Melton Planning Scheme

PLANNING SCHEME

Planning scheme last updated by VC246 on 26/09/2023

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

13/07/2023
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02.01 CONTEXT

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The City of Melton (the City) is a key part of Melbourne's western growth corridor and is one of Australia's fastest growing local government areas. Its population grew from 52,029 in 2001 to 146,979 in 2017 and in 2051, is forecast to be more than 485,000, representing an increase of 194 per cent (Id Consulting Pty Ltd, 2019).

The City's demographic profile varies with a high population of young families and children and an ageing population, which has implications for future housing diversity and increases pressure on community services and facilities.

The City comprises three distinct areas: existing urban areas known as the 'established areas', new urban areas known as the 'growth areas', and 'non-urban land' comprising the rural areas that lie outside the Urban Growth Boundary and are part of the 'green wedge' forming a ring around Melbourne.

Eleven new suburbs across the growth corridor have been created between the existing suburbs of Melton and Caroline Springs. Growth has also occurred in Melton, Melton South and Melton West.

Development is dispersing to the smaller townships of Eynesbury and Diggers Rest, and within the growth suburbs of Aintree, Bonnie Brook, Cobblebank, Deanside, Fieldstone, Fraser Rise, Grangefields, Ravenhall, Rockbank, Strathtulloh, Thornhill Park, Truganina, Harkness and Weir Views. The City also has a number of rural areas including Parwan, Plumpton, Mount Cottrell, Exford, parts of Diggers Rest, Toolern Vale and the rural part of Eynesbury Station.

The City forms part of the Victorian Volcanic Plain, which supports many species of native flora and fauna and has a number of significant natural sites including the volcanic hills, which form important viewpoints. Cultural heritage places and landscapes associated with pre-contact settlement, post-contact settlement and pastoral activity are fundamental to the City's identity.

The key drivers of the economy are retail trade, education and training, construction, health care, manufacturing and public administration. The agriculture sector plays an important role across the economy although it is not a large employer in the region.

The City has good access to Melbourne's key freeways and airports, the Port of Melbourne, the State Significant Western Industrial Precinct and the Regional Rail Link. These provide significant economic opportunities and a competitive advantage. Surbiton Park is the City's only waste-water treatment facility and is integral to the development of the City.

The City's industrial/commercial areas contain a wide variety of industries with the largest proportion in the construction industry followed by transport, postal and warehousing. State significant industrial land in the east of the City incorporates the Ravenhall Precinct, a waste and resource recovery hub, which is a key employment generator.

02.02 VISION

13/07/2023
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Council's vision is to create a vibrant, safe and liveable City accessible to all.

Council seeks to achieve their vision through the following land use and development outcomes:

- A safe City that is socially and culturally connected, which people are proud to be part of.
- A vibrant and healthy natural and built environment, where the natural environment is protected and enhanced for future generations.
- A fast growing, innovative and well-planned City, where growth and development occurs in strategic, fair and sustainable way.
- A City that promotes greater education and employment, resulting in a City that is rich in local employment and education opportunities.

02.03 STRATEGIC DIRECTIONS

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02.03-1 Settlement

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Non-urban land

Non-urban land is significant in providing a buffer between Melbourne's urban land and the rural hinterland. These areas play an important role in protecting habitat and preserving the natural landscape character.

A mix of rural living and farming activities take place in these areas and there is a trend towards viticulture and more intensive agricultural activities. The proximity of non-urban land to the urban interface raises challenges including rural residential type living, increased land prices and land use conflict. These make agriculture challenging and contribute to pressure for subdivision or rezoning of land. Pressure to establish urban uses in these areas and to provide infrastructure present additional planning challenges.

Planning for non-urban land seeks to:

- Protect the natural and cultural values of non-urban land.
- Support sustainable agricultural activities.
- Protect non-urban land from development that increases land fragmentation and land use conflicts.

Established areas

In established areas, growth is occurring through higher density housing development and infill development. Unless managed, such development can increase pressure on existing infrastructure and create land use conflicts and poor built form outcomes.

The established areas also contain several new suburbs that will be incrementally developed as the population increases.

Planning for established areas seeks to:

- Manage the impacts of significant population growth on established areas, including pressures on existing transport and community infrastructure.
- Support development that is innovative, accessible and site responsive.

Growth areas

Most urban development and population growth is occurring in growth areas in accordance with The *West Growth Corridor Plan*.

The growth area to the west of Diggers Rest Township is subject to the *Sunbury – Diggers Rest Growth Corridor Plan*, predominantly designated for residential development with some industrial land on the southern outskirts.

It is important that areas subject to a precinct structure plan (PSP) are maintained for future growth and that costs associated with development and community infrastructure are included in PSPs and funded through infrastructure contributions.

Planning for growth areas seeks to:

- Ensure PSP areas are not compromised by land fragmentation or land use and development.
- Provide services and infrastructure to multiple development fronts.
- Provide physical and community infrastructure in a timely manner through development contributions.

Activity centres

Council has identified an activity centre hierarchy that contains a network of existing, planned and proposed activity centres. Activity centres are vital to increase the community's access to a broad range of retail, entertainment, community and leisure facilities and to promote social connectedness.

The four types of centres identified in the hierarchy are listed below and shown in the Activity centre plan in Clause 02.04.

- Metropolitan Activity Centre.
- Major Activity Centre.
- Neighbourhood Activity Centre.
- Local Convenience Centre.

The proposed Cobblebank Metropolitan Activity Centre (previously known as the Toolern Metropolitan Activity Centre) will eventually be the largest in the City. It will be a significant retail, employment and business generator into the future and will provide civic, education and health facilities. Maximising economic opportunities here is an economic development priority for Council.

The design of activity centres plays a key role in activating centres, promoting development and creating a sense of place. Poor amenity, accessibility and connectivity to and within activity centres are issues that can be addressed through design.

Planning for activity centres seeks to:

- Support use and development that reinforces the network of activity centres.
- Prioritise the development of the Cobblebank Metropolitan Activity Centre.
- Direct higher residential densities within and around activity centres.
- Facilitate attractive and accessible activity centres that are connected to the surrounding communities by all modes of transport.
- Support the revitalisation of existing centres.
- Avoid out-of-centre retail development.

Eynesbury Station

Eynesbury Station, a broad acre rural holding, lies partly within the City and Wyndham City Council, approximately 40 kilometres west of Melbourne.

It is located on the western basalt plains and is an open dry-landscape with gently undulating rocky plains used for cropping and grazing. It contains numerous former farm buildings, dry stone walls, dams and other features that are included on the Victorian Heritage Register.

North of the Eynesbury Station Homestead is the Eynesbury Woodland. This contains environmentally significant vegetation of Plains Grassy Woodland dominated by Grey Box.

Eynesbury Station is the largest parcel of land in one ownership in this region. Given its size and single ownership status, it is a natural place for settlement. As such, Eynesbury Township, a residential development, has been established within the site.

Planning for Eynesbury Station seeks to:

- Facilitate an integrated, innovative residential and recreational community based on principles of environmental, social and economic sustainability.
- Provide infrastructure to meet the needs of the community in a timely way.
- Ensure the protection of heritage and environmental assets, ongoing productive agricultural activity and the use of recycled water.

02.03-2 Environmental and landscape values

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Protection of biodiversity

Over 150 years of agriculture, grazing and urban development has transformed the landscape, with as little as 1 per cent of the grasslands and grassy woodlands of the Victorian Volcanic Plains surviving. The remaining areas are therefore significant. Population growth further threatens biodiversity and needs to be managed.

Threats to biodiversity include clearing of native vegetation for development, spread of weeds and invasive species, poor land management and climate change.

Urban development increases the amount of impervious surfaces, which can lead to pollutants entering waterways.

Planning for biodiversity seeks to:

- Protect and enhance biodiversity values while managing the impacts from growth and development.

Landscapes

The City forms part of the Victorian Volcanic Plain and values its rural landscape and views across the Western Volcanic Plain and Uplands areas.

The Western Volcanic Plain contains volcanic cones, grasslands, remnant forests and waterways that are some of the most important geological areas in Victoria. The Uplands is an undulating area with extensive tree cover and views to the adjacent volcanic plain and distant hills.

Development should minimise its impact on this surrounding rural landscape and, in particular, on significant landscape features.

Planning for landscapes seeks to:

- Maintain the character of significant landscapes and ensure key landscape features are preserved while also accommodating urban growth.
- Manage the visual impact of development and protect natural landscape values and view lines in locations of high scenic value.
- Design and site development to provide a sensitive interface with waterways and landscape and conservation areas.

02.03-3 Environmental risks and amenity

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Climate change

High population growth, car-dependence and community vulnerability to high electricity and food prices means the community is very susceptible to the impacts of climate change.

Increased extreme weather events will affect both the health and safety of the community and the integrity of infrastructure.

Council has adopted the *City of Melton Environment Plan 2017-2027* aiming to reduce greenhouse gas emissions by 20 per cent on 2015/16 levels by 2020/2021, and to achieve net-zero emissions by 2040.

Planning for climate change seeks to:

- Manage the impacts of climate change.
- Reduce greenhouse gas emissions as significant growth occurs.
- Mitigate the impacts from an increase in extreme weather events through planning and design.

Bushfire

A significant area of the City is bushfire prone, with grassfire being the predominant threat. Fire risk is a particular issue at the urban/grassland interface of townships.

Some bushfire prone areas are subject to ongoing development pressures. Intensification of development in highly bushfire prone areas is inconsistent with the state policy that prioritises human life.

Planning for bushfire seeks to:

- Minimise the risk to life and property from bushfire.
- Avoid intensification of development in areas prone to bushfire.

Floodplain management

Many of the City's flooding related issues are due to the large number of undrained or insufficiently drained roads with flat terrain and no outfall. Sheet flow through undeveloped farming land adjacent to urban development has also presented problems in flooding events.

Floodplains play an important role in protecting environmental values. The environmental impact of any development within the flood plain or any proposed mitigation works must be considered when determining applications within the floodplain area.

Planning for floodplains seeks to:

- Mitigate the impacts of flooding when land is developed.
- Maintain natural environmental processes within floodplains.

Licensed venues

It is a priority to make communities more resilient to the potential negative amenity effects of licensed venues.

Planning for licensed venues seeks to:

- Minimise the harmful impacts of licensed venues on the health and wellbeing of the community.

02.03-4 Natural resource management

13/07/2023
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Agriculture

The City's rural areas have traditionally been used for grazing and cropping and agriculture continues to be the dominant use.

The equine industry, particularly harness racing is a key feature of the region's economy. The availability of recycled water presents opportunities for intensive agriculture and niche agricultural production.

The viability of agriculture is affected by local conditions, regional and global markets and trends in agriculture, the availability of water and climate change. The City's proximity to Metropolitan Melbourne, road networks and airports creates an advantage that should be built upon for the development of the agricultural industry.

Planning for agriculture seeks to:

- Protect land that has ongoing capacity for sustainable agriculture.
- Support opportunities that increase the availability of recycled water.

02.03-5 Built environment and heritage

13/07/2023
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Building and urban design

The quality and character of the urban fabric can impact on the liveability of a place. Good planning and design outcomes can engender community pride, enhance community cohesion and create a sense of safety. Good design also means that spaces, buildings and pathways are suitable for use by people of all abilities and that private and public green spaces, including in growth areas, are landscaped and functional.

Planning for building and urban design seeks to:

- Improve urban design outcomes to enhance the safety and liveability of neighbourhoods, activity centres and public spaces so that they are engaging for all.
- Improve landscaping in both the public and private realm to enhance the quality and functionality of green spaces.

Industrial and commercial design

Well-designed industrial and commercial areas positively affect the amenity and appearance of the City that attracts business investment and minimises adverse amenity impacts on surrounding sensitive uses.

Planning for industrial and commercial design seeks to:

- Enhance the amenity and appearance of industrial and commercial areas to create areas that are functional and attractive.

Outbuildings and stores

Outbuildings and stores are often necessary for the landowners, particularly those living within the rural areas. However, inappropriately sited and designed stores and outbuildings can negatively impact the City's open plain, highway routes, historic areas, townships and significant landscapes.

Planning for outbuildings and stores seeks to:

- Site and design outbuildings and stores to protect view lines, the natural landscape and the amenity of nearby properties.
- Ensure that the design, siting, use and scale of outbuildings and stores respects the character of the area.

Signs

Signs have a significant impact on the public realm and the streetscape. Well integrated signs can add colour, vibrancy and interest to an area. Poorly designed and located signs can reduce their effectiveness and detract from the attractiveness and amenity of the City.

Planning for signs seeks to:

- Encourage signs to support business and promote an attractive image for the City.
- Minimise the proliferation of signs in industrial and commercial areas that will detract from the amenity of the natural and built environment.

Neighbourhood character

Rapid population growth presents a significant challenge to preserve and enhance the existing local character. The retention of trees makes a significant contribution to the character of neighbourhoods and defining the desired future character of an area.

Planning for neighbourhood character seeks to:

- Create places that enhance a sense of place.
- Support developments in established areas that respond and positively contribute to the preferred neighbourhood character.

Energy and resource efficiency

Environmental performance of the built environment plays an important role in creating a sustainable City that is more resource, energy and water efficient and resilient to the impacts of climate change.

Planning for energy and resource efficiency seeks to:

- Incorporate Environmentally Sustainable Design principles into development.
- Implement principles of sustainability, including water sensitive urban design through precinct structure plans in growth areas.
- Retain trees to reduce the urban heat island effect.

Heritage

Evidence of pre-contact Aboriginal occupation of the landscape is concentrated around watercourses and plains.

The City was first settled by European pastoralists in the 1830s. Homesteads and outbuildings, dry stone walls, dams, historic roads, fords and bridges were left by pastoral holdings and settlers.

Protecting the City's heritage assets contributes to an attractive environment and creates an important sense of place.

Urban settlement is encroaching on the dry-stone wall landscape of the City, which represents the natural and cultural history of the area.

Identification and planning around heritage assets in the early stages of precinct structure planning is critical in ensuring cultural values are protected.

Planning for heritage seeks to:

- Retain the City's cultural heritage that creates a sense of local identity.
- Protect sites and precincts that are of national, state and local significance.
- Integrate heritage features into urban development and planning for growth areas.
- Protect dry stone walls in developing urban areas.
- Protect, adapt or conserve heritage places, dry stone walls and landscapes in growth areas.

02.03-6 Housing

13/07/2023
C219melt

The demographic profile of residents in the City varies considerably and this has implications for the future diversity requirements of its housing stock.

There is a need to ensure future development provides a range of housing choice and diversity to meet the needs of a growing and changing community and reduce the disparity between the current housing supply and the demand for different housing types.

Affordability is an important issue for socio-economically disadvantaged sections of the City. Opportunities have been identified for specialised residential markets, including social and affordable housing, aged-care and retirement housing.

The capacity of the established areas to accommodate increased residential densities must be balanced with the need to protect neighbourhood character.

Planning for housing seeks to:

- Facilitate housing diversity and affordability that reflects community needs.

- Facilitate population growth without adversely impacting on neighbourhood character and sense of place.
- Encourage innovative housing design.

Rural residential development

The growth of the City in recent years has influenced demand for housing and lifestyle properties beyond the Urban Growth Boundary.

Unplanned rural living development can have an adverse impact upon the environment and farming operations and can create demand for urban level services and infrastructure in rural areas.

The green wedge areas of the City provide opportunities for residents to pursue rural lifestyles, often combining farming, equestrian and other rural interests.

Planning for rural residential development seeks to:

- Discourage land fragmentation that results in the loss of productive agricultural land.
- Support rural residential development and rural living opportunities that do not adversely impact on environmental and landscape outcomes or farming practices.

02.03-7 Economic development

13/07/2023
C219melt

There is a lack of skills-based education and local job creation in the City that needs to be addressed in order for the City to prosper. The City's economy will greatly benefit from improving its education sources and expanding its education sector (including its secondary schools, skills-based education, alternate forms of education and tertiary institutions), especially in the proposed Cobblebank Metropolitan Activity Centre.

Improvements to transport options are also required to ensure that employment, education, other services and recreational activities are accessible to all. Major proposed infrastructure investments, such as the Outer Metropolitan Ring, Western Intermodal Freight Terminal and the Melton Railway Line, will further expand local economic opportunities.

Planning for economic development seeks to:

- Facilitate development that provides opportunities for local employment and education that are close to homes and are accessible by a variety of transport options.
- Facilitate the provision of infrastructure and services that support economic growth, particularly in growth areas and in existing, planned and proposed activity centres.
- Foster a diverse local economy that encourages investment and results in local business growth.

Industry

Industry is a key contributor to the City's employment base. The City has a small amount of industrial land, however it is likely to play a role in driving industrial and commercial development in the Western Region over the next 20 years.

There are several sites with licences for extractive industry that should be protected from the encroachment of incompatible land uses.

Planning for industry seeks to:

- Provide sufficient land for industrial and production related uses.
- Protect extractive industry precincts from encroachment by incompatible land uses and development.
- Ensure development does not encroach into the separation distances of industry and infrastructure.

Tourism

The City's natural environment and landscape, heritage buildings and harness racing activities attract visitors to the area.

There are also opportunities to expand tourism arising from boutique agricultural activities and associated food production and further leverage visitor economy opportunities.

Planning for tourism seeks to:

- Support tourism uses that contribute to the visitor economy.
- Support visitor services that capitalise on the City's landscape, heritage natural features, and economic base.
- Protect the natural and heritage assets on which tourism depends.

02.03-8 Transport

13/07/2023
C219melt

Investment in transport infrastructure and improvements to transport connections are required to keep up with the expected population growth. The planning and provision of transport is a key Council priority. Currently, 85 per cent of working residents travel outside the City for work and many travel long distances to get to workplaces (Melton Integrated Transport Strategy, 2015). Council wishes to reduce these travel times and overall car dependency.

Planning for transport seeks to:

- Facilitate the development of an integrated transport system that connects various transport modes.
- Promote active travel by providing a flexible, accessible, safe and connected active transport network that is segregated from road traffic.
- Integrate land use with transport infrastructure.

Melbourne Airport

Melbourne Airport's curfew free status restricts development opportunities within the areas under the Melbourne Airport Environs Overlay. The operations of Melbourne Airport need to be protected, along with the amenity of nearby sensitive uses.

Planning for Melbourne Airport seeks to:

- Manage sensitive land uses and development affected by the Melbourne Airport Environs Overlays to protect airport operations and maintain amenity for the community.

02.03-9 Infrastructure

13/07/2023
C219melt

Currently, City residents do not have the same access to the level of services and infrastructure available to residents living in the inner or middle ring suburbs. Given the growing population, addressing this shortfall and the provision of development and community infrastructure is critical. Urban development needs to be staged, financed and managed to ensure that infrastructure is provided in an efficient manner.

The provision of major infrastructure and reticulated infrastructure represents a considerable public investment. Planning for development must protect existing infrastructure, including:

- The Ravenhall Precinct.
- Melton Reservoir.
- High pressure gas transmission pipelines.
- High voltage electricity transmission easements.
- Landfill sites.

- Water tanks.
- Surbiton Park.

Planning for infrastructure seeks to:

- Enhance educational and recreational opportunities through the provision of community infrastructure, including new schools and youth services.
- Facilitate an increase in the number of health facilities and improve access to them across the City.
- Provide community facilities, infrastructure and services in an equitable and timely way.
- Discourage out of sequence development within growth areas.
- Protect existing and major infrastructure assets from the encroachment of incompatible development.
- Facilitate the development of a communications network where its infrastructure is sensitively deployed.

Open space

Council is committed to the delivery of an open space network that is accessible and meets the needs of the community whilst retaining sustainable approaches to management and maintenance. The City's trail network, as identified in the Open space and trails plan in Clause 02.04, provides important recreational opportunities. Existing trails include Toolern Creek, Kororoit Creek and the Wellness Trail. Proposed trails include the Werribee River Shared Trail, the continuation of the Kororoit Creek Trail, the Outer Metropolitan Ring Trail, the Regional Rail Link Trail and the Western Highway Trail.

Planning for open spaces seeks to:

- Provide a level of open space that is commensurate to each settlement.
- Connect unfinished trails and linkages between trails both within and between municipalities.
- Develop open space that is integrated with surrounding land uses and is responsive to natural landscapes and features.

02.03-10 Gaming venues

13/07/2023
C219melt

There is a link between people experiencing socio-economic disadvantage and gambling related harm.

The City has existing pockets of socio-economic disadvantage in its established areas. Given the presence of these socio-economic disadvantage areas, as well as the projected population growth of the City, especially in growth areas, guidance on the location of gaming machines is needed to minimise its harmful effects on the community.

Planning for gaming venues seeks to:

- Manage the location, design and operation of gaming machines to reduce their harmful social, economic and amenity impacts.
- Facilitate development of non-gaming forms of entertainment for communities, particularly in growth areas.
- Ensure gaming venues are located as part of an overall range of activities and entertainment facilities.

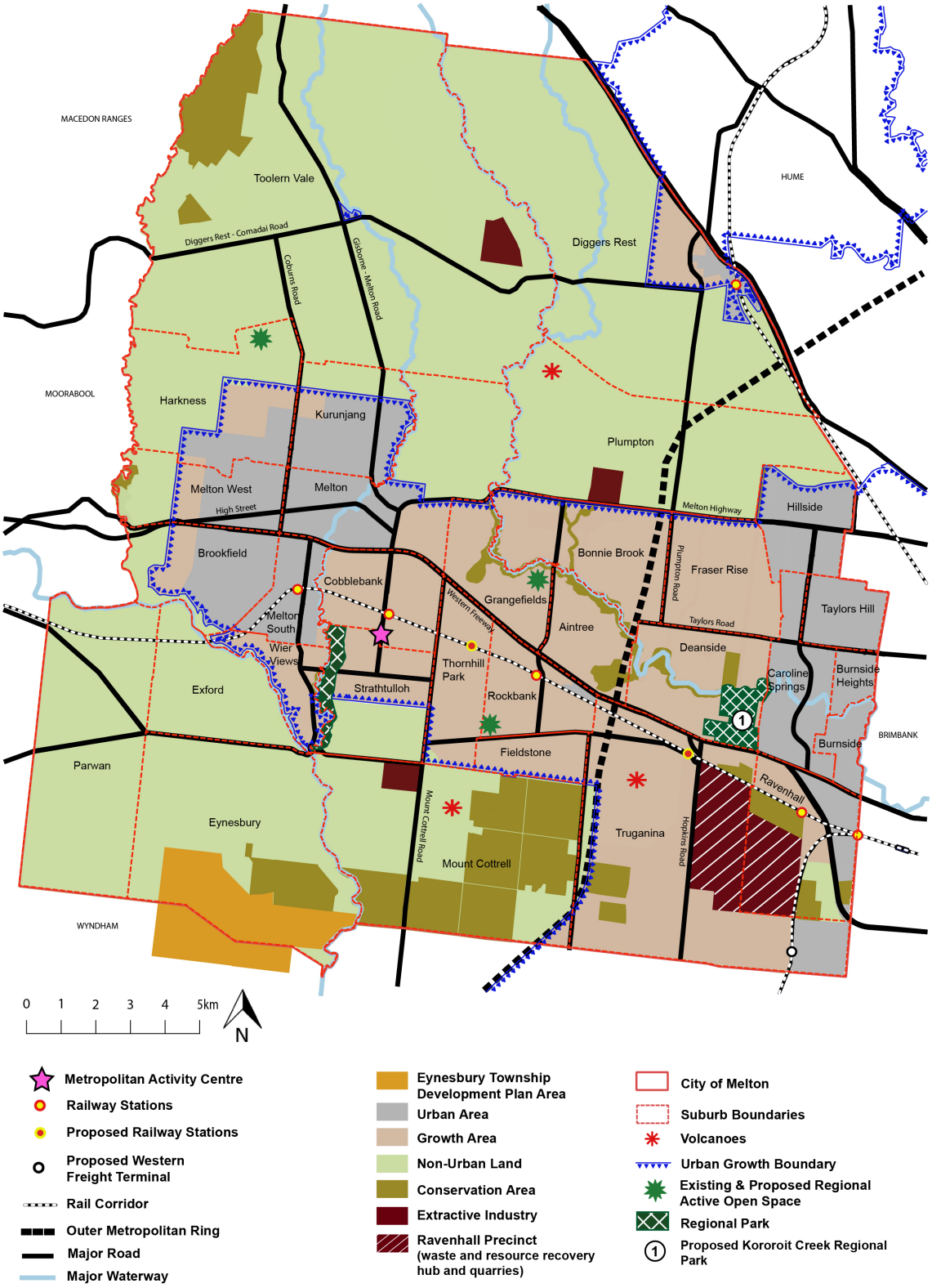
02.04 STRATEGIC FRAMEWORK PLANS

13/07/2023
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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.

02.04-1 Strategic framework plan

13/07/2023
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02.04-2 Activity centres plan

13/07/2023
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02.04-3 Open space and trails plan

13/07/2023
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Legend

- City of Melton
- Kororoit Creek Trail
- MacPherson Park to Melton Township Trail
- Outer Metropolitan Ring Trail
- Regional Rail Link Trail
- Toolern Creek Trail
- Wellness Trail
- Werribee River Trail
- Western Freeway/Highway Trails
- Western Plains North Green Wedge Management Plan Trails
- Existing & Proposed Regional Active Open Space
- Rail Corridor
- Major Watercourse
- Regional Parks
- (1) Proposed Kororoit Creek Regional Park

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.

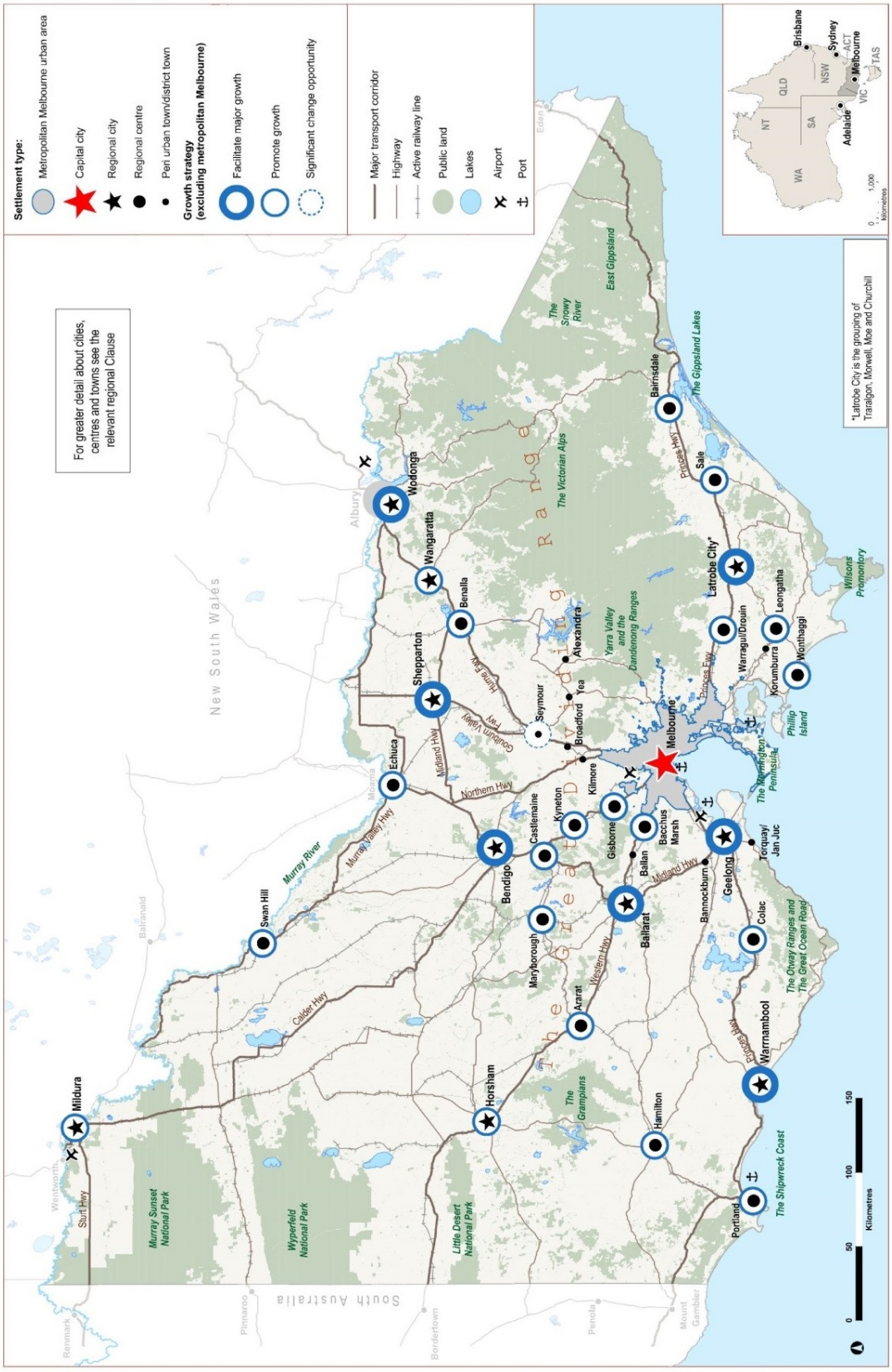
Support metropolitan and regional climate change adaption and mitigation measures.

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:

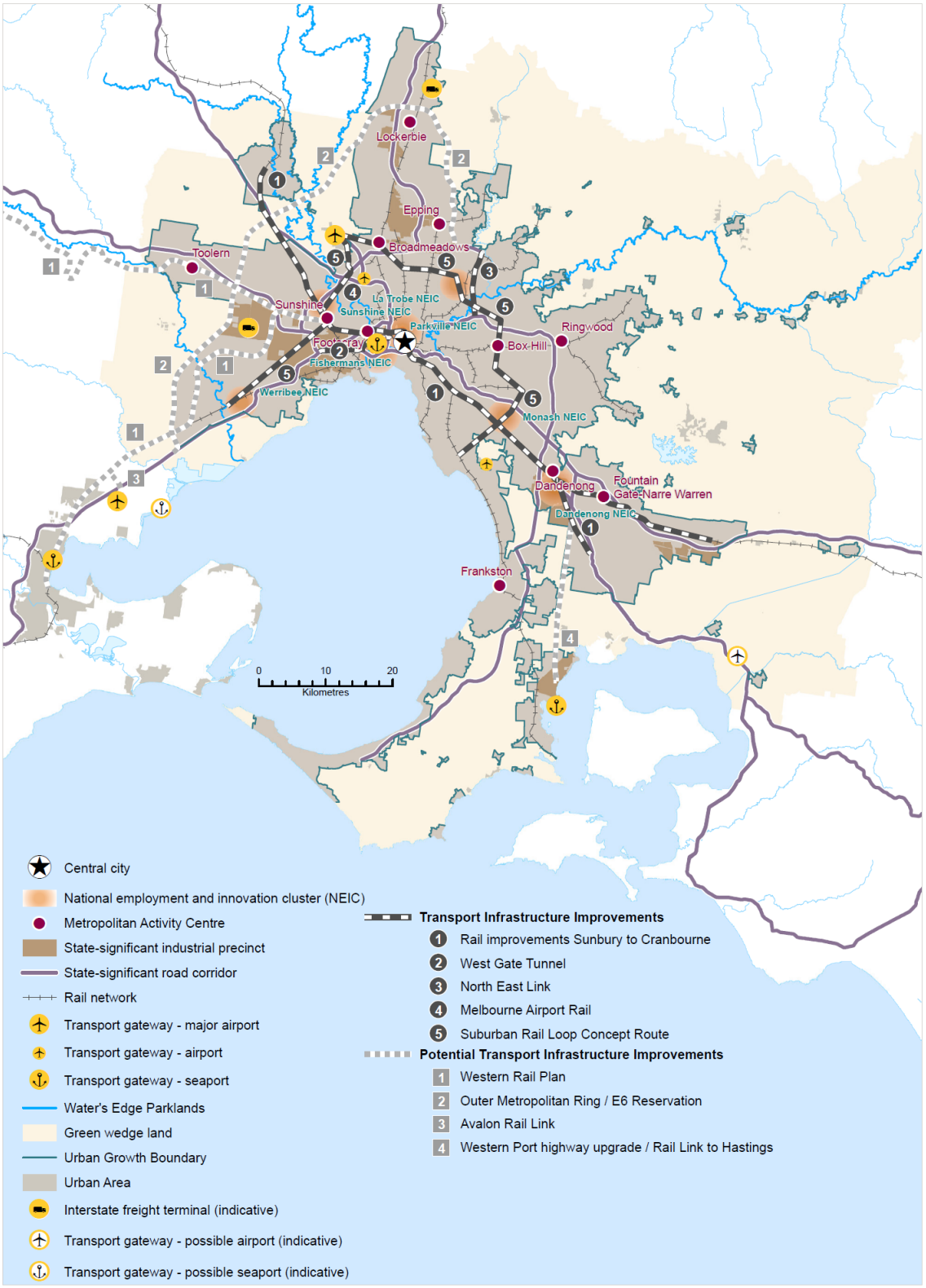
- Metropolitan Melbourne Central City.
- National Employment and Innovation Clusters.
- Metropolitan Activity Centres.
- State-Significant Industrial Precincts.
- Transport Gateways.
- Health and Education Precincts.
- Major Urban-Renewal Precincts.

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)

11.01-1L-01 Non-urban land

13/07/2023
C219melt

Strategies

Design the subdivision of land adjoining green wedge areas to provide a transition in subdivision sizes to reduce the hard-urban edge interface.

Plan the interfaces between urban and rural areas to minimise land use conflict.

Protect non-urban areas from urban development incursion to reinforce the need for urban development to be contained within the Urban Growth Boundary.

Support the planting and maintenance of windbreaks and tree lines.

11.01-1L-02 Eynesbury

13/07/2023
C219melt

Policy application

This policy applies to land within the Eynesbury Station Area as identified on the Eynesbury Station plan in this clause.

