – 230	-	1.6
Lactating sow	160 – 230	-	2.5
Sucker	1.4 – 8	0 – 4	0.1
Weaner	8 – 25	4 – 10	0.5
Grower	24 – 55	10 – 16	1.0
Finisher	55 – 100	16 – 24	1.6

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Heavy Finisher	100 – 130	24 -30	1.8

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

53.16-3 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

53.17 RESIDENTIAL AGED CARE FACILITY

11/04/2019
VC156

Purpose

To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.

To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

53.17-1 Application

26/10/2018
VC152

This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

53.17-2 Application requirements

26/10/2018
VC152

An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

Site and context description

The site and context description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response

The design response must explain how the proposed design:

- Responds to the site and context description.
- Meets the requirements of this clause.

Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

53.17-3 Development requirements

20/01/2022
VC205

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	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.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	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.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting

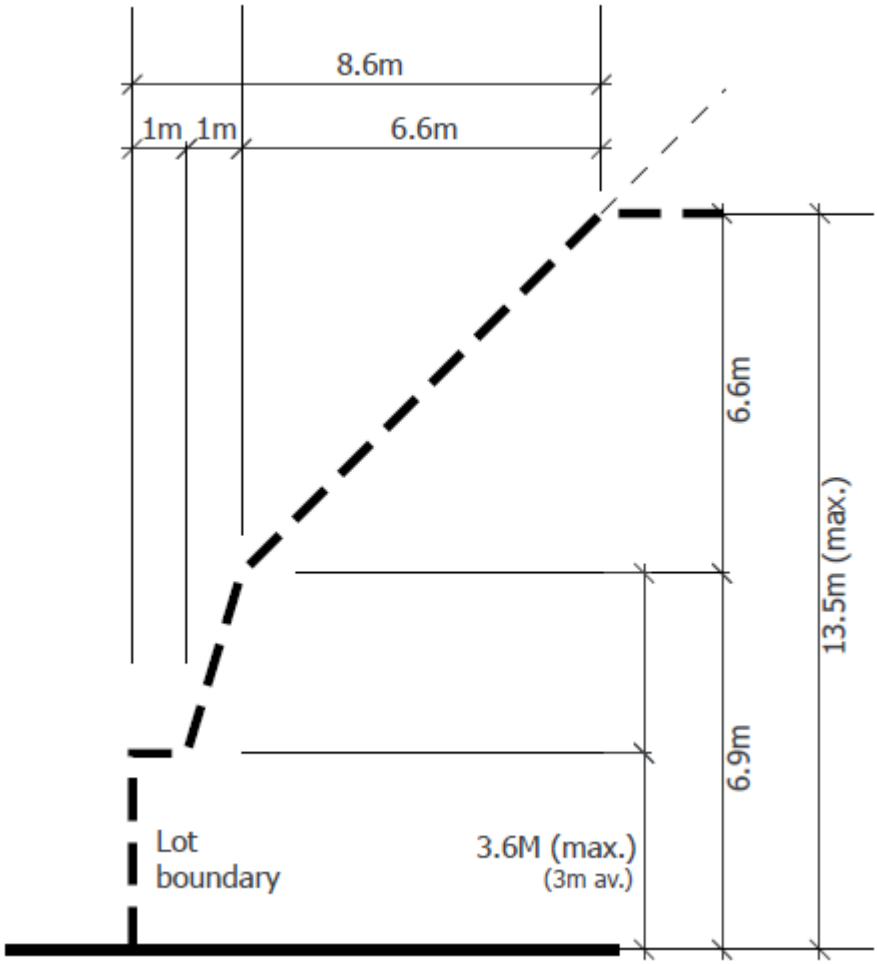
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	allotment facing the side street or 4 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.



Walls on boundaries

A new wall constructed on or within 200mm 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 lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports;

whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

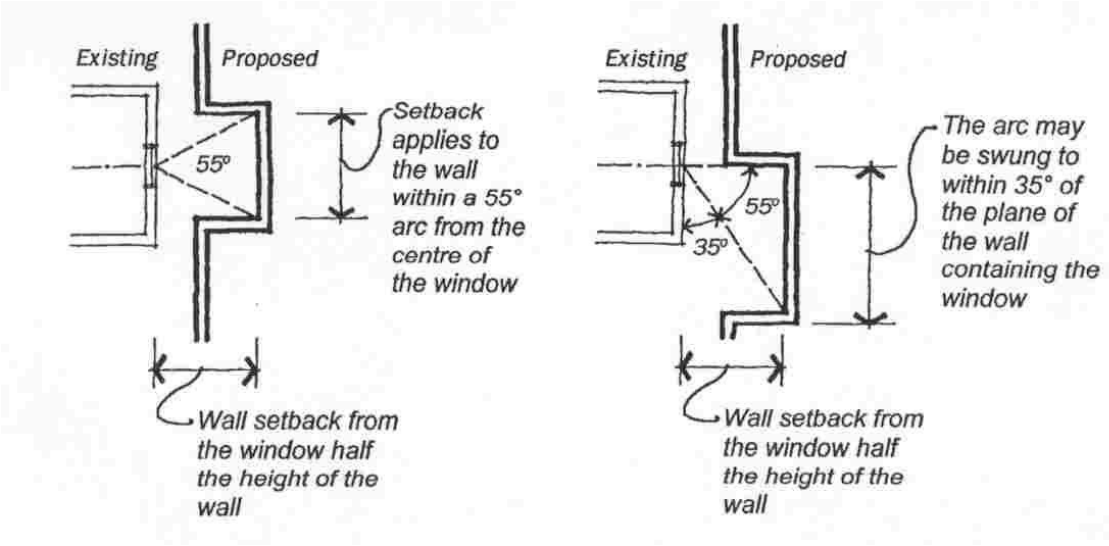
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

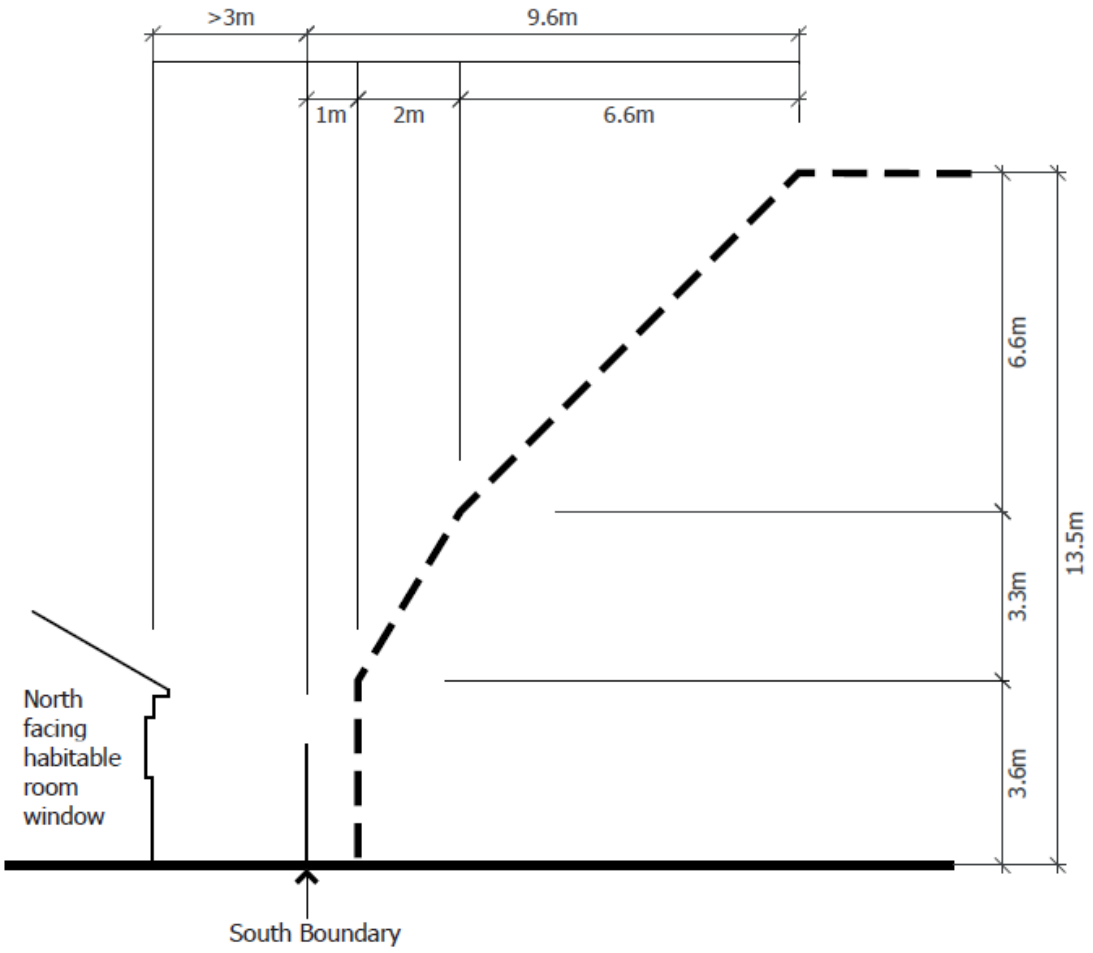
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.



North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.



Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Overshadowing solar energy systems

Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.

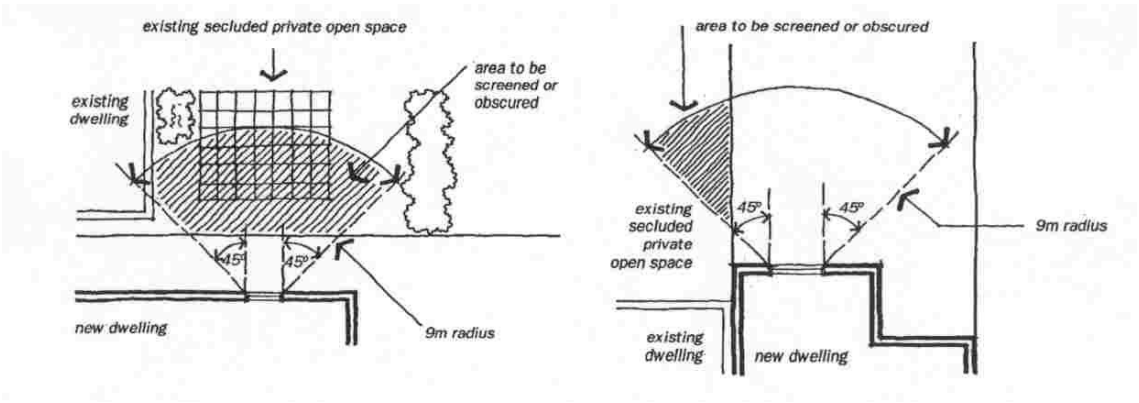
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.



Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Site coverage

The site area covered by buildings should not exceed 80 percent.

Access

Access ways should be designed to:

- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.

- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

Building entry

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

Communal open space

Accessible and useable communal open space should be provided for residents and staff.

Front fence

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Transport Zone 2; and
- 1.5 metres in height on all other streets.

53.17-4 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.18 STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

26/10/2018
VC154

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

53.18-1 Application

28/10/2022
VC224

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Transport Zone 2, Transport Zone 3, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone (Part A – No precinct structure plan applies).
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Transitional provisions

Clause 53.18 of this scheme, as in force immediately before the approval date of Amendment VC224, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

53.18-2 Operation

26/10/2018
VC154

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.

  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3 Requirements

26/10/2018
VC154

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4 Stormwater management objectives for subdivision

03/02/2022
VC199

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria da Vave < 0.35 m2/s (where, da = average depth in metres and Vave = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

53.18-5 Stormwater management objectives for buildings and works

26/10/2018
VC154

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

Standard W2

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

53.18-6 Site management objectives

26/10/2018
VC154

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

53.18-7 Decision guidelines

26/10/2018
VC154

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

53.19 NON-GOVERNMENT SCHOOLS

03/12/2019
VC165

Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

53.19-1 Application

04/12/2020
VC180

This clause applies to an application under any provision of this scheme, other than a VicSmart application, to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

53.19-2 Exemption from review

04/12/2020
VC180

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.19-3 Transitional provisions

04/12/2020
VC180

Clause 53.19 of this scheme, as in force immediately before the approval date of Amendment VC180, continues to apply to:

- An application for a planning permit made before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was made before that date.

53.20 HOUSING BY OR ON BEHALF OF HOMES VICTORIA

20/03/2023
VC229

Purpose

To facilitate the development of well-designed social housing and affordable housing to meet existing and future needs.

To increase the social housing and affordable housing stock in Victoria.

To ensure the development of housing by or on behalf of the Chief Executive Officer, Homes Victoria does not unreasonably impact on the amenity of adjoining dwellings.

53.20-1 Application

20/03/2023
VC229

This clause applies to an application under a provision of a residential zone (other than the Low Density Residential Zone) to construct or extend a dwelling, or to construct or extend a front fence, if the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.

In this clause, ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.

53.20-2 Operation

20/12/2021
VC207

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

An application to construct or extend a dwelling, or to construct or extend a front fence, should meet the standards in Clause 53.20-6.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, should meet the standards in Clause 53.20-6 and Clause 53.20-7 except for the standard in:

- Clause 53.20-6.5.
- Clause 53.20-6.10 for an apartment development of 5 or more storeys.

The standards in Clause 53.20-6 and Clause 53.20-7 should normally be met. However, an alternative design solution may be considered if the responsible authority is satisfied that the proposal does not unreasonably impact on the amenity of an existing dwelling on the site or on an adjacent site.

53.20-3 Exemption from planning scheme provisions

20/12/2021
VC207

The following provisions of this planning scheme do not apply:

- The Municipal Planning Strategy or Municipal Strategic Statement and the Planning Policy Framework.
- An application requirement or decision guideline of a zone.
- A requirement to meet Clauses 54, 55 and 58 of a zone.
- A schedule to a zone except for a specified building height requirement.
- Clauses 52.06 and 65.

53.20-4 Exemption from notice and review

20/12/2021
VC207

An application under any provision of this scheme 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.

53.20-5 Application requirements

20/03/2023
VC229

An application must be accompanied by the following information, as appropriate:

- Where the application is made on behalf of the Chief Executive Officer, Homes Victoria, a letter from Homes Victoria confirming that the application is made on behalf of the Chief Executive Officer, Homes Victoria.
- An urban context report. The urban context report may use a site plan, photographs or other techniques and must include an accurate description of:
  - Lot boundaries, site shape, size, orientation and easements on the subject site.
  - Levels and contours of the site and the difference in levels between the site and adjoining properties.
  - The location and height of existing buildings on the site and adjoining properties.
  - The use of adjoining buildings.
  - The location of secluded private open space of adjoining properties and the location of trees, fences and other landscape elements.
  - Solar access to the site and to adjoining properties.
  - Street frontage features such as poles, street lights, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Movement systems through and around the site.
  - Any other notable feature or characteristic of the site.
  - An assessment of the characteristics of the area including:
    - Any environmental features such as vegetation, topography and significant views.
    - The pattern of subdivision.
    - Street design and landscape.
    - The pattern of development.
    - Building form, scale and rhythm.
    - Connection to the public realm.
    - Architectural style, building details and materials.
    - Significant off-site noise sources.
    - For an apartment application, the relevant NatHERS climate zones.
    - Social and economic activity.
    - Any other notable or cultural characteristics of the area.
- A design response. The design response must explain how the proposed design:
  - Responds to any relevant planning provision.
  - Derives from and responds to the urban context report.
  - The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

53.20-6 Development standards

04/08/2022
VC221

53.20-6.1 Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity. Connection to a reticulated gas service is optional.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

53.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	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.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	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.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
		building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

53.20-6.3 Site coverage

The site area covered by buildings should not exceed 60 per cent.

53.20-6.4 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

53.20-6.5 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing roof top solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing roof top solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

53.20-6.6 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

53.20-6.7 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

53.20-6.8 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

53.20-6.9 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

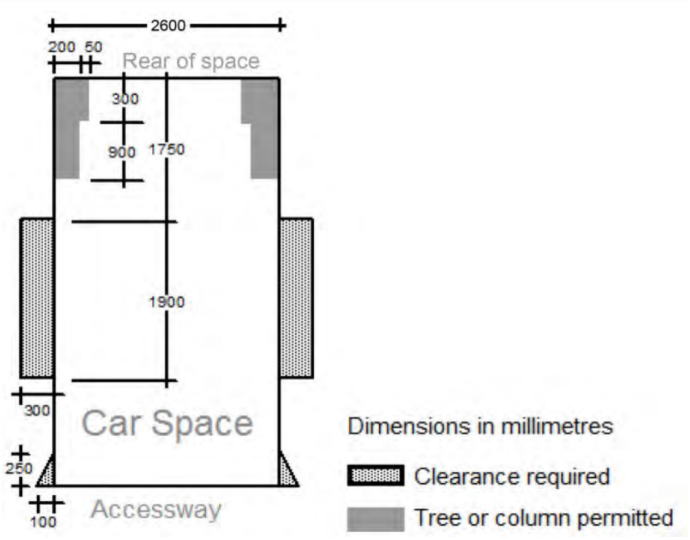
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Mechanical parking

Mechanical parking may be used to meet the carparking requirement provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

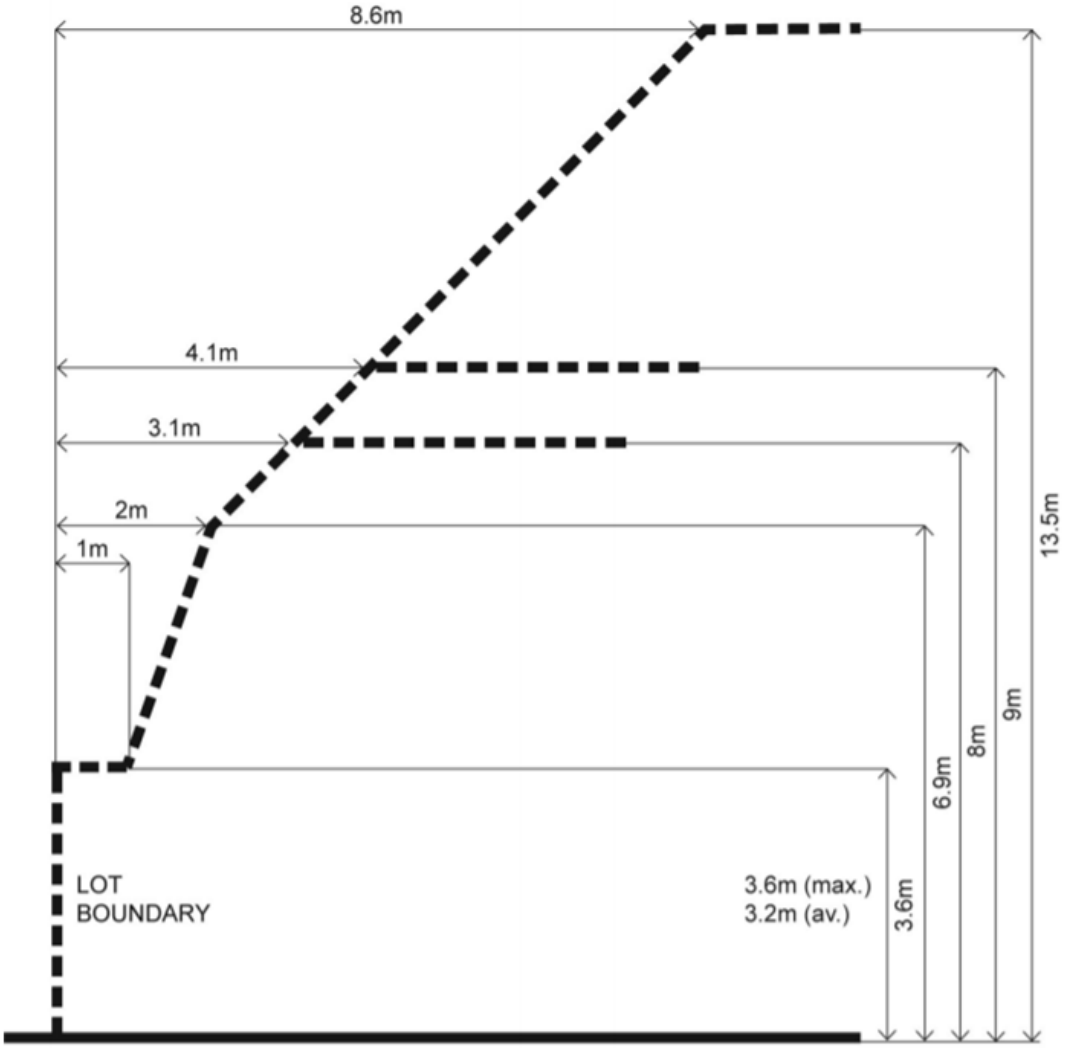
53.20-6.10 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram 2 Side and rear setbacks



53.20-6.11 Walls on boundaries

A new wall constructed on or within 200mm 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 lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

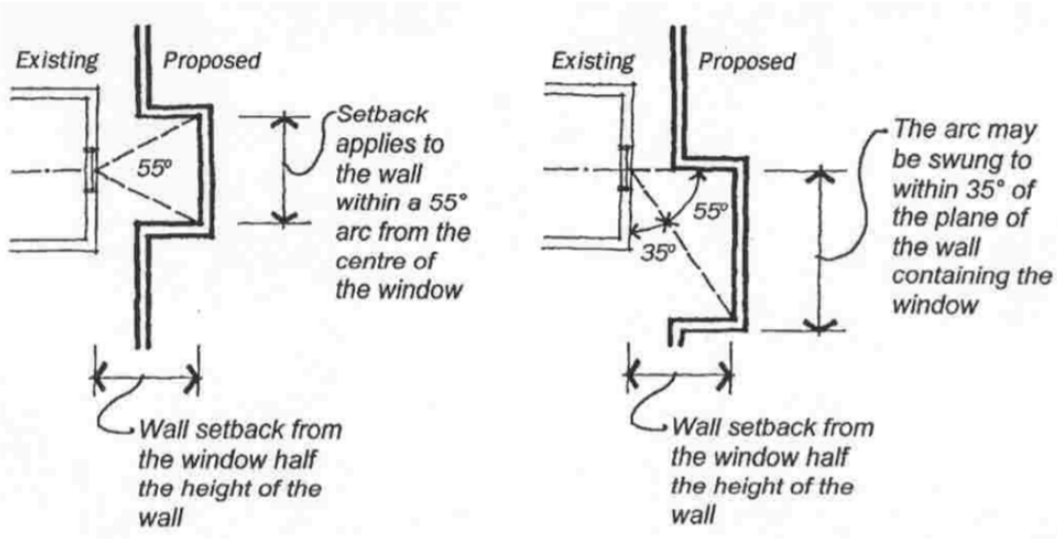
53.20-6.12 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

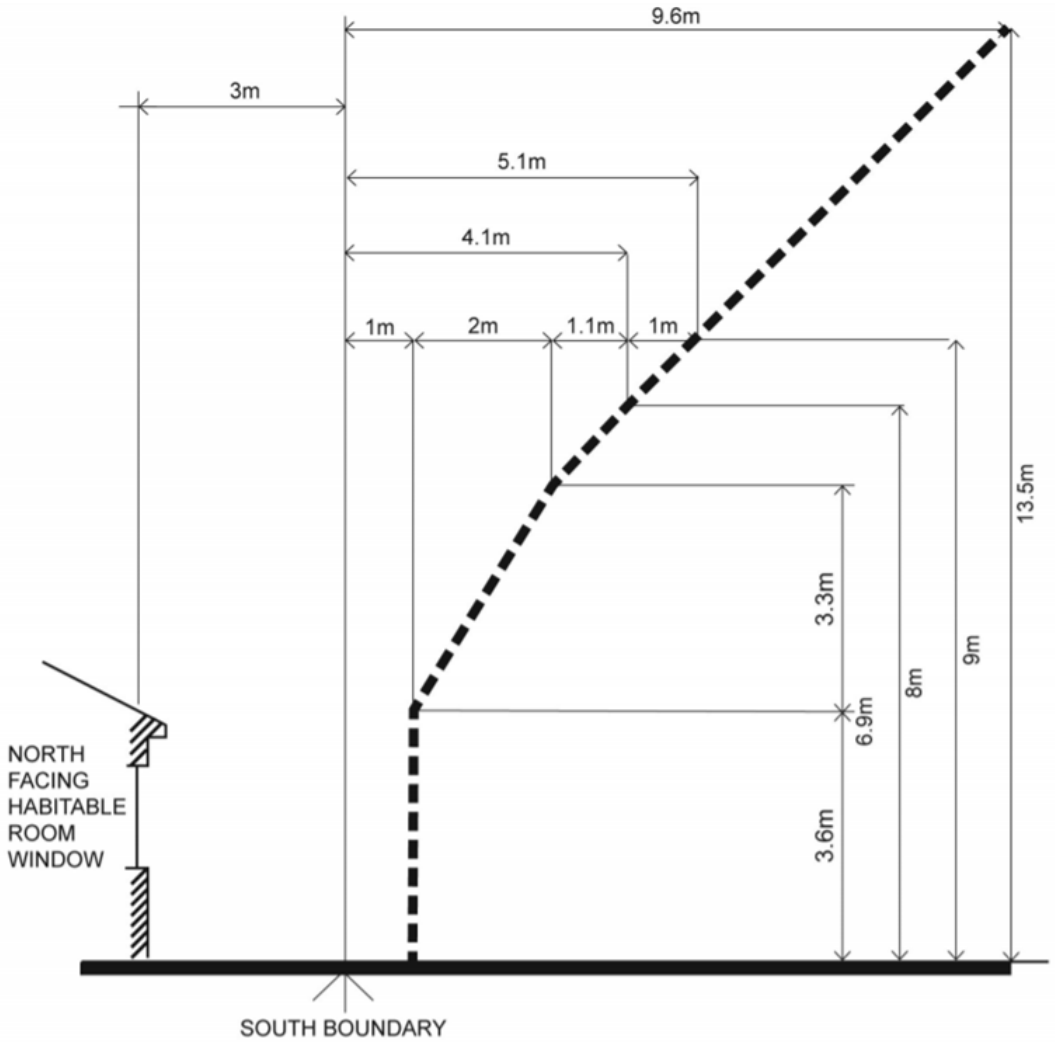
Diagram 3 Daylight to existing windows



53.20-6.13 North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram 4 North-facing windows



53.20-6.14 Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

53.20-6.15 Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.

- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

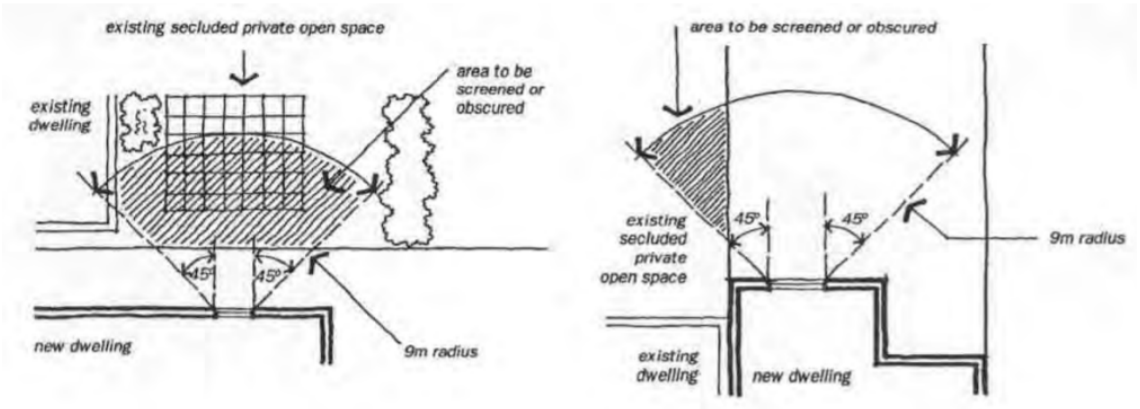
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram 5 Overlooking open space



53.20-6.16 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

53.20-6.17 Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

53.20-6.18 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

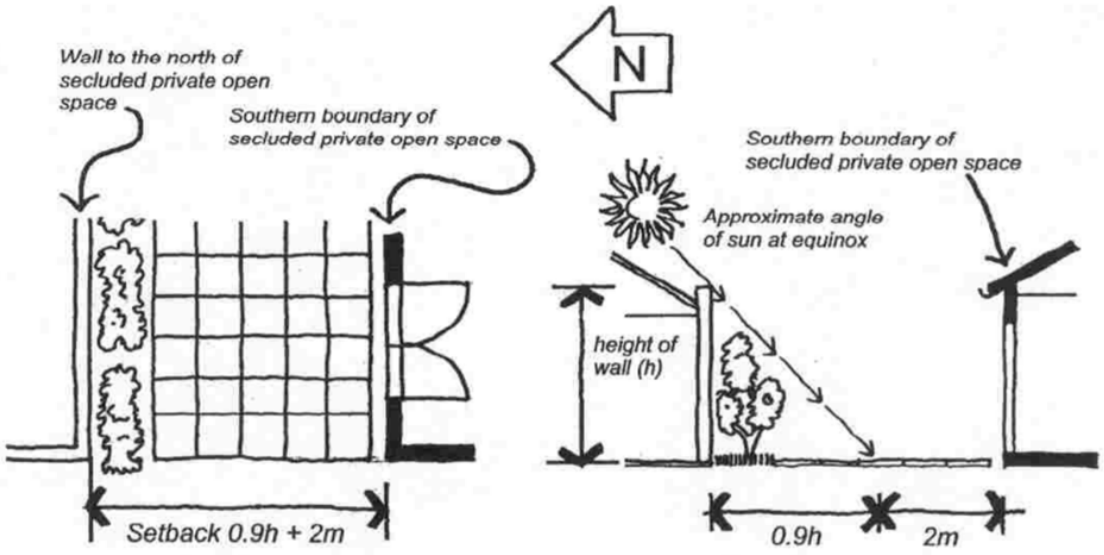
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

53.20-6.19 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram 6 Solar access to open space



53.20-6.20 Storage

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

53.20-6.21 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2.
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

53.20-6.22 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

53.20-6.23 Site services

Development should provide space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

53.20-7 Development standards for apartments

04/05/2022
VC210

53.20-7.1 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

53.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

53.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

53.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:

  - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided trees should be provided in planters specified in Table 6.
  - Consistent with the canopy diameter and height at maturity specified in Table 7.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures, and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter	
	Area of deep soil	Volume of planter soil	Depth of planter soil

Tree type	Tree in deep soil	Tree in planter	
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%

Table 7 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

53.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

53.20-7.6 Building setback

The built form of the development should respect the existing urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

53.20-7.7 Noise impacts

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

53.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.

- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

53.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.

- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

53.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table 10 and convenient access from a living room.
- An area on a roof of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table 10 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

53.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

53.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

53.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

53.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

53.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

53.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

53.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

53.20-7.18 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

53.20-7.19 Wind impacts

Development should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

Unsafe	Comfortable
	▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

53.20-9 Transitional provision

20/03/2023
VC229

The development standards for apartments at clause 53.20-6 and clause 53.20-7 introduced by Amendment VC207, do not apply to an application to construct or extend a dwelling, or to construct or extend a front fence if:

- Funded wholly or partly, under Victoria's Big Housing Build program;
- The application is made by or on behalf of the Chief Executive Officer, Homes Victoria; and
- The written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program has been signed before 30 June 2022.

53.20-10 Decision guidelines

04/05/2022
VC210

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

- How the proposed development responds to the site and context description.
- Where a development standard of this clause is not met, the impact on the amenity of the adjoining dwellings of varying the standard.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.21 STATE TRANSPORT PROJECTS

17/02/2022
VC200

Purpose

To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.

53.21-1 Application

20/03/2023
VC229

This clause applies to an application under any provision of this planning scheme, other than a VicSmart application or an application to subdivide land, made by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.

53.21-2 Exemption from review

17/02/2022
VC200

An application to which clause 53.21 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

54
31/07/2018
VC148

ONE DWELLING ON A LOT

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.

Application

These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

54.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

16/01/2018
VC142

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

54.01-1 Neighbourhood and site description

16/01/2018
VC142

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

54.01-2 Design response

19/01/2006
VC37

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

54.02 NEIGHBOURHOOD CHARACTER

19/01/2006
VC37

54.02-1 Neighbourhood character objective

19/01/2006
VC37

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that the design responds to the features of the site and the surrounding area.

Standard A1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

54.02-2 Integration with the street objective

19/01/2006
VC37

To integrate the layout of development with the street.

Standard A2

Dwellings should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

54.03 SITE LAYOUT AND BUILDING MASSING

15/07/2013
VC100

54.03-1 Street setback objective

20/01/2022
VC205

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

Development context	Minimum setback from front street (Metres)	Minimum setback from a side street (Metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	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.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	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.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

54.03-2 Building height objective

15/07/2013
VC100

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

54.03-3 Site coverage objective

15/07/2013
VC100

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

54.03-4 Permeability objectives

15/07/2013
VC100

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines

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

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

54.03-5 Energy efficiency protection objectives

09/04/2020
VC178

To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

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

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.
- The availability of solar access to north-facing windows on the site.

54.03-6 Significant trees objectives

19/01/2006
VC37

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

Standard A8

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.

54.04 AMENITY IMPACTS

10/12/2013
VC99

54.04-1 Side and rear setbacks objective

10/12/2013
VC99

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10

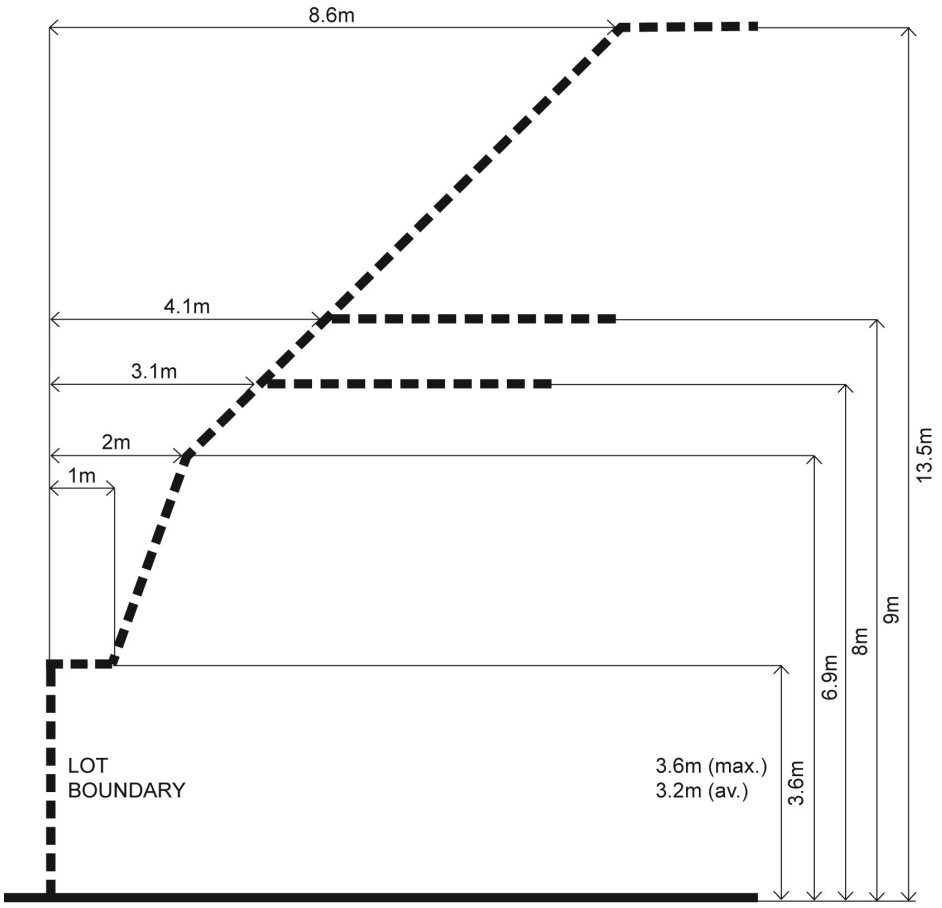
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks



Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

54.04-2 Walls on boundaries objective

10/12/2013
VC99

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A11

A new wall constructed on or within 200mm 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 more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

54.04-3 Daylight to existing windows objective

19/01/2006
VC37

To allow adequate daylight into existing habitable room windows.

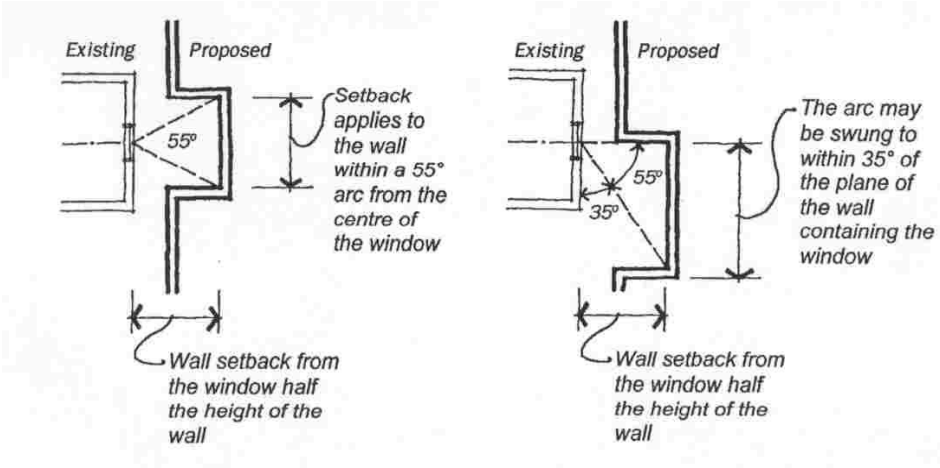
Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows



Decision guidelines

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

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

54.04-4 North-facing windows objective

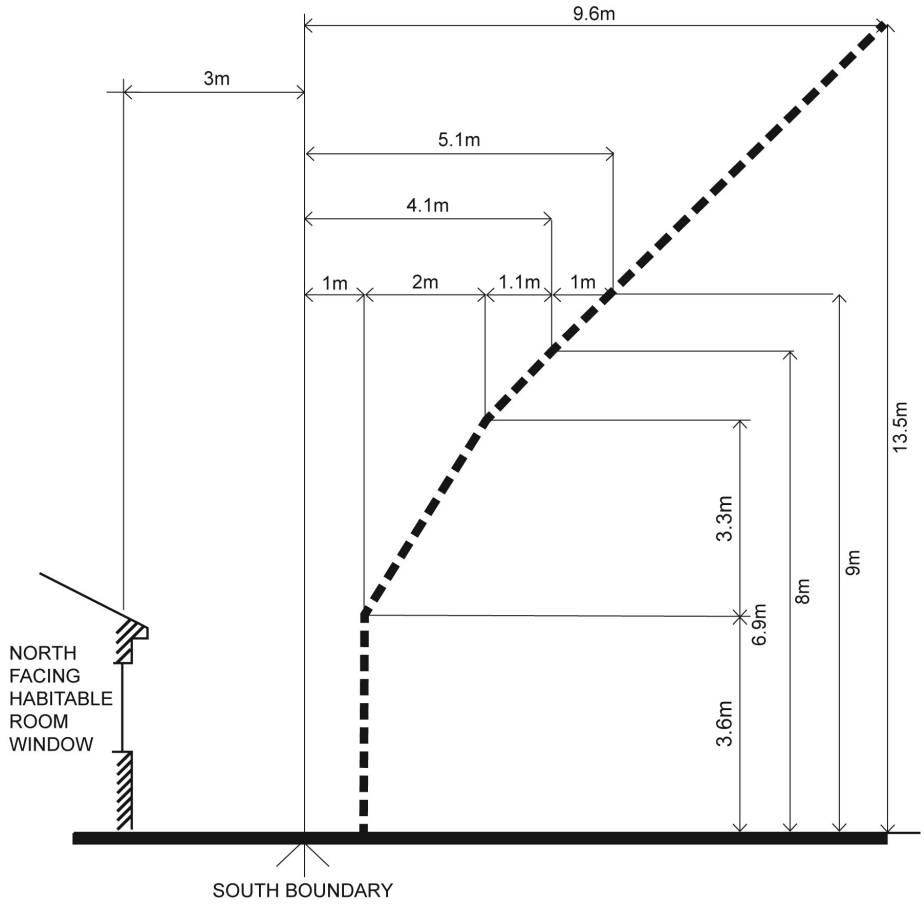
10/12/2013
VC99

To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram A3 North-facing windows



Decision guidelines

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

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

54.04-5 Overshadowing open space objective

19/01/2006
VC37

To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

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

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.

- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

54.04-6 Overlooking objective

19/01/2006
VC37

To limit views into existing secluded private open space and habitable room windows.

Standard A15

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

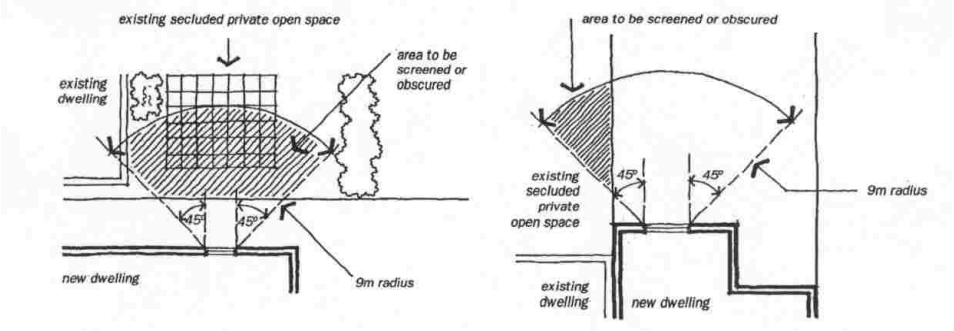
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram A4 Overlooking open space



Decision guidelines

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

- The design response.

- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.

54.05 ON-SITE AMENITY AND FACILITIES

15/07/2013
VC100

54.05-1 Daylight to new windows objective

19/01/2006
VC37

To allow adequate daylight into new habitable room windows.

Standard A16

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

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

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

54.05-2 Private open space objective

15/07/2013
VC100

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17

A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines

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

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

54.05-3 Solar access to open space objective

19/01/2006
VC37

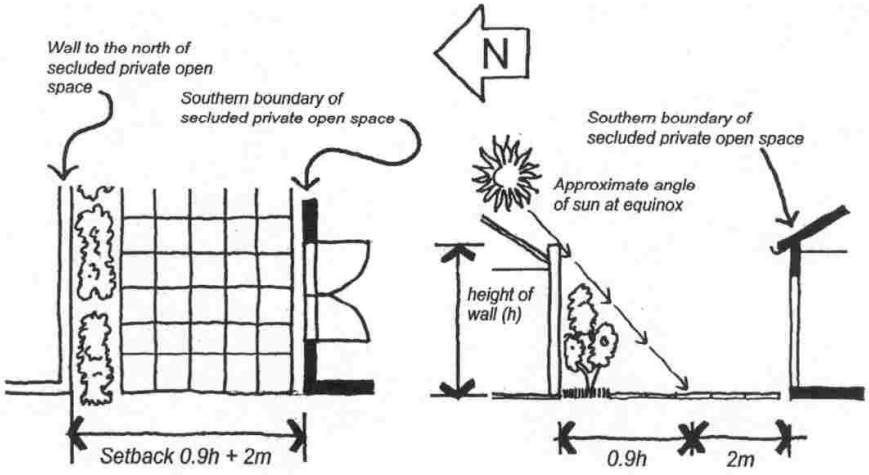
To allow solar access into the secluded private open space of a new dwelling.

Standard A18

The private open space should be located on the north side of the dwelling, if practicable.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where ‘h’ is the height of the wall.

Diagram A5 Solar access to open space



Decision guidelines

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

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

54.06 DETAILED DESIGN

15/07/2013
VC100

54.06-1 Design detail objective

19/01/2006
VC37

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19

The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

54.06-2 Front fences objective

20/01/2022
VC205

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20

The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

Table A2 Maximum front fence height

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.

- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55
04/05/2022
VC210

TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.

Application

Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

Application type	Applicable clauses
To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or To construct or extend a residential building.	All of Clause 55 except Clause 55.07-1 to 55.07-19 (inclusive).
To construct or extend an apartment development, or To construct or extend a dwelling in or forming part of an apartment development.	All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.03-8, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement.

Operation

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines**. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause that apply to the application.
- Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.
- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.
- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

Transitional provisions

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

16/01/2018
VC142

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

55.01-1 Neighbourhood and site description

16/01/2018
VC142

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

55.01-2 Design response

20/12/2021
VC174

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

31/07/2018
VC148

55.02-1 Neighbourhood character objectives

19/01/2006
VC37

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

Standard B1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

55.02-2 Residential policy objectives

11/04/2019
VC156

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard B2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

55.02-3 Dwelling diversity objective

19/01/2006
VC37

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

55.02-4 Infrastructure objectives

04/08/2022
VC221

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard B4

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

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

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

55.02-5 Integration with the street objective

19/01/2006
VC37

To integrate the layout of development with the street.

Standard B5

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

55.03 SITE LAYOUT AND BUILDING MASSING

31/07/2018
VC148

55.03-1 Street setback objective

20/01/2022
VC205

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	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.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	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.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

55.03-2 Building height objective

15/07/2013
VC100

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard B7

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

55.03-3 Site coverage objective

15/07/2013
VC100

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B8

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

55.03-4 Permeability and stormwater management objectives

26/10/2018
VC154

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

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

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

55.03-5 Energy efficiency objectives

09/04/2020
VC178

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

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

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

55.03-6 Open space objective

31/07/2018
VC148

To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard B11

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Decision guidelines

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

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

55.03-7 Safety objective

19/01/2006
VC37

To ensure the layout of development provides for the safety and security of residents and property.

Standard B12

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.03-8 Landscaping objectives

31/07/2018
VC148

To encourage development that respects the landscape character of the neighbourhood.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

Standard B13

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should meet any additional landscape requirements specified in a schedule to the zone.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

55.03-9 Access objective

20/01/2022
VC205

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Standard B14

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

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

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

55.03-10 Parking location objectives

19/04/2013
VC95

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard B15

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.04 AMENITY IMPACTS

10/12/2013
VC99

55.04-1 Side and rear setbacks objective

10/12/2013
VC99

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17

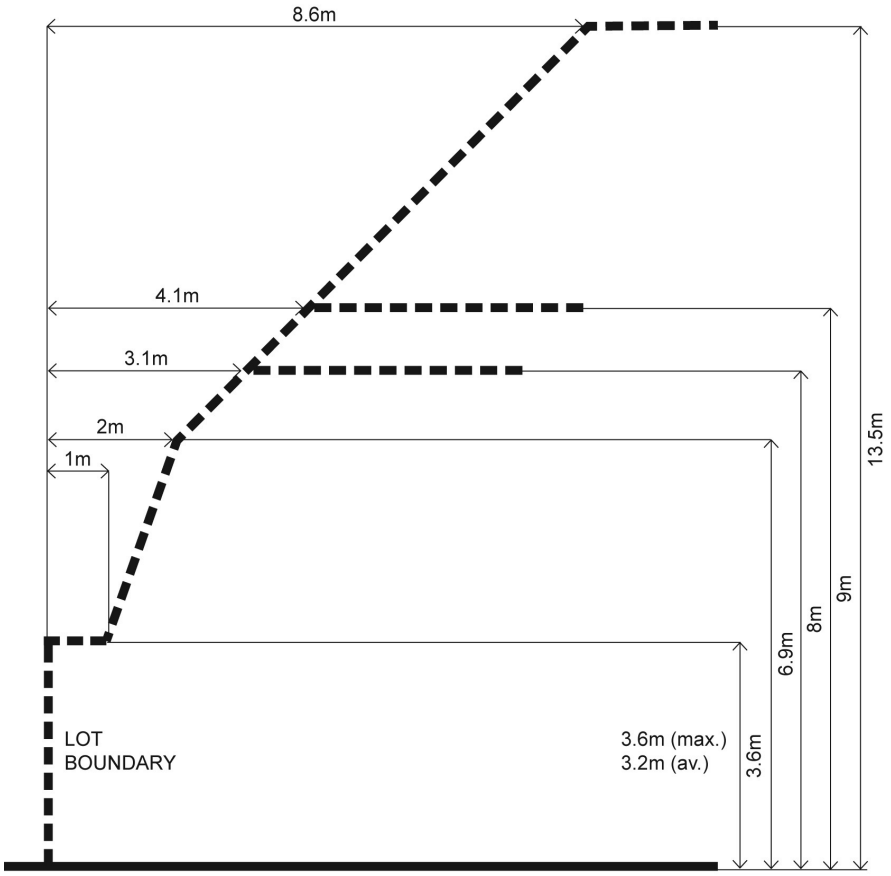
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks



Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

55.04-2 Walls on boundaries objective

10/12/2013
VC99

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B18

A new wall constructed on or within 200mm 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 lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.04-3 Daylight to existing windows objective

19/01/2006
VC37

To allow adequate daylight into existing habitable room windows.