Strategy

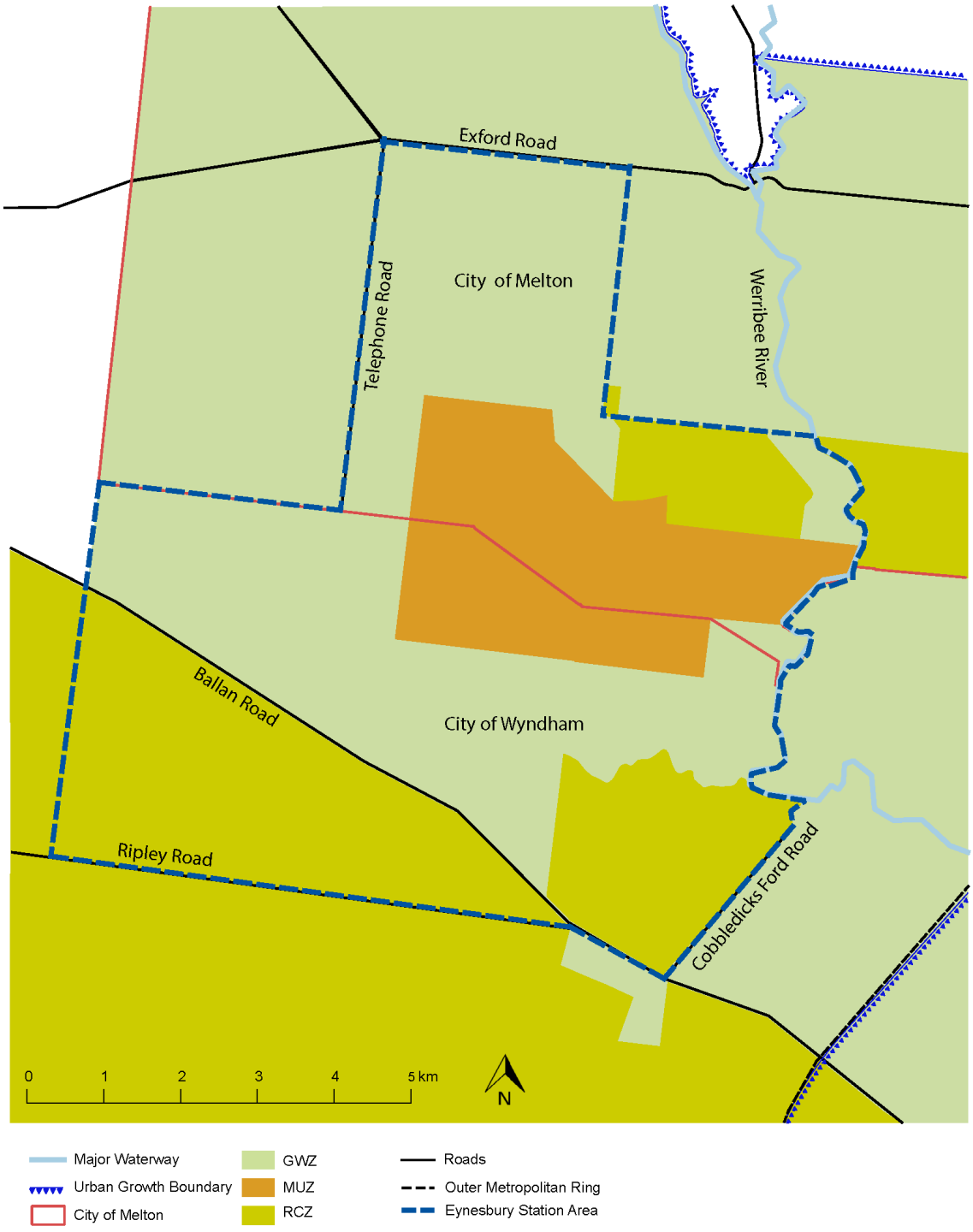
Support development in accordance with the *Eynesbury Station Incorporated Plan* (Melton City Council, 2001) at Clause 72.04.

Policy document

Consider as relevant:

- *Eynesbury Station Incorporated Plan* (Melton City Council, 2001)

Eynesbury Station plan



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).

11.02-2L Structure planning for growth areas

13/07/2023
C219melt

Strategies

Support the preparation of precinct structure plans for employment areas and the release of additional land for employment purposes.

Protect environmentally and culturally significant areas and assets in precinct structure plan areas.

Avoid fragmentation of land within the Urban Growth Zone where there is no approved precinct structure plan.

Avoid land use and development that has the potential to undermine future precinct structure plans.

Plan for the provision of a range of educational facilities within precinct structure plan areas.

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*

11.02-3L Sequencing of development

13/07/2023
C219melt

Strategies

Facilitate the growth of Melton township in sequence with the provision of community and reticulated services and the extension of the arterial road network.

Support out of sequence development only where it can provide the necessary infrastructure to facilitate development.

Facilitate the delivery of temporary education and community services in new communities prior to development of permanent infrastructure.

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.

11.03-1L-01 Activity centres

13/07/2023
C219melt

Strategies

Facilitate staged development of centres based on their catchment size and demand to sustain the viability of a centre.

Facilitate the early delivery of activity centres to meet the needs for local services.

Encourage above ground floor level medium density development, particularly for smaller households, close to Major Activity Centres.

Locate corner stores and small groups of shops that provide top up groceries and local services in Local Convenience Centres.

Provide commercial uses at ground level frontage as part of any mixed-use development that incorporates medium and higher density housing.

Policy guidelines

Consider as relevant:

- For Major Activity Centres:
  - The non-retail floor space of a fully developed activity centre should be 40 per cent of the total floor area.
  - Providing approximately 35,000 square metres of conventional retail floor space and up to 20,000 square metres of restricted retail floor space for activity centres based on a catchment of approximately 50,000 people.
- For Neighbourhood Activity Centres:
  - The non-retail floor space of a fully developed neighbourhood centre should be at least 30 per cent of the total floor area.
  - Providing approximately 7000 square metres of conventional retail floor space for neighbourhood centres based on a catchment of approximately 10,000 people.
- For Local Convenience Centres:
  - Providing retail floor space to be generally between 300 and 800 square metres.
  - Supporting the development of Local Convenience Centres that are larger than 800 square metres, only where the local demand for services is warranted and the development does not adversely affect any nearby larger centres.

Policy document

Consider as relevant:

- *City of Melton Retail and Activity Centre Strategy* (Tim Nott with Harvest Digital Planning and Hansen Partnership, March 2014)

11.03-1L-02 New activity centres

13/07/2023
C219melt

Policy application

This policy applies to all land where it is proposed to introduce a new activity centre that is not identified in the Activity centre plan in Clause 02.04.

Objective

To ensure that new activity centres do not adversely impact on the role of centres identified in the Activity Centre Hierarchy.

Strategies

Support new Local Convenience Centres if there is a physical gap in the network, whereby the nearest Neighbourhood Activity Centre or larger centre is beyond a reasonable walking distance.

Support new Local Convenience Centres if its commercial floor area is of a reasonable size.

Support new Local Convenience Centres only if the centre is located on a connector road and has good access to local pedestrian and cycle trails.

Support new Neighbourhood Activity Centres in areas where there has been high population growth or where the network needs to be adjusted in order to meet resident needs.

Support new Neighbourhood Activity Centres that generate net community and employment benefits.

Encourage new activity centres to have a mix of retail and non-retail uses to maximise the number and diversity of local employment opportunities.

Policy guidelines

Consider as relevant:

- A reasonable walking distance for a Neighbourhood Activity Centre or larger centre is 800 metres.
- A reasonable size for a new Local Convenience Centre is between 300 square metres and 800 square metres.

Policy document

Consider as relevant:

- *City of Melton Retail and Activity Centres Strategy* (Tim Nott with Harvest Digital Planning and Hansen Partnership, 2014)

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 Protection of biodiversity

13/07/2023
C219melt

Strategies

Support landscaping that provides habitat and increases connectivity between remnant and other vegetation to increase ecosystem resilience.

Improve habitat connectivity by using creek lines and floodplains as open space, especially those that connect with existing Bio link projects, or link current areas of public conservation land.

Support development design that incorporates existing environmental values on the site including vegetation, wetlands, creeks and grasslands.

Protect significant, large old trees.

Limit urban development adjacent to the intact remains of the Rocky Chenopod Open-scrub community in the Long Forest area to avoid further loss.

Site and design development to mitigate any adverse impacts upon the habitat and survival of the Growling Grass Frog.

Encourage the retention of dead trees for wildlife habitat.

Protect local biodiversity and habitat values within roadside reserves to create wildlife and vegetation corridors.

Replace environmental weeds with local indigenous species.

Protect and rehabilitate remnant indigenous vegetation, particularly at roadsides, paddocks, and river and creek corridors.

Protect indigenous vegetation by fencing around trees and trimming diseased or shattered branches.

Where vegetation loss cannot be avoided, balance the loss of vegetation with rehabilitation on the site or in nearby areas, and replace any native or indigenous trees lost with indigenous trees that will grow to a similar size.

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 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)

12.03-1L River corridors, waterways, lakes and wetlands

13/07/2023
C219melt

Strategy

Set development back from adjoining waterways to prevent sedimentation of the waterway and provide opportunities for re-vegetation and bank stabilisation.

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.

12.05-2L Rural landscape character

13/07/2023
C219melt

Policy application

This policy applies to an application for buildings and works on land shown on the Significant landscape features plan to this clause that is in any of the following:

- Green Wedge Zone.
- Green Wedge A Zone.
- Rural Conservation Zone.
- Farming Zone.
- Significant Landscape Overlay.
- Environmental Significance Overlay.

Objective

To ensure that development in rural areas and viewing corridors is sympathetic to the rural landscape character and significant landscape features of the area.

Development siting strategies

Site development:

- Within existing clusters of buildings to avoid visual clutter.
- Away from landscape features such as hill faces, ridgelines, volcanic cones, rocky outcrops, waterways and incised valleys and gorges.
- To minimise its cumulative impact and visibility from viewing corridors, main roads and viewing locations.

Protect geological features such as sink holes in development.

Set development back from viewing corridors and roads to minimise visual intrusion, particularly in open rural areas.

Minimise the number and floor area of storage areas, outbuildings and ancillary structures, wherever possible.

Avoid development that results in a loss of sense of openness in the Western Volcanic Plain.

Avoid ribbon development along viewing corridors and main roads, including the outskirts of settlements.

Avoid ad hoc or large scale urban development outside of settlements.

Development design strategies

Design development that complements the landscape and responds to climatic conditions by using:

- Colours and finishes that integrate the building with the landscape (such as muted colours and matte finishes, or corrugated iron or timber that will weather over time).
- A mix of contemporary and traditional rural materials, textures and finishes including timber, stone, brick and corrugated iron.
- Building materials that are recycled or have minimal environmental impact.
- Materials and finishes that reduce distant visibility (such as darker colours on hill slopes and lighter colours on sky lines).

Site and design development so that it does not visually overwhelm the landscape setting by:

- Designing development at a scale that does not dominate the surrounding area (such as low building heights).

- Minimising the building footprint so that there is space for the retention of existing vegetation or landscaping.
- Articulating large buildings into separate elements.
- Avoiding sheer or visually dominant elevations.
- Using building forms and heights that sit beneath the tree canopy.

Discourage mock historical style buildings with 'reproduction' or decorative detailing.

Avoid high, solid or non-permeable fencing.

Discourage conspicuous or incongruous development that is visible to notable geological features.

Land maintenance strategies

Encourage sustainable land management practices and productive agricultural activities that have a positive impact on the landscape.

Discourage uses and development that interfere with the ongoing management of agricultural land.

Landscaping strategies

Encourage the retention of substantial garden plantings associated with homesteads or areas of rural living.

Discourage developments that lack landscaping and substantial vegetation.

Screen buildings, structures and hard surfaces with appropriately scaled indigenous vegetation.

Design landscaping, including the selection of vegetation and the layout of private gardens, to:

- Respect the existing landscape character.
- Integrate with the surrounding natural environment.
- Avoid hard surfaces and edges.

Shelter belts and established planting strategies

Retain existing shelter belts.

Replace lost shelter belt trees with the same species or an alternative indigenous species, suitable to the local area.

Encourage indigenous shelterbelts, while avoiding exotic shelterbelts, adjacent to viewing corridors, as identified on the Significant landscape features plan in this clause.

The Uplands area

Strategies

Plant trees indigenous to the area, particularly on hill slopes, ridges and in bare paddocks.

Design planting to retain views towards Melbourne's CBD, Mount Macedon and the You Yangs.

Site development so that it:

- Follows the contours or natural form of the landscape or steps down any slope to minimize earthworks.
- Is among established vegetation or is screened with substantial landscaping of locally appropriate species.
- Is in the lower one third of the visible slope where development cannot be avoided on prominent hill faces or in steep locations.

Discourage conspicuous or intrusive developments on prominent hill faces.

Discourage development that breaks the ridgeline silhouette.

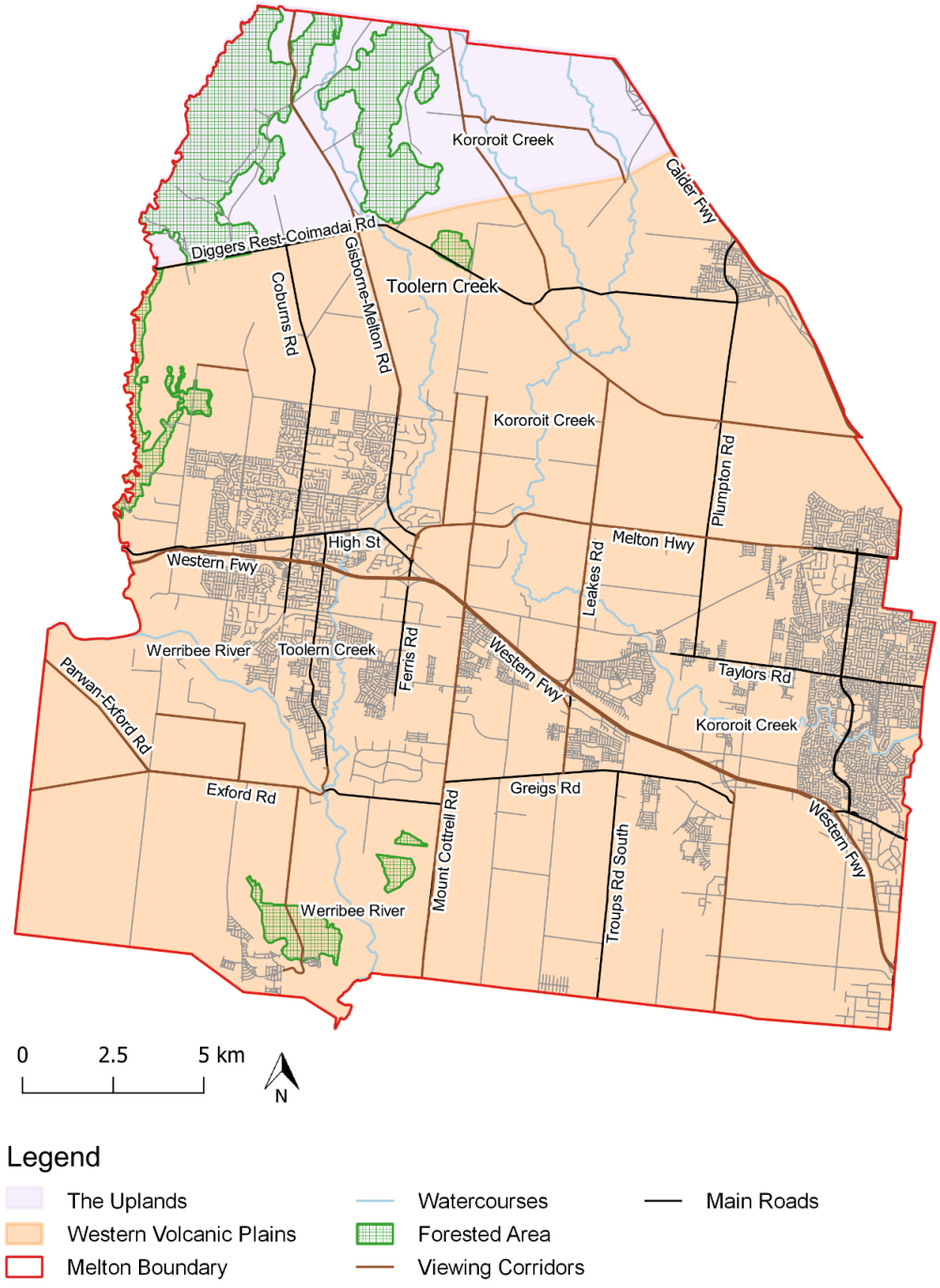
Discourage buildings that require excessive cut and fill.

Policy document

Consider as relevant:

- *City of Melton - Significant Landscape Features Strategy* (Planisphere, May 2016)

Significant landscape features plan



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*

13.01-1L Natural hazards and climate change

13/07/2023
C219melt

Strategy

Incorporate climate change adaptation strategies that mitigate the effect of extreme weather events into development and land use plans.

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

13.02-1L Bushfire planning

13/07/2023
C219melt

Policy application

This policy applies to all land in a designated Bushfire Prone Area as outlined in the *Building Regulations 2006*, that is not already covered by a Bushfire Management Overlay.

Strategies

Design development to allow for the rapid and effective response by emergency services.

Locate dwellings as close as possible to public roads to maximise opportunities for safe evacuation.

Implement grassfire protection measures to address identified grassfire risk.

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)

13.03-1L Floodplain management

13/07/2023
C219melt

Strategies

Avoid development in areas subject to flooding and overland stormwater flows.

Minimise the impact of any flood mitigation works upon areas containing protected flora and fauna.

Avoid the filling of flood prone land.

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)

13.06 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 Land use compatibility

13/07/2023
C219melt

General strategies

Minimise the detrimental off-site impacts of the extractive industry.

Direct sensitive uses away from industrial areas.

Major infrastructure strategies

Protect existing infrastructure assets, including Surbiton Park, Djerriwarrh Reservoir and Melbourne Water assets from incompatible development and encroachment by sensitive land uses.

Provide buffer areas between sensitive land uses and existing infrastructure assets.

Avoid the encroachment of sensitive uses into the separation distance of existing infrastructure assets.

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.

14.01-1L Protection of agricultural land

13/07/2023
C219melt

Strategies

Preserve areas of broad acre farming to allow for a range of agricultural and equine activities.

Facilitate agriculture in the Leakes Road – Holden Road Precinct as identified in the Western plains north green wedge precinct plan at Clause 17.04-1L.

Avoid subdivisions that lead to land fragmentation.

Avoid rural living in areas of productive agricultural land or adjacent to areas identified for extractive industry.

Set dwellings back from the boundaries of adjoining agricultural land to provide a buffer from farming activities.

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)

14.01-2L Sustainable agricultural land use

13/07/2023
C219melt

Strategies

Support new business development, such as viticulture, winery operations, intensive agriculture and niche agricultural production, that utilise recycled water and increase the viability of agricultural production.

Support co-location of viticulture and winery related activities to create a cluster of these uses within the region.

Support consolidation of lots to enable more efficient land management practices and infrastructure provision.

Support economic development, tourism and rural enterprises that are compatible with and ancillary to rural uses in rural areas.

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-01 Urban design

13/07/2023
C219melt

Strategies

Facilitate development that provide active interfaces to the public realm.

Design development to optimise opportunities for passive surveillance.

Facilitate opportunities for social interaction at interfaces between public and private areas.

Facilitate the inclusion of art that is visible from the public realm.

Reduce opportunities for graffiti and vandalism through design and the use of construction materials.

Support built form that includes colours, materials, architectural features and finishes that add visual interest and enhance the streetscape.

Orient streets and buildings to face any adjacent open space reserves.

15.01-1L-02 Industrial urban design

13/07/2023
C219melt

Policy application

This policy applies to:

- Industrial development on land in an Industrial 1 or 3 Zone or a Commercial 2 Zone.
- Industrial development on land in the Urban Growth Zone, where the applied zone is an Industrial 1 or 3 Zone or a Commercial 2 Zone, and there is no approved Urban Design Framework.

Objectives

To support industrial development that is designed to enhance the visual amenity of the area to attract businesses, workers and visitors.

To facilitate consistency in built form outcomes.

To facilitate the development of industrial subdivisions that:

- Respond to the local characteristics of their site and context.
- Cater to a variety of potential business types and sizes.

Building setbacks strategies

Provide setbacks to development that enhance the streetscape character.

Facilitate development that respects the predominant front setbacks of surrounding buildings. Structures over pedestrian entries (such as canopies) can protrude into the setback.

Building setback policy guidelines

Consider as relevant:

- Providing a minimum five metres setback where an industrial area has an interface to:
  - A residential area.
  - A road identified as a Road Zone Category 1 (RDZ1).
- Providing a minimum three metre building setback:
  - To each street frontage on corner lots.
  - Where there are no existing setbacks on surrounding properties.

Building design strategies

Design buildings to engage with the streetscape.

Locate customer service, retail, showroom and office areas at the front of the building so they are visible from the primary street frontage and visitor parking areas.

Avoid blank interfaces on buildings that address the public realm (such as streets, roads in a Road Zone Category 1, waterways, railway lines, conservation areas and public open space), through:

- Incorporating visual interest elements such as glazing and building articulation.
- Varying the alignment of buildings (such as staggered building planes and setbacks), feature cladding, detailing, materials, finishes and colours.

Improve passive surveillance to the public realm through:

- Building design.
- Glazing and the location of outdoor staff areas in development adjacent to a waterway.

Place feature treatments at the corner to address both street frontages, where a lot is a corner allotment.

Provide articulation and visual interest to the areas of built form that will be visible from the public realm, including side and rear facades.

Integrate exterior elements such as utilities into the design of the building or landscape (including fire hydrant boosters, plumbing, heating and ventilation).

Locate roof top services (such as lift overruns, solar panels, and air conditioning units) out of sight from the public realm or screen them from view by extending the height of the parapet.

Use external materials that have low reflectivity.

Avoid the use of untreated concrete panels.

Encourage the use of translucent sheeting in the building design on northern and southern facades of large format buildings.

Building height strategies

Encourage building heights to respect the scale of built form in the area, including any adjoining residential area.

Building height policy guidelines

Consider as relevant:

- Whether any office component should be at least 40 per cent of the height of the main building.
- Whether any office component should be limited to a maximum height of seven metres, and the main building limited to a maximum height of nine metres where the site adjoins land zoned for residential purposes.

Car parking loading and outdoor storage areas strategies

Locate car parking, loading and servicing at the side or rear of the site so they are screened from view by the building.

Provide screening in the form of fencing and landscaping to any car parking, loading and service infrastructure that is not located at the rear of the site.

Provide visitor parking close to the office entry.

Provide loading areas away from any boundary adjoining a residential area.

Provide loading and storage areas away from any waterway.

Locate external plant, service yards and outdoor storage areas at the side or rear of the lot where it can be screened from view by the building. Where this is not possible, provide screening in the form of fencing and landscaping.

Car parking loading and outdoor storage areas policy guidelines

Consider as relevant:

- Providing a five metre landscaping setback to screen any loading areas from street view, where it cannot be avoided that loading bays are located at the front of the property.

Fencing strategies

Encourage the use of landscaping rather than fencing to delineate the front and side boundaries of a lot.

Design fences that:

- Respect the character of the site and surrounding development.
- Are transparent and unobtrusive, to allow clear views between the public realm and the site.

Avoid the use of razor or barbed wire on high security fencing.

Locate high security fencing at or behind the front building line, with additional landscaping between the fencing and the front boundary.

Provide a black chain mesh or black steel picket fence on rail corridor boundaries.

Fencing policy guidelines

Consider as relevant:

- Limiting a fence to be no more than 1.5 metres in height.

Landscaping strategies

Provide landscaping to enhance on-site amenity and the streetscape setting.

Provide landscaping along street frontages and adjacent to waterway reserves.

Support low maintenance and hardy landscaping.

Provide a mix of trees, low shrubs and ground covers.

Provide vegetation that allows ground level views to and from the public realm to remain unobscured when the vegetation is mature.

Landscaping policy guidelines

Consider as relevant:

- Providing a landscape strip with a minimum depth of three metres in the front setback of a site where there is no residential interface or where the site is not located on a main road.
- Providing a landscape strip with a minimum depth of five metres:
  - Along any boundary of a site, including in a front setback, where there is a residential interface.
  - In the front setback of a site that is located on a main road.
- Providing a five metre landscaped setback along a site's side or rear boundary that has an interface with a high exposure traffic corridor (such as rail lines, highways and freeways) where the boundary facade is not treated with colour variation and three dimensional articulation (such as recessed concrete imprints or feature cladding).
- Providing a minimum two metre landscaped setback along a boundary with a waterway.

Subdivision design strategies

Provide an efficient grid network of connecting streets that is easy to navigate.

Provide a local road hierarchy that caters for all road users including heavy vehicles, buses, cars, cyclists and pedestrians.

Discourage heavy vehicle traffic from entering adjoining residential streets through the design of roads and the road hierarchy.

Provide a separation between industrial and residential uses such as through a landscaped central median or service road.

Orientate streets to be north-south and east-west and create lots that enable buildings to be sited to maximise solar efficiency.

Create lots that are regular in shape and square to the street.

Create a variety of lot sizes, ensuring lots are large enough to accommodate natural features, access, landscaping and desired built form outcomes.

Orientate lots so the primary frontage is to the higher order street.

Design the lot layout so that buildings have sufficient frontage to address the public realm.

Where street frontage lots screen lots at the rear, the office and pedestrian entry of the rear lots should be visible from the main street frontage.

Provide a frontage road along at least one side of any adjacent waterway.

Policy document

Consider as relevant:

- *Industrial Design Guidelines* (Melton City Council, March 2016)

15.01-1L-03 Activity centre design

13/07/2023
C219melt

Strategies

Support the refurbishment of activity centres and streetscapes.

Create a 'sense of place' by encouraging urban design and built form outcomes that enhance the identity of individual communities and areas.

Create a permeable network of streets and civic spaces that facilitate opportunities for social interaction.

Support the development of active street frontages to provide passive surveillance while responding to the human scale at street level.

Avoid blank walls on street frontages and civic spaces.

Design the built form of centres to address primary and secondary road frontages and residential or other sensitive interfaces.

Locate parking underground, under croft or to the side or rear of buildings.

Support restaurants, including cafes, to include an outdoor seating area, particularly where this activates the use of open plaza areas.

Design activity centres to be highly permeable, to enable movement within and around them giving priority to pedestrian and cyclists.

Incorporate end of trip facilities into the design and refurbishment of activity centres.

Design restricted retail development to:

- Provide connections between activity centres and surrounding neighbourhoods.
- Positively contribute to the amenity of the pedestrian environment.
- Integrate into the surrounding area.

15.01-1L-04 Signs

13/07/2023
C219melt

General signs strategies

Advertise and identify the business and service provided on the site and not details of products sold.

Locate signs within the site the business operates on.

Provide adequate space for all occupancies to display signs where a building or site is occupied by more than one business.

Avoid signs that obscure a building's architectural form, features or glazed surfaces.

Avoid signs that protrude above rooflines or parapets, or beyond the edges of fascia or walls of the host building.

Design sign supporting structures so they do not visually detract from the façade of the building.

Conceal electrical services to a sign.

Design and locate signs to account for the long-term maintenance needs and the ease of changing messages when reusing the existing mountings and service installations.

Protect areas of environmental and natural significance by limiting signage adjoining or facing these areas.

Incorporate pole and free-standing panel signs into the landscaping treatment of Neighbourhood Centres, Metropolitan Activity Centres, Major Activity Centres, free-standing pad sites and in industrial and restricted retail areas.

Incorporate signs into the architectural design of the building form.

Avoid signs that obscure passive surveillance of pedestrian activity areas, car parking areas and streets.

Commercial (shop and office) strategies

Facilitate business identification signs that are consistent and uniform in size.

Locate business identification signs on the building's verandah fascia or parapet.

Limit individual business advertising on the exterior of the building to tenancies that have direct external frontage to a carpark for free standing shopping centres.

Discourage signs on external walls of free-standing pad sites from displaying information other than the names of the tenants or their business logo.

Limit the painting of corporate colours on the exterior of a building to the front façade of the tenancy where it has frontage to a car parking area or road for free standing pad sites.

Commercial (shop and office) policy guidelines

Consider as relevant:

- Whether signs on the façade of commercial buildings should be limited to occupy no more than 50 per cent of the wall area above the verandah, or if there is no verandah, 50 per cent of the total façade wall.
- Whether signs in commercial areas should be limited to:
  - Occupy no more than 50 per cent of an awning.
  - A maximum of eight square metres where the frontage of the building is less than five metres long.
- Whether pole and free-standing panel signs display the name of the shopping centre at the top of the sign and list tenants of the site beneath the name of the shopping centre.

- Whether pole and free-standing panel signs in free-standing shopping centres should be limited to:
  - One sign with a maximum height of six metres, in Neighbourhood Centres.
  - One sign on a RDZ1 and RDZ2 road in Metropolitan Activity Centres and Major Activity Centres.
- Whether pole and free-standing panel signs in free-standing pad sites should be limited to one sign per road frontage.
- Whether direction signs in free-standing pad sites should be limited to one per road entry point.

Industrial and restricted retail strategies

Limit signs to the front and side of buildings.

Design pole and free-standing panel signs to be:

- Located on main roads and set back from the road.
- Used to display only business identification information.

Where there is a grouping of restricted retail premises (such as a homemaker centre), business identification signs should only be located on the exterior of the building where the business has a direct frontage to the outside of the centre.

Discouraging pole signs for individual premises within a homemaker centre.

Encourage communal or precinct-based directory signs for an industrial building or estate to be located in a landscaped area.

Industrial and restricted retail premises policy guidelines

Consider as relevant:

- Limiting pole and free standing panel signs to:
  - One sign per premises where buildings are free-standing, or one sign for a group of premises (such as an estate or homemaker centre).
  - Less than seven metres in height.
- Limiting signs to a maximum of 20 square metres for any industrial premises or free-standing restricted retail premises that has a frontage greater than 40 metres and is well set back from a road.
- Limiting communal or precinct-based directory signs for an industrial building or estate to a maximum of 3 square metres in advertising area.
- Limiting the advertising area of all signs to a maximum of 12 square metres for any individual restricted retail premises.
- Limiting all other signs for an industrial premises to be a maximum of 10 square metres in area.

Residential areas strategies

Support signs that are affixed to the building.

Locate free-standing signs in front of the building, in a landscaped area and facing the street with the greatest amount of traffic (if the site has more than one street frontage).

Discourage internally illuminated, floodlit, animated, electronic and reflective signage in residential areas.

Residential areas policy guidelines

Consider as relevant:

- Whether signs should be limited to one business identification sign with an area of less than three square metres.
- Limiting free-standing signs to be no higher than two metres above natural ground level.

Display homes and villages strategies

Locate any promotion signs at the entry to the display village.

Support on-site direction signs where it identifies the car park and pedestrian entry to the display village.

Display signs only for the length of time the land is being used for a display home.

Support fixed pole signage with banner flags in display villages.

Display homes and village policy guidelines

Consider as relevant:

- Discouraging more than one display village promotion sign per display village.
- Limiting the number of display home promotion signs that identify the name of the builder or the name of the display home to no more than one sign per display home.
- Within a display village, limiting the number of display home promotion signs that identify the name of a builder to no more than one sign per building that is not a display home.
- Limiting display home promotion signs to be less than two square metres in area.

Subdivision and new estate promotion signs strategies

Locate subdivision and new estate promotion signs on the subject land that is being subdivided or sold.

Provide promotion signs for a residential estate only where the estate has a frontage to a freeway or highway.

Support on-site promotion signs that include fixed pole signs with banners along the main entrance road to the estate.

Discourage signs to be located within a road reserve.

Subdivision and new estate promotion signs policy guidelines

Consider as relevant:

- Limiting major promotion signs to not exceed 21 square metres in area per sign face.
- Whether on-site promotion signs for new estates should be limited to one sign per road frontage, unless the road frontage is greater than one kilometre in length in which case two signs may be considered.
- Encouraging signs to be set back a minimum of five metres from the title boundary. This setback is increased to 10 metres from highways and freeways.
- Whether signs not on the subject site should be a maximum of five kilometres from the boundary of the subdivision or development to which they relate.
- Encouraging off-site promotion signs for a development to be:
  - Limited to three in number, with a minimum separation distance of one kilometre between each sign.
  - Located at least 250 metres from any other subdivision or new estate promotion sign for a different development.
  - Set back 500 metres from on-ramps on freeways.

Rural and green wedge areas strategies

Support low scale signs in rural areas that respect the rural character.

Locate free-standing signs at the front of the property, incorporated into the landscape treatment.

Encourage colours that are compatible with the colour palette of the surrounding landscape.

Rural/green wedge areas policy guidelines

Consider as relevant:

- Discouraging more than one business identification sign to be located on any site.
- Limiting free-standing signs to be no more than two metres above ground level.

Policy document

Consider as relevant:

- *Advertising Signage Design Guidelines* (Melton City Council, 2017)

15.01-1L-05 Signs at gateway entrances

13/07/2023
C219melt

Objective

To encourage signs that enhance major gateway entrances to the City.

Strategies

Discourage major promotion signs and sky signs:

- In gateway locations.
- On empty sites that are devoid of built form, such as paddocks, where they will be a dominant visual element in the landscape and detract from the visual amenity of a road or rail corridor.

Discourage signs with distracting elements such as bunting, floodlit, animated, electronic and reflective signs.

Policy document

Consider as relevant:

- *Advertising Signage Design Guidelines* (Melton City Council, 2017)

Expiry

The local policy (Clause 15.01-1L-05) expires three years from the date of gazettal of Amendment C219melt.

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-01 Commercial building design

13/07/2023
C219melt

Objective

To enhance the amenity and appearance of commercial areas.