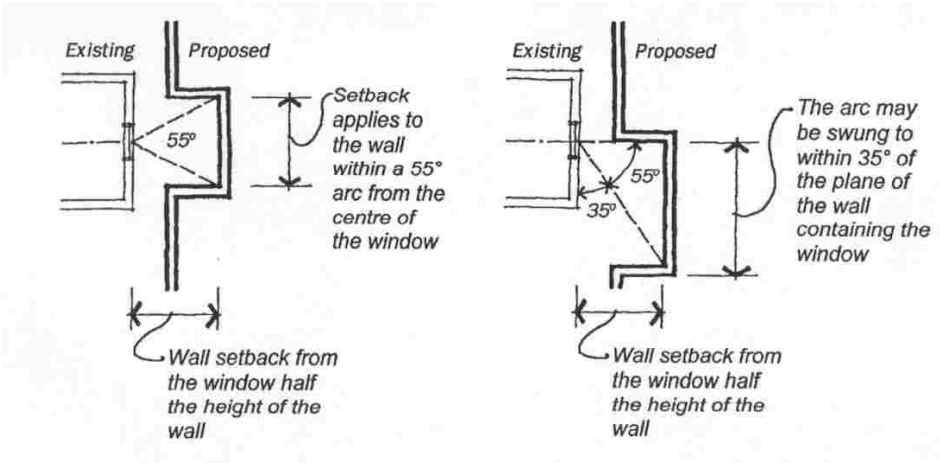
Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows



Decision guidelines

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

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

55.04-4 North-facing windows objective

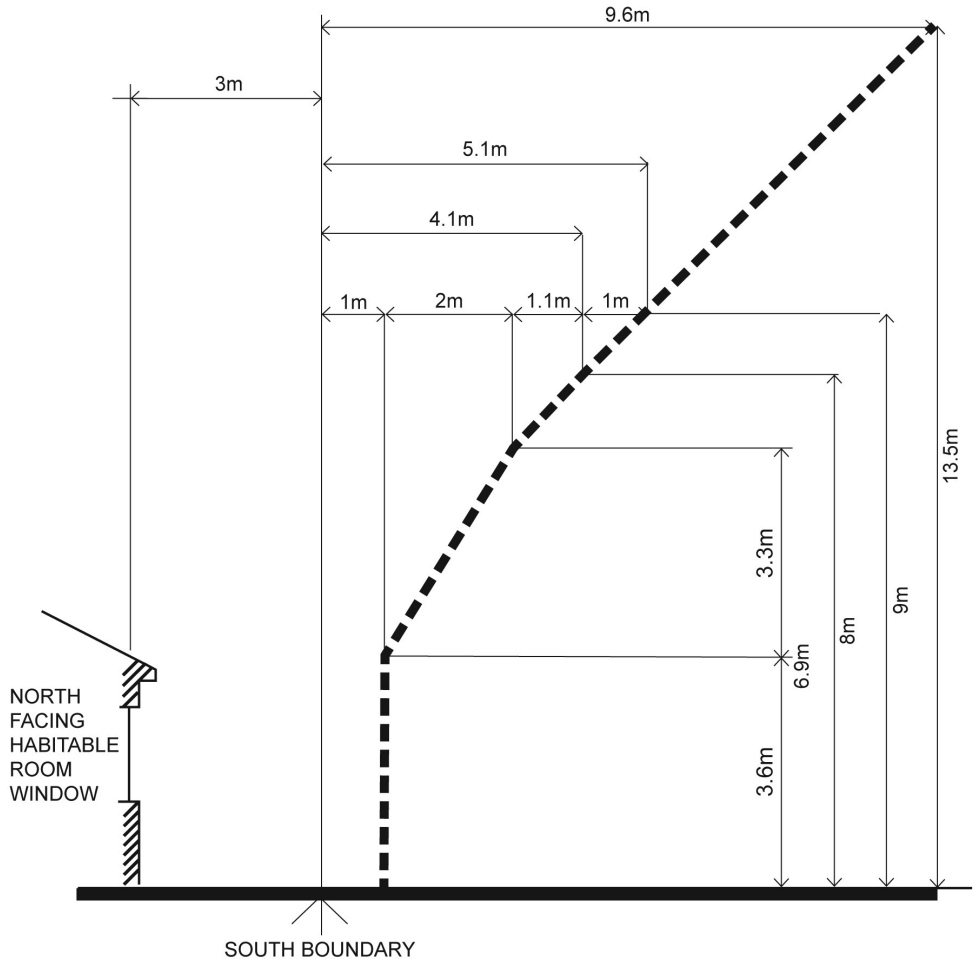
10/12/2013
VC99

To allow adequate solar access to existing north-facing habitable room windows.

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram B3 North-facing windows



Decision guidelines

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

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

55.04-5 Overshadowing open space objective

19/01/2006
VC37

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

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

- The design response.
- The impact on the amenity of existing dwellings.

- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

55.04-6 Overlooking objective

19/01/2006
VC37

To limit views into existing secluded private open space and habitable room windows.

Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

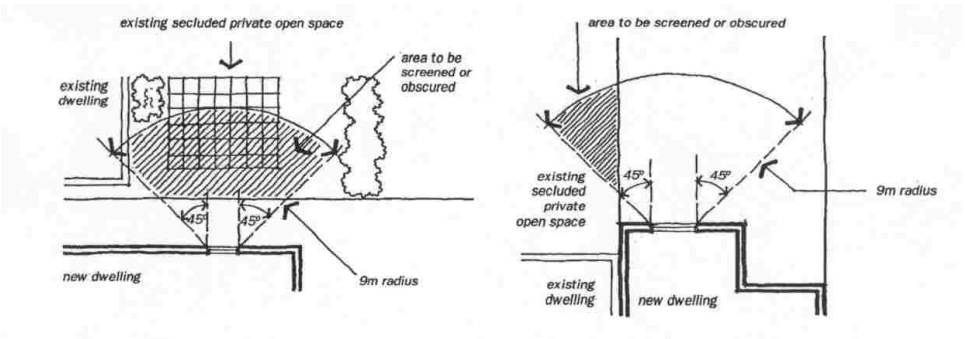
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4 Overlooking open space



Decision guidelines

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

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

55.04-7 Internal views objective

19/01/2006
VC37

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B23

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.04-8 Noise impacts objectives

19/01/2006
VC37

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

Standard B24

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.05 ON-SITE AMENITY AND FACILITIES

13/04/2017
VC136

55.05-1 Accessibility objective

19/01/2006
VC37

To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

55.05-2 Dwelling entry objective

19/01/2006
VC37

To provide each dwelling or residential building with its own sense of identity.

Standard B26

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

55.05-3 Daylight to new windows objective

19/01/2006
VC37

To allow adequate daylight into new habitable room windows.

Standard B27

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

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

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

55.05-4 Private open space objective

13/04/2017
VC136

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28

A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or

- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

Decision guidelines

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

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

55.05-5 Solar access to open space objective

19/01/2006
VC37

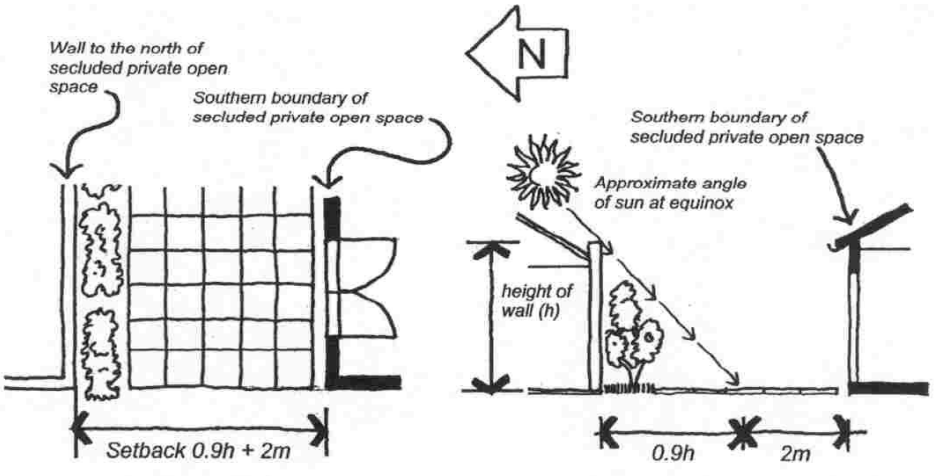
To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard B29

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram B5 Solar access to open space



Decision guidelines

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

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

55.05-6 Storage objective

19/01/2006
VC37

To provide adequate storage facilities for each dwelling.

Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

55.06 DETAILED DESIGN

15/07/2013
VC100

55.06-1 Design detail objective

19/01/2006
VC37

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31

The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

55.06-2 Front fences objective

20/01/2022
VC205

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32

The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

Street Context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Decision guidelines

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

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.

- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55.06-3 Common property objectives

19/01/2006
VC37

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard B33

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

55.06-4 Site services objectives

19/01/2006
VC37

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

Standard B34

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.07 APARTMENT DEVELOPMENTS

31/07/2018
VC148

Purpose

Clause 55.07 sets out requirements for an apartment development.

55.07-1 Energy efficiency objectives

04/11/2022
VC226

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard B35

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

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

- The design response.

- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

55.07-2 Communal open space objective

20/12/2021
VC174

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, functional, and is easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard B36

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

55.07-3 Solar access to communal outdoor open space objective

13/04/2017
VC136

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

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

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

55.07-4 Landscaping objective

20/12/2021
VC174

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard B38

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6.
  - Consistent with the canopy diameter and height at maturity specified in Table B7.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table B5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table B6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table B7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

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

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter soil volume for canopy trees.

- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

55.07-5 Integrated water and stormwater management objectives

26/10/2018
VC154

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

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

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

55.07-6 Access objective

20/12/2021
VC174

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure that vehicle crossovers are designed and located to minimise visual impact.

Standard B40

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

Decision guidelines

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

- The design response.
- The impact on the street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

55.07-7 Noise impacts objective

20/12/2021
VC174

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard B41

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table B8 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane

Noise source	Noise influence area
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

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

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

55.07-8 Accessibility objective

20/12/2021
VC174

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B42

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9.

Table B9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

	Design option A	Design option B
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

55.07-9 Private open space objective

20/12/2021
VC174

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B43

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table B10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table B10 should be increased by at least 1.5 square metres.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

Table B10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Decision guidelines

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

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

55.07-10 Storage objective

20/12/2021
VC174

To provide adequate storage facilities for each dwelling.

Standard B44

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B11.

Table B11 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

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

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

55.07-11 Waste and recycling objectives

24/01/2020
VC160

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

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

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

55.07-12 Functional layout objective

20/12/2021
VC174

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B46

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B12.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table B12 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.

Table B13 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

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

- The design response.
- The useability, functionality and amenity of habitable rooms.

55.07-13 Room depth objective

13/04/2017
VC136

To allow adequate daylight into single aspect habitable rooms.

Standard B47

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

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

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

55.07-14 Windows objective

13/04/2017
VC136

To allow adequate daylight into new habitable room windows.

Standard B48

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

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

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

55.07-15 Natural ventilation objectives

13/04/2017
VC136

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B49

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

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

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

55.07-16 Building entry and circulation objectives

20/12/2021
VC174

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B50

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines

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

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

55.07-17 Integration with the street objective

20/12/2021
VC174

To integrate the layout of development with the street.

To support development that activates street frontages.

Standard B51

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

55.07-18 Site services objective

20/12/2021
VC174

To ensure that site services are accessible and can be easily installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard B52

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

55.07-19 External walls and materials objective

20/12/2021
VC174

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard B53

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

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

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

56 RESIDENTIAL SUBDIVISION

31/07/2018
VC148

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.

Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.

56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

16/01/2018
VC142

56.01-1 Subdivision site and context description

16/01/2018
VC142

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.
- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.

- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Satisfactory subdivision site and context description

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

56.01-2 Subdivision design response

09/10/2006
VC42

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.

56.02 POLICY IMPLEMENTATION

09/10/2006
VC42

56.02-1 Strategic implementation objective

09/10/2006
VC42

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

56.03 LIVEABLE AND SUSTAINABLE COMMUNITIES

19/09/2017
VC132

56.03-1 Compact and walkable neighbourhoods objectives

09/10/2006
VC42

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

56.03-2 Activity centre objective

09/10/2006
VC42

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

56.03-3 Planning for community facilities objective

20/03/2023
VC229

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

56.03-4 Built environment objective

09/10/2006
VC42

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

56.03-5 Neighbourhood character objective

09/10/2006
VC42

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

56.04 LOT DESIGN

09/10/2006
VC42

56.04-1 Lot diversity and distribution objectives

09/10/2006
VC42

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.

To provide higher housing densities within walking distance of activity centres.

To achieve increased housing densities in designated growth areas.

To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7

A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.

Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.

A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

56.04-2 Lot area and building envelopes objective

09/10/2006
VC42

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or

- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the *Subdivision Act 1988*, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

56.04-3 Solar orientation of lots objective

09/10/2006
VC42

To provide good solar orientation of lots and solar access for future dwellings.

Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

56.04-4 Street orientation objective

09/10/2006
VC42

To provide a lot layout that contributes to community social interaction, personal safety and property security.

Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

56.04-5 Common area objectives

09/10/2006
VC42

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

56.05 URBAN LANDSCAPE

01/10/2009
VC58

56.05-1 Integrated urban landscape objectives

09/10/2006
VC42

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

56.05-2 Public open space provision objectives

01/10/2009
VC58

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.

To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

Standard C13

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
- Additional small local parks or public squares in activity centres and higher density residential areas.
- Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
- Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
- Sufficient to incorporate two football/cricket ovals
- Appropriate for the intended use in terms of quality and orientation
- Located on flat land (which can be cost effectively graded)
- Located with access to, or making provision for, a recycled or sustainable water supply
- Adjoin schools and other community facilities where practical
- Designed to achieve sharing of space between sports.
- Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.

56.06 ACCESS AND MOBILITY MANAGEMENT

18/06/2010
VC62

56.06-1 Integrated mobility objectives

18/06/2010
VC62

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

56.06-2 Walking and cycling network objectives

09/10/2006
VC42

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

56.06-3 Public transport network objectives

09/10/2006
VC42

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

Standard C16

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

56.06-4 Neighbourhood street network objective

14/05/2021
VC198

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Head, Transport for Victoria's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.

- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

56.06-5 Walking and cycling network detail objectives

09/10/2006
VC42

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.

- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

56.06-6 Public transport network detail objectives

09/10/2006
VC42

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

Standard C19

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

56.06-7 Neighbourhood street network detail objective

15/09/2008
VC49

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

Standard C20

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.

- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

56.06-8 Lot access objective

18/06/2010
VC62

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane

A side or rear lane principally providing access to parking on lots with another street frontage.

Traffic volume[1]	300vpd
Target speed[2]	10kph
Carriageway width[3] **& parking provision within street reservation**	5.5m[6] wide with no parking spaces to be provided. Appropriately signed.
Verge width[4]	No verge required.
Kerbing[5]	
Footpath provision	None Carriageway designed as a shared zone and appropriately signed.
Cycle path provision	None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

Traffic volume[1]	300vpd to1000vpd
Target speed[2]	15kph
Carriageway width[3] **& parking provision within street reservation**	5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.
Verge width[4]	7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.

Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed. or 1.5m wide footpath offset a minimum distance of 1m from the kerb.
Cycle path provision	None

Access Street - Level 1

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume[1]	1000vpd to 2000vpd
Target speed[2]	30kph
Carriageway width[3] **& parking provision within street reservation**	5.5m wide with1 hard standing verge parking space per 2 lots.
Verge width[4]	4m minimum each side
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Access Street - Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume[1]	2000vpd to 3000vpd
Target speed[2]	40kph
Carriageway width[3] **& parking provision within street reservation**	7m-7.5m wide with parking on both sides of carriageway
Verge width[4]	4.5m minimum each side
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.

	Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume[1]	3000 vpd
Target speed[2]	50 kph[7] reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.
Carriageway width[3]**, cycle lane provision, parking provision and bus stops within street reservation**	▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: – 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or – 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops at the kerbside, not indented within the verge.
Verge width[4]	4.5m minimum each side.
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	▪ 1.5m wide footpaths on both sides. ▪ Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths offset a minimum distance of 1m from the kerb.

Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume[1]	3,000 vpd to 7,000 vpd
Target speed[2]	60 kph[8] or 50km/h reduced to 40kph at schools.

Carriageway width[3], cycle lane provision, parking provision and bus stops within street reservation	▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium. ▪ 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: – 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway – 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops located at the kerbside, not indented within the verge.
Verge width[4]	▪ 6m minimum each side (plus central median).
Kerbing[5]	▪ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath and cycle path provision	▪ 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or ▪ 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway. ▪ Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

Arterial Road

Traffic volume[1]	Greater than 7000vpd
Target speed[2]	Arterial road design as required by the relevant roads authority.
Carriageway width[3] & parking provision within street reservation	Arterial road design as required by the relevant roads authority.

Verge width[4]	Arterial road design as required by the relevant roads authority.
Kerbing[5]	Arterial road design as required by the relevant roads authority.
Footpath & cycle path provision	3m wide shared path on each side or as otherwise required by the relevant roads authority.

Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.
2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.
3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.
4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.
5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.
6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.
7. 50kph is the default urban speed limit in Victoria.
8. Target speed must not exceed the legal speed limit.

56.07 INTEGRATED WATER MANAGEMENT

29/10/2015
VC101

56.07-1 Drinking water supply objectives

09/10/2006
VC42

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

56.07-2 Reused and recycled water objective

20/03/2023
VC229

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-3 Waste water management objective

01/07/2021
VC203

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-4 Stormwater management objectives

26/10/2018
VC154

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35\ m^2/s$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

56.08 SITE MANAGEMENT

09/10/2006
VC42

56.08-1 Site management objectives

09/10/2006
VC42

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26

A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

56.09 UTILITIES

22/08/2014
VC118

56.09-1 Shared trenching objectives

22/08/2014
VC118

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

56.09-2 Electricity, telecommunications and gas objectives

04/08/2022
VC221

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where proposed to be connected, a reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency.

56.09-3 Fire hydrants objective

15/09/2008
VC49

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

56.09-4 Public lighting objective

09/10/2006
VC42

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.

Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

57 [NO CONTENT]

31/07/2018
VC148

58
04/10/2018
VC149

APARTMENT DEVELOPMENTS

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage apartment development that provides reasonable standards of amenity for existing and new residents.

To encourage apartment development that is responsive to the site and the surrounding area.

Application

Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines**. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.

58.01 URBAN CONTEXT REPORT AND DESIGN RESPONSE

16/01/2018
VC142

58.01-1 Application requirements

13/04/2017
VC136

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-2 Urban context report

16/01/2018
VC142

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

58.01-3 Design response

20/12/2021
VC174

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

58.02 URBAN CONTEXT

31/07/2018
VC148

58.02-1 Urban context objectives

13/04/2017
VC136

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

Standard D1

The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.02-2 Residential policy objectives

31/07/2018
VC148

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

58.02-3 Dwelling diversity objective

13/04/2017
VC136

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

58.02-4 Infrastructure objectives

04/08/2022
VC221

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard D4

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

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

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

58.02-5 Integration with the street objective

20/12/2021
VC174

To integrate the layout of development with the street.

To support development that activates street frontage.

Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.03 SITE LAYOUT

31/07/2018
VC148

58.03-1 Energy efficiency objectives

13/04/2017
VC136

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

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

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58.03-2 Communal open space objective

20/12/2021
VC174

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

58.03-3 Solar access to communal outdoor open space objective

13/04/2017
VC136

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

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

- The design response.

- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

58.03-4 Safety objective

13/04/2017
VC136

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-5 Landscaping objectives

04/05/2022
VC210

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
  - Consistent with the canopy diameter and height at maturity specified in Table D4.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.

- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table D4 Tree type

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

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

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter volume for canopy trees.
- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

58.03-6 Access objective

20/12/2021
VC174

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

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

- The design response.
- The impact on the street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

58.03-7 Parking location objectives

13/04/2017
VC136

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-8 Integrated water and stormwater management objectives

26/10/2018
VC154

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

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

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

58.04 AMENITY IMPACTS

13/04/2017
VC136

58.04-1 Building setback objectives

13/04/2017
VC136

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines

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

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

58.04-2 Internal views objective

13/04/2017
VC136

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.04-3 Noise impacts objectives

20/12/2021
VC174

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

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

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.

- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

58.04-4 Wind impacts objective

04/05/2022
VC210

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

Decision guidelines

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

- The urban context report.
- The design response.
- The safety, functionality and amenity of public, private and communal open space areas.
- Whether it has been demonstrated by a suitably qualified specialist that the development will not generate unacceptable wind impacts within the site or on surrounding land.

58.05 ON-SITE AMENITY AND FACILITIES

13/04/2017
VC136

58.05-1 Accessibility objective

04/05/2022
VC210

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

Table D7 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

58.05-2 Building entry and circulation objectives

04/05/2022
VC210

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines

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

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

58.05-3 Private open space objective

04/05/2022
VC210

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

Decision guidelines

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

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
- The useability and functionality of any additional living area or bedroom area, including its size and layout.

58.05-4 Storage objective

04/05/2022
VC210

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

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

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

58.06 DETAILED DESIGN

13/04/2017
VC136

58.06-1 Common property objectives

04/05/2022
VC210

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard D22

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

58.06-2 Site services objectives

04/05/2022
VC210

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D23

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

Decision guideline

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

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.06-3 Waste and recycling objectives

04/05/2022
VC210

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D24

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

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

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

58.06-4 External walls and materials objective

04/05/2022
VC210

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard D25

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

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

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.07 INTERNAL AMENITY

13/04/2017
VC136

58.07-1 Functional layout objective

04/05/2022
VC210

To ensure dwellings provide functional areas that meet the needs of residents.

Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

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

- The design response.
- The useability, functionality and amenity of habitable rooms.

58.07-2 Room depth objective

04/05/2022
VC210

To allow adequate daylight into single aspect habitable rooms.

Standard D27

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

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

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

58.07-3 Windows objective

04/05/2022
VC210

To allow adequate daylight into new habitable room windows.

Standard D28

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

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

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

58.07-4 Natural ventilation objectives

04/05/2022
VC210

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D29

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

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

- The design response.
- The size, orientation, slope and wind exposure of the site.

- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

59 VICSMART APPLICATIONS AND REQUIREMENTS

31/07/2018
VC148

59.01 REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

31/07/2018
VC148

59.01-1 Information requirements

01/07/2021
VC203

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

59.01-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.

  - Appropriately accommodate any existing or proposed easements on the lots.
  - Protect solar access for existing and any future dwellings on the lots.
  - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
  - Appropriately accommodate private open space.
  - Appropriately accommodate the provision of utility services to each lot.
  - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
  - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
  - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.02 SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

31/07/2018
VC148

59.02-1 Information requirements

01/07/2021
VC203

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and manage the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

59.02-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.

  - Appropriately accommodate any existing loading bay and vehicle storage area.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.03 FRONT FENCE IN A RESIDENTIAL ZONE

31/07/2018
VC148

59.03-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

59.03-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.

59.04 BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

31/07/2018
VC148

59.04-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.

- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

59.04-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.

59.05 BUILDINGS AND WORKS IN AN OVERLAY

31/07/2018
VC148

59.05-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.05-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.

- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.

59.06 REMOVE, DESTROY OR LOP ONE TREE

20/03/2023
VC229

59.06-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

59.06-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.

59.07 APPLICATIONS UNDER A HERITAGE OVERLAY

31/07/2018
VC148

59.07-1 Information requirements

04/11/2022
VC226

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy system (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the planning scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from a street (other than a lane) or public park, measures proposed to minimise the visibility of the system and protect the structural integrity of heritage features.

59.07-2 Decision guidelines

04/11/2022
VC226

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.

- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Any relevant local heritage policy set out in the planning scheme.

Demolition

- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works

- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations

- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences

- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees

- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision

- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

Solar energy systems

- Any relevant building design or energy policy set out in the Planning Policy Framework.
- Whether the proposed solar energy system can be sited to minimise visibility from a street or public park without significantly impacting its performance.
- Whether the proposed solar energy system can be designed to minimise the impact on the significance, character or appearance of the heritage place.

59.08 APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

31/07/2018
VC148

59.08-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.08-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

59.09 SIGNS

31/07/2018
VC148

59.09-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

59.09-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.

  - The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.
- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
- Whether the proposed sign will adversely impact road safety.

59.10 CAR PARKING

31/07/2018
VC148

59.10-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area's existing car parking.

59.10-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.

- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.

59.11 [NO CONTENT]

31/07/2018
VC148

59.12 TWO LOT SUBDIVISION IN A RURAL ZONE

31/07/2018
VC148

59.12-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

59.12-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.

59.13 BUILDINGS AND WORKS IN A RURAL ZONE

31/07/2018
VC148

59.13-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

59.13-2 Decision guidelines

03/02/2022
VC199

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.

- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

59.14 EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

31/07/2018
VC148

59.14-1 Information requirements

31/07/2018
VC148

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:

- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.14-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.15 LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.

31/07/2018
VC148

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

1.0

08/09/2022
C195more

Table 1 Classes of VicSmart application under zone provisions

Name of zone or class of zone	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

2.0

08/09/2022
C195more

Table 2 Classes of VicSmart application under overlay provisions

Name of overlay or class of overlay	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

3.0

08/09/2022
C195more

Table 3 Classes of VicSmart application under particular provisions

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.

08/09/2022
C195more

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements

08/09/2022
C195more

None specified.

2.0 Decision guidelines

08/09/2022
C195more

None specified.

60 GENERAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

61 [NO CONTENT]

31/07/2018
VC148

62 GENERAL EXEMPTIONS

31/07/2018
VC148

62.01 USES NOT REQUIRING A PERMIT

04/11/2022
VC226

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a telecommunications facility.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- The use of land for environmental monitoring (including monitoring groundwater, noise or air quality) carried out by or on behalf of the Head, Transport for Victoria.
- The use of land for an Electorate office.

62.02 BUILDINGS AND WORKS

15/03/2019
VC157

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1 Buildings and works not requiring a permit

04/11/2022
VC226

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the *Dangerous Goods Act 1985* or the *Occupational Health and Safety Act 2004* or a Development Licence, Operating Licence or notice under the *Environment Protection Act 2017*.
- Buildings and works for a telecommunications facility exempt from a permit under clause 52.19-1.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the *Water Act 1989*.
- Buildings and works associated with a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children's cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the *Water Act 1989*.

- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.
- Temporary buildings and works associated with environmental monitoring (including monitoring groundwater, noise or air quality) constructed or carried out by or on behalf of the Head, Transport for Victoria.

62.02-2 Buildings and works not requiring a permit unless specifically required by the planning scheme

04/11/2022
VC226

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria. If the buildings or works are on land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay and will redirect or obstruct the water flow path, they must be constructed and carried out to the satisfaction of the relevant floodplain management authority.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person's unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.

- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy system attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

62.02-3 Vegetation removal

30/08/2006
VC40

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.

62.03 EVENTS ON PUBLIC LAND

28/03/2018
VC145

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.

62.04 SUBDIVISIONS NOT REQUIRING A PERMIT

28/03/2018
VC145

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.

62.05 DEMOLITION

17/02/2022
VC200

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Any requirement in this planning scheme (other than a requirement in a Heritage Overlay) relating to the demolition or removal of a building or works does not apply to the demolition of removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria.

62.06 DELIVERY OF ESSENTIAL GOODS PERMIT CONDITION EXEMPTION

28/10/2022
VC224

The purpose of this exemption is to enable additional flexibility for deliveries of essential goods if the time within which a delivery may be carried out is regulated by a permit condition.

In this exemption, ***delivery*** includes loading, dispatching and unloading.

This exemption applies to the delivery of food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.

Despite any condition of a permit that specifies a period of time within which a delivery may be carried out, a delivery may be carried out for up to 1 hour before the start of the specified period and 1 hour after the end of the specified period.

Example: *If a condition of a permit only allows deliveries between the hours of 7am and 10pm, the delivery may be carried out under this exemption after 6am and up until 11pm.*

63 EXISTING USES

28/03/2018
VC145

63.01 EXTENT OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.

63.02 CHARACTERISATION OF USE

31/07/2018
VC148

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.

63.03 EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

28/03/2018
VC145

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.

63.04 SECTION 1 USES

28/03/2018
VC145

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.

63.05 SECTIONS 2 AND 3 USES

28/03/2018
VC145

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

63.06 EXPIRATION OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.

63.07 COMPLIANCE WITH CODES OF PRACTICE

28/03/2018
VC145

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
- The code of practice is approved or ratified by Parliament under an Act.

63.08 ALTERNATIVE USE

28/03/2018
VC145

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.

63.09 SHOP CONDITIONS

28/03/2018
VC145

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.

63.10 DAMAGED OR DESTROYED BUILDINGS OR WORKS

28/03/2018
VC145

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.

63.11 PROOF OF CONTINUOUS USE

28/03/2018
VC145

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.

63.12 DECISION GUIDELINES

28/03/2018
VC145

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

64 GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

28/03/2018
VC145

64.01 LAND USED FOR MORE THAN ONE USE

28/03/2018
VC145

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

64.02 LAND USED IN CONJUNCTION WITH ANOTHER USE

28/03/2018
VC145

If a provision of this scheme provides that a use of land must be used 'in conjunction with' another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.

64.03 SUBDIVISION OF LAND IN MORE THAN ONE ZONE

28/03/2018
VC145

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

65 DECISION GUIDELINES

28/03/2018
VC145

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 APPROVAL OF AN APPLICATION OR PLAN

09/12/2021
VC204

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

65.02 APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

09/12/2021
VC204

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

66
14/05/2021
VC198

REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the *Subdivision Act 1988*.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Head, Transport for Victoria) under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990.*

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

66.01 SUBDIVISION REFERRALS

04/08/2022
VC221

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Kind of application	Referral authority	Type of referral authority
To subdivide land other than: ▪ A boundary realignment. ▪ The subdivision of an existing building already connected to services. ▪ A two lot subdivision. ▪ The subdivision of land into lots each containing an existing dwelling or car parking space.	The relevant water, drainage or sewerage authority The relevant electricity supply or distribution authority The relevant gas supply authority only where the subdivision is proposed to connect a lot to a reticulated gas supply system.	Determining referral authority Determining referral authority Determining referral authority
To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.	Country Fire Authority	Determining referral authority
To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.	Minister administering the *Land Act 1958*	Determining referral authority
To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	The relevant gas supply authority	Determining referral authority
To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority
To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.	The Executive Director specified in the *Heritage Act 2017*	Determining referral authority

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

66.01-1 Mandatory conditions for subdivision permits

04/08/2022
VC221

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

66.01-2 Referrals under the Subdivision Act – certification of plans

15/09/2008
VC49

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the *Land Act 1958* has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

66.02 USE AND DEVELOPMENT REFERRALS

31/07/2018
VC148

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

66.02-1 Environment Protection Authority Licence

04/05/2022
VC210

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following: ▪ A Development Licence or Operating Licence in accordance with Part 4.4 of the *Environment Protection Act 2017*. ▪ Amendment of a licence in accordance with Part 4.3 of the *Environment Protection Act 2017*.	Environment Protection Authority	Determining referral authority

66.02-2 Native vegetation

12/12/2017
VC138

Kind of application	Referral authority	Type of referral authority
▪ To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017). ▪ To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. ▪ To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)	Recommending referral authority

66.02-3 Cattle feedlot

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture	Determining referral authority
	If the site is located within a special water supply catchment area under the *Catchment and Land Protection Act 1994*, the relevant water authority under the *Water Act 1989* and the Secretary to the Department administering the *Catchment and Land Protection Act 1994*	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

66.02-4 Major electricity line or easement

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority

66.02-5 Special water supply catchment area

19/09/2017
VC132

Kind of application	Referral authority	Type of referral authority
To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the *Catchment and Land Protection Act 1994* and which provides water to a domestic supply. This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.	The relevant water board or water supply authority	Determining referral authority

66.02-6 Timber production

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for timber production by establishing a plantation. ▪ To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)	Determining referral authority

66.02-7 Industry, utility installation or warehouse

26/05/2020
VC175

Kind of application	Referral authority	Type of referral authority
▪ To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.	Environment Protection Authority	Determining referral authority
▪ To use land for an industry, utility installation or warehouse if any of the following apply: – A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.	The Victorian WorkCover Authority	Determining referral authority

Kind of application	Referral authority	Type of referral authority
– A notification is required under the Occupational Health and Safety Regulations 2017. – A licence is required under the Dangerous Goods (Explosives) Regulations 2011. – A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.		
▪ To construct a building or construct or carry out works on land used for an industry, utility installation or warehouse if the area of the buildings and works will increase by more than 25 per cent and any of the following apply: – A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. – A notification is required under the Occupational Health and Safety Regulations 2017. – A licence is required under the Dangerous Goods (Explosives) Regulations 2011. – A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.	The Victorian WorkCover Authority	Determining referral authority

66.02-8 Extractive industry

22/03/2022
VC219

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for extractive industry.	Secretary to the Department administering the *Heritage Act 2017*. Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority
▪ To use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Recommending referral authority
▪ To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road.	Secretary to the Department administering the *Land Act 1958*, *Crown Land (Reserves) Act 1978*, *National Parks Act 1975* and *Forests Act 1958*	Determining referral authority

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for extractive industry: – In Special Areas declared under Section 27 of the *Catchment and Land Protection Act 1994*. – On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater. – On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.	Secretary to the Department administering the *Catchment and Land Protection Act 1994*	Determining referral authority
▪ To use or develop land for extractive industry: – In areas with communities or taxa listed or critical habitat determined under the *Flora and Fauna Guarantee Act 1988*. – On land which has been identified in this scheme as containing sites of flora or fauna significance.	Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*	Determining referral authority
▪ To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.	Secretary to the Department administering Section 201 of the *Water Act 1989*	Determining referral authority
▪ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.	Environment Protection Authority	Determining referral authority
▪ To use or develop land for extractive industry: – On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the *Road Management Act 2004* and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more. – On land which abuts a road declared as a freeway or an arterial road under the *Road Management Act 2004*. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Head, Transport for Victoria and the declared road is not a freeway.	Head, Transport for Victoria	Determining referral authority

66.02-9 Geothermal energy extraction

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the *Geothermal Energy Resources Act 2005*	Determining referral authority

66.02-10 Greenhouse gas sequestration

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the *Greenhouse Gas Geological Sequestration Act 2008*	Determining referral authority

66.02-11 Land use and transport integration

09/12/2021
VC204

Kind of application	Referral authority	Type of referral authority
An application to subdivide land, to construct a building or to construct or carry out works for any of the following: ▪ A residential development comprising 60 or more dwellings or lots. ▪ A residential building comprising 60 or more lodging rooms. ▪ A residential village comprising 60 or more dwellings. ▪ A retirement village comprising 60 or more dwellings or lots. ▪ A new retail premises of 4000 or more square metres of leasable floor area. ▪ An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area. ▪ An office development of 10,000 or more square metres of leasable floor area. ▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area. ▪ An education centre. ▪ A major sports and recreation facility. ▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria. This does not apply to: ▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village. ▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.	Head, Transport for Victoria	Determining referral authority

66.02-12 Declared irrigation districts

17/09/2019
VC161

Kind of application	Referral authority	Type of referral authority
An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the *Water Act 1989.*	Secretary to the Department administering the *Water Act 1989.*	Recommending referral authority

66.02-13 State transport projects

17/02/2022
VC200

Kind of application	Referral authority	Type of referral authority
An application to which clause 53.21 applies.	The municipal council for the municipal district within which the proposed use or development will be carried out.	Recommending referral authority.

66.02-14 Freeway service centre

20/03/2023
VC229

Kind of application	Referral authority	Type of referral authority
To use or develop land for a Freeway service centre.	Head, Transport for Victoria	Determining referral authority

66.03
20/03/2023
VC229

REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Clause	Kind of application	Referral authority	Type of referral authority
Clause 36.03-5 (PCRZ)	An application for the use or development of an Emergency services facility.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 37.03-5 (UFZ)	An application under the zone within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the zone outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 37.07-5 (UGZ)	An application under the zone within Metropolitan Melbourne.	Victorian Planning Authority	Determining referral authority
	An application under the zone outside Metropolitan Melbourne.	Secretary to the Department administering the *Planning and Environment Act 1987*	Determining referral authority
Clause 44.02-8 (SMO)	An application under the overlay and any site capability report.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 44.03-6 (FO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.04-7 (LSIO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.05-6 (SBO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority

Clause	Kind of application	Referral authority	Type of referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.06-6 (BMO)	An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements: ▪ The outbuilding is ancillary to a dwelling, ▪ 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02, ▪ The canopy of each tree within the defendable space is separated by at least 2 metres, and ▪ Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met.	Relevant fire authority	Recommending referral authority
	An application to subdivide land.	Relevant fire authority	Recommending referral authority
	An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.	Relevant fire authority	Determining referral authority
Clause 44.07-6 (SRO)	An application of the kind specified in a schedule to the overlay.	Referral authority specified in a schedule to the overlay	Determining referral authority
Clause 45.01-3 (PAO)	An application under the overlay.	Acquiring authority specified in the schedule to the overlay	Determining referral authority
Clause 45.07-6 (CLPO)	An application under the overlay.	Head, Transport for Victoria	Determining referral authority
Clause 51.06	An application to which Clause 51.06 applies.	Secretary to the Department of Transport and Planning	Determining referral authority
Clause 52.05-3	An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004*.	Head, Transport for Victoria	Determining referral authority

Clause	Kind of application	Referral authority	Type of referral authority
Clause 52.27	An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am.	Victorian Commission for Gambling and Liquor Regulation	Determining referral authority
Clause 52.29-4	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the *Road Management Act 2004*, land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road.	Head, Transport for Victoria	Determining referral authority
	Any other application under the Clause.	Owner of, or the acquiring authority for, the adjacent land in the Transport Zone 2 or the Public Acquisition Overlay	Determining referral authority
Clause 52.32	An application to amend a permit under section 72 or 97I of the *Planning and Environment Act 1987* for a wind energy facility if the application amends or removes conditions or requirements for operational wind turbine noise.	Environment Protection Authority Victoria	Recommending referral authority

66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.

08/09/2022
C195more

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0 Referral of permit applications under local provisions

08/09/2022
C195more

Clause	Kind of application	Referral authority	Referral authority type
None specified	None specified	None specified	None specified

66.05 NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

22/03/2022
VC219

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

Clause	Kind of application	Person or body to be notified
Clause 35.07	An application to use or develop land for accommodation within one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.	The owners and occupiers of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
Clause 45.08-6	An application to use or subdivide land, or to construct a building or construct or carry out works.	The airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996*
Clause 52.09-7	An application to use or subdivide land or construct a building for accommodation, education centre or hospital: ▪ Within an Extractive Industry Interest Area. ▪ On land which is within 500 metres of land on which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. These requirements do not apply to: ▪ An application to extend a building or works. ▪ An application that is required to be referred to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990* under section 55 of the Act.	The Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*
Clause 52.09-7	An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.	The owners and occupiers of land subject to a work authority that has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Clause	Kind of application	Person or body to be notified
Clause 52.21	An application to construct, use or illuminate a private tennis court under any provision of this scheme.	The owners and occupiers of adjoining and opposite properties
Clause 52.27	An application in association with a bar, hotel or nightclub that is to operate after 1am.	Chief Commissioner of Victoria Police
Clause 53.09	An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009.	Environment Protection Authority
Clause 67.02-2	An application which except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application: ▪ To which the exemption from notice and review in clause 52.31-2 applies. ▪ To construct or put up for display a sign. ▪ To remove, destroy or lop native vegetation under clause 52.17. ▪ If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.	The owners and occupiers of adjoining land The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust
Clause 67.02-2	An application to remove, destroy or lop native vegetation under clause 52.17 which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application must be referred to the Secretary under section 55 of the Act.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)

66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.

08/09/2022
C195more

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0 Notice of permit applications under local provisions

08/09/2022
C195more

Clause	Kind of application	Person or body to be notified
None specified	None specified	None specified

67 LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

14/09/2021
VC211

67.01 EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

24/01/2020
VC160

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.

67.02 NOTICE REQUIREMENTS AND EXEMPTION

14/09/2021
VC211

67.02-1 Application

14/09/2021
VC211

This clause applies to an application which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act.

67.02-2 Notice requirements

14/09/2021
VC211

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

67.02-3 Exemption from notice

14/09/2021
VC211

An application to construct or put up for display a sign on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of section 52(1)(a) of the Act.

70 OPERATIONAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

71 OPERATION OF THIS PLANNING SCHEME

31/07/2018
VC148

71.01 OPERATION OF THE MUNICIPAL PLANNING STRATEGY

31/07/2018
VC148

71.01-1 Municipal Planning Strategy

24/01/2020
VC160

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

71.01-2 Transitional

03/02/2022
VC199

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK

31/07/2018
VC148

71.02-1 Purpose of the Planning Policy Framework

31/07/2018
VC148

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

71.02-2 Operation

24/01/2020
VC160

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

71.02-3 Integrated decision making

03/02/2022
VC199

Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting

objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

71.02-4 Transitional

31/07/2018
VC148

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.

71.03 OPERATION OF ZONES

31/07/2018
VC148

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

71.03-1 Section 1 uses

31/07/2018
VC148

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

71.03-2 Section 2 uses

31/07/2018
VC148

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

71.03-3 Section 3 uses

31/07/2018
VC148

A use in Section 3 is prohibited.

71.04 OPERATION OF OVERLAYS

31/07/2018
VC148

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

71.05 OPERATION OF PARTICULAR PROVISIONS

31/07/2018
VC148

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.

71.06 OPERATION OF VICSMART APPLICATIONS AND PROCESS

31/07/2018
VC148

71.06-1 VicSmart applications

31/07/2018
VC148

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision. of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

71.06-2 VicSmart process

31/07/2018
VC148

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.

Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.

72 ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

31/07/2018
VC148

72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

17/09/2019
VC161

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

72.01-1 Minister is responsible authority

14/08/2023
VC236

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Energy generation facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to:
  - Transmit or distribute electricity.
  - Store electricity if the installed capacity is 1 megawatt or greater.
- Industry to manufacture hydrogen gas with a minimum production capacity of 410 kilograms of hydrogen per day, and any land use or development in conjunction with this use.
- Primary school or secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply:
  - There is no existing primary school or secondary school on the land.
  - The estimated cost of development is $3 million or greater.
- Primary school or secondary school for which an application was made to the Minister for Planning prior to the approval date of Amendment VC180.
- A use or development, other than the subdivision of land, carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.
- Use and development to which clause 52.20 applies.
- Development of 10 or more dwellings to which clause 53.20 applies.
- Construction or extension of an apartment development to which clause 53.20 applies.
- Construction or extension of a dwelling in or forming part of an apartment development to which clause 53.20 applies.

with the exception of the following:

- in relation to applications lodged, or permits issued, for the use and development of land for an energy generation facility (other than a renewable energy facility) or a utility installation (other than a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater), under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC192 , the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.
- in relation to applications lodged, or permits issued, for the use and development of land for a renewable energy facility (other than a wind energy facility) under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to applications lodged, or permits issued, for the use and development of land for a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to an application made, or permit issued, for the use or development of land by the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC200, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to an application made, or permit issued, under Division 1 of Part 4 of the Act for the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school:
  - prior to the approval date of Amendment VC180; and
  - where clause 53.19 immediately in force before the approval date of Amendment VC180 did not apply,

  the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, the Council is the responsible authority for matters required:
  - by clause 43.04 Development Plan Overlay to be done to the satisfaction of the responsible authority;
  - under Part 6 of the Act.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0 Responsible authority for administering and enforcing this planning scheme:

14/02/2023
C225more

The Merri-bek City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0 Responsible authority for administering and enforcing a provision of this planning scheme:

18/05/2023
C218more

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, 3 and 5 of Part 4 and Division 2 of Part 9 of the Planning and Environment Act 1987 and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the land at 699-703 Park Street, 182-192 Brunswick Road and 2-4 Sydney Road, Brunswick.

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, 3 and 5 of Part 4 and Division 2 of Part 9 of the *Planning and Environment Act 1987* and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the land at 2, 4-6 Ballarat Street & 14,16-18 Ovens Street, Brunswick.

For the purposes of Divisions 1 (apart from section 69), 2 and 3 of Part 4 of the *Planning and Environment Act 1987,* the Minister for Planning is the responsible authority in respect of:

- Permit application number 2015/35890 for land at 21 Pentridge Boulevard, Coburg
- and any permit that issues in respect of that application.

Map 1



The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for the land in PC367386 and Lots 2, 3, 4, 5, 7, 8, 9 and 10 LP33369 on Gronn Place and Kitchener Street, Brunswick West and as shown in Map 1.

Despite anything to the contrary stated in this schedule, the Council of the City of Merri-bek is the responsible authority for administering and enforcing the planning scheme for applications for subdivision or consolidation of land including buildings or airspace and other applications made under the *Subdivision Act 1988* within the municipal district of the City of Merri-bek.

3.0 Person or responsible authority for issuing planning certificates:

31/07/2018
VC148

Minister for Planning.

4.0 Responsible authority for VicSmart and other specified applications:

14/02/2023
C225more

The Chief Executive Officer of the Merri-bek City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Merri-bek City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

31/07/2018
VC148

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0 Area covered by this planning scheme:

14/02/2023
C225more

City of Merri-bek.