Strategies

Design commercial buildings to minimise the adverse impacts of their business operation on any adjoining residential area interfaces.

Locate loading, car parking and service areas at the rear of the site with screening.

Incorporate landscaping into the site layout, and where appropriate also in the public realm.

15.01-2L-02 Stores and outbuildings

13/07/2023
C219melt

Strategies

Discourage outbuildings that are not designed to fit with the landscape, particularly the conversion of shipping containers.

Encourage the external finish of developments to be consistent with and compliment the landscape amenity.

Discourage the development of vehicle stores and the storage of shipping containers within residential areas.

Use mature screen planting to reduce the visual impact of the outbuilding from the neighbouring properties and the street.

Support development that is sited to minimise the removal of native vegetation.

Set back stores and outbuildings from the boundary of neighbouring properties so that its use or development does not have an adverse impact on the amenity of adjoining residents.

Set back stores and outbuildings from road frontages so that they do not dominate the landscape or adversely impact on sightlines to hills.

Encourage outbuildings and stores to be sited further back from the road than the front elevation of any existing dwelling, unless the outbuilding is used for agribusiness purposes.

Locate development in proximity to any existing structures.

Policy guidelines

Consider as relevant:

- Providing a 3 metre side and rear setback for outbuildings within Residential Zones.
- Encouraging outbuildings to have a smaller floor space or height than the existing residence.

Policy document

Consider as relevant:

- *Shire of Melton Store and Outbuilding Policy and Guidelines* (Melton Shire Council, 2010)

15.01-2L-03 Landscaping and green space

13/07/2023
C219melt

Objective

To improve the quality and functionality of green space.

Strategies

Support the planting of indigenous vegetation.

Incorporate canopy tree planting into landscaped setbacks.

Encourage planting in accordance with the *Landscape Guidelines for the Shire of Melton* (Melton Shire Council, 2010).

Policy document

Consider as relevant:

- *Landscape Guidelines for the Shire of Melton* (Melton Shire Council, 2010)

Expiry

This local policy expires three years from the date of gazettal of Amendment C219melt.

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.

15.01-4L Healthy neighbourhoods

13/07/2023
C219melt

Strategy

Support development that provides private or shared garden space for food production.

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-01 Neighbourhood character

13/07/2023
C219melt

Strategy

Design development to be consistent with the preferred character identified in the relevant character area outlined in the *House Rules Housing Character Assessment and Design Guidelines: Character Statements and Guidelines* (Planisphere, 2015).

Policy document

Consider as relevant:

- *House Rules Housing Character Assessment and Design Guidelines: Character Statements and Guidelines* (Planisphere, 2015)

Expiry

This local policy expires three years from the date of gazettal of Amendment C219melt.

15.01-5L-02 Low density residential character

13/07/2023
C219melt

Strategy

Maintain the character of low density residential areas formed by the existing development density.

Policy guideline

Consider as relevant:

- Avoiding more than one dwelling per lot within the Low Density Residential Zone.

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-01 Heritage conservation

13/07/2023
C219melt

Strategies

Support creative adaptive reuse of heritage places in precinct structure plan areas with sympathetic and imaginative designs compatible with the significance, scale, form and materials of the heritage place.

Support the retention of places listed in the 'Conservation Desirable' schedule of the *Melton Heritage Study: Environmental History* (David Maloney et al., 2007).

Policy documents

Consider as relevant:

- *Shire of Melton Heritage Study: Environmental History* (David Maloney et al., 2007)
- *Shire of Melton Dry Stone Walls Study* (Planning Collaborative (Vic) Pty Ltd, 2011)

15.03-1L-02 Dry stone walls

13/07/2023
C219melt

Policy application

This policy applies to all dry stone walls subject to the Heritage Overlay.

Objectives

To encourage the retention, conservation and repair of dry stone walls.

To ensure development is sympathetic to dry stone walls.

Strategies

Support the retention of roadside dry stone walls as part of transport networks, road design, subdivision and utility installation.

Discourage the demolition of parts of a dry stone wall unless one of the following applies:

- The section of wall needs to be removed to undertake repairs to damage caused by earth movement.
- The section of dry stone wall needs to be removed to create a break for new openings such as farm openings, road widening or road breaks.
- The section of dry stone wall needs to be removed so utility services can be installed and no viable alternative exists. The dry stone wall must be reconstructed afterwards.
- It can be demonstrated that the removal of the part of the dry stone wall does not negatively affect the significance of the wall.

Encourage the retention of dry stone walls in favour of contemporary walls or gateway treatments in development.

Encourage the retention of original openings, posts and wires in repair or maintenance programs.

Encourage the removal of alterations that detract from the cultural significance of the dry stone wall.

Encourage the reconstruction of features where they have been removed or lost.

Avoid the use of reproduction dry stone walls and faux-style buildings in public spaces and heritage areas.

Construct wall ends where new openings have been created in a dry stone wall.

Support the construction of additional stone courses to increase the height of an existing dry stone wall only where it is consistent with the type of dry stone wall.

Discourage the use of concrete mortar within a dry stone wall.

Allow additional wires above a dry stone wall, if required for farming purposes, provided the new posts do not disturb the structure of the dry stone wall.

Encourage the reuse and recycling of stone and dry stone walls for other dry stone walls.

Allow subdivision that does not detract from the heritage value of the dry stone wall provided it:

- Minimises the number of new openings in a dry stone wall.
- Applies a landscape buffer on either side of a dry stone wall.

Policy guidelines

Consider as relevant:

- Establishing a five metre wide landscape buffer on either side of the dry stone wall.
- Use a professional dry stone waller when either:
  - Reconstructing a section of dry stone wall.
  - Creating new openings.
  - Constructing new wall ends.

Policy documents

Consider as relevant:

- *Shire of Melton Heritage Study: Environmental History* (David Maloney, 2007)
- *Shire of Melton Dry Stone Walls Study* (Planning Collaborative (Vic) Pty Ltd, 2011)

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-01 Housing supply

13/07/2023
C219melt

Strategies

Support the development of smaller dwellings that will meet the future needs of older residents in locations close to facilities, services and public transport.

Facilitate development that meets an identified need for social housing, retirement villages and aged care.

Support site consolidation to facilitate more intensive residential development close to activity centres and major public transport nodes.

Encourage development in the Residential Growth Zone to make efficient and maximum use of the site.

Support development in the Residential Growth Zone that does not impact on the provision of open space, schools and community and recreation facilities.

16.01-1L-02 Housing diversity

13/07/2023
C219melt

Policy application

This policy applies to residential development in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone and Low Density Residential Zone.

Strategies

Support housing designs that can be adapted for different life stages including the needs of an ageing household.

Encourage large developments to provide a range of dwelling types and sizes.

Encourage the redevelopment of infill sites to provide a smaller housing product where they are close to transport, infrastructure and services.

Policy document

Consider as relevant:

- *House Smart - City of Melton Housing Diversity Strategy* (Essential Economics and Hansen Partnership, 2014)

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

13/07/2023
C219melt

Strategy

Support a proportion of housing to be affordable, such as by providing affordable housing, on large development sites proximate to activity centres, public transport and community services.

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.

16.01-3L Rural residential development

13/07/2023
C219melt

Strategies

Avoid the construction of dwellings that require the upgrading of adjacent roads or other infrastructure.

Support rural residential development in locations that will not prejudice the efficient connection and provision of community and physical infrastructure.

Minimise adverse environmental impacts arising from the use of land for dwellings including:

- Domestic wastewater management.
- Clearing of vegetation for buildings, services or defendable space for bushfire protection.

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 Diversified economy

13/07/2023
C219melt

Strategies

Facilitate start up and small business uses including home based businesses.

Encourage use and development for knowledge and information based businesses.

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.

17.01-2L Innovation and research

13/07/2023
C219melt

Strategy

Support the co-location of business, education and research.

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.

17.02-1L Business

13/07/2023
C219melt

Strategies

Support restricted retail uses, as identified in the Activity centres plan at Clause 02.04-2, in:

- The Melton Homemaker Precinct.
- The Hopkins Road Business Precinct.
- The periphery of Metropolitan Activity Centres and Major Activity Centres.

Encourage minor retail uses associated with rural or tourism enterprises where they are of a scale not larger than a local centre so as to not compromise the surrounding retail hierarchy.

Policy document

Consider as relevant:

- *City of Melton Retail and Activity Centres Strategy* (Tim Nott with Harvest Digital Planning and Hansen Partnership, 2014)

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 - Western Metro Region

03/03/2023
VC215

Strategy

Protect industrial land in Toolern, Plumpton and South of Werribee, and industrial land adjacent to major transport gateways by:

- Prioritising the retention of industrial uses on existing unfragmented industrial zoned land.
- Supporting other employment uses where compatible with or supportive of adjacent industrial uses, in areas well connected to transport networks.

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.

17.04-1L Facilitating tourism

13/07/2023
C219melt

Strategies

Support the connection of the trail and open space network to provide an additional tourism offer within the western region.

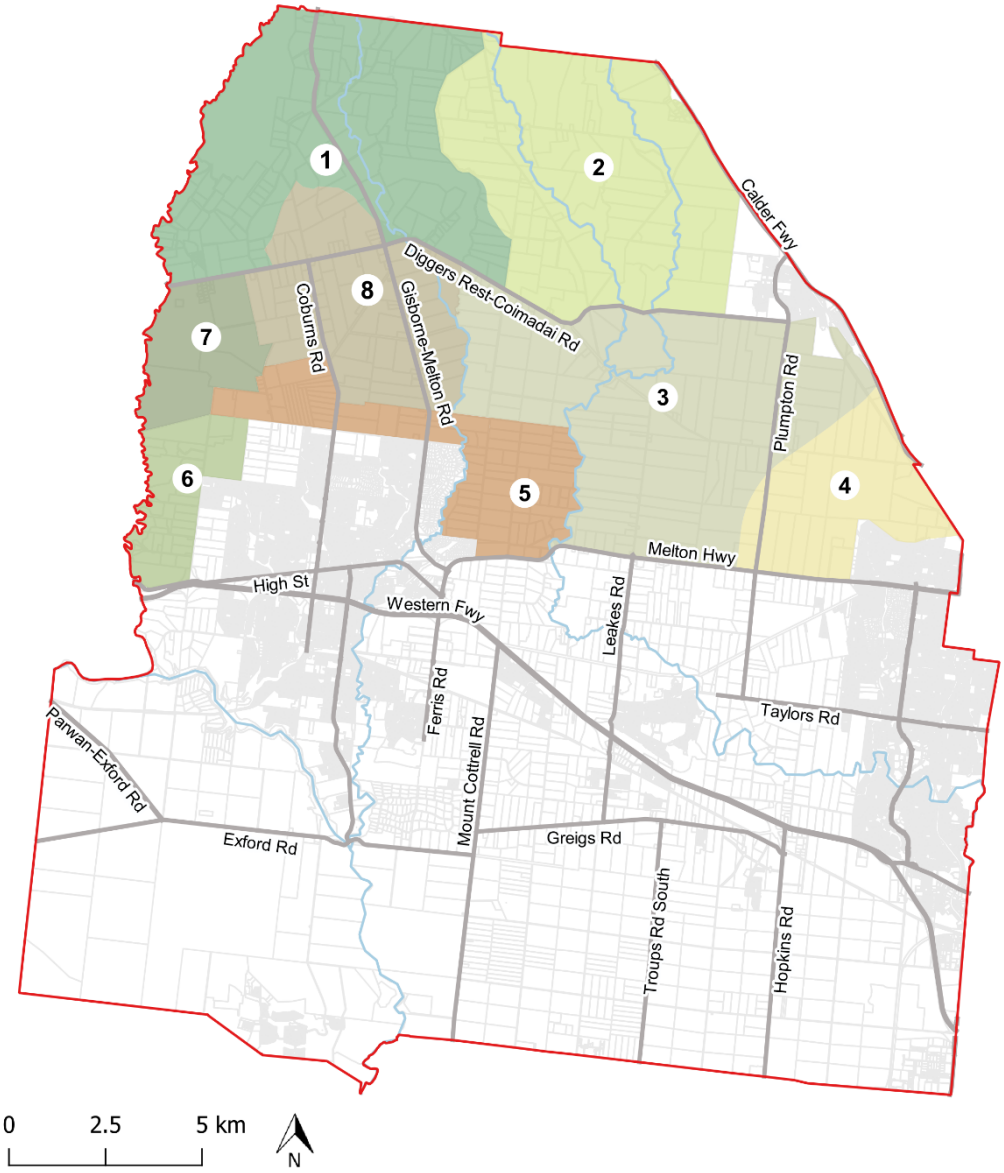
Support tourism development that helps create key tourist destinations at Toolern Creek, Toolern Regional Park, Kororoit Creek, Deanside wetlands precinct, Mt Kororoit, Mt Atkinson and Mt Cottrell.

Support agricultural related tourism and rural living in the Black Hill Road – Mount Aitken Road Precinct as identified on the Western plains north green wedge precinct plan in this clause.

Support conservation tourism and small scale tourism uses in Toolern Vale Hills as identified on the Western plains north green wedge precinct plan in this clause.

Support the retention and adaptive re-use of heritage buildings as part of the tourism offer.

Western plains north green wedge precinct plan



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)

18.01-1L Land use and transport planning

13/07/2023
C219melt

Strategy

Support transit-oriented development around the existing Melton, Rockbank, Cobblebank and Caroline Springs railway stations and future Paynes Road and Mt Atkinson railway stations.

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



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.

18.01-3L Sustainable personal transport

13/07/2023
C219melt

Strategies

Provide principal pedestrian and bicycle networks in the development of precinct structure plans.

Upgrade the network of shared trails along waterways through acquisition, negotiation or permit conditions for subdivision.

Develop key regional and cycling routes, as identified in the Open space and trails plan at Clause 02.04:

- Between Melton township and Metropolitan Melbourne, along the Western Highway/Freeway trails and Outer Metropolitan Ring trail.
- Along the Werribee River (trail linking Melton Township with Eynesbury and Werribee).
- Along MacPherson Park (trail linking Melton Township with MacPherson Park).
- Along the Western Plains North Green Wedge trails.

Policy document

Consider as relevant:

- *Western Plains North Green Wedge Management Plan* (City of Melton, 2014)

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)

18.02-2S 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

18.02-3S 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

13/07/2023
C219melt

Strategies

Facilitate duplication of tracks and the electrification of the Melton rail corridor.

Facilitate use or development associated with the upgrade of the train stations at Melton, Rockbank, Caroline Springs and Diggers Rest.

Facilitate use or development that improve bus connections with train stations.

Support the relocation of the existing bus interchange at Woodgrove Shopping Centre to High Street.

Facilitate improvements to the bus interchange facility at Caroline Springs Town Centre.

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 Road system

13/07/2023
C219melt

Strategies

Plan key road links in developing areas to enable the early establishment of new bus routes and maintain options for bus stop locations.

Design road networks that:

- Encourage easy movement into and through developments.
- Integrate with the existing road and bicycle networks.

Facilitate the provision of a road network that meets the needs of users at a minimal cost to Council, the community and the environment.

Discourage use or development abutting freeways and highways that:

- Lessens the level of service, safety and function of the road.
- Diminishes the appearance and visual amenity of the area.
- Results in a loss of vegetation.
- Extends linear or ribbon forms of development.

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:

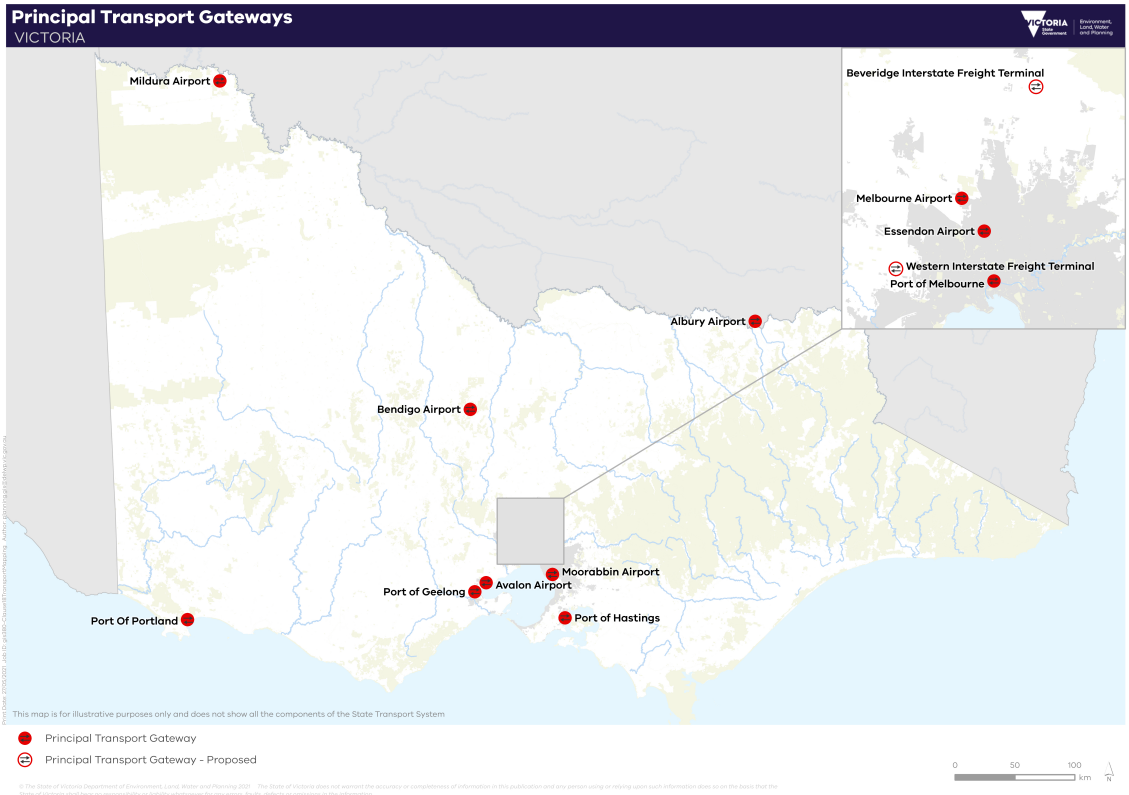
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land 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.

18.02-5L Freight links

13/07/2023
C219melt

Strategy

Support the development of 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*.

19.01-2S 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

13/07/2023
C219melt

Strategies

Support the development of a hospital within the Cobblebank Metropolitan Activity Centre.

Improve access to health services through the provision of integrated community services hubs and the co-location of complementary community facilities.

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.

19.02-2L Education facilities

13/07/2023
C219melt

Strategies

Support the provision of locally accessible tertiary education facilities.

Support the provision of local primary and secondary schools where there is a shortfall in these facilities.

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.

19.02-4S 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

13/07/2023
C219melt

Strategies

Support open space contributions in the form of land that is fit for purpose and unencumbered for the purpose they are to be used, including land for active spaces being large enough to cater for a range of activities and uses.

Discourage pocket parks in residential areas, unless they are not part of the credited open space network.

Ensure any encumbered open space does not restrict opportunities for its designated use.

Locate open space and recreation facilities:

- To maximise surveillance.
- To provide direct public access.
- Close to community, commercial and cultural facilities.

Locate open space within the Urban Growth Boundary in or adjoining areas of high environmental values.

Connect and integrate open space with surrounding land uses.

Retain natural features including trees within the areas of open space.

Set aside creek frontages for public open space purposes in urban areas when abutting land is developed.

Support pedestrian, equestrian and cycle linkages between open space and residential and commercial areas including by planning for them at the subdivision stage.

Support the implementation and completion of existing and proposed regional trails identified in Clause 02.03.

Support land for open space and fund the construction of trails through precinct structure planning.

Create opportunities for public access to the three main creek corridors in the Green Wedge North at Djerriwarrh Creek, Toolern Creek and Kororoit Creek.

Policy document

Consider as relevant:

- *Open Space Plan 2016-2026* (Ross Planning, 2016)

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.

19.03-2L-01 Infrastructure design and provision

13/07/2023
C219melt

Strategies

Apply infrastructure levies to contribute to the cost of works, services and facilities.

Encourage urban infrastructure associated with rural subdivision and development to be financed by the developer.

19.03-2L-02 Infrastructure provision in rural areas

13/07/2023
C219melt

Policy application

This policy applies to subdivision of land in any of the following:

- Green Wedge Zone.
- Green Wedge A Zone.
- Rural Conservation Zone.
- Farming Zone.

Strategies

Provide reticulated water to all new lots.

Provide sealed road access to all new lots with connection to the municipal sealed road network.

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 Integrated water management

13/07/2023
C219melt

Strategies

Support the use of overflow paths and retarding basins to control stormwater runoff and improve water quality.

Incorporate water sensitive urban design measures in all new development.

Support the application of water sensitive urban design, including Integrated Stormwater Management, in all precinct structure plan areas.

Support development that maximises the capture and reuse of water from buildings.

Support development that maximises the use of permeable surfaces.

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.

19.03-4L Telecommuncations

13/07/2023
C219melt

Strategies

Avoid communications infrastructure that adversely impacts on sensitive uses and landscape features.

Support the early provision of communications infrastructure in precinct structure plans and new development.

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

32.03 LOW DENSITY RESIDENTIAL ZONE

31/07/2018
VC148

Shown on the planning scheme map as **LDRZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

32.03-1 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.
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.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 32.03-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. Must meet the requirements of Clause 32.03-2.
Home based business **Informal outdoor recreation**	
Medical centre	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.
Racing dog husbandry	Must be no more than 2 animals.
Railway **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 and Dwelling) **Agriculture (other than Animal production, Apiculture, Domestic animal 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	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 32.03-2.
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.
Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met	Must result in no more than two dwellings on the lot. Must meet the requirements of Clause 32.03-2.
Food and drink premises (other than Convenience restaurant) **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 and Nightclub)** **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:

Use	Condition
	▪ 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.
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)
Brothel
Cinema based entertainment facility
Extractive industry
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)

32.03-2 Use for one or two dwellings or a dependent person's unit

01/07/2021
VC203

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling 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.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person's unit.

32.03-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots 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
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

32.03-4 Buildings and works

04/12/2020
VC180

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to 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 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.	

32.03-5 Application requirements

01/07/2021
VC203

Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include 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*.
- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

32.03-6 Decision guidelines

01/07/2021
VC203

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.

Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage:
  - The capability and suitability of the lot to treat and retain all wastewater as determined by 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*.
  - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.
- The relevant standards of Clauses 56.07-1 to 56.07-4.

32.03-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

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

1.0 Subdivision requirements

25/08/2022
C208melt

	Land	Area (hectares)
Minimum subdivision area (hectares)	None specified	

2.0 Outbuilding permit requirements

25/08/2022
C208melt

Dimensions above which a permit is required to construct an outbuilding (square metres)
None specified

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

26/09/2023
VC246

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)** **Container deposit scheme centre** **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 and Container deposit scheme centre)

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: ▪ 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

32.04-5 Construction and extension of one dwelling on a lot

22/09/2023
VC243

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 or extend a dwelling on a lot less than 300 square metres if the development meets the requirements in the following standards of Clause 54: ▪ A3 Street setback. ▪ 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

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

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

MELTON MIXED USE AREAS

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Clause 54 and Clause 55 requirements

25/08/2022
C208melt

	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

25/08/2022
C208melt

None specified.

4.0 Exemption from notice and review

25/08/2022
C208melt

None specified.

5.0 Application requirements

25/08/2022
C208melt

None specified.

6.0 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

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

20/09/2023
VC242

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	
Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
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

Use
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
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:	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

32.07-4 Construction and extension of one dwelling on a lot

22/09/2023
VC243

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 or extend a dwelling on a lot less than 300 square metres if the development meets the requirements in the following standards of Clause 54: ▪ A3 Street setback. ▪ A10 Side and rear setbacks. ▪ A11 Walls on boundaries.	Clause 59.14

Class of application	Information requirements and decision guidelines
▪ 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.	

32.07-5 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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**.

MELTON RESIDENTIAL GROWTH AREAS

1.0 Design objectives

25/08/2022
C208melt

None specified.

2.0 Requirements of Clause 54 and Clause 55

25/08/2022
C208melt

	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 for a dwelling or residential building

25/08/2022
C208melt

None specified.

4.0 Application requirements

25/08/2022
C208melt

None specified.

5.0 Decision guidelines

25/08/2022
C208melt

None specified.

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

20/09/2023
VC242

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	
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.

Use	Condition
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
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

Use
Nightclub
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

Class of application	Information requirements and decision guidelines
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

32.08-4 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

26/09/2023
VC246

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

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 less than 300 square metres 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 or extend a dwelling on a lot less than 300 square metres if the development meets the minimum garden area requirement of Clause 32.08-4 and the requirements in the following standards of Clause 54: ▪ A3 Street setback. ▪ 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 on a lot less than 300 square metres.	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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

MELTON GENERAL RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

25/08/2022
C208melt

None specified.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

25/08/2022
C208melt

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

25/08/2022
C208melt

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

25/08/2022
C208melt

	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

5.0 Maximum building height requirement for a dwelling or residential building

25/08/2022
C208melt

None specified.

6.0 Application requirements

25/08/2022
C208melt

None specified.

7.0 Decision guidelines

25/08/2022
C208melt

None specified.

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

20/09/2023
VC242

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
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship) **Plant nursery**	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
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

Use
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Saleyard
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. ▪ 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

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

26/09/2023
VC246

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

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 less than 300 square metres 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 or extend a dwelling on a lot less than 300 square metres if the development meets the minimum garden area requirement of Clause 32.09-4 and the requirements in the following standards of Clause 54: ▪ A3 Street setback. ▪ 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 on a lot less than 300 square metres.	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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ1**.

MELTON NEIGHBOURHOOOD RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

25/08/2022
C208melt

None specified.

2.0 Minimum subdivision area

25/08/2022
C208melt

None specified.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

25/08/2022
C208melt

	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

25/08/2022
C208melt

	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

5.0 Maximum building height requirement for a dwelling or residential building

25/08/2022
C208melt

None specified.

6.0 Application requirements

25/08/2022
C208melt

None specified.

7.0 Decision guidelines

25/08/2022
C208melt

None specified.

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ2**.

KURUNJANG RANCHES ESTATE

1.0 Neighbourhood character objectives

25/08/2022
C208melt

None specified.

2.0 Minimum subdivision area

25/08/2022
C208melt

The minimum lot size for subdivision is:

- 2,000 square metres where reticulated sewerage is connected.
- 4,000 square metres where reticulated sewerage is not connected.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

25/08/2022
C208melt

	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

25/08/2022
C208melt

	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

5.0 Maximum building height requirement for a dwelling or residential building

25/08/2022
C208melt

None specified.

6.0 Application requirements

25/08/2022
C208melt

None specified.

7.0 Decision guidelines

25/08/2022
C208melt

None specified.

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0 Maximum leasable floor area requirements

25/08/2022
C208melt

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

1.0 Maximum leasable floor area requirements

25/08/2022
C208melt

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

26/09/2023
VC246

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) **Container deposit scheme centre** **Grazing animal production**	
Industry (other than Automated collection point and Container deposit scheme centre)	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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0 Maximum leasable floor area requirements

25/08/2022
C208melt

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.

35 RURAL ZONES

19/01/2006
VC37

35.04 GREEN WEDGE ZONE

31/07/2018
VC148

Shown on the planning scheme map as **GWZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

To protect and enhance the biodiversity of the area.

35.04-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
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. Must be located more than 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*.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.
Grazing animal production **Home based business** **Informal outdoor recreation**	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.

Use	Condition
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot	Must meet the requirements of Clause 53.08. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.04-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.04-2.
Exhibition centre	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.

Use	Condition
Function centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Group accommodation	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery. The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Hall **Host farm**	
Indoor recreation facility	Must be for equestrian based leisure, recreation or sport.
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Major sports and recreation facility	Must be for outdoor leisure, recreation or sport.
Manufacturing sales	Must be an incidental part of Rural industry.
Market	
Materials recycling	Must be used in conjunction with Refuse disposal or Transfer station. Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.
Milk depot	
Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub and Place of worship)	Must not be used for more than 10 days in a calendar year.
Place of worship **Plant nursery** **Primary school**	
Racing dog husbandry – if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.

Use	Condition
Refuse disposal	
Research and development centre **Research centre**	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Residential building (other than Residential hotel)	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Residential hotel	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Restaurant	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.
Restricted place of assembly	Must not be used for more than 30 days in a calendar year.
Rice growing **Rural industry** **Secondary school** **Solid fuel depot**	
Timber production	Must meet the requirements of Clause 53.11.
Transfer station (other than Automated collection point)	Must not include the collecting, storing or processing of used or scrap construction and demolition materials.

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Vehicle store	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building)
Brothel
Cinema based entertainment facility
Display home centre
Education centre (other than Primary school and Secondary school)
Freeway service centre
Funeral parlour
Hospital
Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)
Motor racing track
Office
Nightclub
Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)
Service station
Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)

35.04-2 Use of land for a dwelling

01/07/2021
VC203

A lot used for a dwelling must meet the following requirements:

- 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.

These requirements also apply to a dependent person's unit.

35.04-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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: - Each new lot is at least the area specified for the land in the zone or the schedule to the zone. - 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 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

35.04-4 Long term lease or licence for accommodation

05/09/2013
VC103

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

35.04-5 Buildings and works

22/03/2022
VC219

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from 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.
  - 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.
- Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production 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.
- A building or works associated with accommodation 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*.

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 $250,000 where: ▪ The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. ▪ The land is not within 30 metres of land (not a road) which is in a residential zone. ▪ The building or works are not associated with accommodation 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*. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13

35.04-6 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, 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:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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.*

Rural issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.

- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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*.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to reticulated sewerage if available or if not available, the wastewater must be treated and retained on-site in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- 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*.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

35.04-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 35.04 GREEN WEDGE ZONE

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

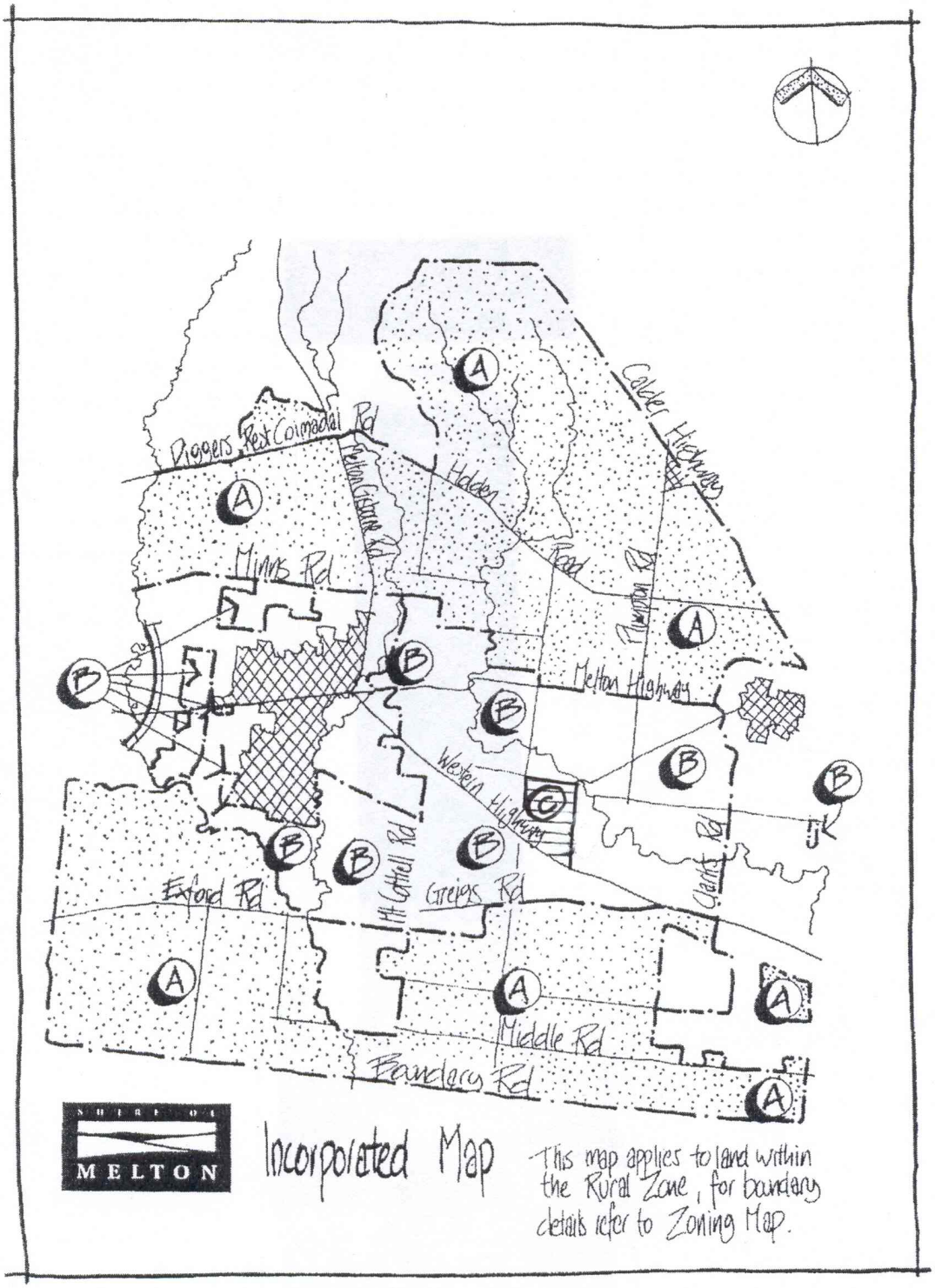
1.0 Subdivision and other requirements

25/08/2022
C208melt

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land marked “A” on the map forming part of this schedule.	The number of lots into which the land may be subdivided is to be calculated using the following formula: N=A/20. Where N (rounded down) is the number of lots that can be created and A is the area of the land in hectares. The subdivision must comprise one large primary lot. The secondary lots must be at least 1.0 hectares and must be no larger than 5.0 hectares. 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 under this provision.
	All land marked “B” on the map forming part of this schedule.	12 hectares
	All land marked “C” on the map forming part of this schedule.	None specified
Function centre (number of patrons)	None specified	None specified
Group accommodation (number of dwellings)	None specified	None specified
Residential hotel (number of bedrooms)	None specified	None specified
Restaurant (number of patrons)	None specified	None specified
Minimum area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling, or any works associated with the construction of the Leakes Road interchange.
Earthworks which increase the discharge of saline groundwater	All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.