72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

31/07/2018
VC148

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter 'L' in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered '11.01-1L' would be an example of a local provision in the Planning Policy Framework. 'C1Z' is an example of a code on a map that may be specified in the schedule to this clause. It stands for 'Commercial 1 Zone'.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

29/06/2023
C219more

Maps comprising part of this planning scheme:

- 1, 1DCPO, 1DPO, 1EAO, 1EMO 1ESO, 1HO, 1LSIO, 1PO, 1SLO
- 2, 2DCPO, 2DPO, 2EAO, 2EMO, 2ESO, 2HO, 2LSIO, 2PO, 2SBO, 2SLO
- 3, 3DCPO, 3EAO, 3DDO, 3EMO, 3ESO, 3HO, 3LSIO, 3MAEO, 3PO, 3SBO, 3SCO
- 4, 4DCPO, 4DDO, 4EAO, 4ESO, 4HO, 4LSIO, 4MAEO, 4PO, 4SBO, 4SCO
- 5, 5DCPO, 5EAO, 5EMO, 5ESO, 5HO, 5LSIO, 5PO, 5SBO, 5SCO
- 6, 6DCPO, 6DDO, 6EMO, 6ESO, 6HO, 6LSIO, 6PO, 6SBO, 6SLO
- 7, 7DCPO, 7DDO, 7EAO, 7EMO, 7ESO, 7HO, 7PO, 7SBO, 7SLO
- 8, 8DCPO, 8DDO, 8EAO, 8EMO, 8ESO, 8HO, 8IPO, 8LSIO, 8PAO, 8PO, 8SBO, 8SCO
- 9, 9DCPO, 9DPO, 9EAO, 9EMO, 9ESO, 9HO, 9LSIO, 9PAO, 9PO, 9RXO, 9SBO
- 10, 10CLPO, 10DCPO, 10DDO, 10DPO, 10EAO, 10EMO, 10ESO, 10HO, 10LSIO, 10PAO, 10PO, 10SBO, 10SLO
- 11, 11DCPO, 11DDO, 11EAO, 11ESO, 11HO, 11IPO, 11PAO, 11PO, 11SBO, 11SCO
- 12, 12DCPO, 12DDO, 12EAO, 12EMO, 12ESO, 12HO, 12LSIO, 12PAO, 12PO, 12SBO, 12SCO
- 13, 13CLPO, 13DCPO, 13DDO, 13DPO, 13EAO, 13EMO, 13ESO, 13HO, 13IPO, 13LSIO, 13PAO, 13PO, 13SLO
- 14, 14DCPO, 14DDO, 14DPO, 14EAO, 14HO, 14IPO, 14PAO, 14PO, 14SBO, 14SCO
- 15, 15DCPO, 15DDO, 15DPO, 15EAO, 15EMO, 15ESO, 15HO, 15LSIO, 15PO, 15SBO

72.04 INCORPORATED DOCUMENTS

20/03/2023
VC229

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

Name of document	Introduced by:
A 'Good Neighbour' Code of Practice for a Circus or Carnival (Department of Infrastructure, October 1997)	V3
Apiary Code of Practice (Department of Planning and Community Development, May 2011)	VC81
Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street car parking (Standards Australia, 2004)	VC26
Australian Standard AS2890.3-1993, Parking Facilities Part 3: Bicycle parking facilities (Standards Australia, 1993)	VC28
Building in bushfire-prone areas (Publication SAA HB36-1993, CSIRO & Standards Australia, May 1993)	NPS1
Code of Practice for Bushfire Management on Public Land (Department of Sustainability and Environment, June 2012)	VC101
Code of Practice for Timber Production 2014 (as amended 2022) (Department of Environment, Land, Water and Planning, 2022)	VC229
Design Vehicles and Turning Path Templates (Publication AP-34/95, Austroads, 1995)	VC12
Growth Area Framework Plans (Department of Sustainability and Environment, September 2006)	VC41
Guide to Residential Streets and Paths (Publication C&CCA T51-2004, Cement and Concrete Association of Australia, 2004)	VC26
Guide to Road Design, Part 6A: Pedestrian and Cycle Paths (Austroads, 2021)	VC77
Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)	VC138
Local Government Planning Guide for Dry Land Salinity (Department Conservation and Natural Resources, October 1995)	NPS1
Pavement Design - A Guide to the Structural Design of Road Pavements (Austroads, 1992)	VC12
Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)	VC139
Principal Public Transport Network 2017 (Victorian Government, 2017)	VC132
Principal Public Transport Network Area Maps (Victorian Government, August 2018)	VC151
Private Tennis Court Development Code of Practice (Revision 1, Department of Infrastructure, March 1999)	VC5
Victorian Code for Broiler Farms 2009 - plus 2018 amendments (Department of Primary Industries, 1999)	VC60

Name of document	Introduced by:
Victorian Code for Cattle Feedlots (Department of Agriculture, Energy and Minerals, August 1995)	NPS1
Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0 Incorporated documents

29/06/2023
C219more

Name of document	Introduced by:
13-17 Duggan Street, Brunswick West Incorporated Plan – June 2003	C25
21-35 Hope Street, Brunswick Incorporated Plan – September 2003	C36
Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia International Ltd	VC173
Bell and Moreland Level Crossing Removal Project Incorporated Document, October 2019	C178more
Brunswick Terminal Station Incorporated Document, 2012	C140
Camp Road, Campbellfield Level Crossing Removal Project Incorporated Document, April 2017	GC63
Geotechnical Declaration and Certification Form, Moreland City Council, November 2012	C83
King Khalid Islamic College Primary School Campus Incorporated Plan - May 2004	C41
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Moreland Heritage Exemptions Incorporated Plan 2023	C226more
Moreland Tree Planting Manual for Residential Zones, 2019	C189more
Pentridge Coburg Design Guidelines and Masterplan, February 2014	C154
Pentridge Village Design Guidelines and Masterplan, August 2009	C125
Merri-bek Development Contribution Plan, January 2015 (Amended December 2022)	C221more
2015 DCP Addendum, December 2022	C221more
Signage on sports grounds Incorporated Document, June 2019	C169more
Sheppard Street and Norris Street, Coburg North Incorporated Plan, 2021	C201more
Statements of Significance Incorporated under Clause 43.01	
▪ Abruzzo Club, 373-381 Lygon Street Brunswick East Statement of Significance 2022	C208more
▪ Alanbrae, 73 Plumpton Avenue, Glenroy Statement of Significance 2022	C208more
▪ Alhambra Theatre (former), 828 Sydney Road Brunswick Statement of Significance 2022	C208more
▪ Attached Houses, 23 & 25 Luscombe Street, Brunswick, Statement of Significance, September 2019	C174morePt1
▪ Attached Houses, 46 & 48 Gold Street, Brunswick, Statement of Significance, September 2019	C174morePt1
▪ Attached Houses, 60 & 62 Glenlyon Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Attached Houses, 248 & 250 Barkly Street, Brunswick Statement of Significance 2022	C208more

Name of document	Introduced by:
▪ Attached Houses, 635–637 Park Street Brunswick Statement of Significance 2022	C208more
▪ Baptist Church (former), 126 Bruce Street Coburg Statement of Significance 2022	C208more
▪ Bell Street Bridge, Corner of Bell Street and Nicholson Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Bethany Gospel Hall (former), 235 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Bluestone Retaining Walls, Deveraux Street, Draska Court, Short Avenue, Vincent Street, Ash Grove and Xavier Street Oak Park Statement of Significance 2022	C208more
▪ Brunswick & Coburg UFS Dispensary (former), 228 Melville Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Brunswick Electricity Supply Substations Statement of Significance 2022	C208more
▪ Brunswick Velodrome, 50–72 Harrison Street Brunswick East Statement of Significance 2022	C208more
▪ 'Canals House', 7 Parkview Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Church School (former) and Cretan Brotherhood, 148–150 Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ 'Closer Settlement House ('Ranche')' 9 Waxman Parade, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Closer Settlement Houses, Statement of Significance, September 2019	C174morept1
▪ Coburg Market, 415–423 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Coburg Olympic Swimming Pool, 50 Murray Road Coburg North Statement of Significance 2022	C208more
▪ Coburg Police Station (former), 160-162 Bell Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Coburg Velodrome, 30-34 Charles Street Coburg North Statement of Significance 2022	C208more
▪ Concrete House, 1 South Daly Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Concrete House and Fence, 383 Brunswick Road Brunswick Statement of Significance 2022	C208more
▪ Coonans Hill Precinct Statement of Significance 2022	C208more
▪ Corner Shop (former) & Residence, 80 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 103 Albion Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 209 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1

Name of document	Introduced by:
▪ Dairy & Milk Bar (former), 136A Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Devon' (House), 38 John Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Edward Street Precinct Statement of Significance 2022	C208more
▪ Erindale, 20 Anketell Street, Coburg Statement of Significance 2022	C208more
▪ Faiman & Sons Warehouse (former), 443 Albion Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ First City of Brunswick Scout Hall (former), later Brunswick Cinema, Toscana Social Club, 273 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Fitwear Hosiery Factory (former), 11 Thomas Street Brunswick Statement of Significance 2022	C208more
▪ Flats, 113 Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ 'Fleming Park,' 47-51 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Forfarshire' (House), 86 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Millers Ropeworks, now RMIT University, 29 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Prestige Mill Complex, 159-165 Donald Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Former W.T Rawleigh and Co – factory & warehouse, 60 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Glen Iris' & 'Hazel Glen', 28 & 30 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Glenferrie, 17 Breese Street Brunswick Statement of Significance 2022	C208more
▪ Glenmorgan Albion and Clarence Streets Precinct Statement of Significance 2022	C208more
▪ Glenroy Library, 737 Pascoe Vale Road Glenroy Statement of Significance 2022	C208more
▪ Gordon Street and Devon Avenue Precinct Statement of Significance 2022	C208more
▪ Hanover Street Precinct Statement of Significance 2022	C208more
▪ Hickford Street Precinct, Statement of Significance, September 2019	C174morept1
▪ Holy Trinity Orthodox Church (Former St Cuthberts Church of England, 42A Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ House, 4 Vincent Street Oak Park Statement of Significance 2022	C208more
▪ House, 5 Bank Street, Brunswick, Statement of Significance, September 2019	C174morept1

Name of document	Introduced by:
▪ House, 5 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 8 Aintree Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House ,12 Forster Court Pascoe Vale South Statement of Significance 2022	C208more
▪ House, 19 Balmoral Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 22 Josephine Street Oak Park Statement of Significance 2022	C208more
▪ House, 23 Evans Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 23 Holmes Road, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 28 McMahons Road Coburg North Statement of Significance 2022	C208more
▪ House, 30 Davies Street Brunswick Statement of Significance 2022	C208more
▪ House, 31 Burnell Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House, 32 Carr Street Coburg North Statement of Significance 2022	C208more
▪ House, 38 David Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 44 Eastgate Street Pascoe Vale South Statement of Significance 2022	C208more
▪ House, 46 Murdock Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 94 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 96 Lydia Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 112 Moreland Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 137 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 181 Moreland Road Coburg Statement of Significance 2022	C208more
▪ House, 195 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 307 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 609 Park Street Brunswick Statement of Significance 2022	C208more
▪ House, 685 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 25 Richardson Street (rear) Brunswick Statement of Significance 2022	C208more

Name of document	Introduced by:
▪ House & Canary Island Palm, 255 Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House & Front Fence, 33 Newman Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fence, 22 Grantham Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fences, 92 & 94 Whitby Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House, Stables and Garden, 52 St Phillip Street Brunswick East Statement of Significance 2022	C208more
▪ Houses, 13 & 15 Rosser Street Brunswick Statement of Significance 2022	C208more
▪ Houses, 63 & 65 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ H.P.L. Morris Chemist (former) & Residence, 153 Reynard Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Irving Estate Precinct Statement of Significance 2022	C208more
▪ 'Kororoit' (Concrete House), 70 Heller Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ 'Lochiel', 9 Aberdeen Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Lough Brae' (House) 35 Cassels Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ McGeorge's Terrace, 14–24 Rosser Street Brunswick Statement of Significance 2022	C208more
▪ Meaker Avenue Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Moorefield' (Outbuilding), 2/197 The Avenue, Coburg, Statement of Significance, September 2019	C211more
▪ 'Moreland Baptist Church Complex' 384 Moreland Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Moreton Bay Fig, 24 Jessie Street Coburg Statement of Significance 2022	C208more
▪ 'Oamaru' (Aitken House), 26 Walsh Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ 'Oomah' (House), 73 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Our Lady Help of Christians Catholic Church, 49A Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ Phillipstown Precinct, Brunswick Statement of Significance 2022	C208more
▪ Primitive Methodist Mission Hall, 170 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Railway Place Precinct Statement of Significance 2022	C208more
▪ Rogers Memorial Reserve, 109 Cumberland Road, Pascoe Vale, Statement of Significance, September 2019	C174morept1

Name of document	Introduced by:
▪ Roslyn, 131 Moreland Road Coburg Statement of Significance 2022	C208more
▪ Scout Hall (former), 19 Edward Street Coburg Statement of Significance 2022	C208more
▪ Shop, 490 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Shop, 492 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Shop (former) & Residence, 105 Munro Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shop & Residence, 425 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shops & Residences, 431 & 433 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ St David's Uniting Church and Hall, 72–76 Melville Road Brunswick West Statement of Significance 2022	C208more
▪ State Savings Bank of Victoria (former), 840 Sydney Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Sydney Road and Bell Street Interwar Shops Precinct Statement of Significance 2022	C208more
▪ Terrace, 163-169 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 183-187 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 206-210 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terraces, 233-239 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 639-647 Park Street Brunswick Statement of Significance 2022	C208more
▪ Terrace Houses, 16 & 18 Glenlyon Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (23 – Canaway House, 25 – Albert House) 23 & 25 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (31 – Inverurie, 33 – Keithall), 31 & 33 Lygon Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 109 & 111 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 140 & 142 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (213 - Ethel, 215 – Edith, 217 – Alice, 219 – Betty), 211-219 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 241 & 243 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses & Fences, 76 & 78 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1

Name of document	Introduced by:
▪ Terrace Houses & Fences, 134-136 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'The Elms' (House), 683 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Tinning Street Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Tyrone' (House), 193 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Uxbridge' (House) 16 Horne Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Victoria Hotel', 380-382 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Victoria Street Precinct (Brunswick) Statement of Significance 2022	C208more
▪ Walham, 1/86 Gordon Street Coburg Statement of Significance 2022	C208more
▪ War Service Homes (Brick), Statement of Significance, September 2019	C174morept1
▪ War Service Homes (Timber), Statement of Significance, September 2019	C174morept1
▪ Waxman Parade Precinct, Statement of Significance, September 2019	C174morept1
▪ Worth's Hosiery Factory (former), 2 St Phillip Street Brunswick East Statement of Significance 2022	C208more
▪ Yorkshire Textile Mills (Former), 2-4 Inverness Street, Brunswick East, Statement of Significance, September 2019	C174morept1
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
10 Dawson Street, Brunswick - February 2021	C210more
Latiner Hat Factory, 20 Dawson Street, Brunswick, Statement of Significance, September 2019	C212more

72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

31/07/2018
VC148

This planning scheme began on the date specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0 Date this planning scheme began:

31/07/2018
VC148

4 May 2000

72.06 EFFECT OF THIS PLANNING SCHEME

31/07/2018
VC148

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

72.07 DETERMINATION OF BOUNDARIES

31/07/2018
VC148

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

72.08 BACKGROUND DOCUMENTS

03/02/2022
VC199

The documents listed in the table and the schedule to this clause are background documents.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

Table to Clause 72.08

Name of background document	Amendment number - clause reference
Central Highlands Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
G21 Regional Growth Plan (Geelong Region Alliance, 2013).	VC106 Clauses 10 to 19
Gippsland Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Great South Coast Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Hume Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).	VC106 Clauses 10 to 19
Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017).	VC134 Clauses 10 to 19
Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019).	VC168 Clauses 10 to 19

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0
04/05/2023
C208more

Background documents

Name of background document	Amendment number - clause reference
A Park Close to Home (Moreland City Council, December 2017)	C212more - 2.03-2; 12.01-1L
Brunswick Structure Plan Reference Document (Moreland City Council, 2018)	C167 - 02.03-1; 43.02s19
Coburg Activity Centre Structure Plan Reference Document (Moreland City Council, 2018)	C167 - 02.03-1; 37.08s1
Development Guidelines for Merri Creek (Merri Creek Management Committee, 2004)	C152 - 12.03-1L
Edgars Creek Conservation and Development Plan, Edwardes Lake to Merri Creek (Thompson Berrill Landscape Design, June 2013)	C152 - 12.03-1L
Gambling in Moreland 2015-2020 (Moreland City Council, 2015)	C163 - 52.28
Glenroy Structure Plan (Moreland City Council, 13 August 2008)	C109 - 02.03-1
Guidelines for alterations and additions to detached houses in heritage areas (Moreland City Council, 2021)	C212more - 15.03-1L
Guidelines for Fences in Heritage Areas (Moreland City Council, 2021)	C212more - 15.03-1L
Livable Housing Design Guidelines (Livable Housing Australia, 2017)	C152 - 16.01-1L
Local impacts of electronic gaming machine (EGM) gambling in Moreland (Moreland City Council, April 2011)	C157 - 52.28
Moreland Activity Centre Framework (Echelon Planning, February 2014)	C152 - 02.03-1
Moreland Affordable Housing Strategy Action Plan (Moreland City Council, September 2019)	C212more - 02.03-5; 16.01-2L
Moreland Apartment Design Code (Moreland City Council, September 2015)	C142 - 15.01-2L
Moreland Arts Infrastructure Plan 2018-2023 (Hodyl + Co, February 2018)	C212more - 2.03-6
Moreland Economic Development Strategy 2016-2021 (Moreland City Council, August 2016)	C212more - 02.03-6
Moreland Heritage Nominations Study (Extent Heritage for Moreland City Council, Vols. 1-2, 2022)	C208more - 15.03-1L
Moreland Industrial Land Strategy 2015-2030 (Moreland City Council, July 2016)	C158 - 02.03-6; 16.01-1L; 17.01-1L
Moreland Integrated Transport Strategy 2019 (Moreland City Council, March 2019)	C212more - 02.03-7; 18.-2-4L

Name of background document	Amendment number - clause reference
Moreland Integrated Water Management Strategy 2040 (Moreland City Council, July 2020)	C212more - 15.01-1L; 19.03-3L
Moreland Nature Plan (Moreland City Council, 2020)	C212more - 2.03-2; 12.02-1L
Moreland Neighbourhood Centres Strategy 2017 (Moreland City Council, March 2017)	C159 - 02.03-1
Moreland Open Space Strategy 2012-2022 (Moreland City Council, 2012)	C122 - 02.01; 2.03-2; 2.03-8
Moreland Tree Planting Manual for Residential Zones (Moreland City Council, 2019)	C189more - 32.07s1; 32.07s2; 32.08s1; 32.08s2; 32.08s3; 32.08s4; 32.09s1
Moreland Urban Forest Strategy 2017-2027	C189more - 32.04s1; 32.07s1; 32.07s2; 32.08s1; 32.08s2; 32.08s3; 32.08s4; 32.09s1
Moreland Vehicle Crossing (Driveway) Policy 2019 (Moreland City Council, July 2019)	C212more - 15.01-1L
Moreland Zero Carbon 2040 Framework (Moreland City Council, September 2018)	C212more - 2.01
Sydney Road and Upfield Corridor Strategic Framework Plan (David Lock Associates, 2014)	C134 - 43.02s18
Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 2006)	C152 - 15.02-1L

73 MEANING OF TERMS

11/04/2019
VC156

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.

73.01 GENERAL TERMS

20/03/2023
VC229

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

General term	Definition
Act	The *Planning and Environment Act 1987*.
Agricultural production	Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.
Anemometer	A wind measuring device.
Apartment	A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.
Approval date	The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.
Basement	A storey below ground level, or that projects no more than 1.2 metres above ground level.
Building height	The vertical distance from natural ground level to the roof or parapet at any point.
Building Regulations	The *Building Regulations 1994*.
Carriageway	The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.
Central Highlands region	The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.
Clear to the sky	An unroofed area or area roofed with material that transmits 90 per cent of light.
Defendable space	An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.
Deflection angle	The angle between two tangent sections of a carriageway.
Design speed	The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.
Domestic services normal to a dwelling	A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.
Earthworks	Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.
Frontage	The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.
Gaming	The playing of a gaming machine.

General term	Definition
Gaming machine	Has the same meaning as it has in the *Gambling Regulation Act 2003*.
Garden area	Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling or residential building, except for: ▪ an eave, fascia or gutter that does not exceed a total width of 600mm; ▪ a pergola; ▪ unroofed terraces, patios, decks, steps or landings less than 800mm in height; ▪ a basement that does not project above ground level; ▪ any outbuilding that does not exceed a gross floor area of 10 square metres; and ▪ domestic services normal to a dwelling or residential building; b) a driveway; or c) an area set aside for car parking.
Geelong G21 region	The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.
Gippsland region	The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.
Great South Coast region	The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes
Gross floor area	The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.
Ground level	The natural level of a site at any point.
Habitable room	Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.
High quality productive agricultural land	Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and: a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.
Hume region	The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.
Land capability assessment	The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.

General term	Definition
Leasable floor area	That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.
Loddon Mallee North region	The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.
Loddon Mallee South region	The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.
Lot	A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.
Mean building height	The vertical distance between the mean ground level and the finished roof height at its highest point.
Mean ground level	One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.
Metropolitan Melbourne	The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Merri-bek, Monash, Moonee Valley, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.
Mineral	Any substance which occurs naturally as part of the earth's crust, including: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.
Minister for Planning	A Minister for the time being administering the Act.
Movable building	A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.
Native vegetation	Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.
Net floor area	The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
Plot ratio	The gross floor area of all buildings on a site, divided by the area of the site.
Potentially contaminated land	Land: a) used or known to have been used for industry or mining; b) used or known to have been used for the storage of chemicals, gas, waste or liquid fuel (other than minor above-ground storage that is ancillary to another use of the land); or

General term	Definition
	c) where a known past or present activity or event (occurring on or off the land) may have cause contamination of the land.
Private open space	An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.
Property vegetation plan	A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the *Conservation, Forests and Lands Act 1987*.
Public land manager	The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria, the Great Ocean Road Coast and Parks Authority or a municipal council, it means the Minister administering that Act and does not include the committee of management.
Radio mast	A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.
Retail	The sale of goods or materials, in any quantity or manner, other than by wholesale.
Secluded private open space	That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.
Setback	The minimum distance from any allotment boundary to a building.
Sex work	Has the same meaning as it has in the *Sex Work Act 1994*.
Sexual services	Has the same meaning as it has in the *Sex Work Act 1994*.
Site coverage	The proportion of a site covered by buildings.
Stone	Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.
Storey	That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.
Stormwater	The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.
Street leg length	The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.

General term	Definition
Street reserve	Land set aside for a street pavement and verge.
Sustainable agriculture	The use of farming practices and systems which maintain or enhance: a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.
Telecommunications line	A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.
Telecommunications network	A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.
Telecommunications tower	A free-standing tower, pole or mast used as part of a telecommunications network that is not mounted on, or affixed to, any other structure.
Tenement	Land comprised in: a) a lot which does not adjoin another lot in the same ownership; or b) lots in the same ownership and which adjoin each other. Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.
Transport manager	(a) a Minister; or (b) government department; or (c) Administrative Office under the *Public Administration Act 2004*; or (d) public authority; or (e) any person - that has responsibility under an Act for the care or management of land that forms part of Victoria's transport system.
Transport system	All of the components that make up the system for the movement and transport of people and goods including: ▪ Movement networks including cycling paths, footpaths, roads, railways, shipping lanes, tramways and water transport routes. ▪ Transport interchanges for accessing, disembarking, unloading and interchange of people and goods, and for the storage of freight and vehicles. This includes transport terminals and public transport stops. ▪ Infrastructure required to operate movement networks and transport interchanges. ▪ Land reserved for the future development of movement networks and transport interchanges.
Utility service provider	A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.

General term	Definition
Verge	The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.
Wall height	The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.
Wholesale	The sale of goods or materials, to be sold by others.
Wimmera Southern Mallee region	The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.