Map 1 to the Schedule to Clause 35.04



35.05 GREEN WEDGE A ZONE

31/07/2018
VC148

Shown on the planning scheme map as **GWAZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

35.05-1 Table of uses

04/05/2022
VC210

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
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. Must be located more than 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*.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Home based business	
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 2 animals.

Use	Condition
Railway	
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Animal production (other than Intensive animal production and Poultry farm)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must be no more than 10,000 chickens.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.05-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.05-2.
Exhibition centre	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture. 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.
Function centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.

Use	Condition
Group accommodation	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery. The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
Hall **Host farm**	
Indoor recreation facility	Must be for equestrian based leisure, recreation or sport.
Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, Major sports and recreation facility and Motor racing track)	
Major sports and recreation facility	Must be for outdoor leisure, recreation or sport.
Market **Place of worship** **Plant nursery** **Primary school**	
Racing dog husbandry - if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Research centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
Residential building (other than Residential hotel)	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
Restaurant	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.

Use	Condition
	If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
Restricted place of assembly	Must not be used for more than 30 days in a calendar year.
Rural industry (other than Abattoir and Sawmill) **Rice growing**	
Rural store – if the Section 1 condition is not met	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.
Secondary school	
Timber production	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Vehicle store	Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building)
Brothel
Display home centre
Education centre (other than Primary school and Secondary school)
Freeway service centre
Funeral parlour
Hospital
Industry (other than Rural industry)
Intensive animal production
Motor racing track
Office

Use
Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship and Restricted place of assembly)
Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)
Saleyard
Sawmill
Service station
Transport terminal
Warehouse (other than Freezing and cool storage, Rural store and Vehicle store)

35.05-2 Use of land for a dwelling

01/07/2021
VC203

A lot used for a dwelling must meet the following requirements:

- 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 not available, all wastewater 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 the construction, installation or alteration of 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.

These requirements also apply to a dependent person's unit.

35.05-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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
▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone. ▪ 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 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

35.05-4 Long term lease or licence for accommodation

05/09/2013
VC103

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

35.05-5 Buildings and works

22/03/2022
VC219

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.05-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 30 metres from 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.
  - 20 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
  - 10 metres from any other road.
  - 5 metres from any other boundary.
  - 30 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.
- A building or works associated with accommodation 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*.

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 $250,000 where: ▪ The land is not used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. ▪ The land is not within 30 metres of land (not a road) which is in a residential zone. ▪ The building or works are not associated with accommodation 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*. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13

35.05-6 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, 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:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to agricultural land use, rural diversification and natural resource management.
- Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.
- The need to protect the amenity of existing residents.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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.*

Rural issues

- The maintenance of agricultural production and the impact on the local rural economy.
- The need to prepare an integrated land management plan.

- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.
- Protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.
- How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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*.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system if available or if not available, the wastewater must be treated and retained on-site in accordance with the requirements of of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site waste water management system.
- 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*.

- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

35.05-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 35.05 GREEN WEDGE A ZONE

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

1.0 Subdivision and other requirements

25/08/2022
C208melt

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	Land within 300 metres of the Djerriwarrh Creek	5 hectares
	Land within 300 metres of a Rural Conservation Zone or a Public Conservation and Resource Zone, or other public use zone	5 hectares
	All other land	2 hectares
Function centre (number of patrons)	None specified	None specified
Group accommodation (number of dwellings)	None specified	None specified
Residential building (number of bedrooms)	None specified	None specified
Restaurant (number of patrons)	None specified	None specified
Minimum area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

35.06 RURAL CONSERVATION ZONE

31/07/2018
VC148

Shown on the planning scheme map as **RCZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

35.06-1 Table of uses

04/05/2022
VC210

Section 1 - Permit not required

Use	Condition
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. Must be located more than 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*.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Home based business	
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture, Domestic animal husbandry, Intensive animal production, Poultry farm, Racing dog husbandry, Rice growing and Timber production)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must be no more than 10,000 chickens.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.06-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.06-2.
Emergency services facility **Freezing and cool storage** **Group accommodation** **Host farm** **Landscape gardening supplies** **Market** **Primary produce sales** **Primary school**	
Racing dog husbandry - if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Recreational boat facility	
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 53.13.
Residential hotel **Restaurant** **Rural industry (other than Abattoir and Sawmill)** **Rural store** **Secondary school**	

Use	Condition
Timber production	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Accommodation (other than Bed and breakfast, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Amusement parlour
Brothel
Education centre (other than Primary school and Secondary school)
Industry (other than Rural industry)
Intensive animal production
Office
Leisure and recreation (other than Informal outdoor recreation)
Place of assembly (other than Carnival and Circus)
Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)
Rice growing
Sawmill
Transport terminal
Warehouse (other than Freezing and cool storage and Rural store)

35.06-2 Use of land for a dwelling

01/07/2021
VC203

A lot used for a dwelling must meet the following requirements:

- 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.

These requirements also apply to a dependent person's unit.

35.06-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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: - Each new lot is at least the area specified for the land in the zone or the schedule to the zone. - 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 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

35.06-4 Long term lease or licence for accommodation

05/09/2013
VC103

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

This provision only applies to land in Metropolitan Melbourne.

35.06-5 Buildings and works

22/03/2022
VC219

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

  - An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 100 metres from 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.
  - 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.
- A building or works associated with accommodation 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*.

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 $250,000 where: ▪ The land is not used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. ▪ The land is not within 30 metres of land (not a road) which is in a residential zone. ▪ The building or works are not associated with accommodation 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*. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13

35.06-6 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, 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:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development conserves the values identified for the land in a schedule.
- Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Accommodation issues

- 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 accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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.*

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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.*

35.06-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

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

CONSERVATION VALUES

Protect and conserve vegetation, minimise erosion and soil degradation, protect and enhance water quality, protect native habitat and protect significant rural landscapes.

1.0 Subdivision and other requirements

25/08/2022
C208melt

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	40 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ2.**

CONSERVATION VALUES

The Rural Conservation land has been applied to areas of environmental significance identified through detailed flora and fauna assessments of the Growth Areas Precinct Planning Process. The land is within the Victorian Volcanic Plain bio-region and would have supported low-rainfall Plains Grassland Ecological Vegetation Class (EVC 132_63) as well as riparian EVCs within the Stony Hill Creek tributary.

An area of Plains Grassy Wetland (EVC 125) remains around the large dam at the eastern boundary of the PSP area where indigenous flora species are present. Plains Grassy Wetland has an 'endangered' conservation status within Victoria and the patch within the precinct has high conservation significance. The critically endangered Spiny Rice-flower and state significance Small Scurf-Pea have been recorded in this area.

This dam also has conservation value as potential habitat for Growling Grass Frog habitat and known habitat for Bibron's Toadlet. Growling Grass Frog is listed under the Federal EPBC Act 1999 as vulnerable and is listed as endangered under the State's Flora and Fauna Guarantee Act 1988. Bibron's Toadlet has a conservation status of vulnerable and is listed as threatened under the Flora and Fauna Guarantee Act 1988.

The Rural Conservation Zone has been applied to protect the patch of Plains Grassy Wetland, identify and manage potential endangered flora species including Small Scurf Pea and Spiny Rice Flower and ensure development does not negatively impact on habitat for the endangered Growling Grass Frog and Bibron's Toadlet.

1.0 Subdivision and other requirements

25/08/2022
C208melt

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

01/02/2018
C147

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3**.

CONSERVATION VALUES

Growling Grass Frog Conservation, Floodplain and Open Space Conservation Areas

Land classified as Growling Grass Frog Conservation, Floodplain and Open Space within the *Biodiversity Conservation Strategy (*Department of Environment and Primary Industries, 2013) are areas which will be protected and managed primarily for the Growling Grass Frog in accordance with the requirements of the Sub-regional Species Strategy for the Growling Grass Frog, but will also include areas managed for floodplain and stormwater infrastructure as well as areas of open space for passive recreation. This land is to be managed as outlined within the *Biodiversity Conservation Strategy*.

1.0 Subdivision and other requirements

25/08/2022
C208melt

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

01/02/2018
C147

SCHEDULE 4 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ4**.

CONSERVATION VALUES

Nature conservation areas

Land classified as Nature Conservation within the *Biodiversity Conservation Strategy (*Department of Environment and Primary Industries, 2013) is to be protected and managed primarily for nature conservation, including matters of national environmental significance and state significance, in accordance with the *Biodiversity Conservation Strategy*.

1.0
25/08/2022
C208melt

Subdividion and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

35.07 FARMING ZONE

31/07/2018
VC148

Shown on the planning scheme map as **FZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

35.07-1 Table of uses

14/11/2022
VC227

Section 1 – Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
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. Must be located more than 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*. Must be located more than 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*.
Cattle feedlot	Must meet the requirements of Clause 53.08.

Use	Condition
	The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the *Catchment and Land Protection Act 1994*. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.07-2. Must be located more than 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*. Must be located more than 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*.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2. Must be located more than 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*. Must be located more than 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*.
Grazing animal production **Home based business** **Informal outdoor recreation**	

Use	Condition
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. 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.
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Rural worker accommodation	The number of persons accommodated at any time must not be more than 10. Must be used in conjunction with Agriculture on the same land or contiguous land in the same ownership. Must be used exclusively for accommodating workers engaged on the same land or contiguous land in the same ownership. Must be the only accommodation other than a dwelling on the same land or contiguous land in the same ownership. Must be on the same lot as an existing dwelling.

Use	Condition
	The lot must be at least the area specified in a schedule to this zone for which no permit is required to use land for a dwelling. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2. Must be located more than 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*. Must be located more than 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*.
Timber production	Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of: ▪ Any dwelling in separate ownership. ▪ Any land zoned for residential, commercial or industrial use. ▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Abattoir	
Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	

Use	Condition
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot – if the Section 1 condition is not met	Must meet the requirements of Clause 53.08. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Cemetery **Crematorium**	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Emergency services facility	
Freeway service centre	Must meet the requirements of Clause 53.05.
Group accommodation **Host farm** **Industry (other than Automated collection point and Rural industry)** **Landscape gardening supplies** **Leisure and recreation (other than Informal outdoor recreation)** **Manufacturing sales** **Market** **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)** **Primary school**	
Racing dog husbandry – if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 53.13.
Residential hotel **Restaurant** **Rice growing**	

Use	Condition
Rural worker accommodation – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Sawmill	
Secondary school	
Timber production – if the Section 1 condition is not met	Must meet the requirements of Clause 53.11.
Trade supplies	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Rural store)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm, Residential hotel and Rural worker accommodation)
Amusement parlour
Brothel
Cinema based entertainment facility
Education centre (other than Primary school and Secondary school)
Nightclub
Office
Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)

35.07-2 Use of land for a dwelling

13/10/2021
VC212

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each 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.

These requirements also apply to a dependent person's unit and a rural worker accommodation.

35.07-3 Subdivision

12/10/2021
VC202

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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: ▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone. ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. ▪ The land is not used for Rural worker accommodation	Clause 59.01
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone where the land is not used for Rural worker accommodation.	Clause 59.12

35.07-4 Buildings and works

06/04/2023
VC231

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from 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 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production 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.
- A building or works associated with accommodation located 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*.
- A building or works associated with accommodation 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*.

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 associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13
Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where: ▪ The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry, Rural industry or Rural worker accommodation. ▪ The land is not within 30 metres of land (not a road) which is in a residential zone.	Clause 59.13

Class of application	Information requirements and decision guidelines
▪ The building or works are not associated with accommodation located 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 building or works are not associated with accommodation 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*. Any works must not be earthworks specified in the schedule to the zone.	

35.07-5 Application requirements for dwellings

19/01/2006
VC37

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

35.07-6 Decision guidelines

22/03/2022
VC219

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:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

- Any integrated land management plan prepared for the site.
- Whether Rural worker accommodation is necessary having regard to:
  - The nature and scale of the agricultural use.
  - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
- The duration of the use of the land for Rural worker accommodation.

Accommodation issues

- 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.
- The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located 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 potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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.*

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located 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 need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it 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*.

35.07-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 35.07 FARMING ZONE

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

1.0 Subdivision and other requirements

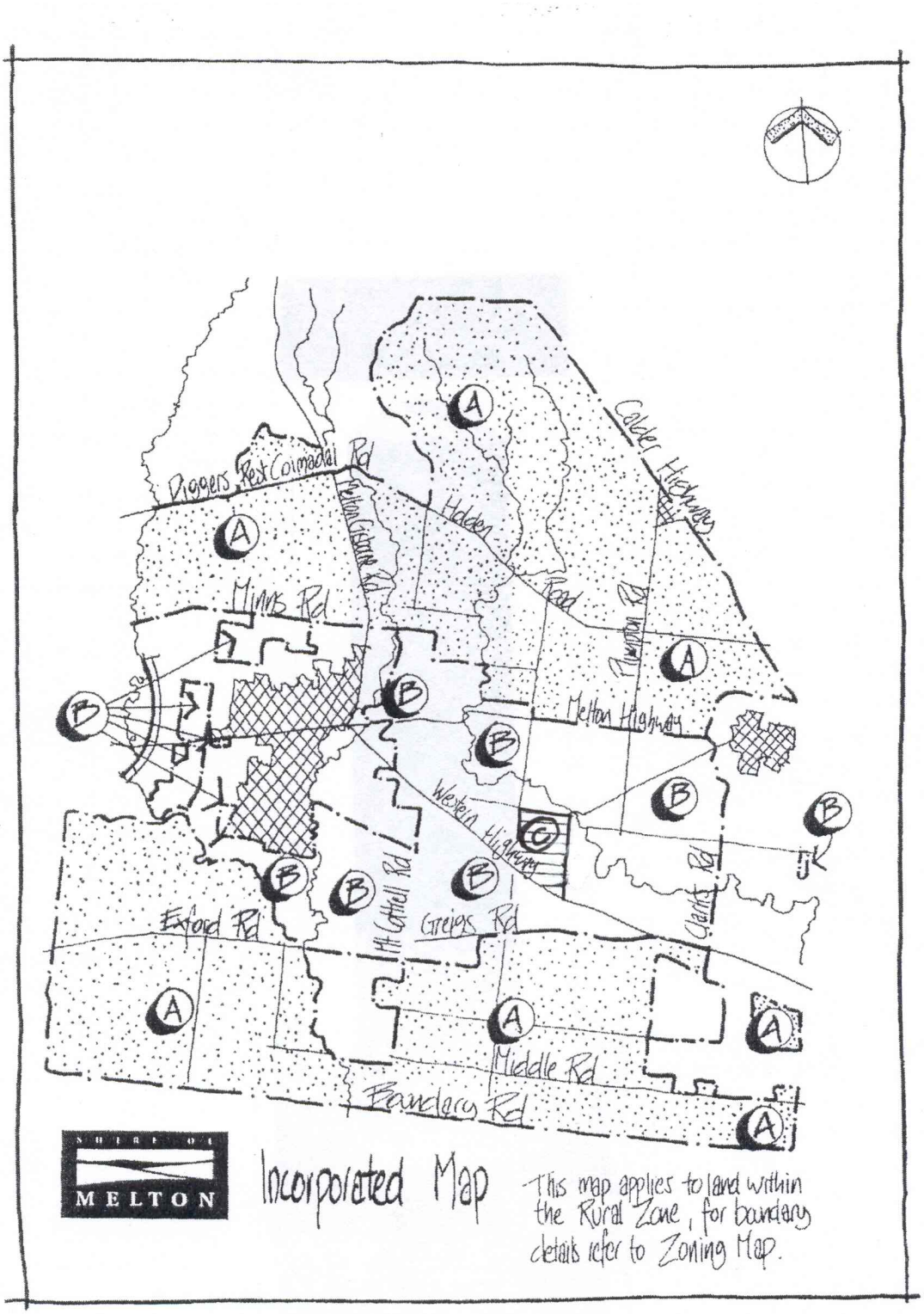
07/07/2023
C237melt

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land marked “A” on the map forming part of this schedule.	The number of lots into which the land may be subdivided is to be calculated using the following formula: N=A/20. Where N (rounded down) is the number of lots that can be created and A is the area of the land in hectares. The subdivision must comprise one large primary lot. The secondary lots must be at least 1.0 hectares and must be no larger than 5.0 hectares. 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 under this provision.
	All other land	12 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land marked “A” on the map forming part of this schedule.	1 hectare if land is created under the above formula
	All other land	None specified
Maximum area for which no permit is required to use land for timber production (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if:	100 metres

	Land	Area/Dimensions/Distance
	▪ The Head, Transport for Victoria is the acquiring authority; and ▪ The purpose of the acquisition is for a road.	
	A Transport Zone 3 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.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.
Earthworks which increase the discharge of saline groundwater	All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.

Map 1 to the Schedule to Clause 35.07



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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0 Permit exemptions and conditions

25/08/2022
C208melt

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

25/08/2022
C208melt

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

25/08/2022
C208melt

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

25/08/2022
C208melt

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

25/08/2022
C208melt

None specified.

36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

31/07/2018
VC148

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

To provide for appropriate resource based uses.

36.03-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 2011.
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.
Boat launching facility **Camping and caravan park** **Caretaker's house** **Car park** **Informal outdoor recreation** **Interpretation centre** **Jetty** **Kiosk** **Marine dredging** **Mooring pole** **Open sports ground** **Pier** **Pontoon** **Road** **Utility installation (other than Telecommunications facility)** **Any use listed in Clause 62.01 (other than Apiculture)**	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 *Forests 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*. ▪ Specified in an Incorporated plan in a schedule to this zone.
Any other use not in Section 2 or 3	▪ Must be 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

Use	Condition
	National Parks Act 1975, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests 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*.

Section 2 - Permit required

Use	Condition
Emergency services facility	
Renewable energy facility (other than Wind energy facility)	Must not be located on land reserved under the *National Parks Act 1975*. Must meet the requirements of Clause 53.13.
Wind energy facility	Must not be located on land described in a schedule to the *National Parks Act 1975*. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.

Section 3 - Prohibited

Use
The use in Section 1 described as 'Any other use not in Section 2 or 3' – if the Section 1 condition is not met

36.03-2 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:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or 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 *Forests 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 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 *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995,* the *Crown Land (Reserves) Act 1978*, or the *Road Management Act 2004*.
- Subdivide land.

36.03-3 Application requirements

20/03/2023
VC229

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.

Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Energy, Environment and Climate Action.

36.03-4 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 sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5 Referral of applications

18/06/2010
VC62

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

36.03-6 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.

36.03-7 Incorporated plan

18/06/2010
VC62

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 proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and 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 or 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.

36.03-8 Use and development of land identified in a schedule

18/06/2010
VC62

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.

36.03-9 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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0 Permit exemptions and conditions

25/08/2022
C208melt

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

25/08/2022
C208melt

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

25/08/2022
C208melt

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1.**

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To recognise or provide for the use and development of land for earth and energy resources industry.

To encourage interim use of the land compatible with the use and development of nearby land.

To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

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.
Extensive animal husbandry **Home based business** **Informal outdoor recreation** **Railway** **Tramway**	
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 keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)	
Animal keeping (other than Animal boarding)	Must be no more than four animals.
Caretaker's house **Dependent person's unit**	
Industry (other than Materials recycling, Refuse disposal, and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.
Landscape gardening supplies **Leisure and recreation (other than Informal outdoor recreation)** **Manufacturing sales** **Materials recycling**	

Use	Condition
Place of assembly (other than Amusement parlour and Nightclub)	
Refuse disposal	
Transfer station (other than Automated collection point)	
Utility installation (other than Minor utility installation)	
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
Accommodation (other than Caretaker's house and Dependent person's unit)
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Horse stables
Intensive animal husbandry
Nightclub
Office
Retail premises (other than Landscape gardening supplies and Manufacturing sales)
Saleyard
Service station
Transport terminal
Veterinary centre

2.0 Use of land

25/08/2022
C208melt

None specified.

3.0 Subdivision

25/08/2022
C208melt

None specified.

4.0 Buildings and works

25/08/2022
C208melt

Permit requirement

The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

5.0 Signs

25/08/2022
C208melt

None specified.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3.**

TERMINAL STATIONS

Purpose

To implement the Municipal Planning Strategy, the Planning Policy Framework and local planning policies.

To provide for areas in private ownership to be used for the purposes of essential service utility installations.

To ensure that the development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.

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	In accordance with an agreed Development Plan (Sub-clause 4).
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than four animals.
Car park	
Convenience shop	The leasable floor area must not exceed 80m^2.
Office	Must not exceed a floor area of 500m^2.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Amusement parlour
Animal boarding
Animal training
Brothel
Cemetery
Convenience restaurant
Crematorium
Extractive industry
Horse stables
Industry - (other than Automated collection point and Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Retail premises (other than Convenience shop and Plant nursery)
Saleyard
Service station
Transport terminal
Warehouse (other than Store)

2.0 Use of land

25/08/2022
C208melt

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:

- The purpose of the use and types of activities which will be carried out; and
- The likely effects, if any, on the adjacent land including noise levels, traffic and hours of operation.

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 that the proposed use may have on existing uses; and
- The effect that the proposed use may have on the amenity of the neighbourhood.

3.0 Subdivision

25/08/2022
C208melt

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:

- The purpose of the subdivision; and
- The likely effects of the subdivision on the adjacent land.

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 that the proposed subdivision may have on existing uses; and
- The effect that the proposed subdivision may have on the amenity of the neighbourhood.

4.0 Buildings and works

25/08/2022
C208melt

None specified.

5.0 Signs

25/08/2022
C208melt

None specified.

6.0 Development Plan

A Development Plan is required to be formulated in consultation with responsible authorities and include the following details and considerations:

- The layout and use of existing and proposed buildings and works, driveways, car parking and loading areas;
- Construction details of all drainage works, site access arrangements, vehicle parking and loading areas;
- Details of existing and proposed landscaping, including perimeter landscaping treatments;
- The appearance and bulk of buildings having regard to the adjoining zones, especially the relationship with residential areas; and
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.

25/08/2022
C208melt

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ5**.

LEAKES ROAD TOURIST PRECINCT

Purpose

To recognise or provide for the use and development of land for tourist oriented uses and associated rural activities.

To encourage development that is in harmony with the rural landscape.

To ensure that subdivision provides for tourist and tourist related uses and promotes effective land management practices and infrastructure provision.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Agriculture	
Animal husbandry	
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.
Café	
Caretaker's house	
Equestrian supplies	Must be ancillary to a tourist theme established on the land
Home based business	
Hotel	
Horse stables	
Mineral exploration	
Mining	
Motel	
Occupational store	
Outdoor recreation park	
Passive recreation	
Place of assembly	
Place of worship	
Railway	

Use	Condition
Reception rooms	
Restaurant	
Retail plant nursery	
Rural recreation	
Wholesale plant nursery	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Shop	Provided the use is associated with and ancillary to a Section 1 or 2 use.
Take-away food premises	Provided the use is associated with and ancillary to a Section 1 or 2 use.
Any use other than those in Section 1	If it can be demonstrated to the satisfaction of the Responsible Authority that there is a direct association with the tourist theme established on the land.

Section 3 - Prohibited

Use
Industry (other than Automated collection point)
Any use not in Section 1 or 2

2.0 Use of land

21/11/2013 C153

Prior to the use or development of any land, a development plan must be prepared to the satisfaction of the Responsible Authority in accordance with the requirements of Schedule 4 to the Development Plan Overlay.

3.0 Subdivision

21/11/2013 C153

A permit is required to subdivide land.

No subdivision may be approved until an Overall Development Plan has been prepared to the satisfaction of the Responsible Authority.

Any subdivision must accord with the site requirements for a use or development permitted under this zone.

An application must be referred to a referral authority listed in Clause 66.01, and the department administering the Extractive Industries Development Act 1995 for any subdivision within 500 metres of land zoned for extractive industry or land in a separate tenement used for extractive industry.

A permit may be granted to create a lot if it is required for a public use by the Crown, a public authority or municipality.

Before deciding on an application to subdivide land, the Responsible Authority must consider:

- Whether the subdivision promotes the purpose of the zone
- Whether the proposed subdivision conforms with the Overall development Plan and the Local Area Development Plan
- Whether the proposed subdivision would prejudice the future use and development of the zone in accordance with the zone purposes.
- The impact of the subdivision on Melton Highway
- Whether each lot created contains a building envelope which is capable of development (including reference to any recommended buffer distance from an adjacent use or development published by the EPA) to the satisfaction of the Responsible Authority. The building envelope must be shown on any approved plan of subdivision.

4.0 Buildings and works

21/11/2013 C153

A permit is required to construct a building or construct or carry out works.

The building must be sited in conformity with any buffer distance from an adjacent use for existing extractive industry recommended by the Environment Protection Authority.

No buildings or works may be constructed until a plan of the overall development of the land has been prepared to the satisfaction of the Responsible Authority.

A permit application for buildings and works generally with an overall development plan approved by the Responsible Authority 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 buildings and works which contain a sensitive use which would be located within 500 metres of land zoned for extractive industry or land in a separate tenement used for extractive industry.

5.0 Agreements

21/11/2013 C153

The applicant may be required to enter into an agreement in accordance with Section 173 of the Act which specifies:

- subdivision requirements
- ongoing management requirements of an approved outline development plan
- development contributions
- any other matter

6.0 Decision guidelines

21/11/2013 C153

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the Responsible Authority must consider, as appropriate:

General issues

- The Local Area Development Plan and relevant local planning policies
- Any Catchment and Land Protection Strategy and policies applying to the land
- Whether the land is adequately serviced with physical infrastructure
- The capability of the land to accommodate the proposed use or development, addressing the site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining and nearby farming and other uses

- Any recommended buffer distance from an adjoining use or development published by the EPA

Tourism Issues

- The requirements of any existing or proposed rural industry
- The impact on the existing and proposed rural infrastructure
- An assessment of industry requirements, growth expectations, staging of the development and investment requirements

Environmental Issues

- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours
- The impact of the use or development on the flora, fauna and landscape features of the locality
- The protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries, discharge and recharge areas.
- The impact on the character and appearance of the area or feature of architectural, historic or scientific significance or of natural scenic beauty or importance
- The means of disposal of effluent and other wastes and its compliance with Clause 40 of the State Environment Protection Policy – Waters of Victoria and the Septic Tank Code of Practice 1996 published by the EPA
- The means, location, implementation and management of erosion control of the creek/drainage line on the eastern edge of the property
- Treatment of site runoff and stormwater drainage

Design and Siting Issues

- The design, colours and materials to be used and the siting, including the provision of development and effluent envelopes for any building or works
- The impact of the use or development on the existing and surrounding rural uses
- The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be taken to minimise any adverse impacts
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities

25/08/2022
C208melt

SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6**

REMAND CENTRE AT TRUGANINA

Purpose

To facilitate the development of a remand centre in accordance with a Correctional Facility Development Plan.

To ensure that development and use of the correctional facility occurs with minimum negative impact on surrounding land uses.

To encourage a form of development that will enhance the visual quality of the surrounding area.

To provide for correctional facility industries, prisoner education, recreation, visitor and health service facilities and any other facility necessary for the operation of an international best practice correctional facility.

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.
Corrective Institution	Must be in accordance with the Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Industry (other than Automated collection point)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use

2.0 Use of land

19/01/2006
VC37

The use of the land for a remand centre may include facilities for education and training of prisoners and for visitors, recreation and health services.

3.0 Buildings and works

19/01/2006
VC37

Permit requirement

A permit is not required to construct a building or construct and carry out works for a remand centre.

All buildings and works must comply with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning.

4.0 Correctional Facility Development Plan

19/01/2006
VC37

Before any use or development commences (excluding demolition and internal building works), a Correctional Facility Development Plan must be prepared in accordance with the purpose of the zone to the satisfaction of the Minister for Planning.

The Correctional Facility Development Plan must include:

- Site plans at a scale of not less than 1:2000 showing:
  - the proposed location (excluding internal building layout), type, design and where appropriate, the height and colour of all buildings and works;
  - all fencing;
  - all security lighting, including a statement of lighting intensity and indicative hours of operation;
- Stormwater management details, including discharge points and water quality management;
- Details of Emergency Management Plans;
- the proposed access to and egress from the site and location of vehicle parking areas for employees and visitors, of access for public transport, of loading areas for service providers and of roads and accessways within the site; and the number, location, size and form of all signs proposed to be erected
- Principal view corridors into the site, particularly from existing dwellings and roads.
- Details, including plans, of the proposed landscape treatment of the site, including:
  - location and type of existing vegetation indicating what is to be removed and what is to be retained;
  - location and type of proposed additional plantings;
  - The staging of screening vegetation to achieve maximum effect as quickly as possible.
- Details of any public address, alarm, amplified music or other such system that may be audible beyond the boundary of the site, including indicative locations, hours of operation and volume.
- Details of the waste disposal system, including appropriate details to the satisfaction of Environment Protection Authority for obtaining a Works Approval for installation of a packaged sewerage treatment plant.

The Correctional Facility Development Plan may be modified to the satisfaction of the Minister for Planning after consultation with the responsible authority.

5.0 Decision Guidelines

19/01/2006
VC37

When considering the Correctional Facility Development Plan, the Minister for Planning must consider:

- The views of the responsible authority.
- The views of the Roads Corporation in relation to noise attenuation measures.

- Potential off-site effects, including those associated with:
  - lighting;
  - noise;
  - traffic access and parking generated by employees, visitors and service providers visual impact, including view corridors into the site; and
  - landscaping design and treatment.
- The impact of vegetation removal.
- The effect of the prison on existing uses of nearby land.
- The effect of existing land uses on prison operations.

25/08/2022
C208melt

SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ7.**

MELTON HARNESS RACING CENTRE

Purpose

To provide for areas to be used as a harness racing centre and associated uses.

1.0
14/11/2022
VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Animal training	
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 **Car park** **Food and drink premises** **Gambling premises** **Home based business** **Horse stables**	
Major sports and recreation facility **Minor sports and recreation facility**	Must be in accordance with a Development Plan approved by the Responsible Authority.
Office with a floor area of not more than 500sqm **Place of assembly** **Residential hotel** **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08-2
Motel	
Search for stone	Must not be costeaning or bulk sampling
Veterinary clinic	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Bottle shop **Industry (other than Automated collection point)**	

Use	Condition
Market	
Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)	
Restricted retail premises	Must only include Equestrian supplies
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house, Motel and Residential hotel)
Adult sex product shop
Brothel
Extractive industry
Utility installation (other than Minor utility installation)
Warehouse

2.0 Use of land

25/08/2022 C208melt

None specified.

3.0 Subdivision

25/08/2022 C208melt

A permit is required to subdivide land.

Exemptions

An application for 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 appeal 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 school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

4.0 Buildings and works

25/08/2022 C208melt

A permit is required to construct a building or to construct or carry out works.

Application requirements

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

- Any Development Plan approved for the site.
- The location and type of landscaping to be provided.
- Provision for access to and from the site.

Exemption from notice and appeal

Any application to construct a building or to construct or carry out works that is in accordance with a Development Plan approved by the Responsible Authority 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

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 areas, including the relationship with the Toolern Employment Precinct.
- The location and type of access to the site.
- The appearance of buildings having regard to surrounding areas.
- The provision of landscaping.
- The provision of car parking.
- Loading and service areas.

5.0 Signs

25/08/2022
C208melt

Sign requirements are at Clause 52.05. All land located within this zone is in Category 2.

25/08/2022
C208melt

SCHEDULE 8 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ8.**

PRISON PRECINCT

Purpose

To facilitate the development of land within the prison precinct in accordance with a Correctional Facility Development Plan.

To ensure that development and use of a correctional facility occurs with minimum negative impact on surrounding land uses.

To encourage a form of development that will enhance the visual quality of the surrounding area.

To provide for correctional facility industries, prisoner education, recreation, visitor and health service facilities and any other facility necessary for the operation of an international best practice correctional facility.

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.
Corrective institution	Must be in accordance with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning
Mineral exploration	Must meet the requirements of Clause 52.08-2
Mining	
Search for stone	Must not be costeaning or bulk sampling
Utility installation	Must be in association with a corrective institution
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Industry (other than Automated collection point)	
Any other use not in Section 1	

Section 3 - Prohibited

Use
None specified

2.0 Use of land

25/08/2022
C208melt

The use of the land for a corrective institution may include facilities for education and training of prisoners and visitors, recreation and health services.

3.0 Subdivision

25/08/2022
C208melt

None specified.

4.0 Buildings and works

25/08/2022
C208melt

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

All buildings and works associated with a prison must be generally in accordance with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning.

5.0 Signs

25/08/2022
C208melt

None specified.

6.0 Correctional Facility Development Plan

Before any use or development commences (excluding demolition and internal building works), a Correctional Facility Development Plan must be prepared to the satisfaction of the Minister for Planning. A Correctional Facility Development Plan may be prepared in stages, or there may be separate Correctional Facility Development Plans prepared and approved for land within the prison precinct. Any approved Correctional Facility Development Plan may be modified to the satisfaction of the Minister for Planning.

A Correctional Facility Development Plan must show or include (where relevant):

- Site plans at a scale of not less than 1:2000 showing:
  - the proposed location of the prison perimeter, general zones for buildings and works, and indicative height and type of all buildings.
  - the setback of buildings from any adjacent development and from the Deer Park Bypass, addressing any safety and security issues associated with the bypass as necessary.
  - conceptual details of the proposed secure perimeter wall.
  - security lighting, including a statement of lighting intensity and indicative hours of operation;
  - a vehicle management concept plan, which identifies: access to and egress from the site; the location of vehicle parking areas for employees and visitors; access for public transport; and the location of roads and accessways external to the site.
  - the proposed landscape treatment of the site.
- Details of principal view corridors into the site.
- A Traffic Impact Assessment which addresses anticipated traffic volumes and impacts on the surrounding road network.
- A Noise Management Plan which addresses noise impacts from the bypass and management of noise amenity external to the site.
- A Remediation Plan for management of any contamination.
- An Environmental Management Plan, to the satisfaction of the Department of Sustainability and Environment, that:

- addresses any biodiversity obligations of The Environment Effects Act 1978, The Environment Protection and Biodiversity Conservation Act 1999, and the Flora & Fauna Guarantee Act 1988;
- provides details of the flora, fauna and heritage features of the site;
- provides an offset plan for any native vegetation loss, prepared in accordance with Victoria's Native Vegetation Management – A Framework for Action; and
- includes details of any potential impacts (if any) on the adjacent conservation reserves arising from the construction or carrying out of any buildings and works on the land (including site drainage, removal or planting of any vegetation, erection of fencing, etc).

7.0 Requirement before commencement of use or building and works

Other than land within the current boundaries of the Metropolitan Remand Centre, Middle Road, Ravenhall, as identified in the Correctional Facility Development Plan endorsed plan dated 19/12/2003, and the current boundaries of the Prison Compound (not the buffer area) of the Metropolitan Women's Prison, Riding Boundary Road, Deer Park, as identified in the Prison Development Plan, Proposed Metropolitan Women's Prison, dated April 1995 before the use of the land for a corrective institution commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land (or stage) in accordance with Part IXD of the Environmental Protection Act 1970; or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land (or stage) are suitable for the sensitive use.

8.0 Decision Guidelines

When considering a Correctional Facility Development Plan, the Minister for Planning may consider:

- The views of the relevant Councils.
- The views of the Roads Corporation in relation to noise attenuation measures associated with the Deer Park Bypass.
- The views of the Department of Sustainability and Environment in relation to the preparation and approval of the Environmental Management Plan, as a component of the Correction Facility Development Plan.
- Potential off-site effects, including those associated with:
  - lighting;
  - noise;
  - traffic access and parking generated by employees, visitors and service providers
  - visual impact, including view corridors into the site; and
  - landscaping.
- The effect of the prison on existing uses of nearby land.
- The effect of existing land uses on prison operations.

01/02/2018
C147

SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ9**.

KORORROIT PRECINCT STRUCTURE PLAN – ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with the *Kororoit Precinct Structure Plan*.

1.0 Table of uses

14/11/2022
VC227

Any requirement in the Table of uses and any requirement specified in this schedule or the *Kororoit Precinct Structure Plan* applying to the land must be met.

A permit granted must be generally in accordance with the *Kororoit Precinct Structure Plan* applying to the land.

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	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Abattoir
Accommodation
Amusement parlour
Brothel
Child care centre
Cinema based entertainment facility
Display home
Education centre
Funeral parlour

Use
Hospital
Industry (other than Automated collection point and Rural industry)
Intensive animal husbandry
Office
Place of assembly (other than Carnival and Circus)
Research centre
Retail premises (other than Landscape gardening supplies, Market, and Primary produce sales)
Rice growing
Service station
Transport terminal
Veterinary centre
Warehouse

2.0 Use of land

01/02/2018
C147

An application for the use of land which is generally in accordance with the *Kororoit Precinct Structure Plan* applying to the 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.

3.0 Subdivision

01/02/2018
C147

A permit granted must:

- Be generally in accordance with the *Kororoit Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Kororoit Precinct Structure Plan*.

An application for subdivision of land which is generally in accordance with the *Kororoit Precinct Structure Plan* applying to the 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 Buildings and works

01/02/2018
C147

A permit granted must:

- Be generally in accordance with the *Kororoit Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Kororoit Precinct Structure Plan*.

An application to construct a building or to construct or carry out works which is generally in accordance with the *Kororoit Precinct Structure Plan* applying to the 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.

5.0 Signs

25/08/2022
C208melt

Sign requirements are at Clause 52.05. All land located within this zone is in Category 4.

01/02/2018
C146

SCHEDULE 10 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ10**.

PLUMPTON PRECINCT STRUCTURE PLAN – ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with the *Plumpton Precinct Structure Plan*.

1.0
14/11/2022
VC227

Table of uses

Any requirement in the Table of uses and any requirement specified in this schedule or the *Plumpton Precinct Structure Plan* applying to the land must be met.

A permit granted must be generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land.

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	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Abattoir
Accommodation
Amusement parlour
Brothel
Child care centre
Cinema based entertainment facility
Display home
Education centre
Funeral parlour

Use
Hospital
Industry (other than Automated collection point and Rural industry)
Intensive animal husbandry
Office
Place of assembly (other than Carnival and Circus)
Research centre
Retail premises (other than Landscape gardening supplies, Market, and Primary produce sales)
Rice growing
Service station
Transport terminal
Veterinary centre
Warehouse

2.0 Use of land

01/02/2018
C146

An application for the use of land which is generally in accordance with the *Plumpton Precinct Structure Plan* applying to the 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.

3.0 Subdivision

01/02/2018
C146

A permit granted must:

- Be generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Plumpton Precinct Structure Plan*.

An application for subdivision of land which is generally in accordance with the *Plumpton Precinct Structure Plan* applying to the 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 Buildings and works

01/02/2018
C146

A permit granted must:

- Be generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Plumpton Precinct Structure Plan*.

An application to construct a building or to construct or carry out works which is generally in accordance with the *Plumpton Precinct Structure Plan* applying to the 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.

5.0 Signs

25/08/2022
C208melt

Sign requirements are at Clause 52.05. All land located within this zone is in Category 4.

12/09/2017
C162

SCHEDULE 11 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ11.**

MT ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN – ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

1.0 Table of uses

14/11/2022
VC227

Any requirement in the Table of uses and any requirement specified in this schedule or the Mt Atkinson & Tarneit Plains Precinct Structure Plan must be met.

A permit granted must be generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

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.
Crop raising **Extensive animal husbandry** **Home occupation**	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or 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: ▪ 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 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 **Mail centre** **Minor utility installation** **Railway**	

Use	Condition
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or 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.
Shipping container storage	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or 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: ▪ 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. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Shipping containers must be set back 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.
Tramway	
Warehouse (other than Mail centre and Shipping container storage)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or 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: ▪ 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 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 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, Extensive animal husbandry, and Intensive animal husbandry) **Caretaker's house** **Convenience shop**	
Education centre	Must not be a primary or secondary school.
Leisure and recreation (other than Informal outdoor recreation)	
Materials recycling	The land must be at least 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.
Office	
Place of assembly (other than Carnival and Circus) **Restricted retail premises** **Retail premises (other than Shop)**	
Transfer station (other than Automated collection point)	The land must be at least 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.
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 a residential zone, Capital City Zone or 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.
Any other use not in Section 1 or 3 or a use in Section 1 where the condition is not met.	

Section 3 – Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility

Use
Hospital
Intensive animal husbandry
Shop (other than Adult product shop, Convenience shop and Restricted retail premises)

2.0 Use of land

12/09/2017
C162

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:

Application requirements

An application to use land for 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 Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 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 2000 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.

An application for the use of land which is generally in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure 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.

3.0 Subdivision

12/09/2017
C162

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:

- Be generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
- Include any conditions or requirements specified in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

An application for the subdivision of land which is generally in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure 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.

4.0 Buildings and works

12/09/2017
C162

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

A permit granted must:

- Be generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
- Include any conditions or requirements specified in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan.*

An application to construct a building or construct or carry out works which is generally in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure 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.

5.0 Signs

25/08/2022
C208melt

Sign requirements are at Clause 52.05. All land located within this zone is in Category 2 .

37.02 COMPREHENSIVE DEVELOPMENT ZONE

31/07/2018
VC148

Shown on the planning scheme map as **CDZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

37.02-1 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

37.02-2 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.

37.02-3 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 for residential development, 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.

Class of subdivision	Objectives and standards to be met
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

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.
- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

37.02-4 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

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 if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also 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.

37.02-5 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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1**.

CAROLINE SPRINGS TOWN CENTRE AREA

The Caroline Springs Town Centre Comprehensive Development Plan is the Comprehensive Development Plan for this area.

Land

Comprehensive Development Zone 1 and the Caroline Springs Town Centre.

The Comprehensive Development Plan applies to the Caroline Springs Town Centre.

Purpose

To identify land developed as the Caroline Springs Town Centre.

To provide a dynamic range and mix of commercial, retail, entertainment, residential, recreational, educational and community uses in the Caroline Springs Town Centre.

To provide for the development of the Town Centre generally in accordance with the Caroline Springs Town Centre Comprehensive Development Plan.

To achieve a high standard of urban design, public amenity and safety.

To establish higher order sub regional functions to reflect the sub regional status of the Town Centre.

To provide opportunities for medium and higher density residential development.

To implement the Melton East Structure Plan.

To implement the Melton East Strategy Plan Revised (1997).

To integrate Kororoit Creek as a feature of the Town Centre.

To provide a community focus in an accessible and convenient location.

To establish an attractive pedestrian scale for the Town Centre.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Accommodation (other than Bed and breakfast, Camping and caravan park, Corrective institution, Dwelling, Group accommodation and Host farm)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Art and craft centre	The site is identified for the use in a precinct plan approved by the responsible authority.

Use	Condition
	In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.
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 6 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. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.
Car park	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing layout, dimensions, access ways and landscaping to the satisfaction of the responsible authority.
Child care centre	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Cinema-based entertainment facility	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.
Display home	The site is identified for the use in a precinct plan approved by the responsible authority.
Dwelling	The site is identified for the use in a precinct plan approved by the responsible authority.
Education centre	The site is identified for the use in a precinct plan approved by the responsible authority.

Use	Condition
	In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Funeral parlour	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Home based business	
Leisure and recreation (other than Motor racing track and Paintball games facility)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Office	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the layout, elevations, dimensions, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Place of assembly (other than Carnival, Circus)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.

Use	Condition
Utility installation (other than Telecommunications facility)	
Retail premises (other than Shop)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the layout, elevations, dimensions, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Research and development centre	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area
Service industry (other than Motor repairs and Panel beating)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Service station	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
Shop	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, dimensions, car parking, access and landscaping approved to the satisfaction of the responsible authority.

Use	Condition
Transport terminal (other than Airport and Road freight terminal)	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area
Veterinary centre	The site is identified for the use in a precinct plan approved by the responsible authority. In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.
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 or school or land in a Public Acquisition Overlay to be acquired for a hospital or school
Amusement parlour **Heliport** **Hospital** **Motor repairs (other than Panel beating)**	
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. Must not be for a storage purpose listed in the Table to Clause 53.10.
Warehouse (other than Store and Fuel depot)	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 Must not be for a purpose listed in the table to Clause 53.10.

Use	Condition
Any Section 1 use - if the Section 1 condition is not met	
Any other use not in Section 1 or Section 3	

Section 3 - Prohibited

Use
Airport
Agriculture (other than Apiculture)
Brothel
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Freeway service centre
Fuel depot
Industry (other than Automated collection point, Research and development centre and Service industry)
Motor racing track
Panel beating
Paintball games facility
Road freight terminal
Saleyard

2.0 Caroline Springs Town Centre Comprehensive Development Plan

The Caroline Springs Town Centre Comprehensive Development Plan identifies the area developed for the Caroline Springs Town Centre and associated uses. The plan shows the general location of the Town Centre, the indicative main road frontages and the indicative arrangement of land uses proposed within the Town Centre.

The Caroline Springs Town Centre Comprehensive Development Plan describes the vision for the Town Centre and includes design objectives for its development.

3.0 Precinct Plan

Before land is subdivided or buildings or works are constructed, a precinct plan for all or part of the land must be prepared and approved to the satisfaction of the responsible authority. A precinct plan may be amended at any time to the satisfaction of the responsible authority.

All subdivision and buildings and works must be generally in accordance with the approved precinct plan.

A precinct plan must be generally consistent with the Caroline Springs Town Centre Comprehensive Development Plan to the satisfaction of the responsible authority.

A precinct plan must provide or contain the following information as appropriate:

- The proposed land uses;
- A response to the design objectives and principles contained in the Caroline Springs Town Centre Comprehensive Development Plan
- Details of roads, including pavement widths;
- A parking plan including the number of car parking spaces provided for particular uses; the basis on which the car parking rate is justified and the internal layout of the car parking areas,
- The staging of development;
- The relationship of the land to the existing or proposed land uses on adjoining land; and appropriate interface treatments particularly for residential uses;
- Buildings envelopes showing building heights, massing, and indicative scale;
- Pedestrian and bicycle paths, if provided;
- Areas available to the public and any recreation or other public facilities to be provided;
- Public transport facilities, if provided;
- Traffic Management Plan;
- Proposed landscaping and the urban design theme for public areas; and
- Any other relevant information.

Exemption from Clause 52.06- Car Parking

Clause 52.06 does not apply to a use shown in an approved precinct plan; provided the car parking numbers and arrangements are in accordance with the approved parking plan.

4.0 Use of land

25/08/2022
C208melt

The use of land must be generally in accordance with the Caroline Springs Town Centre Comprehensive Development Plan and any relevant approved precinct plan.

Exemption from notice and review

An application for a Section 2 Use on a site that is identified for the use in an approved precinct 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.

5.0 Subdivision

25/08/2022
C208melt

A permit is required to subdivide land. An application must be referred to a referral authority listed in Clause 66.

Exemption from notice and review

An application for subdivision which is generally consistent with an approved precinct 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.

Decision guidelines

Before deciding an application to subdivide land in addition to the decision guidelines in Clause 65, the responsible authority must consider the Caroline Springs Town Centre Comprehensive Development Plan.

Construction and extension of single dwellings on lots of at least 300 square metres

A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres.

6.0 Construction and extension of single dwellings on lots of at least 300 square metres

A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres.

7.0 Construction and extension of medium-density housing and residential buildings

Application requirement

An application:

- To construct or extend one dwelling on a lot of less than 300 square metres;
- To construct a dwelling if there is at least one dwelling on the lot;
- To construct two or more dwellings on a lot;
- To extend a dwelling if there are two or more dwellings on the lot;
- To construct or extend a residential building.

must be accompanied by a neighbourhood and site description and design response as described in Clause 55.01.

This does not apply to the construction of one dependent person's unit on a lot.

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.

Satisfactory neighbourhood and site description

The responsible authority:

- Must inform the applicant in writing:
  Before deciding an application that the neighbourhood and site description meets the requirements of Clause 51.01-1 and is satisfactory or does not meet the requirements of Clause 51.01-1 and is not satisfactory.
  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.
- 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.

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, the Planning Policy Framework and local planning policies.
- The provisions of Clause 54 or clause 55. This does not apply to a development of five or more storeys, excluding a basement.

8.0 Buildings and works

25/08/2022
C208melt

Permit requirement

A permit is required to construct a building or construct or carry out works for a use in Section 2 of this Clause.

A permit is not required to construct a building or construct or carry out works for a use in Section 1 of this Clause.

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
- The location, height and purpose of buildings and works on adjoining land
- Existing ground levels
- The layout of existing and proposed buildings and works
- All driveways, car parking and loading areas
- Proposed landscaping
- All external storage and waste treatment areas.

Elevations drawn to scale and showing the colour and materials of all buildings and works.

Exemption from notice and appeal

An application for buildings and works in association with a Section 2 use 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 an application, in additional to the decision guidelines in Clause 65, the Responsible Authority must consider the Caroline Springs Town Centre Comprehensive Development Plan and any relevant approved precinct plan.

9.0 Signs

25/08/2022
C208melt

Sign requirements are at Clause 52.05. This zone is in Category 1.

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.

25/08/2022
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SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0 Application requirements

25/08/2022
C208melt

None specified.

2.0 Decision guidelines

25/08/2022
C208melt

None specified.

3.0 Signs

25/08/2022
C208melt

Land	Sign Category
None specified	

37.07 URBAN GROWTH ZONE

31/07/2018
VC148

Shown on the planning scheme map as **UGZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

To contain urban use and development to areas identified for urban development in a precinct structure plan.

To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.

To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Application of provisions

Part A – No precinct structure plan applies

The provisions of Clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

Part B – Precinct structure plan applies

The provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

Precinct structure plan provisions

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

37.07-1 Table of uses

14/11/2022
VC227

Section 1 – Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
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.
Dependent person's unit	Must be the only Dependent person's unit on the lot. Must meet the requirements of Clause 37.07-2.

Use	Condition
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. The lot must be at least 40 hectares. Must meet the requirements of Clause 37.07-2.
Grazing animal production **Home based business** **Informal outdoor recreation**	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Railway	
Rural industry (other than Abattoir and Sawmill)	Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown 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 cente 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.
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling, and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Tramway	

Use	Condition
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required

Use	Condition
Abattoir	
Animal production (other than Grazing animal production, Intensive animal production and Poultry farm)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must be no more than 10,000 chickens.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cemetery **Crematorium**	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 37.07-2.
Display home centre	
Domestic animal boarding	
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.
Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met	Must be no more than 2 dwellings on the lot. Must meet the requirements of Clause 37.07-2.
Education centre (other than child care centre) **Emergency services facility**	
Freeway service centre	Must meet the requirements of Clause 53.05.
Industry (other than Automated collection point and Rural Industry)	
Racing dog husbandry	Must be no more than 5 animals.
Trade supplies **Utility installation (other than Minor utility installation and Telecommunications facility)** **Veterinary centre** **Warehouse (other than Rural store)** **Winery**	

Use	Condition
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Amusement parlour
Brothel
Child care centre
Cinema based entertainment facility
Intensive animal production
Nightclub
Office (other than Medical centre and Real estate agency)
Renewable energy facility
Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)
Saleyard
Timber production

37.07-2 Use of land for a dwelling

01/07/2021
VC203

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each 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.

These requirements also apply to a dependent person's unit.

37.07-3 Subdivision

16/04/2014
VC111

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

37.07-4 Buildings and works

20/01/2022
VC205

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 37.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is no more than 100 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is no more than 200 square metres. The building must not be used to keep, board, breed or train animals.
- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- Earthworks which increase the discharge of saline water.
- A building which is within any of the following setbacks:
  - 100 metres from 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.
  - 40 metres from a road in a Transport Zone 3 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is not the acquiring authority.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential zone or urban growth zone where a precinct structure plan applies.

37.07-5 Referral of applications

08/08/2019
VC159

An application of the kind listed below must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03.

- An application to use or develop land for any of the following:
  - Display home centre.
  - Education centre.
  - Hospital.
  - Industry.

- Medical centre.
- Place of worship.
- Real estate agency.
- Warehouse.

- An application to subdivide land to create a lot smaller than 40 hectares in area.

37.07-6 Environmental audit

04/05/2022
VC210

Before a pre-school centre, primary school or secondary school commences on potentially contaminated land, or before the construction or carrying out of buildings and works in association with a pre-school centre, primary school or secondary school commences on potentially contaminated land:

- 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 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.

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 pre-school centre, primary school or secondary school, 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 an 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.

37.07-7 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 effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
  - Any relevant Growth Corridor Framework Plan.
  - Any precinct structure plan being prepared for the area.
  - Any comments or directions of the referral authority.

- Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

37.07-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. The zone is in Category 3.

Despite the provisions of Clause 52.05-13, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes the sale of land or dwellings.

37.07-9 Table of uses

03/02/2022
VC199

Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Table of uses

Section 1 – Permit not required

Use	Condition
Any use in Section 1 of a zone applied by the schedule to this zone	Must comply with any condition opposite the use in Section 1 of the applied zone. Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.
Any use specified in the schedule to this zone as a use for which a permit is not required	Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.

Section 2 – Permit required

Use	Condition
Any use in Section 2 of a zone applied by the schedule to this zone	Must comply with any condition opposite the use in Section 2 of the applied zone.

Use	Condition
	Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.
Any use specified in the schedule to this zone as a use for which a permit is required	Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Any use in Section 3 of a zone applied by the schedule to this zone
Any use specified in the schedule to this zone

37.07-10 Subdivision of land

23/09/2011
VC77

A permit is required to subdivide land. Any requirement in the schedule to this zone or the precinct structure plan must be met.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-11 Buildings and works

23/09/2011
VC77

If the schedule to this zone specifies:

- That the provisions of a zone apply to the development of land, the provisions of the zone apply to land in the circumstances specified in the schedule.
- Provisions relating to the development of land, those provisions apply to land in the circumstances specified in the schedule.

If the schedule to this zone specifies that a permit is required to construct a building or construct or carry out works, a permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-12 Application requirements

10/06/2008
VC48

An application to use or subdivide land, construct a building or construct or carry out works, must be accompanied by any information specified in the schedule to this zone.

37.07-13 Exemption from notice and review

25/05/2017
VC133

An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the 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, unless the schedule to this zone specifies otherwise.

37.07-14 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.
- Any relevant Growth Area Framework Plan.
- The precinct structure plan applying to the land, including the vision and objectives of the precinct structure plan.
- Any guidelines in the schedule to this zone.

37.07-15 Inconsistencies between specific and applied zone provisions

10/06/2008
VC48

If there is an inconsistency between the specific provisions specified in the schedule to this zone and the provisions of a zone applied by the schedule to this zone, the specific provisions prevail to the extent of any inconsistency.

37.07-16 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ1**.

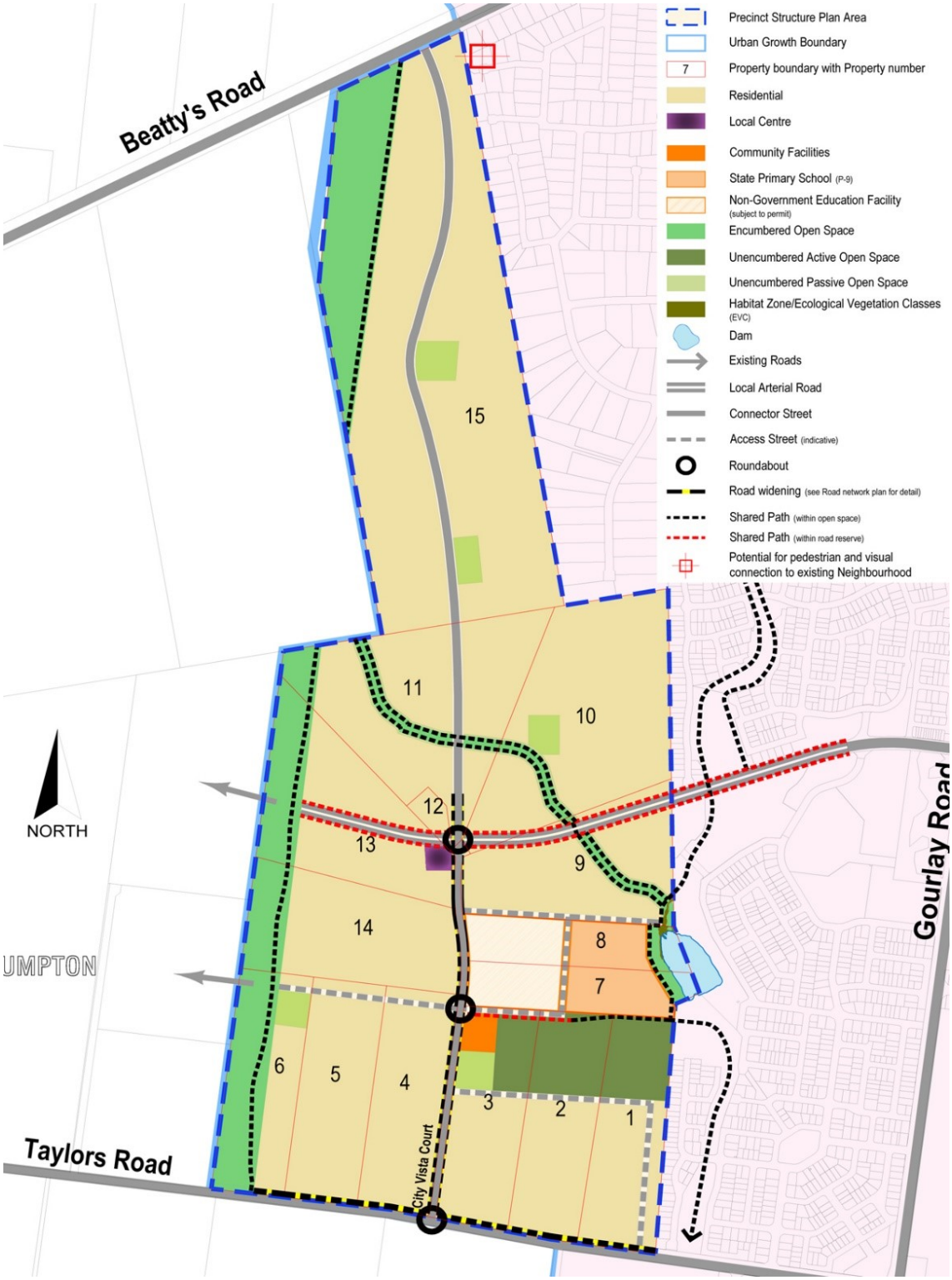
TAYLORS HILL WEST PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 to Schedule 1 to Clause 37.07 shows the Future Urban Structure for Taylors Hill West. It is a reproduction of Plan 5 in the Taylors Hill West Precinct Structure Plan.

Plan 1 to Schedule 1 to Clause 37.07



2.0 Use and development

25/08/2022
C208melt

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to all land shown as UGZ1 in the planning scheme maps.

2.2 Applied zone provisions

25/08/2022
C208melt

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and construction and carrying out of works generally in accordance with Plan 1 of this Schedule.

Table 1: Applied zone provisions

Land shown on Plan 1 of this schedule	Applied zone provisions
Local centre	Clause 34.01 – Commercial 1 Zone
Habitat Zone/Ecological Vegetation Class (EVC) and land within 20 metres of Habitat Zone/Ecological Vegetation Class (EVC)	Clause 35.06 – Rural Conservation Zone (RCZ2)
All other land	Clause 32.08 – General Residential Zone

The boundary of the local centre with the applied Commercial 1 Zone is to be determined by the designation of land on the south west corner of City Vista Court and Hume Drive in a plan of subdivision as a local centre to the satisfaction of the responsible authority.

2.3 Specific provisions – Use of land

25/08/2022
C208melt

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office (other than Medical centre) where the applied zone is General Residential Zone	A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.

Table 3: Shop use where the applied zone is Commercial 1 Zone

Use	Requirement
Shop	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 900 square metres.

2.4 Specific provisions - Subdivision

25/08/2022
C208melt

None specified.

2.5 Specific provisions - Buildings and works

25/08/2022
C208melt

Dwellings on a lot less than 300 square metres

A permit is required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

3.0 Application requirements

25/08/2022
C208melt

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application. The responsible authority may waive or reduce these application requirements.

An application for a residential subdivision of 10 lots or more must be accompanied by a written statement that sets out how the proposed subdivision implements the Housing element of the precinct structure plan applying to the land to the satisfaction of the responsible authority. The responsible authority may waive or reduce these application requirements.

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of road works internal to the land consistent with any relevant traffic report or assessment
- the landscaping of any land
- the provision of public open space and land for any community facilities
- what, if any, infrastructure set out in the Taylors Hill West Development Contributions Plan is sought to be provided as "works in lieu' subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application to subdivide land or construct or carry out buildings and works on that part of a parcel of land identified as native vegetation to be protected, or land within 20 metres of land identified as native vegetation to be protected, must be accompanied by the following information:

- A targeted survey for Spiny Rice Flower to the satisfaction of the Department of Sustainability and Environment. If any Spiny Rice Flower are identified a Conservation Management Plan must be prepared for this species to the satisfaction of the Department of Sustainability and Environment.
- A targeted survey for Small Scurf Pea to the satisfaction of the Department of Sustainability and Environment. If any Small Scurf Pea are identified a Conservation Management Plan must be prepared for this species to the satisfaction of the Department of Sustainability and Environment.
- A conservation management plan for Bibron's Toadlet and the Growling Grass Frog (GGF) to the satisfaction of Department of Sustainability and Environment.

4.0 Conditions and requirements for permits

25/08/2022
C208melt

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan) are implemented as part of the planning permit or the plans endorsed under the permit.

Land required for community facilities, public open space or public roads must be shown on a plan of certification as a reserve in favour of Melton City Council or another relevant person or body.

Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 4 of the Building Regulations) to the satisfaction of the responsible authority.

The approved building envelopes must be applied as a restriction on the plan of subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot
- All buildings to confirm to the building envelope on the relevant lot
- The construction of a building outside the building envelope only with the written consent of the responsible authority
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required, enter into an agreement or agreements under section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Any permit issued for land identified as native vegetation to be protected, or land within 20 metres of land identified as native vegetation to be protected:

- Must be consistent with any conservation management plan applying to the land.
- Must require any relevant conservation actions, as set out in an approved conservation management plan, to be carried out to the satisfaction of the responsible authority.

Any permit granted to develop land must contain the following conditions:

- If individual Striped Legless Lizards occur on the land a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and must be submitted to and approved by the responsible authority.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application for the use of land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not 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 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

The following sign categories in this scheme apply by reference to Plan 1 of this Schedule.

Table 3: Signs

Land shown on Plan 1 of this schedule	Sign category
Local centre	Category 1
Residential	Category 3
All other land	Category 4

7.1 Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

7.2 Education promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes an education centre on land identified as education, community and district sports reserve on Plan 1 to this schedule.

7.3 Office and convenience shop signs in residential areas

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for a convenience shop or office on the same land
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties
- The sign is maintained to a high standard.

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**.

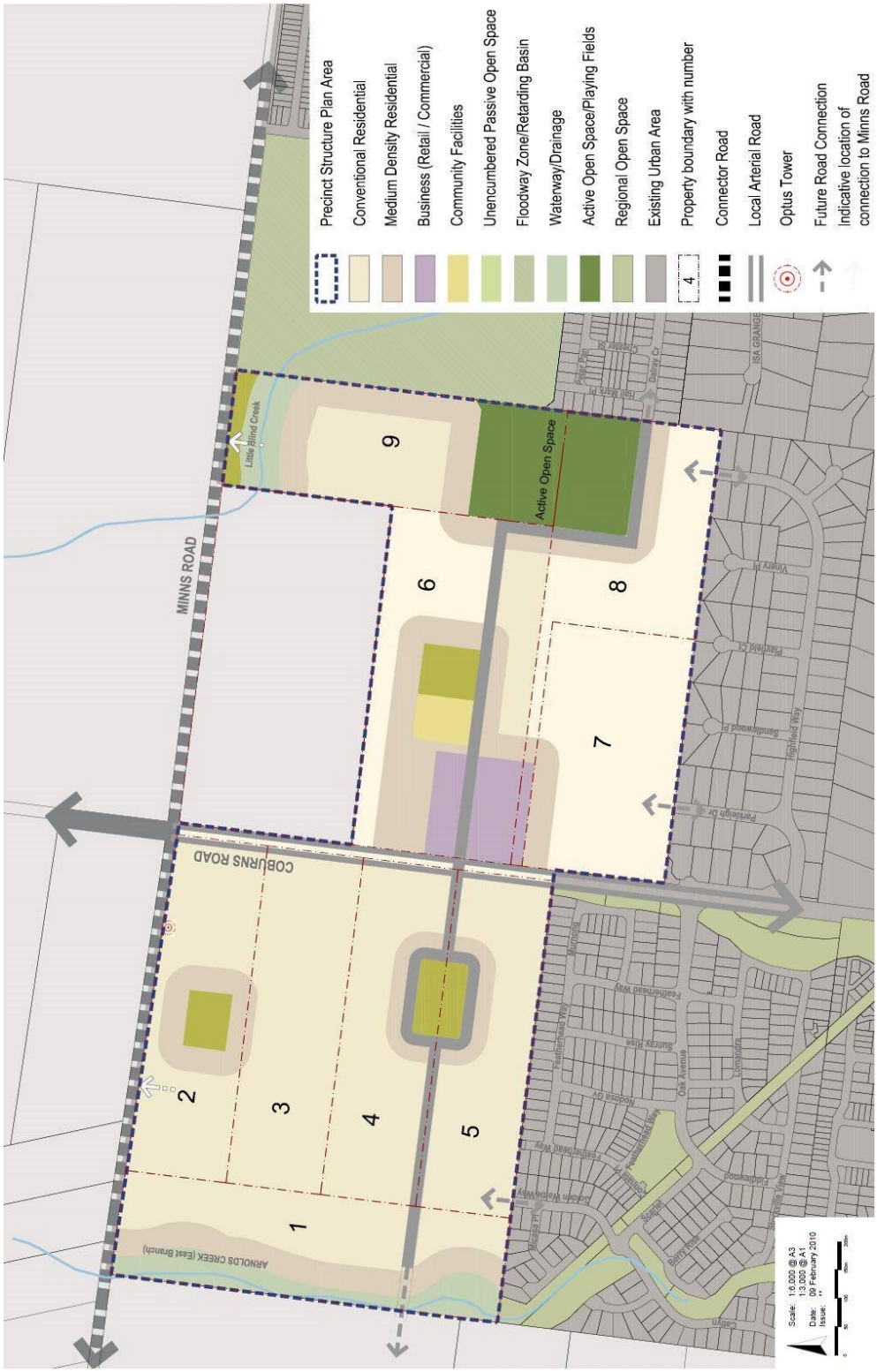
MELTON NORTH PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure in the Melton North Precinct Structure Plan.

Plan 1 to Schedule 2 to Clause 37.07



2.0 Use and development

25/08/2022
C208melt

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to all land shown as UGZ2 in the planning scheme maps.

2.2 Applied zone provisions

25/08/2022
C208melt

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works by reference to Plan 1 of this Schedule.