73.02 SIGN TERMS

31/07/2018
VC148

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

Sign term	Definition
Above-verandah sign	A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.
Display area	The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.
Animated sign	A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.
Bed and breakfast sign	A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.
Bunting sign	An advertisement that consists of bunting, streamers, flags, windvanes, or the like.
Business identification sign	A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.
Direction sign	A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.
Electronic sign	A sign that can be updated electronically. It includes screens broadcasting still or moving images.
Floodlit sign	A sign illuminated by external lighting provided for that purpose.
High-wall sign	A sign on the wall of a building so that part of it is more than 10 metres above the ground.
Home based business sign	A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.
Internally illuminated sign	A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.
Major promotion sign	A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Panel sign	A sign with an advertisement area exceeding 10 square metres.
Pole sign	A sign: a) on a pole or pylon that is not part of a building or another structure; b) that is no more than 7 metres above the ground;

Sign term	Definition
	c) with an advertisement area not exceeding 6 square metres; and d) that has a clearance under it of at least 2.7 metres.
Promotion sign	A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Reflective sign	A sign finished with material specifically made to reflect external light.
Sign	Includes a structure specifically built to support or illuminate a sign.
Sky sign	A sign: a) on or above the roof of a building, but not a verandah; b) fixed to the wall of a building and which projects above the wall; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

73.03 LAND USE TERMS

20/03/2023
VC229

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

Land use term	Definition	Includes	Included in
Abattoir	Land used to slaughter animals, including birds. It may include the processing of animal products.		**Rural industry**
Accommodation	Land used to accommodate persons.	**Camping and caravan park**	

Land use term	Definition	Includes	Included in
		Corrective institution **Dependent person's unit** **Dwelling** **Group accommodation** **Host farm** **Residential aged care facility** **Residential building** **Residential village** **Retirement village**	
Adult sex product shop	Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995*; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.		**Shop**
Agriculture	Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.	**Animal husbandry** **Aquaculture** **Crop raising**	
Airport			**Transport terminal**
Amusement park			**Outdoor recreation facility**
Amusement parlour	A building that contains: a) three or more coin, card, or token operated amusement machines;		**Place of assembly**

Land use term	Definition	Includes	Included in
	b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or c) two or more coin, card, or token operated billiard, snooker, or pool tables. It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.		
Animal husbandry	Land used to keep, breed, board, or train animals, including birds.	**Animal production** **Animal training** **Apiculture** **Domestic animal husbandry** **Horse husbandry** **Racing dog husbandry**	**Agriculture**
Animal production	Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.	**Grazing animal production** **Intensive animal production** **Pig farm** **Poultry farm** **Poultry hatchery**	**Animal husbandry**
Animal training	Land used to train animals, other than domestic animals, horses, or racing dogs.		**Animal husbandry**
Apiculture	Land used to keep honeybee hives and to extract honey or other bee hive products.		**Animal husbandry**
Aquaculture	Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.		**Agriculture**
Art and craft centre	Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.		

Land use term	Definition	Includes	Included in
Art gallery	Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.		**Exhibition centre**
Automated collection point	A building with a gross floor area of no more than 100 square metres, used as an automated collection point as defined in the *Circular Economy (Waste Reduction and Recycling) Act 2021*.		**Transfer station**
Bank			**Office**
Bar	Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		**Food and drink premises**
Beauty salon			**Shop**
Bed and breakfast	A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.		**Dwelling**
Betting agency	Land used for gambling by wagering, and where there is the ability to receive a monetary reward.		**Gambling premises**
Boat and caravan storage	Land used to store boats, caravans, or vehicle-towed boat trailers.		**Store**
Boat launching facility	Land used to launch boats into the water and to retrieve boats from the water.	**Boat ramp slipway**	**Recreational boat facility**
Boat ramp			**Boat launching facility**
Bottle shop	Land used to sell packaged liquor for consumption off the premises.		**Shop**
Broiler farm	Land used to keep broiler chickens for the production of meat.		**Poultry farm**
Brothel	Land made available for the purpose of sex work by a person carrying on the business of offering or providing sex work services at the business's premises.		
Bus terminal			**Transport terminal**

Land use term	Definition	Includes	Included in
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		**Accommodation**
Caretaker's house	A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.		**Dwelling**
Carnival	Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.		**Place of assembly**
Car park	Land used to park motor vehicles. It may include charging of electric vehicles.		
Car sales			**Motor vehicle, boat, or caravan sales**
Car wash			**Service industry**
Cattle feedlot	Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.		**Intensive animal production**
Cemetery	Land used to dispose of human remains by burial. It may include funeral chapels or the like.		
Child care centre	Land used to care for five or more children who are not permanently resident on the land.	**Kindergarten**	**Education centre**
Cinema	Land used to provide screen based entertainment or information to the public.		**Place of assembly**
Cinema based entertainment facility	Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.		**Place of assembly**
Circus	Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.		**Place of assembly**
Commercial display area	Land used only to display goods.		**Warehouse**

Land use term	Definition	Includes	Included in
Community care accommodation	Land used to provide accommodation and care services. It includes permanent, temporary and emergency accommodation. It may include supervisory staff and support services for residents and visitors.		**Residential building**
Conference centre			**Function centre**
Convenience restaurant	Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.		**Food and drink premises**
Convenience shop	A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.		**Shop**
Corrective institution	Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.		**Accommodation**
Crematorium	Land used to cremate human remains. It may include funeral chapels or the like.		
Crop raising	Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.	**Horticulture** **Rice growing** **Timber production**	**Agriculture**
Dance studio			**Indoor recreation facility**
Data centre			**Utility installation**
Department store			**Shop**
Dependent person's unit	A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.		**Accommodation**
Display home centre	One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.		

Land use term	Definition	Includes	Included in
Dog breeding			**Domestic animal husbandry**
Domestic animal boarding	Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.		**Domestic animal husbandry**
Domestic animal husbandry	Land used to keep, breed, board or train domestic animals.	**Dog breeding** **Domestic animal boarding**	**Animal husbandry**
Drive-in theatre			**Place of assembly**
Dry cleaner	Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.		**Service industry**
Dry cleaning agent	Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.		**Shop**
Dwelling	A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.	**Bed and breakfast** **Caretaker's house**	**Accommodation**
Education centre	Land used for education.	**Child care centre** **Employment training centre** **Primary school** **Secondary school** **Tertiary institution**	
Earth and energy resources industry	Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.	**Extractive industry** **Greenhouse gas sequestration** **Greenhouse gas sequestration exploration**	

Land use term	Definition	Includes	Included in
		Geothermal energy exploration **Geothermal energy extraction** **Mining** **Mineral exploration** **Petroleum exploration** **Petroleum production** **Stone exploration**	
Electoral office	An office used for electioneering by a candidate in a local, State, or Federal Government election.		**Office**
Electorate office	An office used by a State or Federal Member of Parliament to conduct their representative duties.		**Office**
Emergency services facility	Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.		
Employment training centre			**Education centre**
Energy generation facility	Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.	**Renewable energy facility** **Waste-to-energy facility**	
Equestrian supplies			**Restricted retail premises**
Exhibition centre	Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.	**Art gallery** **Museum**	**Place of assembly**
Extractive industry	Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. It includes:		**Earth and energy resources industry**

Land use term	Definition	Includes	Included in
	▪ the rehabilitation of the land; and ▪ the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the land from which the stone is extracted or removed.		
Food and drink premises	Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.	**Bar** **Convenience restaurant** **Hotel** **Restaurant** **Take away food premises**	**Retail premises**
Freeway service centre	Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.		
Freezing and cool storage			**Store**
Fuel depot	Land used to store, sell, and distribute fuel.	**Liquid fuel depot** **Solid fuel depot**	**Warehouse**
Function centre	Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.	**Conference centre** **Reception centre**	**Place of assembly**
Funeral parlour	Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.		
Gambling premises	Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.	**Betting agency** **Gaming premises**	**Retail premises**
Gaming premises	Land used for gambling by gaming, and where there is the ability to receive a monetary reward.		**Gambling premises**

Land use term	Definition	Includes	Included in
Garden supplies	Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.		**Landscape gardening supplies**
Geothermal energy exploration	Land used for geothermal energy exploration as defined in the Geotherma*l Energy Resources Act 2005.*		**Earth and energy resources industry**
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the Geotherma*l Energy Resources Act 2005.*		**Earth and energy resources industry**
Golf course			**Outdoor recreation facility**
Golf driving range			**Outdoor recreation facility**
Grazing animal production	Land used for animal production where the animals' food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes: ▪ emergency, seasonal and supplementary feeding; ▪ the incidental penning, feeding and housing of animals for weaning or other husbandry purposes. In this definition: *Emergency feeding* means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land; *Seasonal feeding* means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land; *Supplementary feeding* means providing feed to animals to supplement the food the animals		**Animal production**

Land use term	Definition	Includes	Included in
	obtain by directly grazing, browsing or foraging plants growing on the land.		
Greenhouse gas sequestration	Land used for greenhouse gas substance injection and monitoring as defined in the *Greenhouse Gas Geological Sequestration Act 2008.*		**Earth and energy resources industry**
Greenhouse gas sequestration exploration	Land used for greenhouse gas sequestration formation exploration as defined in the *Greenhouse Gas Geological Sequestration Act 2008.*		**Earth and energy resources industry**
Group accommodation	Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.		**Accommodation**
Hairdresser			**Shop**
Hall			**Place of assembly**
Helicopter landing site	Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.		
Heliport			**Transport terminal**
Home based business	An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.		
Horse husbandry	Land used to keep, breed, board or train horses.	**Horse riding school** **Horse stables**	**Animal husbandry**
Horse riding school			**Horse husbandry**
Horse stables			**Horse husbandry**
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	**Market garden**	**Crop raising**
Hospital	Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to		

Land use term	Definition	Includes	Included in
	persons admitted as in-patients. It may include the care or treatment of out-patients.		
Host farm	An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.		**Accommodation**
Hotel	Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		**Food and drink premises**
Indoor recreation facility	A building used for indoor leisure, recreation, or sport.	**Dancing studio**	**Minor sports and recreation facility**
Industry	Land used for any of the following operations: a) any process of manufacture; b) dismantling or breaking up of any article; c) treating waste materials; d) winning clay, gravel, rock, sand, soil, stone, or other materials; e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or f) any process of testing or analysis. If on the same land as any of these operations, it also includes: a) storing goods used in the operation or resulting from it; b) providing amenities for people engaged in the operation; c) selling by wholesale, goods resulting from the operation; and d) accounting or administration in connection with the operation. If Materials recycling, goods resulting from the operation may be sold by retail.	**Materials recycling** **Refuse disposal** **Transfer station** **Research and development centre** **Rural industry** **Service industry**	

Land use term	Definition	Includes	Included in
Informal outdoor recreation	Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.		**Minor sports and recreation facility**
Intensive animal production	Land used for animal production where the animals' food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: ▪ an abattoir or sale yard; or ▪ grazing animal production, pig farm, poultry farm or poultry hatchery.	**Cattle feedlot** **Intensive dairy farm**	**Animal production**
Intensive dairy farm	Land used for intensive animal production where cattle are kept or bred for the production of milk.		**Intensive animal production**
Interpretation centre	A facility that assists in the public understanding of the natural or cultural environment.		
Jetty			**Marina**
Kindergarten			**Child care centre**
Landscape gardening supplies	Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.	**Garden supplies** **Plant nursery**	**Retail premises**
Laundromat	Land used to clean or launder clothing or household items using self-service machines.		**Shop**
Leisure and recreation	Land used for leisure, recreation, or sport.	**Major sports and recreation facility** **Minor sports and recreation facility** **Motor racing track**	
Library			**Place of assembly**
Liquid fuel depot	Land used to store, sell by wholesale, and distribute fuel.		**Fuel depot**
Mail centre	Land used to sort mail for distribution.		**Warehouse**

Land use term	Definition	Includes	Included in
Major sports and recreation facility	Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.	**Race course**	**Leisure and recreation**
Manufacturing sales	Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.		**Retail premises**
Marina	Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.	**Jetty** **Mooring pole** **Pier** **Pontoon**	**Recreational boat facility**
Market	Land used to sell goods, including foodstuffs, from stalls.		**Retail premises**
Market garden			**Horticulture**
Materials recycling	Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.		**Industry**
Medical centre	Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.		**Office**
Milk depot	Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.		**Warehouse**
Mineral exploration	Land used for exploration as defined in the *Mineral Resources (Sustainable Development) Act 1990.*		**Earth and energy resources industry**
Mining	Land used for mining as defined in the *Mineral Resources (Sustainable Development) Act 1990.*		**Earth and energy resources industry**
Minor sports and recreation facility	Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.	**Indoor recreation facility** **Informal outdoor recreation** **Open sports ground**	**Leisure and recreation**

Land use term	Definition	Includes	Included in
		Outdoor recreation facility **Restricted recreation facility**	
Minor utility installation	Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood; h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction; or j) a battery connected to a section of the electricity distribution network operating with a nominal voltage not exceeding 66,000 volts.	**Water retarding basin**	**Utility installation**
Mooring pole			**Marina**
Motel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.		**Residential hotel**

Land use term	Definition	Includes	Included in
Motor racing track	Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.		**Leisure and recreation**
Motor repairs	Land used to repair or service motor vehicles, and includes the fitting of accessories.	**Panel beating**	**Service industry**
Motor vehicle, boat, or caravan sales	Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.	**Car sales**	**Retail premises**
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		**Exhibition centre**
Natural systems	Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.		
Nightclub	A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.		**Place of assembly**
Office	Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.	**Bank** **Electoral office** **Electorate office** **Medical centre** **Real estate agency** **Travel agency**	
Open sports ground	Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.		**Minor sports and recreation facility**

Land use term	Definition	Includes	Included in
Outdoor recreation facility	Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.	**Amusement park** **Golf course** **Golf driving range** **Paintball games facility** **Zoo**	**Minor sports and recreation facility**
Paintball games facility			**Outdoor recreation facility**
Panel beating	Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.		**Motor repairs**
Party supplies			**Restricted retail premises**
Petroleum exploration	Land used for petroleum exploration as defined in the *Petroleum Act 1998.*		**Earth and energy resources industry**
Petroleum production	Land used for petroleum production as defined in the *Petroleum Act 1998.*		**Earth and energy resources industry**
Pier			**Marina**
Pig farm	Land used to keep or breed pigs.		**Animal production**
Place of assembly	Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.	**Amusement parlour** **Carnival** **Cinema** **Cinema-based entertainment facility** **Circus** **Drive-in theatre** **Exhibition centre** **Function centre** **Hall** **Library** **Nightclub** **Place of worship** **Restricted place of assembly**	

Land use term	Definition	Includes	Included in
Place of worship	Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.		**Place of assembly**
Plant nursery	Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.		**Landscape gardening supplies**
Pontoon			**Marina**
Postal agency			**Retail premises**
Poultry farm	Land used to keep or breed poultry.	**Broiler farm**	**Animal production**
Poultry hatchery	Land used to incubate and hatch poultry eggs.		**Animal production**
Primary produce sales	Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.		**Retail premises**
Primary school			**Education centre**
Race course			**Major sports and recreation facility**
Racing dog husbandry	Land used to keep, breed, board or train racing dogs.	**Racing dog training**	**Animal husbandry**
Racing dog training			**Racing dog husbandry**
Railway station	Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.		**Transport terminal**
Real estate agency			**Office**
Reception centre			**Function centre**
Recreational boat facility	Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.	**Boat launching facility** **Marina**	
Refuse disposal	Land used to dispose of refuse, by landfill, incineration, or other means.		**Industry**

Land use term	Definition	Includes	Included in
Renewable energy facility	Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.	**Wind energy facility** **Solar energy facility**	**Energy generation facility**
Research and development centre	Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.		**Industry**
Research centre	Land used only for scientific research.		
Reservoir	A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.		**Utility installation**
Residential aged care facility	Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.		**Accommodation**
Residential building	Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.	**Community care accommodation** **Residential hotel** **Rooming house** **Rural worker accommodation**	**Accommodation**
Residential hotel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off,	**Motel**	**Residential building**

Land use term	Definition	Includes	Included in
	the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.		
Residential village	Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.		**Accommodation**
Restaurant	Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.		**Food and drink premises**
Restricted place of assembly	Land used by members of a club or group, or by members' guests, for religious, spiritual or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.		**Place of assembly**
Restricted recreation facility	Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members' guests, or by the public on payment of a fee.		**Minor sports and recreation facility**
Restricted retail premises	Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods c) electric light fittings; d) animal supplies including equestrian and pet goods;	**Equestrian supplies** **Party supplies**	**Shop**

Land use term	Definition	Includes	Included in
	e) floor and window coverings; f) furniture, bedding, furnishings, fabric and manchester and homewares; g) household appliances, household electrical goods and home entertainment goods; h) party supplies; i) swimming pools; j) office equipment and supplies; k) baby and children's goods, children's play equipment and accessories; l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which: ▪ Require a large area for handling, display and storage of goods; or ▪ Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. It does not include the sale of food, clothing and footwear unless ancillary to the primary use.		
Retail premises	Land used to: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.	**Food and drink premises** **Gambling premises** **Landscape gardening supplies** **Manufacturing sales** **Market** **Motor vehicle, boat, or caravan sales** **Postal agency** **Primary produce sales** **Shop** **Trade supplies**	

Land use term	Definition	Includes	Included in
Retirement village	Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.		**Accommodation**
Rice growing			**Crop raising**
Road freight terminal			**Transport terminal**
Rooming house	Land used for a rooming house as defined in the *Residential Tenancies Act 1997*.		**Residential building**
Rural industry	Land used to: a) handle, treat, process, or pack agricultural produce; b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks.	**Abattoir** **Sawmill**	**Industry**
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		**Store**
Rural worker accommodation	Land used to accommodate a person engaged in agricultural production, away from their normal place of residence.		**Residential building**
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		**Rural industry**
Secondary school			**Education centre**
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	**Car wash** **Dry cleaner** **Motor repairs**	**Industry**
Service station	Land used to sell motor vehicle fuel from bowsers or charge electric vehicles. It may include the: a) selling of motor vehicle lubricants, accessories or parts; b) selling of food, drinks and other convenience goods; c) hiring of trailers;		

Land use term	Definition	Includes	Included in
	d) servicing or washing of motor vehicles; and e) installing of motor vehicle accessories or parts.		
Shipping container storage	Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.		**Store**
Shop	Land used to sell goods or services, or to hire goods. It includes: ▪ the selling of bread, pastries, cakes or other products baked on the premises; ▪ demonstrations of products including music performances in shops selling recorded music. It does not include: ▪ food and drink premises; ▪ gambling premises; ▪ landscape gardening supplies; ▪ manufacturing sales; ▪ market; ▪ motor vehicle, boat, or caravan sales; ▪ postal agency; ▪ primary produce sales; or ▪ trade supplies.	**Adult sex product shop** **Beauty salon** **Bottle shop** **Convenience shop** **Dry cleaning agent** **Department store** **Hairdresser** **Laundromat** **Restricted retail premises** **Supermarket**	**Retail premises**
Sign			
Slipway			**Boat launching facility**
Solar energy facility	Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.		**Renewable energy facility**
Solid fuel depot	Land used to sell solid fuel, such as briquettes, coal, and fire wood.		**Fuel depot**

Land use term	Definition	Includes	Included in
Stone exploration	Land used to search for stone, including: a) conducting geological, geophysical, and geochemical surveys; b) costeaning and bulk sampling; c) drilling; and d) taking samples for chemical, physical, or other testing.		**Earth and energy resources industry**
Store	Land used to store goods, machinery, or vehicles.	**Boat and caravan storage** **Freezing and cool storage** **Rural store** **Shipping container storage** **Vehicle store**	**Warehouse**
Supermarket			**Shop**
Take away food premises	Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.		**Food and drink premises**
Telecommunications facility	Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.		**Utility installation**
Tertiary institution			**Education centre**
Timber production	Land used to propagate, cultivate, manage and harvest timber.		**Crop raising**
Timber yard	Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.		**Trade supplies**

Land use term	Definition	Includes	Included in
Trade supplies	Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.	**Timber yard**	**Retail premises**
Tramway	Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops and shelters, shunting areas and associated passenger facilities.		
Transfer station	Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.	**Automated collection point**	**Industry**
Transport terminal	Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.	**Airport** **Bus terminal** **Heliport** **Railway station** **Road freight terminal** **Wharf**	
Travel agency			**Office**
Utility installation	Land used: a) for telecommunications; b) to transmit or distribute gas or oil; c) to transmit, distribute or store power; d) to collect, treat, transmit, store, or distribute water; or e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.	**Data centre** **Minor utility installation** **Reservoir** **Telecommunications facility**	

Land use term	Definition	Includes	Included in
	It includes any associated flow measurement device or a structure to gauge waterway flow.		
Vehicle store	Land used to park or store vehicles in connection with a goods or passenger transport business.		**Store**
Veterinary centre	Land used to: a) diagnose animal diseases or disorders; b) surgically or medically treat animals; or c) prevent animal diseases or disorders. It may include keeping the animals on the premises for treatment.		
Warehouse	Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.	**Commercial display area** **Fuel depot** **Mail centre** **Milk depot** **Store**	
Waste-to-energy facility	Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.		**Energy generation facility**
Water retarding basin	Land used to store storm or flood water on a temporary basis.		**Minor utility installation**
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		**Transport terminal**
Wind energy facility	Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer.		**Renewable energy facility**

Land use term	Definition	Includes	Included in
	It does not include turbines principally used to supply electricity for domestic or rural use of the land.		
Winery	Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.		
Zoo			**Outdoor recreation facility**

73.04 NESTING DIAGRAMS

08/08/2019
VC159

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

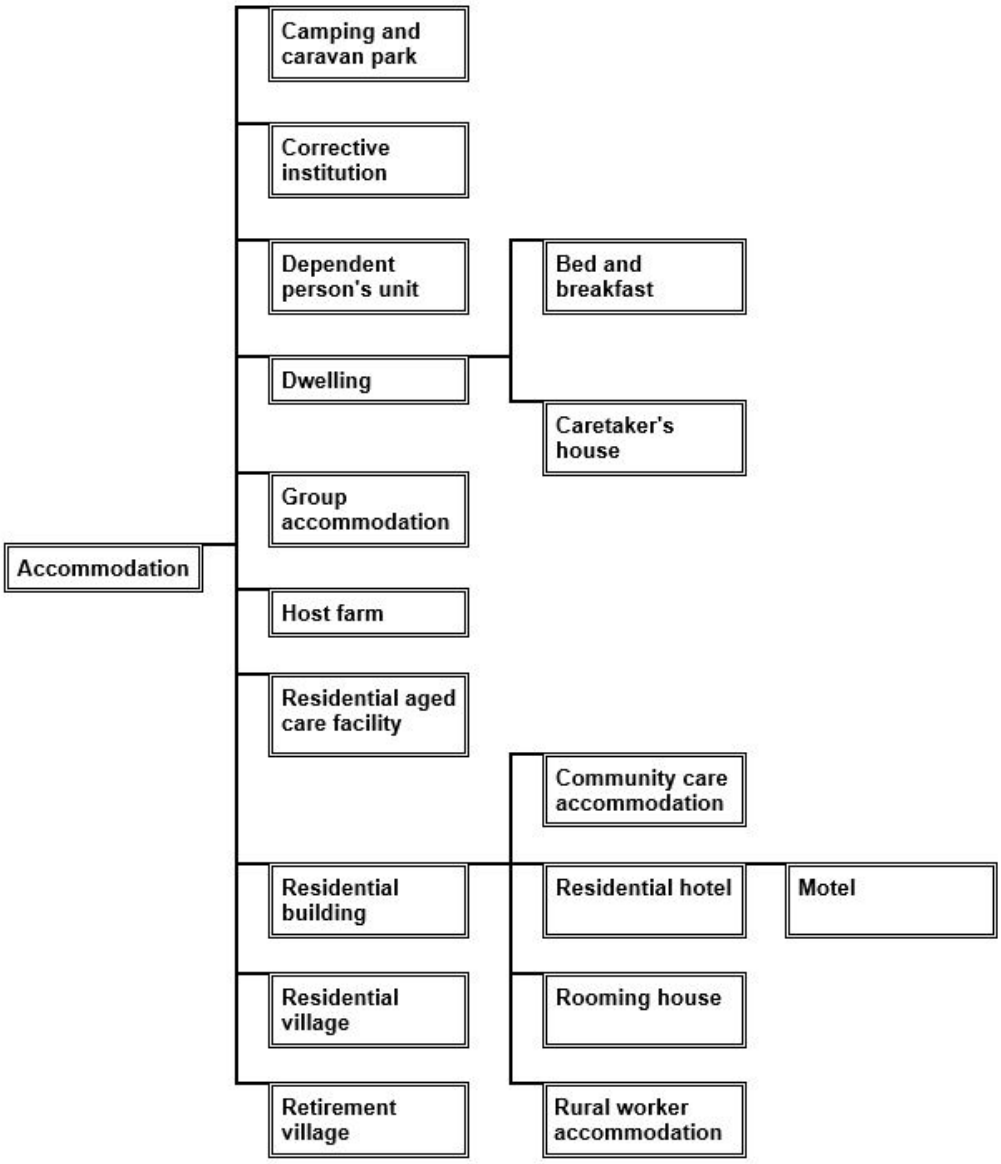
The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

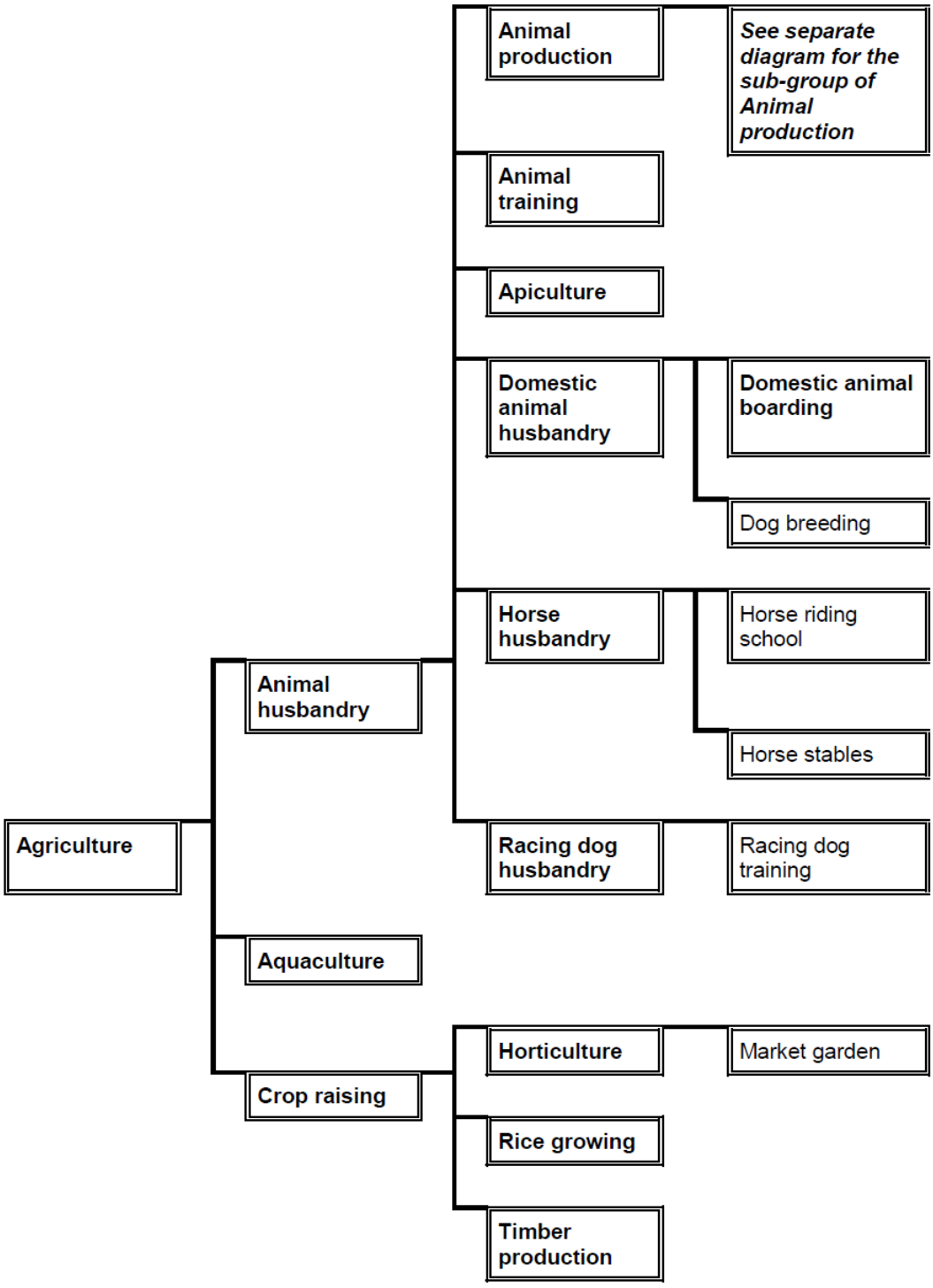
73.04-1 Accommodation group

12/10/2021
VC202



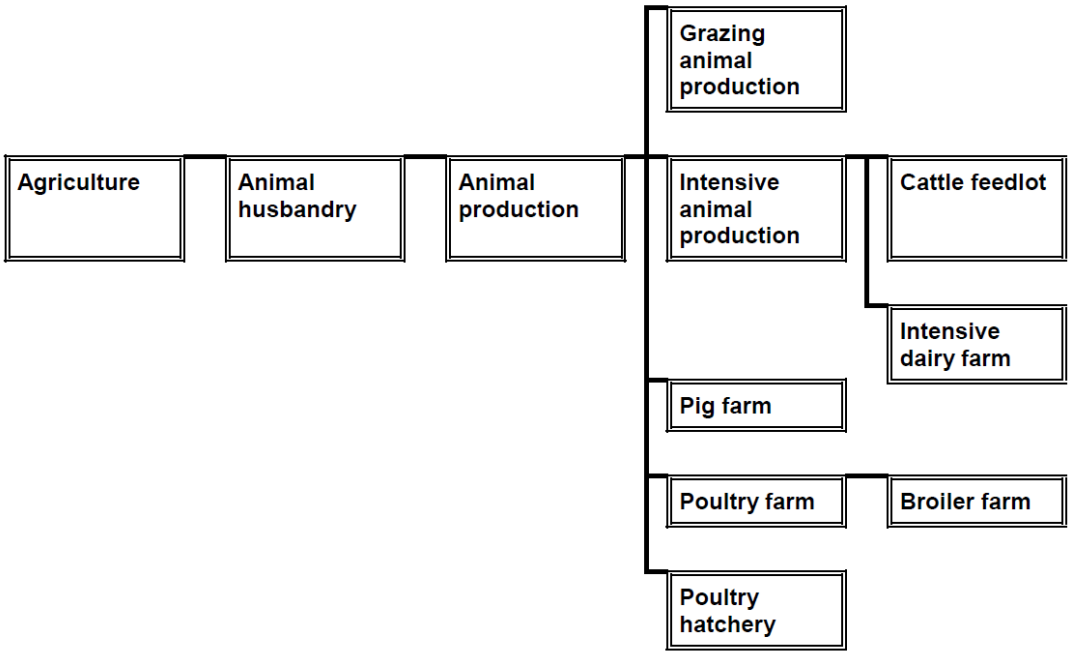
73.04-2 Agriculture group

08/08/2019
VC159



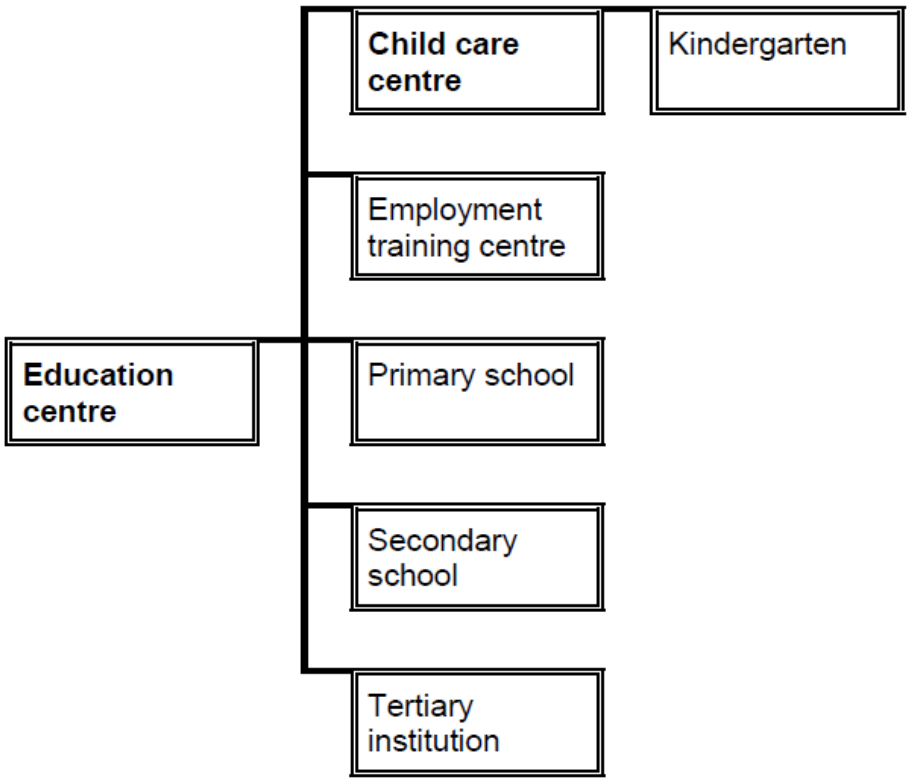
73.04-3 Agriculture group (sub-group of Animal production)

24/01/2020
VC160



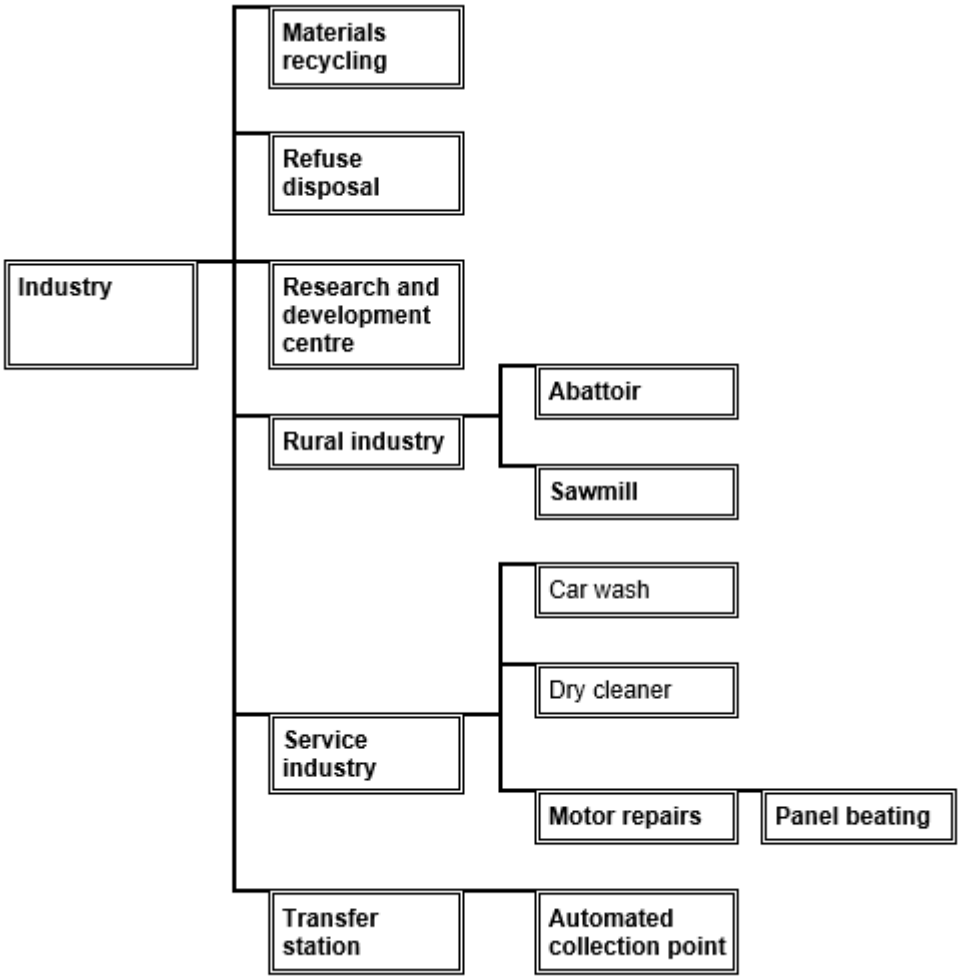
73.04-4 Education centre group

24/01/2020
VC160



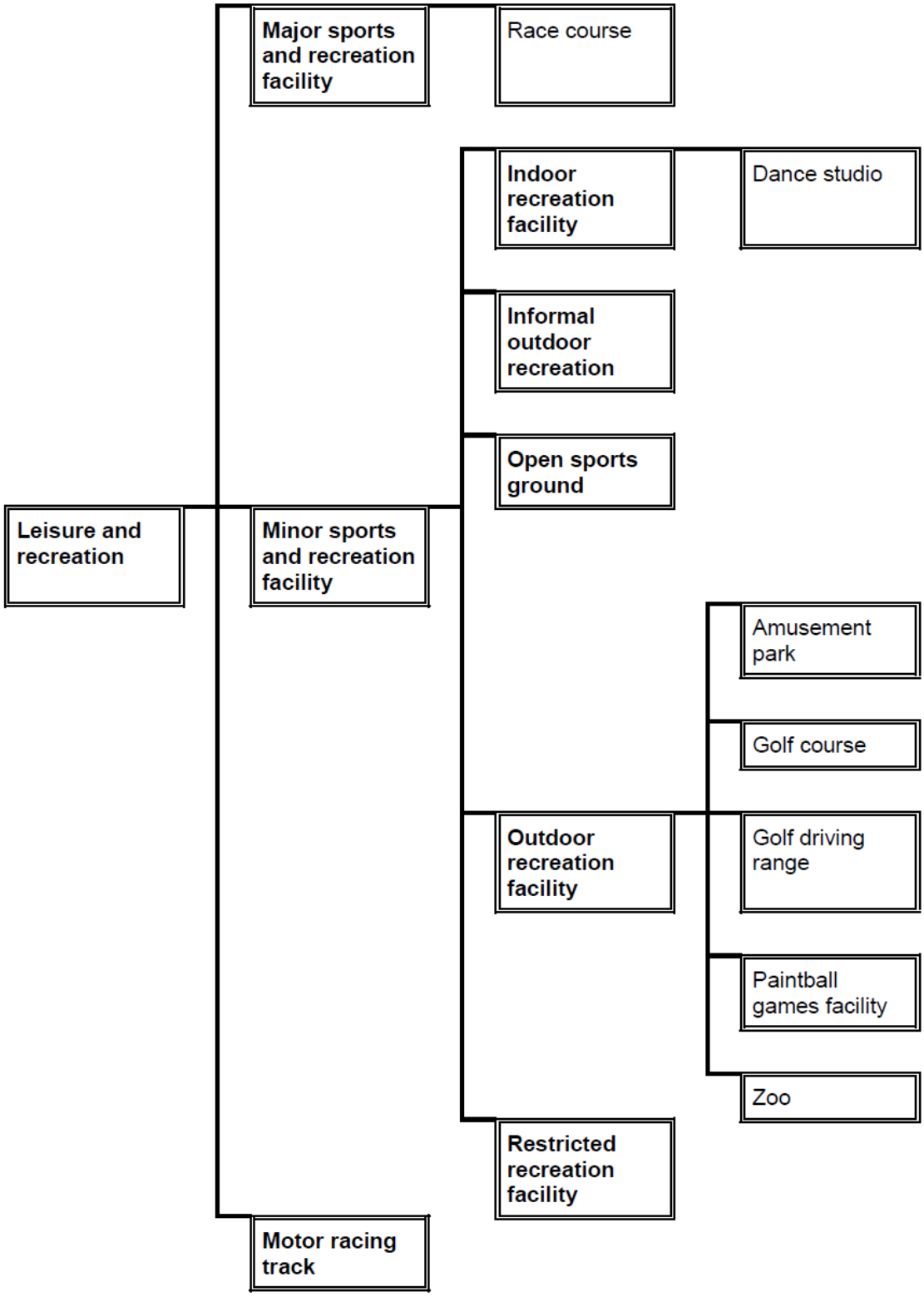
73.04-5 Industry group

14/11/2022
VC227



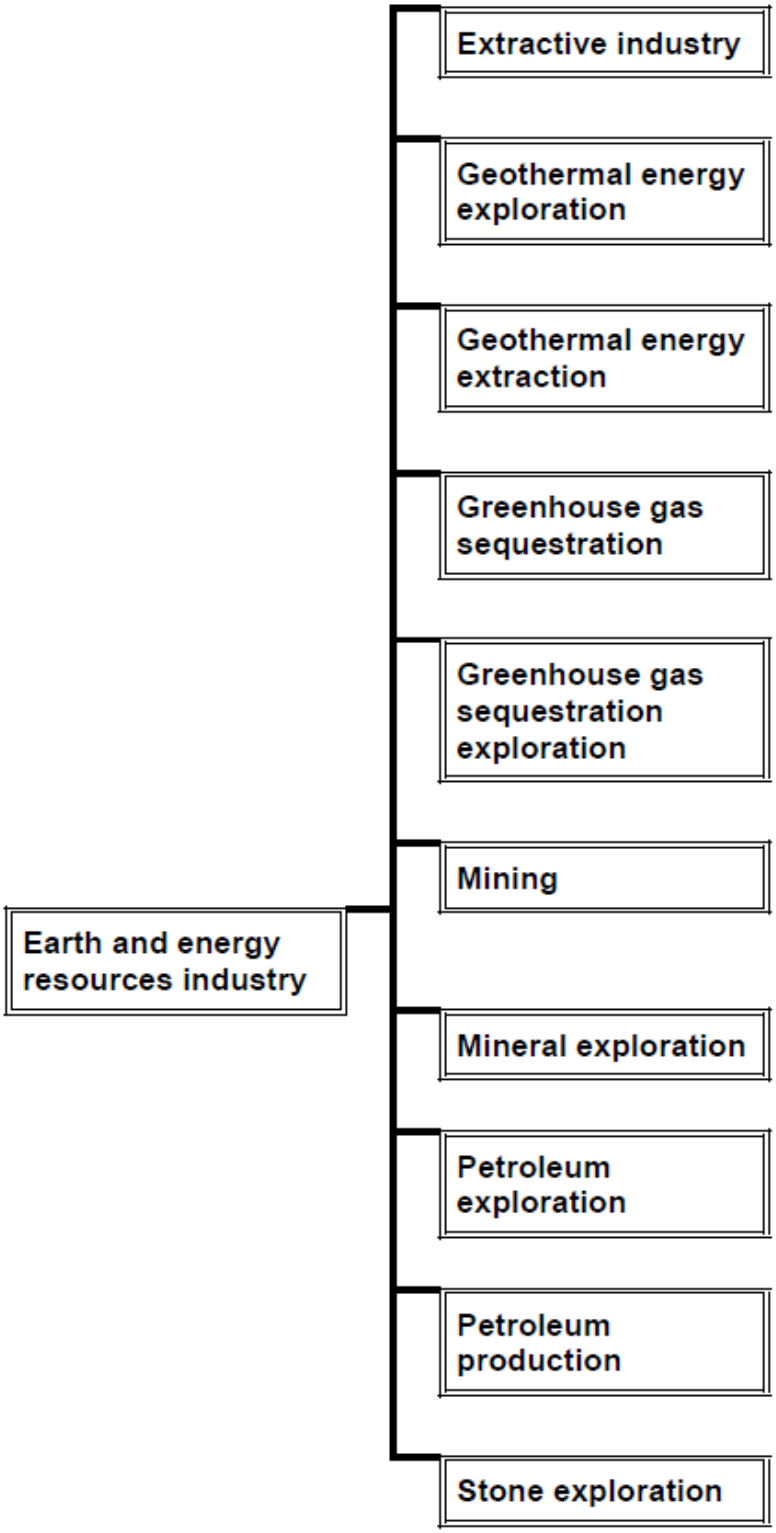
73.04-6 Leisure and recreation group

16/08/2019
VC163



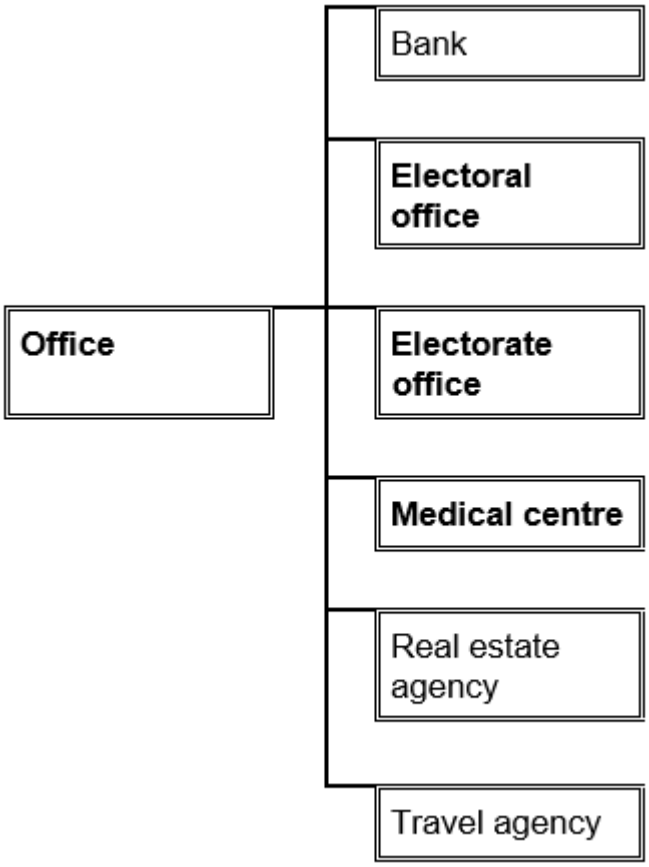
73.04-7 Earth and energy resources group