Table 1: Applied zone provisions

Land shown on Plan 1 of this schedule	Applied zone provisions
Business (retail/commercial)	**Clause 34.01 – Commercial 1 Zone**
All other land	**Clause 32.08 – General Residential Zone**

The precise boundary of the Commercial 1 Zone will be determined by the Urban Design Framework Plan approved under Clause 3.0 of this schedule.

2.3 Specific provisions – Use of land

25/08/2022
C208melt

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office (other than Medical centre) where the applied zone is General Residential Zone	A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.

Table 3: Shop use where the applied zone is Commercial 1 Zone

Use	Requirements
Shop	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 5000 square metres.

2.4 Specific provisions - Subdivision

25/08/2022
C208melt

None specified.

2.5 Specific provisions - Buildings and works

25/08/2022
C208melt

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres if:

- The fence is associated with one dwelling on the lot
- The fence meets the height requirements of Clause 54.06-2.

3.0 Application requirements

25/08/2022
C208melt

Town centre urban design framework

If land to the east of Coburns Road is shown as, or in the immediate vicinity of, a neighbourhood activity centre on Plan 1, a permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an Urban Design Framework for the activity centre has been prepared to the satisfaction of the responsible authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit will not prejudice the achievement of the objectives and planning and design guidelines for the activity centre set out in the incorporated precinct structure plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority.

Subdivision

An application must be accompanied by a Public Infrastructure Plan which addresses the following, as applicable:

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- the landscaping of any land
- the provision of public open space and land for any community facilities
- what, if any, infrastructure set out in the Melton North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the Housing Plan in the incorporated Melton North Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Melton North Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive the above requirements.

The Subdivision and Housing Design Guidelines may be amended by the responsible authority and the requirements waived with written consent of the responsible authority.

4.0 Conditions and requirements for permits

25/08/2022
C208melt

General

A planning permit must include a condition, or conditions, which ensures that any requirements or conditions set out in the Melton North Precinct Structure Plan are implemented as part of the planning permit or the plans endorsed under the permit.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must enter into an agreement or agreements under Section 173 of the Act which specifies the infrastructure required to be provided as a part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Land required for community facilities, public open space or public roads must be shown on a certified plan as a reserve in favour of Melton City Council.

Before the issue of a certificate of compliance for the subdivision (or a stage of the subdivision) a building envelope plan for each lot between 250 square metres and 300 square metres to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

The approved building envelopes must be applied as a restriction on the plan of subdivision or an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside the building envelope only with the written consent of the responsible authority
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Biodiversity

A permit to subdivide land, construct and/or carry buildings and works on any land must include the following condition, as appropriate:

- If individual Striped Legless Lizards occur on the land a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and must be submitted to and approved by the responsible authority.
- A targeted survey for Golden Sun Moth to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority and, where Golden Sun Moth is found on a parcel of land, an offset Plan for the removal of Golden Sun Moth habitat to the satisfaction of the Department of Sustainability and Environment. These offsets are to be directed to the Western Grassland Reserves, or as otherwise agreed to by the Department of Sustainability and Environment.

Where a permit to subdivide land, construct and/or carry buildings and works on 413-439 or 601-625 Minns Road, Kurunjang allows a disturbance to land along a drainage line:

- Prior to the commencement of works, a targeted survey for Small Scurf Pea must be conducted along the drainage line. If any Small Scurf Pea occurs on the land, a Conservation Management Plan must be prepared to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

In the event that there is an application to subdivide land, construct and/or carry out buildings and works (proposed actions) and:

- the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) ('the EPBC Act') has not made a decision as to whether or not the proposed action is a controlled action under the EPBC Act, and
- the proposed action falls within a class of actions approved pursuant section 146B(1) of the EPBC Act.

a permit may contain a condition or conditions, as appropriate, requiring the implementation of any relevant conditions imposed in relation to the approval of the class of actions under section 146B(2) of the EPBC Act.

5.0 Exemption from notice and review

25/08/2022
C208melt

None specified.

6.0 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

The following sign categories in this scheme apply by reference to Plan 1 of this Schedule.

Table 3: Signs

Land as shown on Plan 1 of this schedule	Sign category
Business (retail/commercial)	**Category 1**
All other land	**Category 3**

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

7.1 Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

11/02/2021
C207melt

SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ3**.

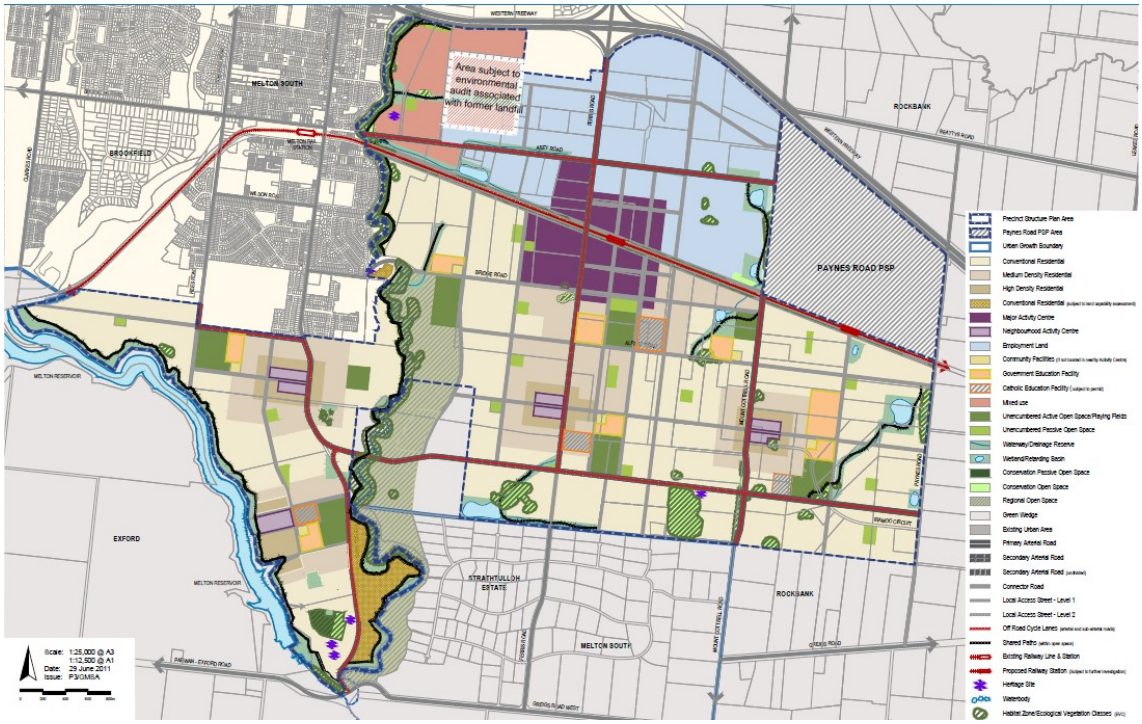
TOOLERN PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure proposed in the Toolern Precinct Structure Plan. It is a reproduction of Plan 5 in the Toolern Precinct Structure Plan.

Plan 1 to Schedule 3 to Clause 37.07



2.0 Use and development

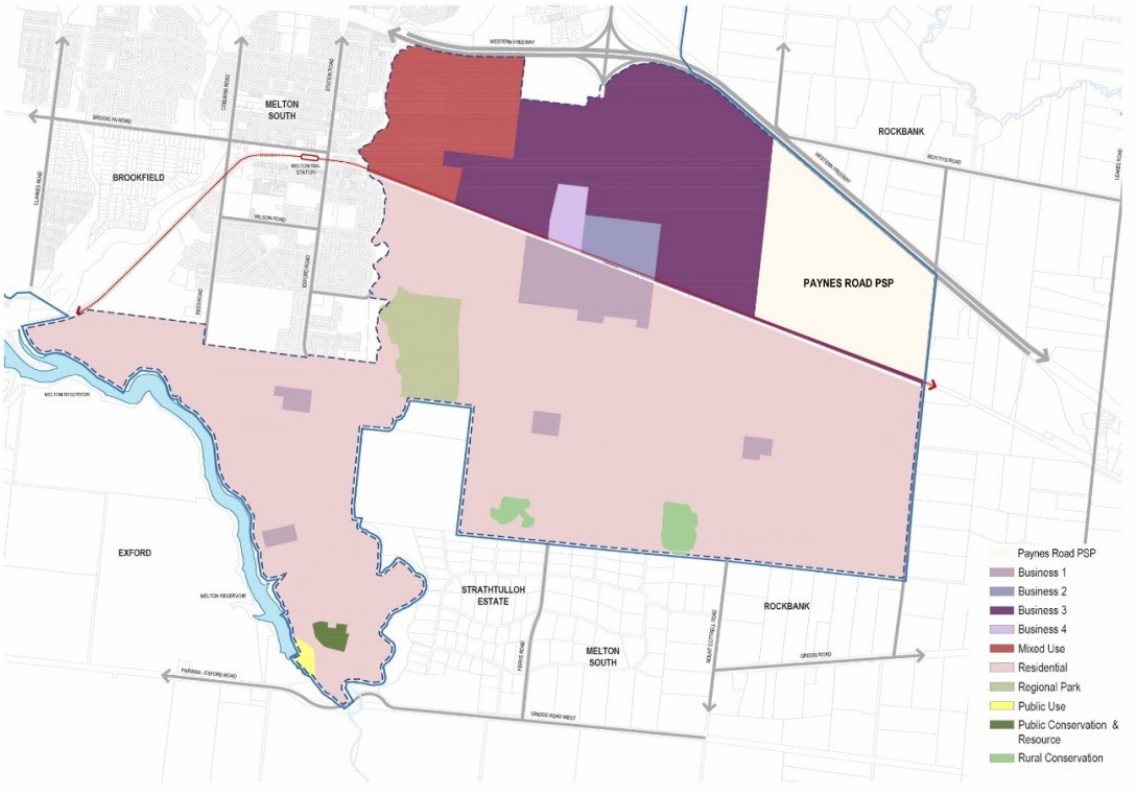
17/03/2016
C161

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land as shown below in Plan 2.

Plan 2 to Schedule 3 to Clause 37.07



2.2 Applied zone provisions

25/08/2022
C208melt

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building and construction and carrying out of works, by reference to Plan 2 of this schedule.

The precise boundary of the Business 1 area, Business 2 area and the Mixed Use Zone will be determined by the approved Urban Design Framework Plans.

Table 1: Applied zone provisions

Land as shown on Plan 2 of this Schedule	Applied zone provisions
Business 1	Clause 34.01 - Commercial 1 Zone
Business 2	Clause 34.01 - Commercial 1 Zone
Business 3	Clause 34.02 - Commercial 2 Zone
Business 4	Clause 34.02 - Commercial 2 Zone
Mixed Use	Clause 32.04 - Mixed Use Zone
Regional Park	Clause 36.02 - Public Park and Recreation Zone
Residential	Clause 32.08 – General Residential Zone
Rural Conservation	Clause 35.06 – Rural Conservation Zone
Public Use	Clause 36.01 - Public Use Zone – Schedule 1
Public Conservation & Resource	Clause 36.03- Public Conservation and Resource Zone

2.3 Special provisions – Use of land

25/08/2022
C208melt

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office (other than Medical centre) where the applied zone is General Residential Zone	A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor space for all shops exceeds the following areas (square metres) for the relevant centre as described in the Toolern Precinct Structure Plan: ▪ 30,000 – Toolern Major Town Centre ▪ 4000 – Exford Road Neighbourhood Activity Centre (north) ▪ 4000 – Exford Road Neighbourhood Activity Centre (south) ▪ 4000 – Ferris Road Neighbourhood Activity Centre
Shop (other than Adult product shop and Supermarket) where the applied zone is Commercial 2 Zone	The use is a Section 2 use.
Supermarket where the applied zone is Commercial 2 Zone	The use is a Section 2 use. 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.

Table 4: Use of land within the applied Commercial 1 Zone (west of Ferris Road, north of Bridge Road, and south of the Ballarat Railway Line)

Use	Requirement
Dwelling	No permit is required to construct a dwelling with a ground floor frontage greater than two metres.
Major sports and recreation facility	The use is a Section 2 use.

Table 5: Use of land within the applied Commercial 1 Zone (east of Ferris Road and north of the Ballarat Railway Line

Use	Requirement
Dwelling	No permit is required to construct a dwelling within a ground floor frontage greater than two metres.
Shop	A permit is required to use land for a shop if the leasable floor area exceeds 100 square metres.

2.5 Specific provisions - Buildings and works

25/08/2022
C208melt

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

A permit is not required to construct a fence within 3 metres of a street provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

2.6 Specific provisions – Resolution of doubt

25/08/2022
C208melt

If any doubt arises as to whether a provision specified in this schedule applies to land, a permit may be granted for any use or development if the responsible authority is satisfied that the use or development is generally in accordance with the incorporated Toolern Precinct Structure Plan.

2.7 Specific provisions – Major and Neighbourhood Activity Centres and Employment Land

25/08/2022
C208melt

If the land is shown as in or adjoining a Business 1, Business 2, Business 3 or Business 4 area on Plan 2, a permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an urban design framework for the activity centre or employment land has been prepared to the satisfaction of the responsible authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

The responsible authority may allow an Urban Design Framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority.

2.8 Specific provisions - Referral of applications

25/08/2022
C208melt

An application on land shown as ‘Major Activity Centre’ in Plan 1 to this schedule must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority

Unless a reduced distance is accepted by the Responsible Authority and Environment Protection Authority (EPA) based on the findings of a satisfactory environmental audit report, an application for residential subdivision and development of land within 500 metres of the former 22.18 hectares Melton landfill site on Ferris Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA.

An application for a sensitive use on land that is north of the railway line and within 440 metres of the boundary of the Technochem Australia Pty Ltd site at 41-53 Abey Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA and WorkSafe Victoria.

2.9 Specific provisions - Toolern Creek Park Western Interface

25/08/2022
C208melt

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within land located adjacent to the west of the Toolern Creek Park (shown as 'Toolern Creek Regional Park - western interface' on Plan 7 “Image & Character” of the Toolern Precinct Structure Plan) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

2.10 Specific provisions - Exford Rd Conservation Area

25/08/2022
C208melt

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within shown as the Exford Rd Conservation Area (on Plan 7 "Image & Character" of the Toolern Precinct Structure Plan) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

2.11 Specific provisions – North West Mixed Use Precinct Urban Design Framework

25/08/2022
C208melt

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within land shown as the North West Mixed Use Precinct Urban Design Framework Area (on Plan 7 "Image & Character" of the Toolern Precinct Structure Plan) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

3.0 Application requirements

25/08/2022
C208melt

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

3.1 Residential subdivision

11/11/2010
C84(Part 1)

In addition to the requirements of Clause 56.01, the site analysis and design response must show or address the following to the satisfaction of the responsible authority:

- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses carried out by a suitably qualified person.
- A Transport Impact Assessment Report to the satisfaction of the relevant Roads Authority (be it VicRoads or Council).
- An application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority.

The responsible authority may waive or reduce these application requirements.

3.2 All subdivision

03/10/2013
C134

- A Public Infrastructure Plan which addresses the following:
  - What land may be affected or required for the provision of infrastructure works;
  - The provision, staging and timing of any stormwater drainage works;
  - The provision, staging and timing of roadworks internal and external to the land consistent with any relevant traffic report or assessment;
  - The landscaping of any land
  - What, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as 'works in lieu' subject to the consent of Melton City Council; and
  - The provision of public open space and land for any community facilities.
  - Any other matter relevant to the provisions of public infrastructure required by the responsible authority

3.3 Subdivision – land that does not abut a linear corridor in or intended to be in public ownership

17/03/2016
C161

- An application for the subdivision of land that does not abut a linear corridor in or intended to be in public ownership must be accompanied by an Eastern Grey Kangaroo Management Plan that includes:
  - Strategies (ie. Staging) to avoid land locking Eastern Grey kangaroos;

  and where this is not practicable
  - Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Environment, Land, Water and Planning

4.0 Conditions and requirements for permits

25/08/2022
C208melt

General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Toolern Precinct Structure Plan and the Toolern Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Conditions for the first stage of development

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required by the Responsible Authority, enter into an agreement, or agreements, under Section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the Responsible Authority.

Conditions for subdivision applications requiring an Eastern Grey Kangaroo Management Plan

Any permit granted for subdivision must contain the following condition if an Eastern Grey Kangaroo Management Plan was required to be submitted with the permit application:

- The subdivision must implement the Eastern Grey Kangaroo Management Plan by either:
  - Proceeding in the order of stages as shown on the plan;

  and where this is not practicable
  - Implementing the management solutions and actions of the Plan.

Conditions – Salvage and Translocation

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning

Conditions – all buildings, subdivision and associated works application within 100 metres of the Toolern Creek, on land within the Precinct Structure Plan (Growling Grass Frog conservation management plan)

Any permit granted for buildings, subdivision and associated works must contain the following conditions:

- Prior to the commencement of works a Growling Grass Frog conservation management plan must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning and submitted to and approved by the responsible authority.
- The Growling Grass Frog conservation management plan must be implemented to the satisfaction of the responsible authority.

Conditions – all buildings, subdivision and works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning.
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
  - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of Environment, Land, Water and Planning

Conditions for subdivision or buildings and works permits where land is required for community facilities, public open space and road widening

Land required for community facilities, as set out in the Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Toolern Development Contributions Plan.

Land required for public open space as a local or district park as set out in the Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Toolern Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Toolern Development Contributions Plan.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant person or body

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a convenience shop or office in the General Residential Zone is not 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 Decision guidelines

25/08/2022
C208melt

Before deciding on an application to use land for a sensitive use on land shown as Mixed Use, Business 2, Business 3 or Business 4 on Plan 2, in addition to the decision guidelines in Clause 65 and Clause 37.07-14, the responsible authority must consider, as appropriate:

- The General Practice Note on Potentially Contaminated Land June 2005 (DSE).
- The status of any remediation being carried out at the former Melton landfill site on Ferris Road.
- The views of the EPA and WorkSafe Victoria if the land is north of the railway line and within 440 metres of 41-53 Abey Road, Melton (measured from the boundary of 41-53 Abey Road Melton).

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 2.

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

7.1 Land and home sales signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

7.2 Education promotion signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes an education centre on land identified as 'Education Facility', 'Community Facilities' or 'Unencumbered Active Open Space/Playing Fields' on Plan 1 to this schedule.

11/02/2021
C207melt

SCHEDULE 4 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ4**.

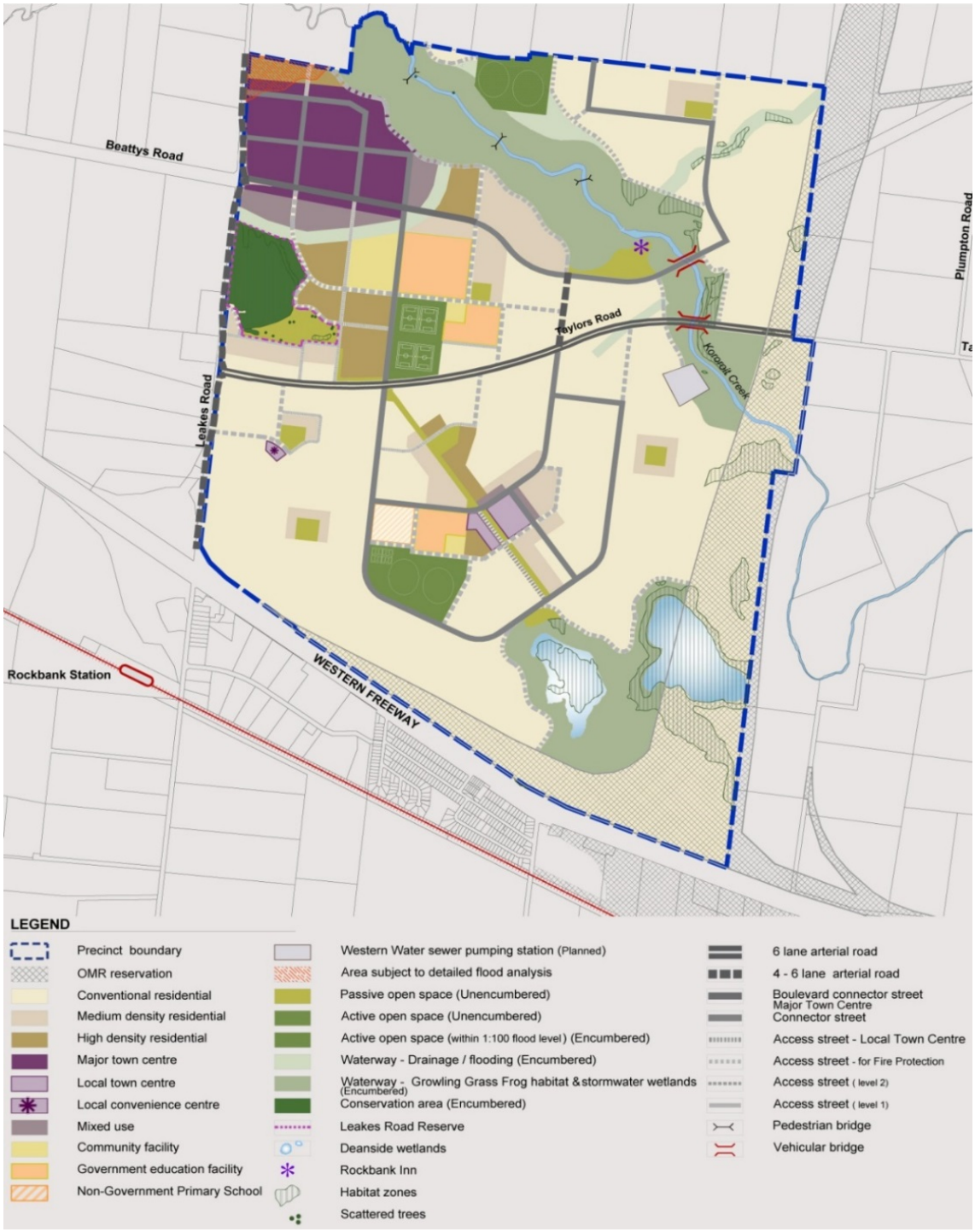
ROCKBANK NORTH PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure proposed for the *Rockbank North Precinct Structure Plan* (PSP) area. It is a reproduction of Plan 2 in the *Rockbank North Precinct Structure Plan*.

Plan 1 to Schedule 4 to Clause 37.07



2.0 Use and development

28/08/2014
C158

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land shown within the 'Precinct Boundary' on Plan 1 of this schedule and shown as UGZ4 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

01/08/2013
C148

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

Land use/ development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land.	Applied zone provisions
Leakes Road Reserve	Clause 36.03 – Public Conservation and Resource Zone
Local Town Centre **Major Town Centre**	Clause 34.01 – Commercial 1 Zone
Mixed Use	Clause 32.04 – Mixed Use Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

25/08/2022
C208melt

The following provisions apply to the use of land.Table 2: Use

Use	Requirement
Car Wash **Convenience Restaurant**	The site must adjoin or have access to a road identified in the precinct structure plan as an existing or future arterial road.
Office (other than Medical centre)	A permit may be granted to use land for office if the leasable floor area does not exceed 100 square metres.
Service Station	The site must either: ▪ Adjoin land with an applied zone provision for a Commercial Zone; or ▪ Adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road. The site must not exceed either: ▪ 3,000 square metres; ▪ 3,600 square metres if it adjoins two boundaries in a Transport Zone 2 or a Transport Zone 3 or roads identified in the precinct structure plan as an existing or future arterial road.

Table 3: Shop use where the applied zone is Commercial 1 Zone

Land	Requirement
Rockbank North Local Town Centre	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 5700 square metres.
Rockbank North Major Town Centre	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 36,500 square metres.

2.5 Specific provisions - Buildings and works

25/08/2022
C208melt

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

2.6 Specific provisions – Rockbank North Major Town Centre urban design framework

25/08/2022
C208melt

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Rockbank North Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the Responsible Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as the Rockbank North Major Town Centre must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the Responsible Authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Rockbank North Precinct Structure Plan.

The Responsible Authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the Responsible Authority.

3.0 Application requirements

03/10/2013
C134

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2, 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1 Subdivision – residential development

28/06/2012
C120

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Rockbank North Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Rockbank North Precinct Structure Plan.

- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared to the satisfaction of the Director of Public Transport.
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2 Public Infrastructure Plan

28/06/2012
C120

An application for subdivision and/ or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- The landscaping of any land.
- What, if any, infrastructure set out in the Rockbank North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency.
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3 Use or develop land for a Local Town Centre

25/08/2022
C208melt

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in Figure 4 of the *Rockbank North Precinct Structure Plan*.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - Address the Local Town Centre Design Requirements, the Local Town Centre General Guidelines in Appendix A to the *Rockbank North Precinct Structure Plan* and the Local Town Centre Concept in Figure 4 of the *Rockbank North Precinct Structure Plan*;
  - Address any relevant design guidelines prepared by the Victorian Government or the Melton City Council;
  - Demonstrate how the proposal relates to existing or approved development in the area;
  - Demonstrate site responsive architecture and urban design;
  - Demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Department of Transport;

- Include environmental sustainability initiatives including integrated water management and energy conservation;
- Address provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
- Address the provision of signs;
- Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
- Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).

- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

3.4 Use or develop land for a sensitive purpose – 598-632 Beattys Road, Plumpton – Environmental Site Assessment

14/07/2022
VC213

An application to use land for a sensitive use or to subdivide land where General Residential Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.

3.5 Use or develop land for a sensitive purpose – 886 -940 Beattys Road, Rockbank – Phase 2 Environmental Site Assessment

14/07/2022
VC213

An application for subdivision on land at 886-940 Beattys Road, Rockbank must be accompanied by:

- A Phase 2 Environmental Site Assessment, including intrusive soil and groundwater investigation of the Environmental Assessment Areas ranked as "Medium Potential for Contamination" (and Assessment Level B) for land at 886-940 Beattys Road, Rockbank, as identified in the Phase 1 Environmental Site Assessment (prepared by LanePiper, July 2011).

3.6 Use or develop land – 886 -940 Beattys Road, Rockbank (Lot 5 on LP127284) – Flood modelling

14/07/2022
VC213

The land identified as 'Area subject to detailed flood analysis' on Plan 2 of the *Rockbank North Precinct Structure Plan* at 886-940 Beattys Road, Rockbank, falls within the Kororoit Creek Floodplain. Any future land uses, buildings or works, or subdivision proposed in this area must be compatible with the floodwater conveyance and storage functions of the land, and would be required to preserve the floodplain, geomorphic, environmental or other relevant values. If a proposal for land use, buildings or works, or subdivision is made, the application must include evidence that that the function and values of the land will be maintained by the proposal. Applications must include a 2 dimensional flood model of the site to confirm the flood plain conditions, a model of the proposed developed conditions and confirmation of the impact on the Kororoit Creek floodplain, to the satisfaction of Melbourne Water.

3.7 Public transport referral requirements

14/07/2022
VC213

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the Rockbank North Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 8– Public transport and walking networks in the Rockbank North Precinct Structure Plan as a potential bus route is constructed including any partial road construction required in accordance with its corresponding cross section in the Rockbank North Precinct Structure Plan; and

- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Rockbank North Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of the bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

4.0 Conditions and requirements for permits

28/08/2014
C158

4.1 General requirements

28/06/2012
C120

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Rockbank North Precinct Structure Plan* and the *Rockbank North Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

4.2 Major and Local Town centre

01/08/2013
C148

The boundary of the Major Town Centre and Local Town Centre with the applied Commercial 1 Zone and applied Mixed Use Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

4.3 Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

03/10/2013
C134

Land required for community facilities, as set out in the *Rockbank North Precinct Structure Plan* or the *Rockbank North Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Rockbank North Development Contributions Plan*.

Land required for public open space as a local park as set out in the *Rockbank North Precinct Structure Plan* or the *Rockbank North Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless funded by the *Rockbank North Development Contributions Plan*.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the *Rockbank North Development Contributions Plan*.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or the relevant agency.

4.4 Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

24/06/2020
GC150

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the Responsible Authority.

4.5 Use or develop land for a sensitive purpose – 886-940 Beattys Road, Rockbank– Environmental Site Assessment

28/06/2012
C120

Before a plan of subdivision is certified under the *Subdivision Act 1988,* the recommendations of the *Phase 2 Environmental Site Assessment for 886-940 Beattys Road, Rockbank*, lodged with the application, must be carried out to the satisfaction of the Responsible Authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the Responsible Authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.

4.6 Use or develop land for a sensitive purpose – 598-632 Beattys Road, Plumpton – Environmental Site Assessment

28/06/2012
C120

Before a plan of subdivision is certified under the *Subdivision Act 1988,* the recommendations of the preliminary site assessment for 598-632 Beattys Road, Plumpton, lodged with the application, must be carried out to the satisfaction of the Responsible Authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the Responsible Authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.

4.7 Use or develop land for a sensitive purpose – 1992 - 2106 Western Highway, Rockbank

28/06/2012
C120

If land is identified as an area where an Environmental Audit is required (as identified by LanePiper, November 2011) on Plan 3 – Land Budget of the *Rockbank North Precinct Structure Plan*, then:

- before the commencement of any use for a sensitive purpose; or
- before any buildings or works; or
- before the certification of a plan of subdivision

whichever is the earlier in respect of all or that part of the land as the case may, the following must be provided to the responsible authority, either:

- A Certificate of Environmental Audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970, or
- A Statement of Environmental Audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970 stating that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site).

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* before the construction of any building on the relevant land providing for the:

- implementation and on-going compliance with all conditions in the Statement of Environmental Audit; and
- the payment of the responsible authority's legal costs and expenses of drafting/reviewing and registering the agreement by the owner of the relevant land.

4.8 Biodiversity

14/07/2022
VC213

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Rockbank North Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Rockbank North Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Rockbank North Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Eastern Grey Kangaroo

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan;
- Implementing the management solutions and actions of the Plan.

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Rockbank North Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule, on land where the applied zone is General Residential Zone, is not 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 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

7.1 Land and home sales signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

7.2 Education / Community Promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign greater than two square metres in area that promotes a community facility or education centre on the land identified as education, community and/or active open space on Plan 1 to this schedule.

8.0 Referral of applications

25/08/2022
C208melt

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre must be referred in accordance with section 55 of the Act to the Growth Areas Authority.

11/02/2021
C207melt

SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

DIGGERS REST PRECINCT STRUCTURE PLAN

1.0
25/08/2022
C208melt

The Plan

Plan 1 shows the future urban structure proposed for the *Diggers Rest Precinct Structure Plan*. It is a reproduction of Plan 2 in the *Diggers Rest Precinct Structure Plan*.

Plan 1 to Schedule 5 to Clause 37.07



2.0 Use and development

28/08/2014
C158

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land as shown within the 'Precinct Boundary' on Plan 1 of this schedule and shown as UGZ5 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

01/08/2013
C148

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building and construction and carrying out of works as set out in Table 1.

Table 1: Applied Zones

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Employment	Clause 34.02 - Commercial 2 Zone
Local Town Centre	Clause 34.01 - Commercial 1 Zone
All other land	Clause 32.08 - General Residential Zone

2.3 Specific provisions – Use of land

25/08/2022
C208melt

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office (other than Medical centre)	A permit may be granted to use land for an office if the leasable floor area does not exceed 100 square metres.

Table 3: Shop use where the applied zone is Commercial 1 Zone

Use	Requirement
Shop	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 6000 square metres.

2.4 Specific provisions - Subdivision

None specified.

2.5 Specific provisions – Buildings and works

25/08/2022
C208melt

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

2.6 Specific provisions – Heritage house (HO47) and environs

25/08/2022
C208melt

Except with the written consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within 100 metres to the south, east or west of the Heritage Place (HO47) until a Conservation Management Plan has been prepared for the heritage farmhouse and its environs to the satisfaction of the Responsible Authority.

3.0 Application requirements

03/10/2013
C134

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2 or 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1 Subdivision – residential development

27/06/2012
C121

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Diggers Rest Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated *Diggers Rest Precinct Structure Plan*.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared to the satisfaction of the Director of Public Transport.
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2 Public Infrastructure Plan

27/06/2012
C121

An application for subdivision and or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what, if any, infrastructure set out in the *Diggers Rest Development Contributions Plan* is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3 Diggers Rest Local Town Centre

25/08/2022
C208melt

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - address the Local Town Centre Design Requirements, the Local Town Centre General Guidelines in Appendix A and the Local Town Centre Concept in figure 2 of the Diggers Rest Precinct Structure Plan;
  - address any relevant design guidelines prepared by the Victorian Government or the Melton City Council;
  - demonstrate how the proposal relates to existing or approved development in the area;
  - demonstrate site responsive architecture and urban design;
  - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Department of Transport;
  - include environmental sustainability initiatives including integrated water management and energy conservation;
  - include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
  - address the provision of signs;
  - include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
  - demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

3.4 Specific provisions – Public transport referral requirements

27/06/2012
C121

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the *Diggers Rest Precinct Structure Plan* where the following requirements are met:

- A road nominated on *Plan 9 – Public Transport and Walking Trails* in the *Diggers Rest Precinct Structure Plan* as a potential bus route is constructed (including any partial road construction required) in accordance with its corresponding cross section in the *Diggers Rest Precinct Structure Plan*;
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Diggers Rest Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;
- Any roundabouts or other management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of bus stops in locations approved by the Director of Public Transport including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and

Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2001) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

A responsible authority may address any of the above matters through planning permit conditions.

4.0 Conditions and requirements for permits

28/08/2014
C158

4.1 General requirements

27/06/2012
C121

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Diggers Rest Precinct Structure Plan* and the *Diggers Rest Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

4.2 Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

03/10/2013
C134

Land required for community facilities, as set out in the *Diggers Rest Precinct Structure Plan* or the *Diggers Rest Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Diggers Rest Development Contributions Plan*.

Land required for public open space such as a local or district park set out in the *Diggers Rest Precinct Structure Plan* or the *Diggers Rest Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless funded by the *Diggers Rest Development Contributions Plan.*

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the *Diggers Rest Development Contributions Plan*.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant agency.

4.3 Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

24/06/2020
GC150

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and

The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the Responsible Authority

4.4 Local town centre

01/08/2013
C148

The boundary of a local town centre with the applied Commercial 1 Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

4.5 Employment

01/08/2013
C148

The boundary of the employment area with the applied Commercial 2 Zone must be identified on a plan of subdivision to the satisfaction of the Responsible Authority.

4.6 Conditions for subdivision and/ or development:

27/06/2012
C121

Pertaining to 2-188 Davis Road, Diggers Rest (Lot 1 PS 302333 & Lot 4 LP6069), 62-144 Diggers Rest-Coimadai Road, Diggers Rest (Lot 1 PS315836 & Part of Lot 2 617724k) & 107-207 Plumpton Road, Diggers Rest (Lot 1 TP61801) – Environmental Site Assessment

Prior to the issue of a Statement of Compliance for a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the *Future Diggers Rest Precinct Structure Plan, Diggers Rest, Phase 1 Environmental Site Assessment* (Golder Associates 2010) prepared for the property must be carried out to the satisfaction of the Responsible Authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the Responsible Authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE).

4.7 Biodiversity

14/07/2022
VC213

Eastern Grey Kangaroos

Prior to the commencement of any works in a stage of subdivision of land an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Environment, Land, Water and Planning. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence
- The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:
- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the Plan;

all to the satisfaction of the Department of Environment, Land, Water and Planning, and the responsible authority.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule, on land where the applied zone is General Residential Zone, is not 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 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

7.1 Land and home sales signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.

- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

7.2 Education and community facility promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes an educational centre on the land identified as education, community and indoor recreation or active open space on Plan 1 to this schedule.

8.0 Referral of applications

25/08/2022
C208melt

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre must be referred in accordance with section 55 of the Act to the Victorian Planning Authority.

11/02/2021
C207melt

SCHEDULE 6 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ6**.

TOOLERN PARK PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure proposed for the Toolern Park Precinct Structure Plan (PSP) area.

Plan 1 to Schedule 6 to Clause 37.07



2.0 Use and development

23/10/2014
C122

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land shown within the 'Precinct Structure Plan Area' on Plan 1 of this schedule and shown as UGZ6 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

25/08/2022
C208melt

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

Land as shown on Plan 1 of this Schedule	Applied Zone Provisions
All land	Clause 32.08s1 – General Residential Zone 1

2.3 Specific provisions – Use of land

11/02/2021
C207melt

Table 2: Use

Use	Requirement
Convenience Shop (other than Adult sex bookshop) where the applied zone is General Residential Zone 1	A permit may be granted to use land for a convenience shop if the leasable floor area of the shop does not exceed 100 square metres.
Office (other than Medical centre) where the applied zone is General Residential Zone 1	A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.

2.4 Specific provision – Dwellings on a lot less than 300 square metres

24/06/2020
GC150

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

2.5 Specific provisions - Toolern Creek Park interface

23/10/2014
C122

Except with the consent of the responsible authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as 'Potential Residential (subject to land capability assessment)' on Plan 2 Future Urban Structure in the Toolern Park Precinct Structure Plan until an Urban Design Framework, as identified in 'Requirement 6' of the Toolern Park PSP, has been prepared to the satisfaction of the responsible authority.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an Urban Design Framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated Precinct Structure Plan.

3.0 Application requirements

23/10/2014
C122

If in the opinion of the responsible authority an application requirement listed at 3.1 or 3.2 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Subdivision – Residential development

23/10/2014
C122

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Toolern Park Precinct Structure Plan;
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Toolern Park Precinct Structure Plan;
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields; and
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria; and
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any impacts of the development on drainage.

3.2 Public Infrastructure Plan

23/10/2014
C122

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What, if any, infrastructure set out in the Toolern Park Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3 Use or develop land for a sensitive use

23/10/2014
C122

An application to use or develop land for a sensitive use, or to construct a building or construct and carry out works associated with a sensitive use on the land must be accompanied by a Phase 1 Environmental Site Assessment report prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority.

The report must contain:

- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *General Practice Note on Potentially Contaminated Land,* June 2005 (DSE); and
- Recommended remediation actions for any contaminated land.

3.4 Kangaroo management

23/10/2014
C122

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision; and
- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or

- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A 'design/management response' statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

4.0 Conditions and requirements for permits

23/10/2014 C122

4.1 Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

23/10/2014 C122

Land required for community facilities, as set out in the Toolern Park Precinct Structure Plan or the Toolern Park Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Toolern Park Development Contributions Plan.

Land required for public open space as a local park as set out in the Toolern Park Precinct Structure Plan or the Toolern Park Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Toolern Park Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Toolern Park Development Contributions Plan.

Land required for a road or public open space must be shown as a reserve on a Plan of Subdivision submitted for Certification in favour of Melton City Council or the relevant agency.

4.2 Conditions for subdivision permits that allow the creation of a lot of less than 300 square metres

24/06/2020 GC150

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the Plan of Subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the responsible authority.

4.3 Use or develop land for a sensitive use

23/10/2014 C122

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the *Subdivision Act 1988*, further testing in accordance with the recommendations of the Phase 1 Environmental Site Assessment (See 3.3 application requirement) must be carried out to the satisfaction of the responsible authority.

Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the responsible authority, having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land, June 2005* (DSE). The Plan of Subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

4.4 Biodiversity

14/07/2022
VC213

Kangaroo Management Plan

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Toolern Park Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Toolern Park Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Toolern Park Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority

Condition – Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Toolern Park Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Conservation interface areas

Any permit granted for subdivision, to construct a building and to construct or carry out works, within 50 metres of a Conservation Area identified in the Precinct Structure Plan must comply with the conservation interface requirements specified in the Precinct Structure Plan to the satisfaction of the Secretary to the Department of Environment and Primary Industries, unless the permit granted contains the following conditions:

- Before the development starts, a Conservation Interface Plan must be submitted to and approved by the Secretary to the Department of Environment and Primary Industries which addresses how any development within 20 metres of any Conservation Area shown on a Precinct Structure Plan will be managed; and
- The endorsed Conservation Interface Plan must be implemented to the satisfaction of the responsible authority.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule, on land where the applied zone is General Residential Zone 1, is not 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 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

7.1 Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

25/08/2022
C208melt

SCHEDULE 7 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ7**.

ROCKBANK PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the Future Urban Structure for the Rockbank Precinct Structure Plan. It is a reproduction of Plan 3 in the *Rockbank Precinct Structure Plan, August 2016*.

Plan 1 to Schedule 7 to Clause 37.07



2.0 Use and development

17/11/2016
C145

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land within the 'precinct boundary' on Plan 1 and shown as UGZ7 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

20/01/2022
VC205

The use, subdivision, construction of a building and construction and carrying out of works provisions of the following zones in this scheme apply as set out in Table 1.

Table 1: Applied zone provisions

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Arterial Road	Clause 36.04 – Transport Zone 2 or Transport Zone 3
Commercial	Clause 34.02 – Commercial 2 Zone
Connector Street	Clause 36.04 – Transport Zone 2 or Transport Zone 3
Major Town Centre **Local Convenience Centre**	Clause 34.01 – Commercial 1 Zone
Mixed Use	Clause 32.04 – Mixed Use Zone
Medium Density Residential	Clause 32.07 – Residential Growth Zone 1
All Other Land	Clause 32.08 – General Residential Zone 1

2.3 Reference to a planning scheme zone is a reference to an applied zone

20/01/2022
VC205

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies 'Car wash' as a Section 2 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'.

2.4 Specific provisions – Use of land

17/11/2016
C145

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Dwelling where the applied zone is Mixed Use Zone	A permit is required to use land for a dwelling.
Office where the applied zone is Mixed Use Zone	A permit is not required to use land for an office.
Potential non-government school	A permit is not required to use land for a primary school or secondary school on land shown as 'potential non-government school' in the Rockbank Precinct Structure Plan.

Use	Requirement
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds: ▪ 30,000 square metres for land shown as a major town centre in the incorporated Rockbank Precinct Structure Plan. ▪ 1,000 square metres for land shown as a local convenience centre in the incorporated Rockbank Precinct Structure Plan.

2.5 Specific provisions – Subdivision

25/08/2022 C208melt

None specified.

2.6 Specific provisions – Buildings and works

25/08/2022 C208melt

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

2.7 Specific provisions – Rockbank Major Town Centre, Rockbank Mixed Commercial Precinct and Westcott Parade Precinct - Urban Design Framework

17/11/2016 C145

Except with the consent of the responsible authority and the Growth Areas Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as Westcott Parade Precinct (Figure 1) Rockbank Major Town Centre (Figure 2) or Rockbank Mixed Commercial Precinct (Figure 4) in the incorporated *Rockbank Precinct Structure Plan* until an urban design framework has been prepared for the relevant land to the satisfaction of the responsible authority and the Growth Areas Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as Westcott Parade Precinct or Rockbank Major Town Centre or Rockbank Mixed Commercial Precinct must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Westcott Parade Precinct or Rockbank Major Town Centre or Rockbank Mixed Commercial Precinct as set out in the *Rockbank Precinct Structure Plan, August 2016*.

The responsible authority may allow an urban design framework to be prepared in stages.

An urban design framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

2.8 Specific provisions – Referral of applications – Rockbank Major Town Centre

17/11/2016 C145

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Rockbank Major Town Centre must be referred in accordance with section 55 of the *Planning and Environment Act, 1987* to the Growth Areas Authority.

2.9 Specific provisions – Referral of applications – Melbourne Water, Westcott Parade Precinct

17/11/2016
C145

Any permit application for use or development on land in the Westcott Parade Precinct must be referred in accordance with section 55 of the *Planning and Environment Act, 1987* to Melbourne Water.

3.0 Application requirements

14/07/2022
VC213

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Rockbank Precinct Structure Plan, August 2016*;
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated *Rockbank Precinct Structure Plan, August 2016;*
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- What, if any, infrastructure set out in the *Rockbank Development Contributions Plan, August 2016* is sought to be provided as "works in lieu" subject to the consent of the collecting agency.
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a six lane or four lane arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of the relevant road management authority (Roads Corporation or Melton City Council), as required.

Railway noise attenuation

An application for use or development within the 'railway noise amenity area' on Plan 9 of the *Rockbank Precinct Structure Plan, August 2016* must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with the 'Railway Street Interface' cross-section in the *Rockbank Precinct Strucuture Plan, August 2016* where Plan 3 (Future Urban Structure) of the PSP shows a residential interface to the railway line

The acoustic assessment report must also include (as appropriate to the particular use or development):

- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
- Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmax and 40 dB LAeq,8h for the night period from 10pm to 6am.
- Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
- A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

All to the satisfaction of the responsible authority and Public Transport Victoria.

Subdivide, use or develop land for a sensitive purpose – Phase 2 Environmental Site Assessment

An application to subdivide land or use or develop land for a sensitive use (residential use, child care centre or primary school) on the following land identified in the report prepared by Sinclair Knight Merz 2013):

- 1350-1360 Leakes Road, Rockbank (property 73)
- 520-556 Greigs Road, Rockbank (property 101)

must be accompanied by a Phase 2 Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled 'Rockbank Precinct Structure Plan Area, Desktop Environmental, Hydrological and Geotechnical Assessments' (Sinclair Knight Merz, September 2013) and provides information including:

- Intrusive soil and groundwater investigation of the Environmental Assessment Areas ranked as "Medium to High Potential for Contamination";
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note, June 2005* (DSE, 2005);
- Recommended remediation actions for any potentially contaminated land.

Salvage and translocation

All applications for subdivision of land identified as 'Potential Salvage Operations' by the MSA Map Share tool must be accompanied by evidence that a salvage enquiry form has been submitted to the Department of Environment, Land, Water, and Planning.

4.0 Conditions and requirements for permits

17/11/2016
C145

4.1 Conditions for subdivision permits that allow the creation of a lot less than 300 square metres

24/06/2020
GC150

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether Type A or Type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the responsible authority.

4.2 Conditions for subdivision or buildings and works permits where land is required for public open space

17/11/2016
C145

Land required for public open space as a local park as set out in the *Rockbank Precinct Structure Plan, August 2016* or the development contributions plan applying to the land, must be transferred to or vested in Council at no cost to Council unless the land is funded by the development contributions plan applying to the land.

4.3 Management of bushfire risk during subdivisional works

17/11/2016
C145

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

4.4 Conditions for public transport

17/11/2016
C145

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria
- In accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002;* and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

4.5 Railway noise amenity area

17/11/2016
C145

Any permit for the use or development of land, within the 'railway noise amenity area' on Plan 9 of the *Rockbank Precinct Structure Plan, August 2016* must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

4.6 Conditions for subdivision or buildings and works permits where land is required for road widening

17/11/2016
C145

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested in Council or the Roads Corporation at no cost to the acquiring agency unless funded by the development contributions plan applying to the land.

4.7 Kangaroo Management Plan

17/11/2016
C145

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

4.8 Condition - Salvage and Translocation

14/07/2022
VC213

Prior to the commencement of development, a salvage inquiry form must be submitted 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*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage operations, in accordance with the requirements of the *Salvage and Translocation Protocol for Melbourne's Growth Corridors 2018* (Department of Environment, Land, Water and Planning, 2018).

4.9 Conditions – Protection of conservation areas and native vegetation during construction

17/11/2016
C145

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated *Rockbank Precinct Strucuture Plan, August 2016* must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

Element	Minimum Distance From Element
Conservation area	2 metres
Scattered tree	Twice the distance between the tree trunk and the edge of the tree canopy
Patch of native vegetation	2 metres

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:

- be located not less than 15 metres from a waterway;
- be located outside the vegetation protection fence;
- be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

4.10 Conditions & Requirements – Environmental Site Assessment

17/11/2016
C145

The following conditions and requirements applies to:

1350-1360 Leakes Road, Rockbank (properties 73) and 520-556 Greigs Road, Rockbank (101)

Prior to the commencement of a sensitive use, or the commencement of development associated with a sensitive use, or the certification of a Plan of Subdivision, or a stage of subdivision, under the *Subdivision Act 1988* associated with a sensitive use, the recommendations of the Phase 2 Environmental Site Assessment lodged with the application in accordance with Clause 3.5 of the schedule, must be carried out to the satisfaction of the responsible authority along with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land, June* 2005 (DSE). The use or development must not commence, or the plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

1195 Leakes Road, Rockbank

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the *Subdivision Act 1988*, the recommendations of the report *Rockbank Precinct Structure Plan Additional Investigations - Property 24*, *March 2014* (Sinclair Knight Merz), must be carried out to the satisfaction of the responsible authority along with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land, June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

22 Troups Road, Rockbank and 104 Troups Road, Rockbank

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the *Subdivision Act 1988*, the recommendations of the Phase 2 (site sampling) report, March 2010 (Atma Environmental), must be carried out to the satisfaction of the responsible authority along with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land, June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

4.11 Melbourne Water Westcott Parade Conditions

17/11/2016
C145

Any permit issued for use or development in the Westcott Parade Precinct, must, if required by Melbourne Water, include conditions addressing the following:

- Where Melbourne Water does not have an interim or established Development Services Scheme for the Westcott Parade Precinct:
  - Conditions requiring the owner to manage water retention on site, or to undertake water retention measures off site, at the owner's cost as an interim measure;

- A requirement that the owner enter into a section 173 agreement with Melbourne Water and Council at the owner's cost to secure the future payment of its contribution to the Development Services Scheme to be established by Melbourne Water; and
- A requirement that the use and/or development will not prejudice or delay the future approval, delivery and/or works of the Development Services Scheme to be established by Melbourne Water.

- Where Melbourne Water has an interim or established Development Services Scheme for the Westcott Parade Precinct:
  - If the permit application is to subdivide land:
    - a condition that the owner must make a contribution to the said Development Services Scheme before a certificate of compliance issues for the subdivision; and
    - a requirement that the use and/or development will not prejudice or delay the future approval, delivery and/or works of the said Development Services Scheme.
  - If the permit application is for any other use or development:
    - a condition that the contribution to the said Development Services Scheme must be made before the earliest of the following occurs: The certificate of occupancy is issued; The use authorised under the permit commences; The development authorised under the permit is complete; and
    - a requirement that the owner enter into a section 173 agreement with Melbourne Water and Council at the owner's cost to secure the performance of its obligations set out in clause 2a) above; and
    - a requirement that the use and/or development will not prejudice or delay the delivery and/or works of the said Development Services Scheme.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a use listed in Section 2 of the General Residential Zone or Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth Zone is not 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 Decision guidelines

25/08/2022
C208melt

Before deciding on an application to use land for a shop in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within the City of Melton.

Before deciding on an application for a permit in the Westcott Parade Precinct the responsible authority must consider the following factors:

- Where Melbourne Water does not have an interim or established Development Services Scheme for the Westcott Parade Precinct, whether water retention can be achieved on site, and if it cannot be achieved on site, whether any necessary works off site will be undertaken by the owner at the owner's cost; and

- Where Melbourne Water either does or does not have an interim or established Development Services Scheme for the Westcott Parade Precinct whether the approval of a permit would not prejudice or delay the future approval, delivery and/or works of the existing Development Services Scheme or the Development Services Scheme to be established by Melbourne Water (as the case may be).

7.0 Signs

25/08/2022
C208melt

The sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

7.1 Land and home sales signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

25/08/2022
C208melt

SCHEDULE 8 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ8**.

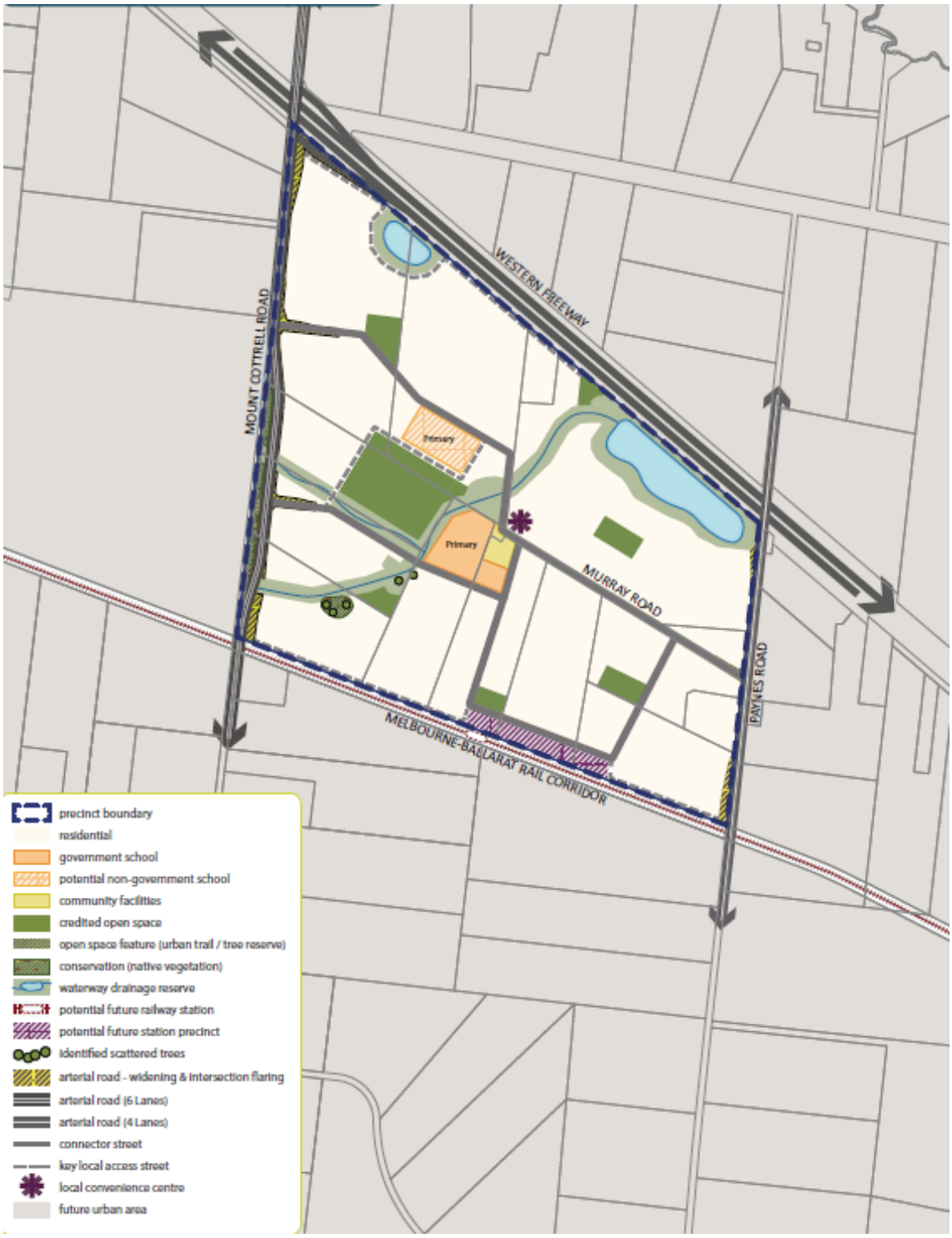
PAYNES ROAD PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure for the *Paynes Road Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Paynes Road Precinct Structure Plan*.

Plan 1 to Schedule 8 to Clause 37.07



2.0 Use and development

17/03/2016
C161

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land within the 'Precinct Boundary' on Plan 1 of this schedule and shown as UGZ8 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

20/01/2022
VC205

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building and construction and carrying out of works as set out in Table 1.

Table 1: Applied Zone Provisions

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Local Convenience Centre	Clause 34.01 - Commercial 1 Zone
Arterial Road (any type)	Clause 36.04 - Transport Zone 2
Connector Street	Clause 36.04 - Transport Zone 3
All other land	Clause 32.08 - General Residential Zone 1

2.3 Reference to a planning scheme zone is a reference to an applied zone

20/01/2022
VC205

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies 'Car wash' as a Section 2 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'.

2.4 Specific Provisions – Use of land

17/03/2016
C161

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds: ▪ 1000 square metres for land shown as a Local Convenience Centre in the incorporated Paynes Road Precinct Structure Plan.
Primary school	A permit is not required to use land for a Primary school on land shown as Potential Non Government School in the incorporated Paynes Road Precinct Structure Plan.

2.5 Specific provisions – Subdivision

25/08/2022
C208melt

None specified.

2.6 Specific provisions – Buildings and works

25/08/2022
C208melt

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of this Scheme.

3.0 Application requirements

17/03/2016
C161

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Subdivision - residential development

17/03/2016
C161

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Paynes Road Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Paynes Road Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

3.2 Public Infrastructure Plan

17/03/2016
C161

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3 Traffic Impact Assessment

17/03/2016
C161

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or City of Melton, as required.

3.4 Railway noise attenuation

17/03/2016
C161

An application for use or development within the 'railway noise amenity area' on Plan 8 of the *Paynes Road Precinct Structure Plan* must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with the 'Railway Street Interface' cross-section in the PSP. The acoustic assessment report must also include (as appropriate to the particular use or development):
  - An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
  - Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmax and 40 dB LAeq,8h for the night period from 10pm to 6am.
  - Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
  - A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

4.0 Conditions and requirements for permits

17/03/2016
C161

4.1 Conditions for subdivision permits that allows the creation of a lot less than 300 square metres

24/06/2020
GC150

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of this Scheme; and
- The Plan of Subdivision submitted for certification must identify whether Type A or Type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the responsible authority.

4.2 Conditions for subdivision or buildings and works permits where land is required for public open space

17/03/2016
C161

Land required for public open space as a local park as set out in the *Paynes Road Precinct Structure Plan* or the development contributions plan applying to the land, must be transferred to or vested in Council at no cost to Council unless the land is funded by the development contributions plan applying to the land.

4.3 Management of bushfire risk during subdivisional works

17/03/2016
C161

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

4.4 Conditions for public transport

17/03/2016
C161

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria
- In accordance with the Public Transport Victoria Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed
- Be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

4.5 Railway noise attenuation area

17/03/2016
C161

Any permit for the use or development of land, within the 'railway noise amenity area' on Plan 8 of the *Paynes Road Precinct Structure Plan* must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

4.6 Conditions for subdivision or buildings and works permits where land is required for road widening

17/03/2016
C161

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the development contributions plan applying to the land.

4.7 Conditions –kangaroo management

17/03/2016
C161

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

4.8 Conditions – salvage and translocation

17/03/2016
C161

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning

4.9 Conditions –subdivision and associated works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank

17/03/2016
C161

Any permit granted for subdivision of land and associated works must contain the following conditions:

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning.
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
  - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of Environment, Land, Water and Planning.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a use listed in Section 2 of the General Residential Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone 1 is not 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 Decision guidelines

25/08/2022
C208melt

None specified.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

7.1 Land and home sales signs

25/08/2022
C208melt

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

7.2 Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 to this schedule.

21/12/2017
C189

SCHEDULE 9 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ9.**

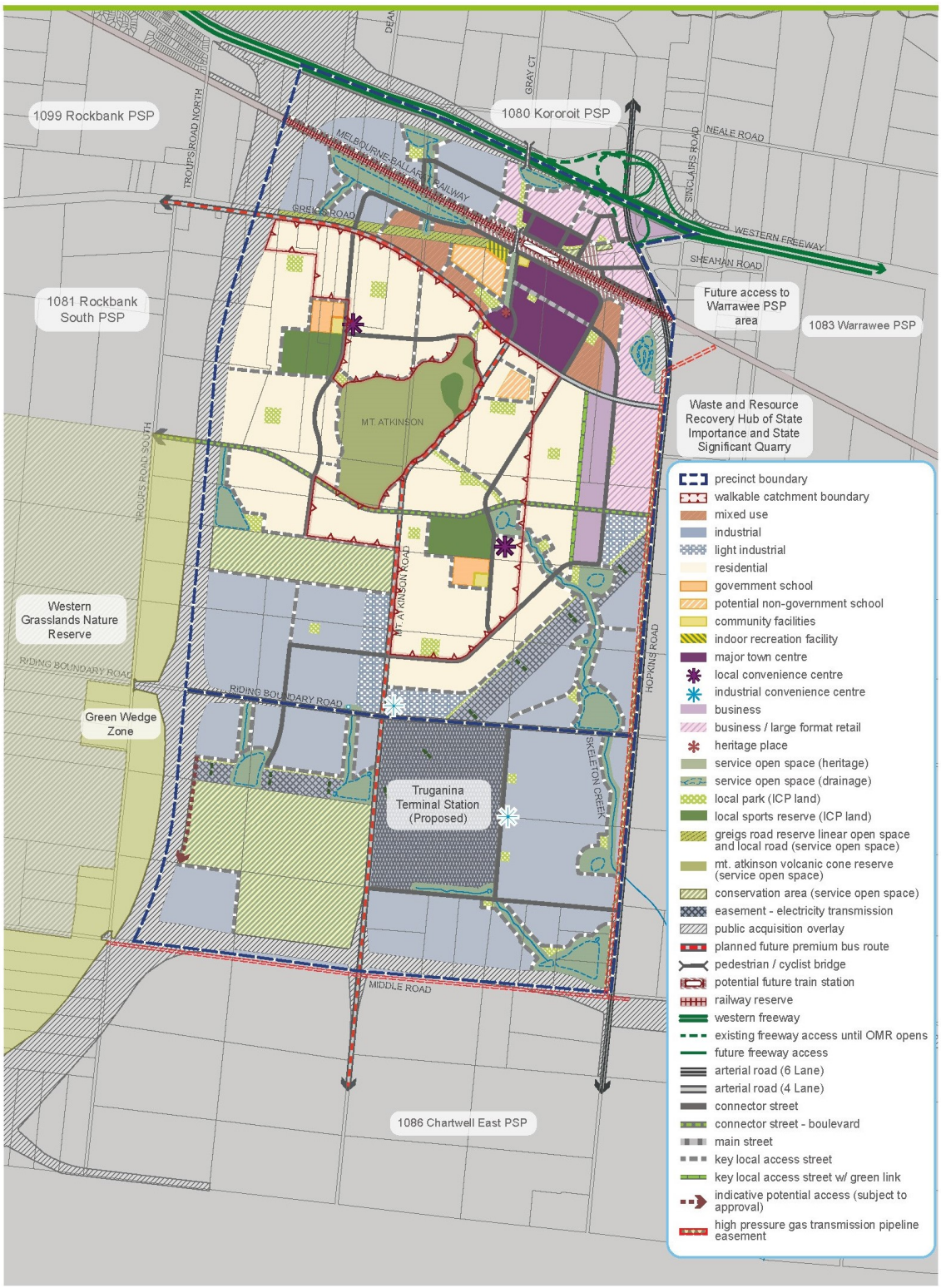
MT. ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN

1.0 The Plan

21/12/2017
C189

Plan 1 below shows the future urban structure proposed in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

Plan 1 to Schedule 9 to Clause 37.07



2.0 Use and development

12/09/2017
C162

2.1 The Land

12/09/2017
C162

The use and development provisions specified in this schedule apply to the land as shown within the 'precinct boundary' on Plan 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

20/01/2022
VC205

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Arterial road	Clause 36.04 – Transport Zone 2 or Transport Zone 3
Business Business/Large format retail	Clause 34.02 – Commercial 2 Zone
Connector street Connector street/Boulevard	Clause 36.04 – Transport Zone 2 or Transport Zone 3
Industrial	Clause 33.01 – Industrial 1 Zone
Light industrial	Clause 33.03 – Industrial 3 Zone
Mixed use	Clause 32.04 – Mixed Use Zone
Major town centre Local convenience centre	Clause 34.01 – Commercial 1 Zone
Residential on a lot wholly within walkable catchment boundary	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.07 – General Residential Zone

2.3 Specific provisions – Use of land

25/08/2022
C208melt

Use of land for a school

A permit is not required to use land for:

- Primary school on land shown as Potential Non Government Primary School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Primary school on land shown as Potential Non Government P-12 School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Secondary school on land shown as Potential Non Government Secondary School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Secondary school on land shown as Potential Non Government P-12 School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

Use of land for a shop

A permit is required to use land for a Shop where the applied zone is Commercial 1 Zone if the combined leasable floor area of all shops exceeds:

- 23,500 square metres for land shown as 'major town centre' **south** of the Melton Rail Corridor in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- 2,500 square metres for land shown as 'major town centre' **north** of the Melton Rail Corridor in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- 1,500 square metres for land shown as 'local convenience centre' in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

Use of land within the Quarry Sensitive Use Buffer

A permit is required to use land for Car wash, Dry cleaner, Employment training centre, Panel beating, Research and development centre and Tertiary institution on land shown within the Quarry Sensitive Use Buffer on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

A permit is required to use land for Dry cleaning agent, Laundromat and Supermarket on land shown as 'Business' and 'Business/Large Format Retail' within the Quarry Sensitive Use Buffer on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

The use of land for Dry cleaning agent, Laundromat and Supermarket on land shown as 'Light Industrial' within the Quarry Sensitive Use Buffer on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* is prohibited.

The use of land for Accommodation, Child care centre, Education centre (other than Employment training centre or Tertiary institution) and Hotel on land shown within the Quarry Sensitive Use Buffer on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* is prohibited.

Use of land within the High Pressure Gas Transmission Pipeline Measurement Length

A permit is required to use land for Accommodation (other than Dwelling), a Child care centre, Cinema based entertainment facility, Corrective institution, Education centre, Hospital, Place of assembly and Service station in the 'high pressure gas transmission pipeline measurement length' shown on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

Use of land for a dwelling

The use of land for a Dwelling on land shown **north** of the Melton Rail Corridor in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* is prohibited until a pedestrian bridge or underpass connecting the northern and southern parts of the Major Town Centreis constructed and operational.

Use of land for a child care centre

The use of land for a Child care centre is prohibited where the applied zone is Industrial 1 Zone.

2.4 Specific provisions - Subdivision

12/09/2017
C162

None specified

2.5 Specific provisions - Buildings and works

24/06/2020
GC150

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a 'Potential non-government school' unless exempt under Clauses 62.02-1 and 62.02-2.

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where the lot is identified as one to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated into the Melton Planning Scheme.

No buildings within Quarry Blast Buffer

The construction of a building (not including a temporary building, a building associated with a minor utility installation, a renewable energy facility or telecommunications facility, a structure, a fence or other appurtenances of a building) on land shown within the quarry blast buffer on Plan 11 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* is prohibited.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50 metres of the boundary of the high pressure gas transmission pipeline easement on Plan 11 in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may, with the prior approval of the pipeline owner and operator, be amended to the satisfaction of the responsible authority.

2.6 Specific provisions – Urban design framework

12/09/2017
C162

Except with the consent of the responsible authority and the Victorian Planning Authority, a permit may not be granted to use or subdivide land, or construct a building and carry out works on land identified as 'Mt Atkinson Major Town Centre Urban Design Framework Extent', 'Western Freeway Commercial Area Urban Design Framework Extent' or 'Hopkins Road Business Precinct Commercial Areas Urban Design Framework Extent' on Plan 6 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, until an urban design framework for the area has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land. Prior to approving an urban design framework for the 'Hopkins Road Business Precinct', the responsible authority and the Victorian Planning Authority must seek the views of the owner and operator of the Boral Ravenhall Quarry and the Secretary to the Department of Economic Development, Jobs, Transport and Resources in relation to how the urban design framework responds to the potential impacts of the quarry.

An application for use and/or development on land identified as 'Mt Atkinson Major Town Centre Urban Design Framework Extent', 'Western Freeway Commercial Area Urban Design Framework Extent' or 'Hopkins Road Business Precinct Commercial Areas Urban Design Framework Extent' on Plan 6 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the relevant objectives in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

The responsible authority may allow an urban design framework to be prepared in stages.

The urban design framework may be amended to the satisfaction of the responsible authority and the Victorian Planning Authority.