24/01/2020
VC160



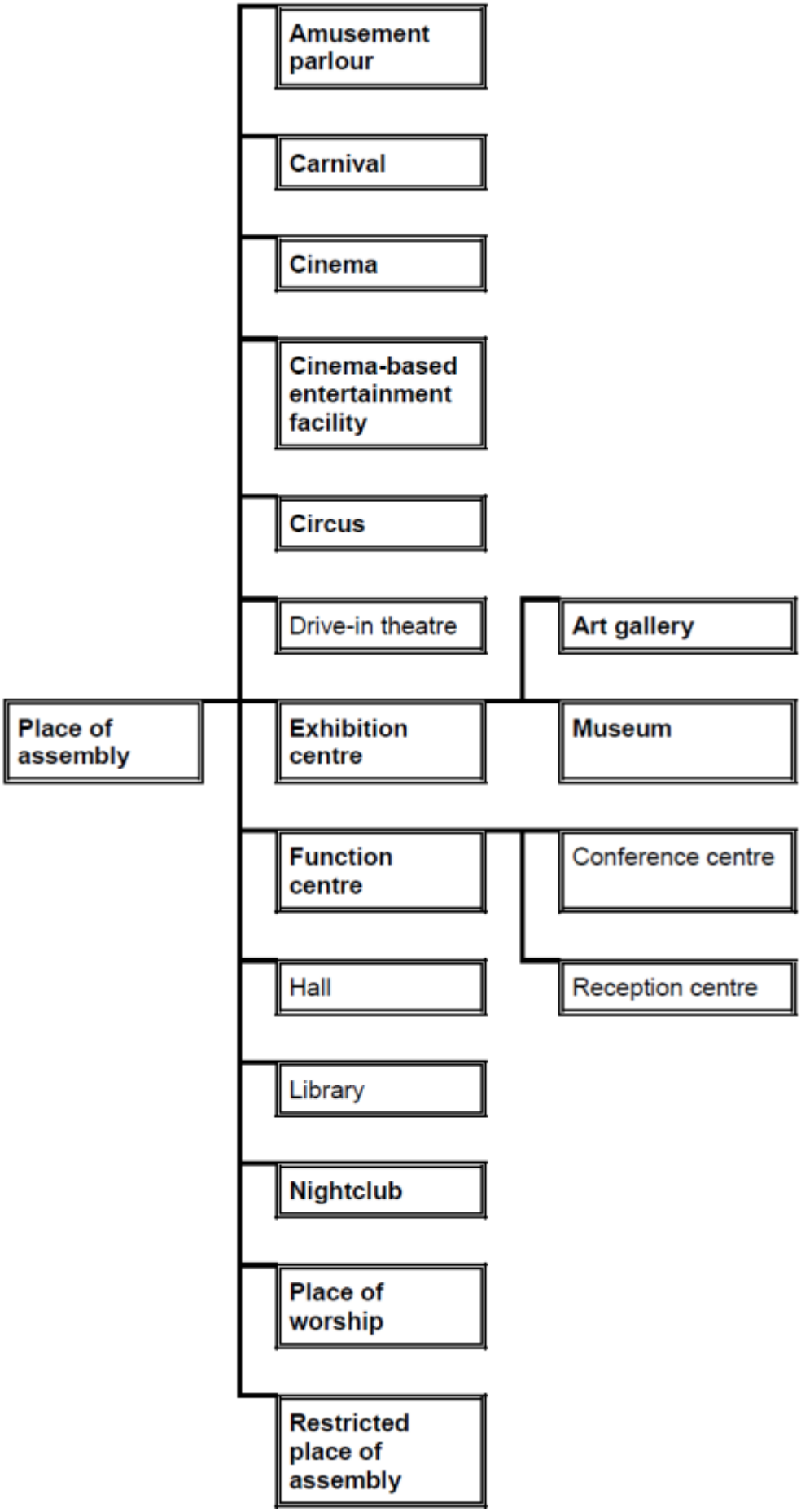
73.04-8 Office group

28/10/2022
VC224



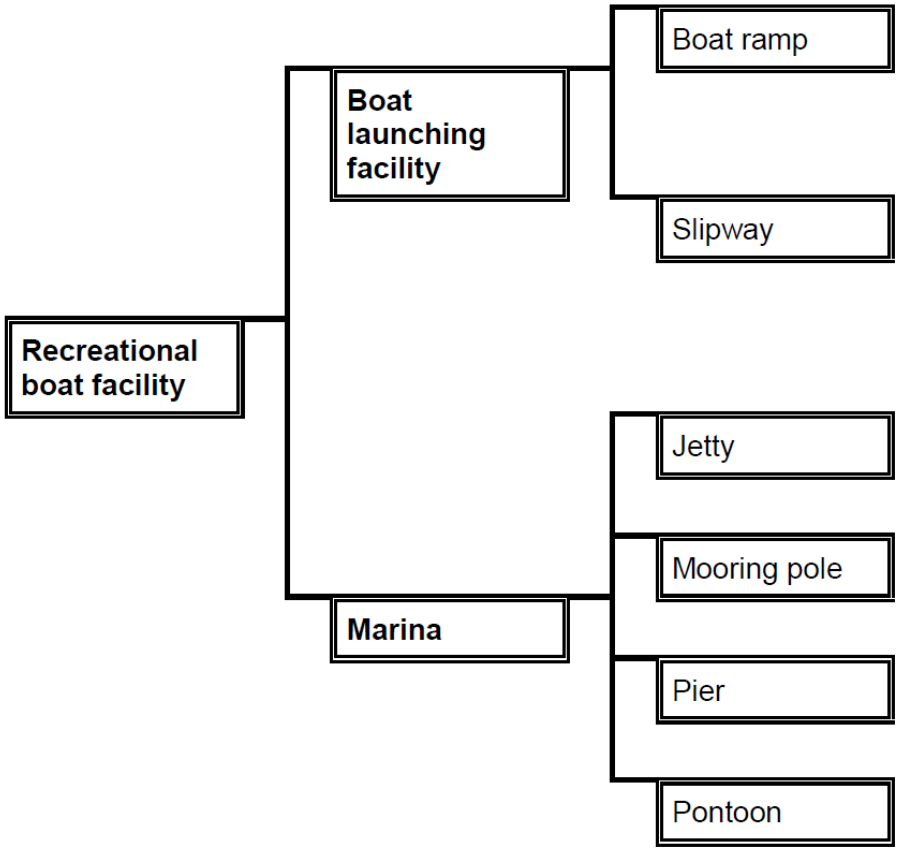
73.04-9 Place of assembly group

16/08/2019
VC163



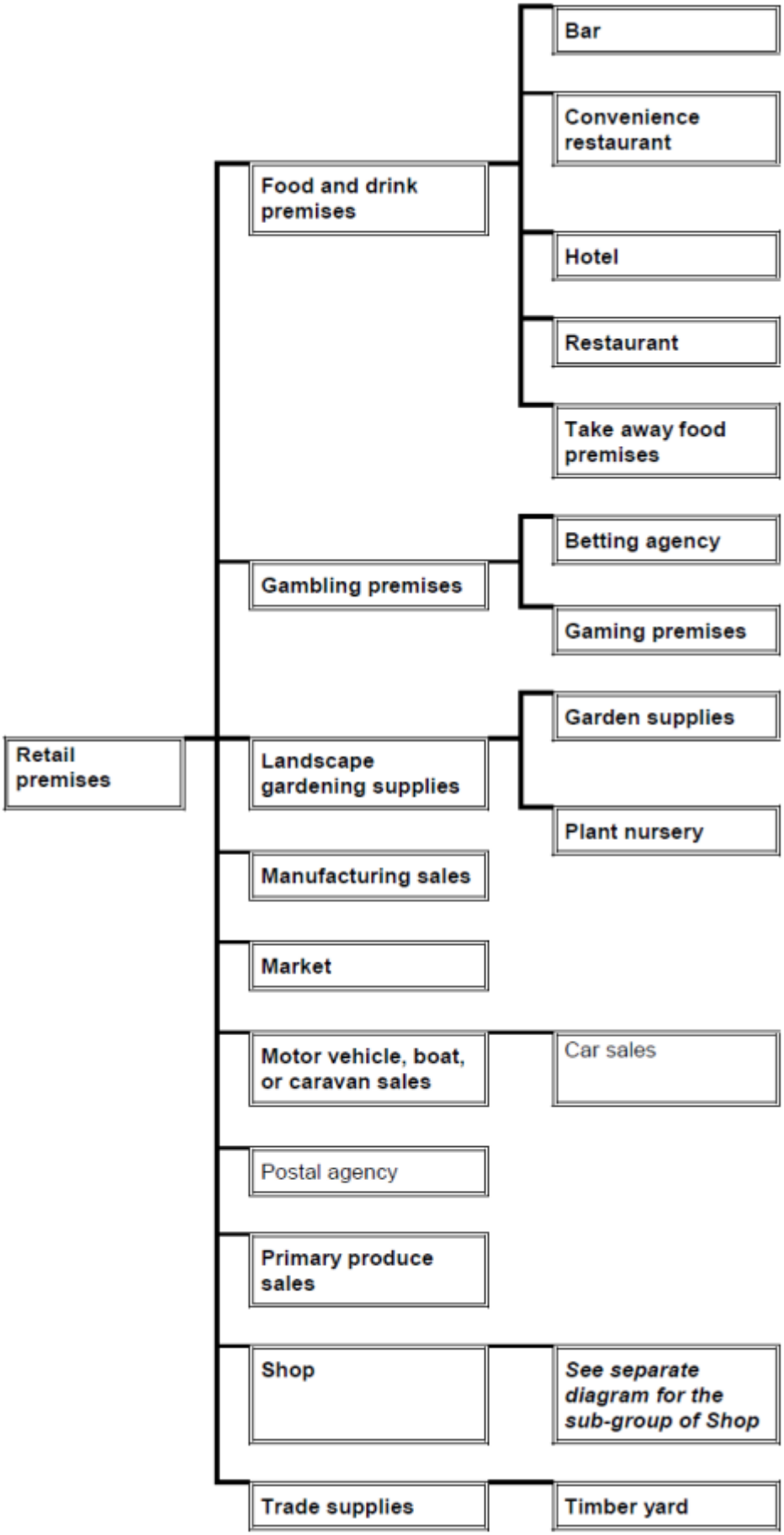
73.04-10 Recreational boat facility group

24/01/2020
VC160



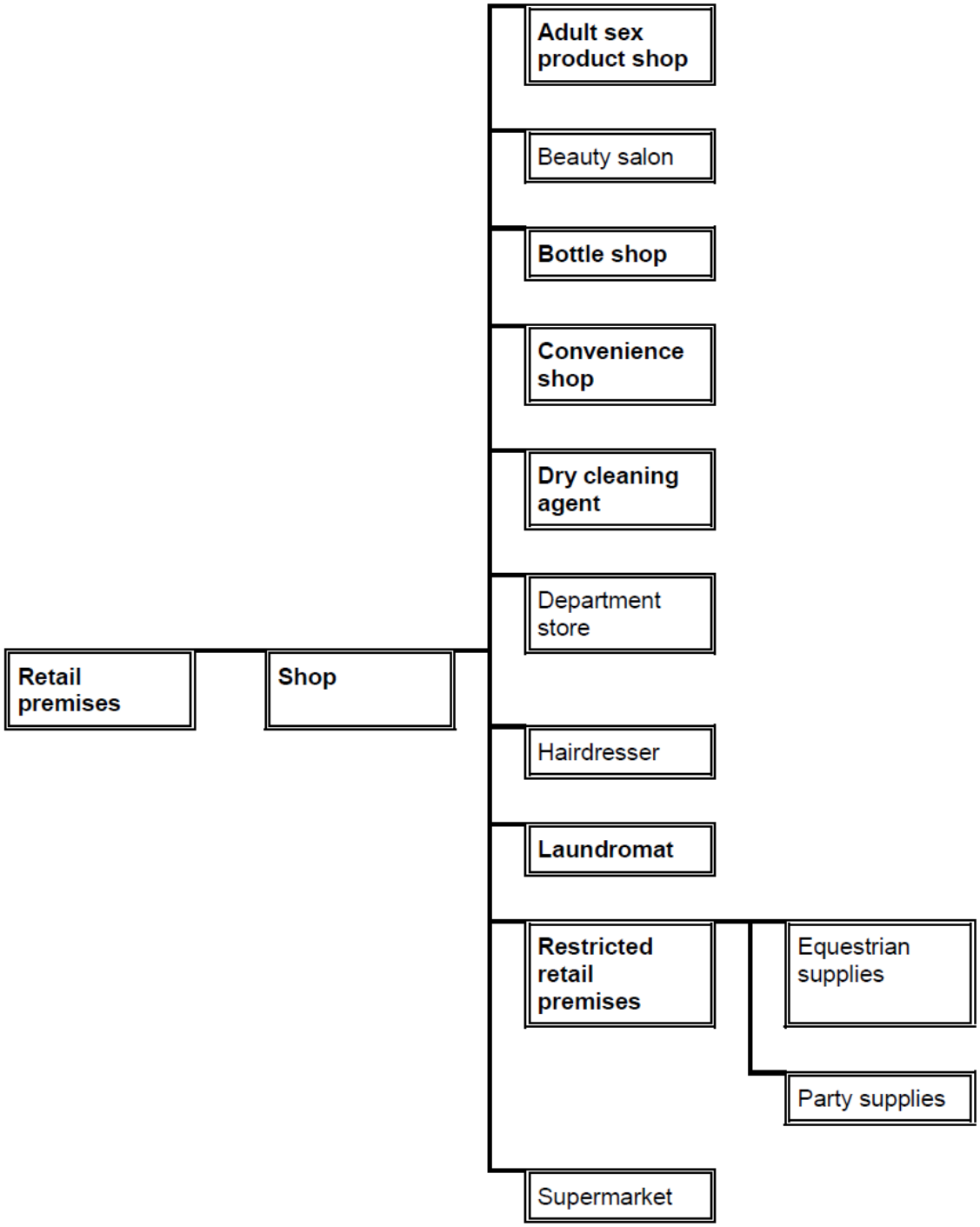
73.04-11 Retail premises group

16/08/2019
VC163



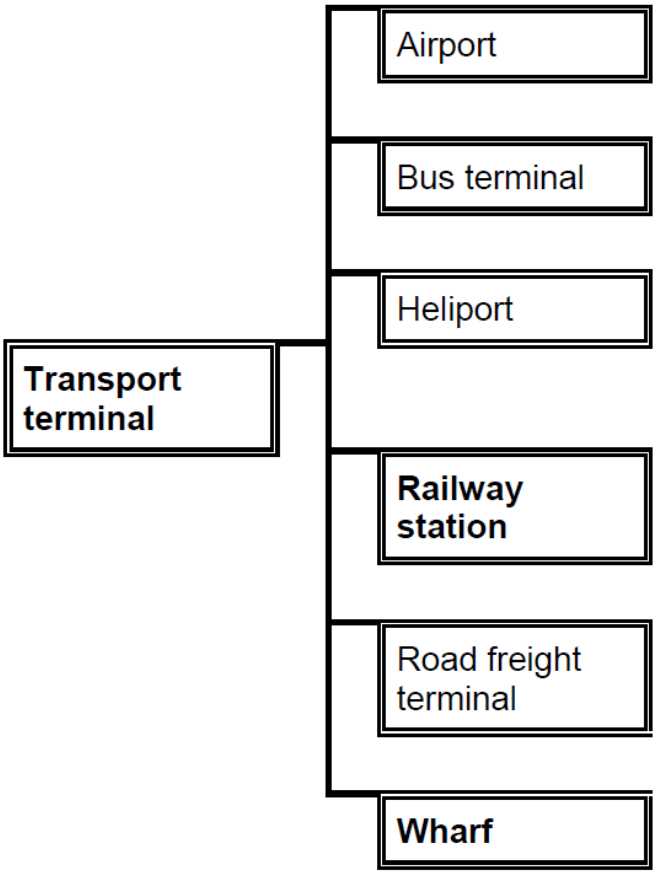
73.04-12 Retail premises group (sub-group of Shop)

08/08/2019
VC159



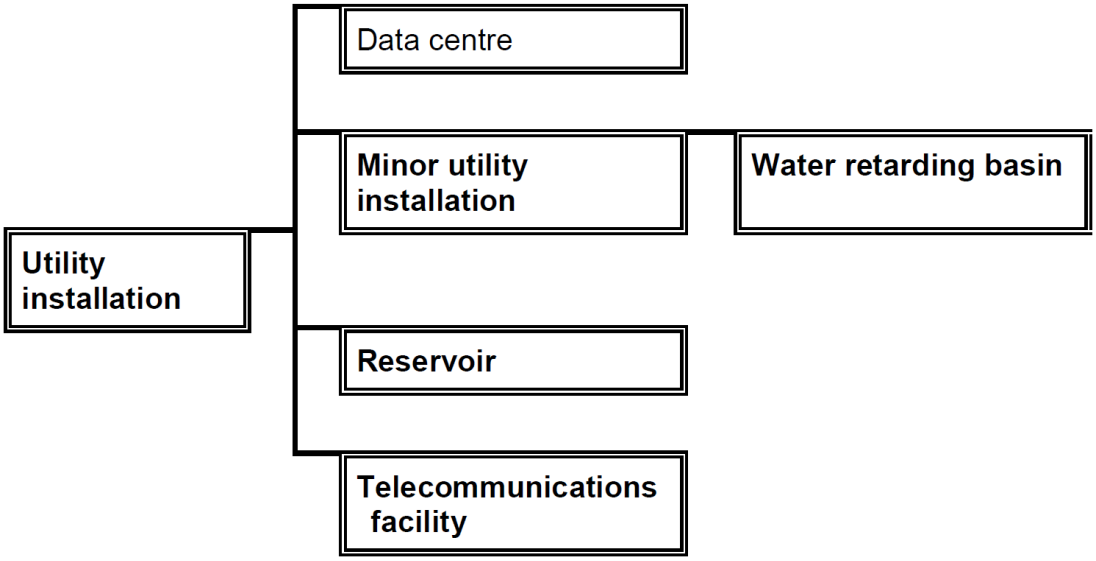
73.04-13 Transport terminal group

24/01/2020
VC160



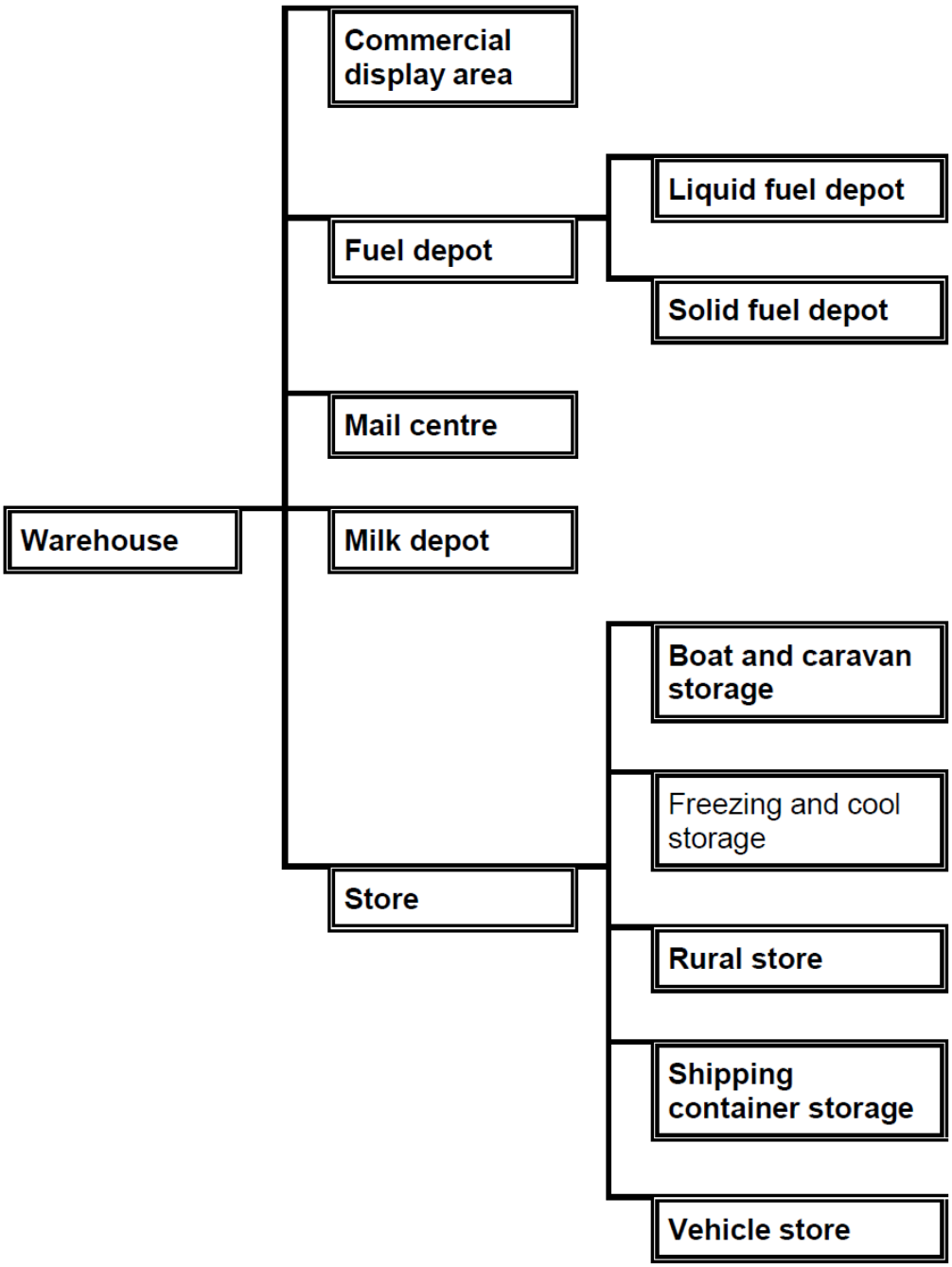
73.04-14 Utility installation group

08/08/2019
VC159



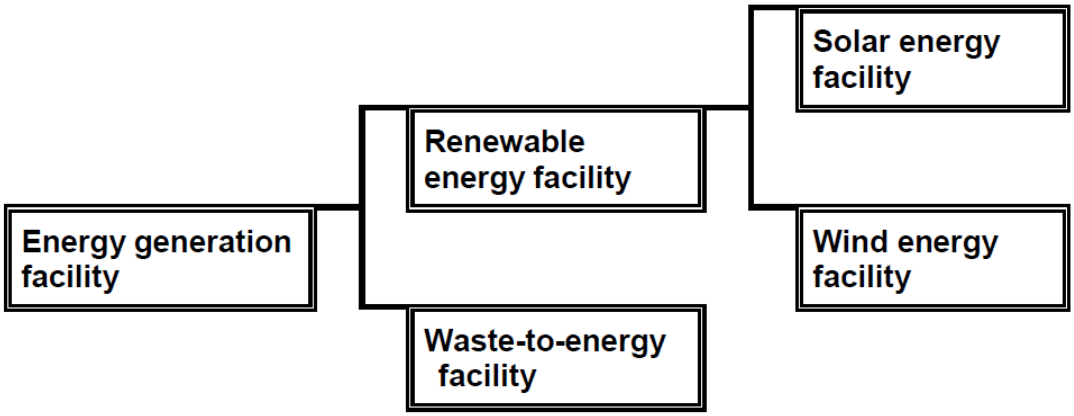
73.04-15 Warehouse group

24/01/2020
VC160



73.04-16 Energy Group

24/01/2020
VC160



73.04-17 Land use terms that are not nested

28/10/2022
VC224

Art and craft centre

Brothel

Car park

Cemetery

Crematorium

Display home centre

Emergency services facility

Freeway service centre

Funeral parlour

Helicopter landing site

Home based business

Hospital

Interpretation centre

Natural systems

Research centre

Saleyard

Service station

Sign

Tramway

Veterinary centre

Winery

74 STRATEGIC IMPLEMENTATION

31/07/2018
VC148

74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

31/07/2018
VC148

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

14/01/2021
C200more

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0 Application of zones, overlays and provisions

09/03/2023
C201more

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- The Design and Development Overlay Schedule 24 to development in Neighbourhood Centres to implement built form guidelines.
- The Commercial 1 and 2 Zones, Mixed Use Zone and Design and Development Overlay to the Brunswick Activity Centre to ensure appropriate built form, public realm and improved amenity outcomes.
- The Activity Centre Zone to the Coburg Activity Centre.
- The Commercial 1 and 2 Zones and the Residential Growth Zone to the Glenroy Activity Centre.
- The Industrial 1 and 3 Zones to the majority of land in the *Core Industry and Employment Areas* to support industry and complimentary businesses and prohibit residential uses.
- The Commercial 2 Zone in areas identified as *Core Industry and Employment Areas* to facilitate restricted retail uses and prohibit residential uses.
- The Industrial 3 Zone or Commercial 2 Zone to areas identified as *Employment Areas* to prioritise employment.
- The Incorporated Plan or Development Plan Overlays to areas identified as *Employment Areas* where confirmation of the location of employment uses is required.
- The Mixed Use Zone, Residential Growth Zone or General Residential Zone to areas identified as *Transition Residential Areas* to facilitate residential uses.
- The Design and Development or Incorporated Plan Overlays to areas identified as *Transition Residential Areas* where confirmation of design and site layout or a statement of preferred character is required.
- The Heritage Overlay to places of recognised State or Local heritage significance.
- The Design and Development Overlay to ensure appropriate built form, public realm and improved amenity outcomes.
- The Environmental Significance Overlay to protect the Moonee Ponds, Merri, Edgars and Merlynston Creek corridors.
- The Development Contribution Plan Overlay to land where there is a need to collect contributions towards community infrastructure.
- The Development Plan Overlay or Incorporated Plan Overlay to implement adopted master plans.
- The Erosion Management Overlay to recognise and protect areas prone to erosion, landslip or other land degradation process.
- The Land Subject to Inundation Overlay and Special Building Overlay to recognise and protect flood prone areas.
- The Environmental Audit Overlay over potentially contaminated land where sensitive land uses or other ‘at risk’ impacts may be proposed.
- The Parking Overlay to promote mode shift and sustainable travel.

74.02 FURTHER STRATEGIC WORK

31/07/2018
VC148

The schedule to this clause may specify the planning authority's approach to further strategic work.

A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.