2.7 Specific provisions – Referral of applications

12/09/2017
C162

Mt Atkinson major town centre

An application to subdivide land, or construct a building or carry out works (where the value of those works in in excess of $500,000) on land identified as 'Mt Atkinson Major Town Centre Urban Design Framework Extent' on Plan 6 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Victorian Planning Authority

Ravenhall Quarry

An application to use land, or to construct a building on land, identified within the 'Quarry Sensitive Use Buffer' shown on Plan 11 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990.

3.0 Application requirements

14/07/2022
VC213

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure Plan.*
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A plan showing any lots proposed as multi-dwelling sites, labelling these lots as a'multi-dwelling site'.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment, carried out by a suitably qualified person, of the potential for contaminated land as a result of previous land uses.

Public Infrastructure Plan

An application to subdivide, use or develop land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected and/or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land, consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu", subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a six lane or four lane arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of the relevant road management authority (Roads Corporation or Melton City Council), as required.

Railway noise attenuation

An application for use or development within the 'railway noise amenity area' on Plan 11 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with 'Section 12 – Commercial Frontage – Railway Interface' cross-section in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- The acoustic assessment report must also include (as appropriate to the particular use or development):
  - An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
  - Recommendations for noise attenuation measures designed to achieve the following internal 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
  - Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
  - A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

All of the above application requirements are to be to the satisfaction of the responsible authority and Public Transport Victoria.

Subdivide, use or develop land for a sensitive purpose - Environmental Site Assessment

An application to subdivide, use or develop land identified in Table 2 of this schedule for a sensitive use (residential use, child care centre or primary school) must be accompanied by an Environmental Site Assessment, prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority, which takes account of the report titled '*PSP 1082 Mt Atkinson & PSP 1085 Tarneit Plains, Land Capability Assessment (Jacobs, 2 July 2015')* and provides information including:

- Further detailed assessment of potential contaminants on the land;

- Clear advice on whether the environmental condition of the land is suitable for the proposed use and whether an environmental audit of all, or part, of the land is recommended, having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics (including soil and groundwater sampling) on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- Recommended remediation actions for any potentially contaminated land.

Table 2: Environmental Site Assessment

Address	Legal Description
2-50 Meskos Road, Rockbank (rock crushing & concrete batching plant)	Lot 3/PS448579
671-737 Troups Road South Mount Cottrell (Nevas Chicken Farm)	Allot. 5 Sec. 6 Parish of Pywheitjorrk

Application requirement – Salvage and translocation

All applications for subdivision of land identified as 'Potential Salvage Operations' by the MSA Map Share tool must be accompanied by evidence that a salvage enquiry form has been submitted to the Department of Environment, Land, Water, and Planning.

4.0 Conditions and requirements for permits

14/07/2022
VC213

Conditions – Subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted to and approved by the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated into the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the responsible authority.

Conditions – Subdivision or buildings and works permits where land is required for community facilities, public open space or road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Requirement – Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

Condition – Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Mt. Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Conditions – Kangaroo Management

A permit for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.
- Once approved the plan will be endorsed by the responsible authority and form part of the permit

Condition – Salvage and translocation

Prior to the commencement of development, a salvage inquiry form must be submitted 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*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage operations, in accordance with the requirements of the *Salvage and Translocation Protocol for Melbourne's Growth Corridors 2018* (Department of Environment, Land, Water and Planning, 2018).

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Mt. Atkinson & Tarneit Plains Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres

Element	Distance
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Mt. Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the

conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Mt. Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Public transport

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria;
- In accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002;* and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

Requirement – Railway noise attenuation area

Any permit for the use or development of land, within the 'railway noise amenity area' on Plan 11 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

Requirement – Environmental Site Assessment for use and development of land listed in Table 2

Prior to the commencement of a sensitive use, or the commencement of development associated with a sensitive use, or the certification of a Plan of Subdivision, or a stage of subdivision, under the *Subdivision Act 1988* associated with a sensitive use, the recommendations of the Environmental Site Assessment lodged with the application must be carried out to the satisfaction of the responsible authority along with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June* 2005 (DSE). The use or development must not commence, or the plan of subdivision must not be certified, until the responsible authority is satisfied that the land is suitable for the intended use.

5.0 Exemption from notice and review

12/09/2017
C162

An application to use land for a use listed in Section 2 of the General Residential Zone and Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth Zone, is not 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.

Notice must be given to the person or body listed in the Schedule to Clause 66.06 of an application to use land or construct a building or carry out works associated with any of the following uses within the 'high pressure gas transmission pipeline measurement length', shown on Plan 11 in the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan:*

- Accommodation (other than a Dwelling)
- Child care centre
- Cinema based entertainment facility
- Corrective institution
- Education centre
- Hospital
- Place of assembly
- Retail
- Service station

6.0 Decision guidelines

12/09/2017
C162

Mt Atkinson Major Town Centre – Use of land for a Shop

Before deciding on an application to use land for a shop on land identified within the Mt Atkinson Major Town Centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area;
- The effect on existing and future major town centres within the City of Melton; and
- The extent to which the use of land for a shop on land to the north of the rail corridor might prejudice the development, expansion or operation of the retail core to the south of the rail corridor.

Ravenhall Quarry Sensitive Use Buffer

Before deciding on an application to use land or construct a building within the Quarry Sensitive Use Buffer, in addition to the decision guidelines in Clause 37.07-14, the responsible authority must consider the effect that emissions of noise, vibration, odour, dust and grit from the nearby Ravenhall Quarry (located east of Hopkins Road) may have on the proposed use or building.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not an animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign with an area greater than 10 square metres promoting the sale of land or homes on the land (or on adjoining land in the same ownership).

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.

Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 of this schedule.

25/08/2022
C208melt

SCHEDULE 11 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ11**.

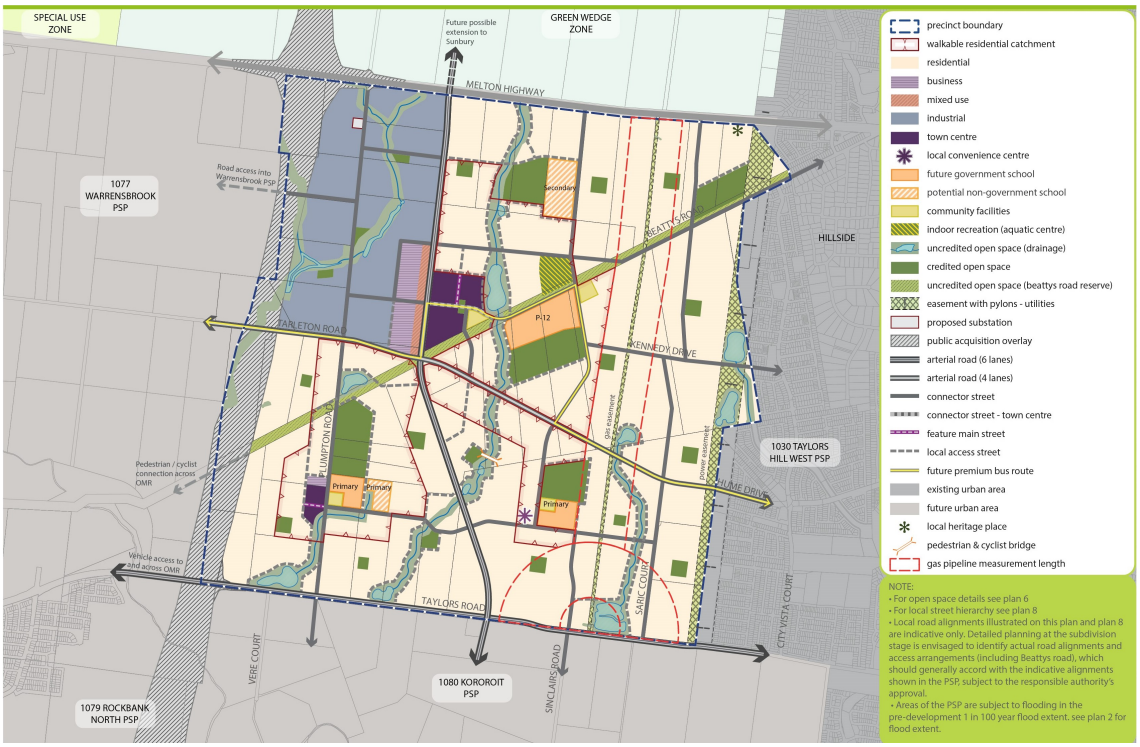
PLUMPTON PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure proposed in the *Plumpton Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Plumpton Precinct Structure Plan.*

Plan 1 to Schedule 11 to Clause 37.07



2.0 Use and development

01/02/2018
C146

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land as shown within the 'precinct boundary' on Plan 1 of this schedule and shown as UGZ11 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

20/01/2022
VC205

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Plumpton Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Arterial Road	Clause 36.04 – Transport Zone 2
Industrial	Clause 33.01 – Industrial 1 Zone
Business	Clause 34.02 – Commercial 2 Zone
Town Centre Local Convenience Centre	Clause 34.01 – Commercial 1 Zone
Mixed Use	Clause 32.04 – Mixed Use Zone
Residential on a lot wholly within walkable residential catchment boundary (once subdivided)	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

25/08/2022
C208melt

Section 1 - Permit not required

Use	Condition
Food and drink premises	On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the *Plumpton Precinct Structure Plan.* The leasable floor area must not exceed 100m^2.
Primary school	On land shown as Potential Non-Government Primary School on Plan 3 of the *Plumpton Precinct Structure Plan.*
Restricted retail	On land where the applied zone is Commercial 2 Zone for land shown as Business in the *Plumpton Precinct Structure Plan.* The combined leasable floor area of all Restricted retail premises must not exceed 20,000m^2.
Retail premises (other than Food and drink premises, Gambling premises Motor vehicle, boat, or caravan sales, and Shop except Restricted retail premises)	On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the *Plumpton Precinct Structure Plan*. The leasable floor area of each use must not exceed 900m^2.
Secondary school	On land shown as Potential Non-Government Secondary School shown on Plan 3 of the *Plumpton Precinct Structure Plan*.

Use	Condition
Shop	On land where the applied zone is Commercial 1 Zone. The combined leasable floor area of all shops must not exceed: ▪ 45,000 square metres for land shown as a Major Town Centre in the *Plumpton Precinct Structure Plan*. ▪ 7,200 square metres for land shown as a Local Town Centre in the *Plumpton Precinct Structure Plan*. ▪ 1,000 square metres for land shown as a Local Convenience Centre in the *Plumpton Precinct Structure Plan*.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any use listed in Section 1 in the Table of uses of the applicable applied zone	

Section 2 - Permit required

Use	Condition
Dwelling	On land where the applied zone is Mixed Use Zone if any frontage at ground level exceeds 2 metres.
Place of worship **Residential aged care facility**	On land in the 'high pressure gas transmission pipeline measurement length' depicted on Plan 11 of the *Plumpton Precinct Structure Plan.*
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

Section 3 – Prohibited

Use	
Food and drink premises	On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the *Plumpton Precinct Structure Plan*, if the Section 1 condition is not met.
Gambling premises **Motor vehicle, boat, or caravan sales** **Shop (except Restricted retail premises)**	On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the *Plumpton Precinct Structure Plan*.
Retail premises (other than Food and drink premises, Gambling premises, Motor vehicle, boat, or caravan sales, and Shop except Restricted retail premises)	On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the *Plumpton Precinct Structure Plan,* if the Section 1 condition is not met.
Any use listed in Section 3 in the Table of uses of the applicable applied zone	

2.4 Specific provisions – Subdivision

25/08/2022
C208melt

None specified.

2.5 Specific provisions – Buildings and works

25/08/2022
C208melt

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50m of the boundary of the gas easement shown as on Plan 2 – Precinct Features and Plan 11 – Utilities in the incorporated *Plumpton Precinct Structure Plan*, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

3.0 Application requirements

25/08/2022
C208melt

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Plumpton Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated *Plumpton Precinct Structure Plan*.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

Local Town Centres

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - address the Local Town Centre requirements, the Local Town Centre Guidelines and the Local Town Centre Concept Plan in the *Plumpton Precinct Structure Plan*;
  - address any relevant design guidelines prepared by the Victorian Government or the Melton City Council;
  - demonstrate how the proposal relates to existing or approved development in the area;
  - demonstrate site responsive architecture and urban design;
  - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Transport for Victoria;
  - include environmental sustainability initiatives including integrated water management and energy conservation;
  - include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
  - address the provision of signs;
  - include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
  - demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or the responsible authority, as required.

Salvage and translocation

All applications for subdivision of land identified as 'Potential Salvage Operations' by the MSA Map Share tool must be accompanied by evidence that a salvage enquiry form has been submitted to the Department of Environment, Land, Water, and Planning.

Subdivide, use or develop land for a sensitive purpose – Environmental Site Assessment

An application to subdivide land or to use or develop land identified in Table 3 of this Schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled *Plumpton and Kororoit Precincts, Land Capability Assessment, (GHD, October 2013*) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land;
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics (including soil and groundwater sampling) on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- Recommended remediation actions for any potentially contaminated land.

Table 3: Environmental Site Assessment

Address	Legal Description
1048 Taylors Road, Fraser Rise	Lot 1 on PS709426
1052 Taylors Road, Fraser Rise	Lot 1 on PS604066

4.0 Conditions and requirements for permits

14/07/2022
VC213

Conditions - Subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the responsible authority.

Conditions - Subdivision or buildings and works permits where land is required for community facilities, public open space and road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening, must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be be borne by permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Conditions - Kangaroo management

A permit for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.
- Once approved the plan will be endorsed by the responsible authority and form part of the permit.

Conditions - Salvage and translocation

Prior to the commencement of development, a salvage inquiry form must be submitted 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*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage operations, in accordance with the requirements of the *Salvage and Translocation Protocol for Melbourne's Growth Corridors 2018* (Department of Environment, Land, Water and Planning, 2018).

Requirements - Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated *Plumpton Precinct Structure Plan* must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

Element	Minimum distance from element
Conservation area	2 metres
Scattered tree	Twice the distance between the tree trunk and the edge of the tree canopy
Patch of native vegetation	2 metres

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;

- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

Requirement - Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

Conditions - Public transport

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria;
- In accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002;* and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

Conditions - Environmental Site Assessment

Any permit for the use and development of land, as listed in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must contain the following conditions:

- Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Any permit for the subdivision of land listed in Table 3 of this schedule must contain the following conditions:

- Before a plan subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a use listed in Section 2 of the Residential Growth Zone and General Residential Zone on land where the applied zone listed at Table 1 of this schedule is Residential Growth Zone or General Residential Zone is not 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 Decision guidelines

25/08/2022
C208melt

Before deciding on an application to create floorspace in excess of any cap in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within City of Melton.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.

Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 to this schedule.

01/02/2018
C147

SCHEDULE 12 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ12** .

KORORROIT PRECINCT STRUCTURE PLAN

1.0 The Plan

25/08/2022
C208melt

Plan 1 shows the future urban structure proposed in the *Kororoit Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Kororoit Precinct Structure Plan.*

Plan 1 to Schedule 12 to Clause 37.07



2.0 Use and development

01/02/2018
C147

2.1 The Land

25/08/2022
C208melt

The use and development provisions specified in this schedule apply to the land as shown within the 'precinct boundary' on Plan 1 of this schedule and shown as UGZ12 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

20/01/2022
VC205

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Kororoit Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Arterial Road	Clause 36.04 – Transport Zone 2
Business	Clause 34.02 – Commercial 2 Zone
Local Town Centre Local Convenience Centre	Clause 34.01 – Commercial 1 Zone
Residential on a lot wholly within walkable residential catchment boundary (once subdivided)	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

25/08/2022
C208melt

Section 1 - Permit not required

Use	Condition
Food and drink premises	On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan*. The leasable floor area must not exceed 100m^2.
Primary school	On land shown as Potential Non-Government Primary School on Plan 3 of the *Kororoit Precinct Structure Plan*.
Restricted retail	On land where the applied zone is Commercial 2 Zone for land shown as Business in the *Kororoit Precinct Structure Plan* directly north of the Western Freeway. The leasable floor area must not exceed 3,000m^2.
Retail premises (other than Food and drink premises, Gambling premises, Motor vehicle, boat, or caravan sales, and Shop except Restricted retail premises)	On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan*. The leasable floor area of each use must not exceed 900m^2.
Shop	On land where the applied zone is Commercial 1 Zone. The combined leasable floor area of all shops must not exceed: ▪ 8,000 square metres for land shown as Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan*.

Use	Condition
	▪ 6,000 square metres for land shown as Deanside Local Town Centre in the *Kororoit Precinct Structure Plan*. ▪ 1,000 square metres for land shown as a Local Convenience Centre in the *Kororoit Precinct Structure Plan*.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any use listed in Section 1 in the Table of uses of the applicable applied zone	

Section 2 - Permit required

Use	Condition
Accommodation (other than Dwelling, Dependant persons unit)	On land in the 'high pressure gas transmission pipeline measurement length' depicted on Plan 11 of the *Kororoit Precinct Structure Plan* and the applied zone is Commercial 1 Zone or the General Residential Zone.
Cinema based entertainment facility	On land in the 'high pressure gas transmission pipeline measurement length' depicted on Plan 11 of the *Kororoit Precinct Structure Plan* and the applied zone is Commercial 1 Zone or the Commercial 2 Zone.
Child care centre **Education centre** **Place of assembly** **Place of worship**	On land in the 'high pressure gas transmission pipeline measurement length' depicted on Plan 11 of the *Kororoit Precinct Structure Plan*.
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

Section 3 – Prohibited

Use	
Food and drink premises	On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan*, if the Section 1 condition is not met.
Gambling premises **Motor vehicle, boat, or caravan sales** **Shop (other than Restricted retail premises)**	On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan.*

Use	
Retail premises (other than Food and drink premises, Gambling premises, Motor vehicle, boat, or caravan sales, and Shop except Restricted retail premises)	On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the *Kororoit Precinct Structure Plan,* if the Section 1 condition is not met.
Any use listed in Section 3 in the Table of uses of the applicable applied zone	

2.4 Specific provisions - Subdivision

25/08/2022
C208melt

None specified.

2.5 Specific provisions - Buildings and works

25/08/2022
C208melt

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50m of the boundary of the gas easement shown on Plan 2 – Precinct Features and Plan 11 – Utilities in the incorporated *Kororoit Precinct Structure Plan*, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

3.0 Application requirements

25/08/2022
C208melt

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Kororoit Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated *Kororoit Precinct Structure Plan.*
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

Local Town Centres

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - address the Local Town Centre requirements, the Local Town Centre Guidelines and the relevant Local Town Centre Concept Plan in the *Kororoit Precinct Structure Plan*;
  - address any relevant design guidelines prepared by the Victorian Government or the Melton City Council;
  - demonstrate how the proposal relates to existing or approved development in the area;
  - demonstrate site responsive architecture and urban design;
  - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Transport for Victoria;
  - include environmental sustainability initiatives including integrated water management and energy conservation;
  - include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
  - address the provision of signs;
  - include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
  - demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or the responsible authority, as required.

Subdivide, use or develop land for a sensitive purpose - Environmental Site Assessment

An application to subdivide land or to use or develop land identified in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled *Plumpton and Kororoit Precincts, Land Capability Assessment, (GHD, October 2013)* and provides information including:

- Further detailed assessment of potential contaminants on the relevant land;
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics (including soil and groundwater sampling) on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- Recommended remediation actions for any potentially contaminated land.

Table 3: Environmental Site Assessment

Address	Legal Description
196 – 246 Sinclairs Road, Deanside	Lot 1/LP48418
362 – 364 Sinclairs Road, Deanside	Lot1/TP423084
1027 – 1051 Taylors Road, Deanside	Lot2/LP208937

Salvage and translocation

All applications for subdivision of land identified as ‘Potential Salvage Operations’ by the MSA Map Share tool must be accompanied by evidence that a salvage enquiry form has been submitted to the Department of Environment, Land, Water, and Planning.

4.0 Conditions and requirements for permits

14/07/2022
VC213

Conditions - Subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot, to the satisfaction of the responsible authority.

Conditions - Subdivision or buildings and works permits where land is required for community facilities, public open space and road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening, must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be be borne by permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Conditions - Kangaroo management

A permit for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.
- Once approved the plan will be endorsed by the responsible authority and form part of the permit.

Condition - Salvage and translocation

Prior to the commencement of development, a salvage inquiry form must be submitted 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*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage operations, in accordance with the requirements of the *Salvage and Translocation Protocol for Melbourne's Growth Corridors 2018* (Department of Environment, Land, Water and Planning, 2018).

Condition - Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Kororoit Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Kororoit Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Security of conservation land

A permit to subdivide land containing a ‘conservation area’ as shown in the *Kororoit Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Kororoit Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Requirement - management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

Conditions - public transport

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:

- Generally in the location identified by Public Transport Victoria;
- In accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002;* and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

Conditions - Environmental Site Assessment

Any permit for the use and development of land, listed in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must contain the following conditions:

- Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Any permit for the subdivision of land listed in Table 3 of this schedule must contain the following conditions:

- Before a plan subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

5.0 Exemption from notice and review

25/08/2022
C208melt

An application to use land for a use listed in Section 2 of the General Residential Zone and Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth Zone is not 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 Decision guidelines

25/08/2022
C208melt

Before deciding on an application to create floorspace in excess of any cap in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within City of Melton.

7.0 Signs

25/08/2022
C208melt

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.

Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display a sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 to this schedule.

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.

04/06/2020
C173melt

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

REMNANT WOODLANDS, OPEN FORESTS AND GRASSLANDS

1.0 Statement of environmental significance

04/06/2020
C173melt

Remnant woodlands, open forests and grasslands are the dominant native vegetation communities within the City of Melton's landscape. These vegetation communities provide habitat for a diverse array of flora and fauna, including many threatened species. They provide examples of the now endangered grassy woodlands and critically endangered grasslands that once covered large areas of the City of Melton.

The following sites are examples of these vegetation communities that contribute to the environmental diversity of the City and are to be preserved and protected. It should be noted that this is not an exhaustive list of sites to be preserved and protected.

Mt Cottrell Woodland, Eynesbury Woodland, Telephone Road Woodland, Exford Weir Road Woodland, Exford Woodland,, Melton Gilgai Woodlands Long Forest , Pyrete Range and Yangardook Bush Reserves, Pinkerton Forest and Bush's Paddock (Grassland and Woodland), Toolern Vale Hills and Ryans Lane Woodland, Black Hills and assorted Road Reserves, , Diggers Rest Rail Reserve, Former Department of Defence Property, Kororoit Creek and Western Grasslands Reserve.

The elevated forested areas of the Toolern Vale Forest, Pyrete Range, and Yangardook Bush Reserve occur in the Uplands to the north of the municipality. In some locations, these elevated areas provide viewpoints out to the flat volcanic plains and landmarks including the You Yangs, Mt Kororoit, Mt Atkinson, Mt Cottrell and the Melbourne CBD. The Diggers Rest-Coimadai Road lies at the interface between the Victorian Volcanic Plain and Central Victorian Uplands Bioregion. This is a transitional landscape, where the topography changes from open and relatively flat countryside supporting grasslands to undulating land characterised by woodlands and forests of the Toolern Vale Hills.

Native grasslands, an intrinsic feature of the Victorian Volcanic Plains, are of state and national conservation significance and considered one of the most endangered vegetation communities in Victoria. These grasslands are dominated by perennial tussock grasses and provide habitat for numerous threatened flora and fauna species.

2.0 Environmental objective to be achieved

04/06/2020
C173melt

To protect and conserve remnant native woodlands, open forests, grasslands and discourage inappropriate use and development.

To retain and enhance the natural vegetation character of the forested areas.

To retain forested areas as important features of the landscape.

To carefully manage the interface between urban and rural areas.

To emphasise the importance of topography and indigenous vegetation within the Uplands landscape.

To minimise the impact of buildings and structures on open pastoral areas and the forested areas of the Uplands.

To recognise areas of high fire hazard and to ensure all development acknowledges any potential risk.

3.0 Permit requirement

04/06/2020
C173melt

A permit is required to construct a fence. This does not apply if the fence is:

- Timber post and wire, timber post and railing, wire mesh (ringlock), chainmesh or similar open style fence up to 1.8 metres in height.
- Within the Eynesbury mixed use development as defined by the Mixed Use Zone.

4.0 Application requirements

04/06/2020
C173melt

None Specified.

5.0 Decision guidelines

20/01/2022
VC205

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

- Whether buildings and structures are sited among established vegetation and/or screened with substantial landscaping.
- Whether the proposal uses permeable surfacing to support vegetation.
- Whether the proposal contributes to the creation of a definite visual edge for townships, delineating the boundary between urban development and the natural landscape beyond.
- Whether infrastructure is sited to minimise visibility from land in a Transport Zone 2.

04/06/2020
C173melt

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2**.

WETLANDS, WATERWAYS AND RIPARIAN STRIPS

1.0 Statement of environmental significance

04/06/2020
C173melt

The four major watercourses and smaller creeks of the City of Melton are key features of environmental significance in the rural and urban landscape. The waterways traverse open landscape settings in rural areas and extend into urban areas as more formalised parklands.

The following wetlands, waterways and riparian strips are environmentally significant:

- Melton Reservoir Wetlands, Deans Marsh Wetlands and Paynes Road South Wetlands;
- Kororoit Creek, Skeleton Creek, Dry Creek, Djerriwarrh Creek, Toolern Creek, Riparian Strips and associated escarpments;
- Werribee River;
- Former Department of Defence Property, Western Highway, Rockbank.

Parts of the waterways feature significant native vegetation along their banks or escarpments and lining of the valley walls. This includes the Djerriwarrh Creek, the Werribee River and parts of the Toolern Creek. Treed river corridors are a highly visible feature of the volcanic plains, creating a backdrop to the surrounding and open countryside.

Where waterway settings are cleared the topography of the waterway is a highly distinctive feature of the landscape, such as parts of the Toolern and Kororoit Creeks. The Werribee River, Djerriwarrh Creek and parts of Arthurs Creek are more deeply incised into the landscape with the high escarpments at their edges plunging to low river beds.

The Werribee River and Toolern Creek do generally have consistent flows. The Djerriwarrh and Kororoit Creeks are ephemeral waterways and during the summer months their rocky sandstone beds lie exposed. Other smaller creeks are ephemeral or have minimal water flow.

2.0 Environmental objective to be achieved

04/06/2020
C173melt

To protect and conserve wetlands and to discourage inappropriate use and development.

To protect and conserve the riparian habitat, native vegetation and associated escarpment and to discourage inappropriate development.

To maintain the topography and vegetation of waterways as dominant visual elements in the landscape.

To protect views of waterways.

To provide an appropriate landscape setting for waterways, incised valleys and gorges.

To ensure that buildings and structures respond to the character and significance of the surrounding landscape.

To increase indigenous planting to provide linkages between sites and habitat corridors.

3.0 Permit requirement

04/06/2020
C173melt

A permit is required to construct a fence. This does not apply if the fence is:

- Timber post and wire, timber post and railing, wire mesh (ringlock), chainmesh or similar open style fence up to 1.8 metres in height.

4.0 Application requirements

04/06/2020
C173melt

None specified.

5.0 Decision guidelines

20/01/2022
VC205

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

- The extent to which buildings and structures are setback at the break of slope from the watercourse and waterbodies
- Whether the proposal uses permeable surfacing to support vegetation.
- The scale of the building and the impact on its surroundings, including its relationship to existing watercourses and tree canopy height.
- Whether the proposal contributes to the creation of a definite visual edge for townships, delineating the boundary between urban development and the natural landscape beyond.
- Whether the proposal minimises the visual impact of development sites, particularly views from land in a Transport Zone 2 through the use of landscaping and vegetation buffers.
- Whether the proposal retains existing native trees and understorey and provides for replanting wherever possible.
- The effect of removing vegetation on the landscape character and significance values and whether the loss of vegetation can be managed on site through rehabilitation.
- The role and function of wetlands in respect to any development on or adjacent to a wetland area.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO3**.

WESTERN GRASSLAND RESERVES

1.0 Statement of environmental significance

25/08/2022
C208melt

These areas have been identified for protection through the creation of grassland reserves. The establishment of the reserves will create large consolidated areas of permanently protected native grassland outside the Urban Growth Boundary in Melbourne's west. These areas are to be managed to improve their quality and offset losses from clearing associated with urban development and transport infrastructure associated with changes to the Urban Growth Boundary and the implementation of the Building Melbourne's Newest Sustainable Communities Program.

The Western Grassland Reserves will contain the largest consolidated area of Natural Temperate Grassland remaining on the Victorian Volcanic Plain, and support several nationally threatened plant and animal species and provide potential habitat for a range of other nationally threatened species. They also include a range of other habitat types including wetlands, riparian habitats and scattered open grassy woodlands. Parts of these reserves will be made available as offsets for clearing of grasslands within the Urban Growth Boundary.

Conservation reserves account for only 2 per cent of the current extent of natural temperate grassland and the addition of this proposed 15,000 hectares reserve will increase the level of reservation of natural temperate grassland to 20 per cent. Approximately 19 per cent of the native grasslands within the proposed reserves are High quality (habitat score greater than 0.6) and a further 80 per cent are Medium quality (habitat score between 0.31–0.6). The grassland reserves will secure at least 5290 habitat hectares of existing grasslands.

The proposed grassland reserves support several nationally threatened species: Golden Sun Moth (critically endangered), Striped Legless lizard (vulnerable), Spiny Rice-flower (critically endangered), Large-headed Fireweed (vulnerable), Clover Glycine (vulnerable). They also contain Werribee Blue Box which is likely to be listed under the *Environment Protection and Biodiversity Conservation Act 1999* in the near future. They include the most likely suitable habitat on the Volcanic Plains for Plains Wanderer (vulnerable) and potential habitat for a range of other specialist grassland species such as Button Wrinklewort (endangered) and the Grassland Earless-dragon (endangered).

The reserves take in a range of other habitats, including Buloke Grassy Woodlands, and a variety of wetland types including Plains Grassy Wetland of the Victorian Volcanic Plain. These wetlands provide habitat for existing populations of Growling Grass frog (vulnerable) and several migratory bird species.

The proposed grassland reserves have been designed to maximise the area of habitat available to resident plant and animal species, in particular threatened species, and to enable management activities critical to the long term survival of species and vegetation to be undertaken. As a result, not all areas within the reserves support high quality native vegetation and some areas are degraded. Management works will be targeted to these areas.

2.0 Environmental objective to be achieved

25/08/2022
C208melt

To facilitate the establishment of a reservation for at least 15,000 hectares of grassland (nature conservation reserve or National Park) outside the Urban Growth Boundary in Melbourne's west.

To provide interim management of the western grassland reserves before they are acquired, achieved by assisting landholders to manage threats and strengthening regulation to prevent degradation.

To introduce a management regime to ensure that the grassland areas are not degraded in the period prior to acquisition of the land for the grassland reserves.

To manage the areas as a conservation reserve or National Park for a range of particular vegetation and species requirements.

To protect and enhance significant landscape and habitat areas of threatened species.

To ensure that any development does not impact on the environmental significance of the land or the ability of the land to be managed as a contiguous conservation reserve or National Park in the future.

To ensure that any use, development or management of land within and adjacent to areas of environmental significance are compatible with their long-term maintenance, conservation and management (e.g. ecological burning) and will not have detrimental impacts on biodiversity values.

To prevent degradation of sites of environmental significance.

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity in areas of environmental significance in the long term.

To maintain and enhance the integrity of sites of environmental significance.

To maintain and enhance habitat connectivity for National and State listed threatened species.

To encourage ecological restoration, regeneration and revegetation of areas of degraded habitat and areas which currently have no habitat value due to historical or current land management practices.

To manage buffer areas to reduce the impact of land uses adjoining the Western Grassland Reserves and to ensure appropriate management of the reserve does not adversely impact on surrounding land uses.

To provide for the long term preservation of the flora and fauna of environmentally significant areas.

3.0 Permit requirement

25/08/2022
C208melt

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

4.0 Application requirements

25/08/2022
C208melt

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - The total extent of vegetation on the property and the extent of native vegetation proposed to be removed, lopped or destroyed.
  - A description of any proposed disturbance or surface soil or rocks, associated with the proposed development.

  - A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.
  - The effect of the proposed removal of native vegetation on the habitat value and long term viability of remnant grasslands in the vicinity.
- A land and environmental management plan prepared by a suitably qualified person identifying:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment, 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

5.0 Decision guidelines

25/08/2022
C208melt

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 conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The effect of any proposed building or works on the environmental values of the land and the integrity of the future reserve.
- The reason for removing any vegetation and the practicality of any alternative options.
- The importance of the natural environment including any important landscape or conservation characteristics of the area and the suitability of the proposed development.
- The control of noxious and environmental weeds and pest animals, including the need to minimise the spread of weeds and soil pathogens.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.

- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for *Environment Protection and Biodiversity Conservation Act 1999*.
- Any Growth Area Framework Plans, Biodiversity Conservation Strategies, Sub-Regional Species Strategies, Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change
- Any relevant park management plan or interim management plan.
- Any action statement prepared under the *Flora and Fauna Guarantee Act 1988* and any significant impact guidelines or prescriptions prepared under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) for species or habitat listed under either of these Acts that occur or are likely to occur on the land.

Background documents

- Delivering Melbourne's Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development June 2009)
- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment June 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research June 2009)

25/08/2022
C208melt

SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4**.

GRASSLANDS WITHIN THE WERRIBEE PLAINS HINTERLAND

1.0 Statement of environmental significance

25/08/2022
C208melt

The areas included within this overlay form part of the Victorian Volcanic Plain Bioregion. The native vegetation of the Victorian Volcanic Plain bioregion is one of the most depleted in the State. Only 4.5 per cent of the State still has a cover of native vegetation, and less than 1.2 per cent is in formal reserves.

The Werribee Plains hinterland consists of undulating volcanic plains, a scoria cone and steep gorges formed by the Little and Werribee Rivers. Many elements of the flora reflect the low rainfall of this area, which formerly supported extensive areas of Plains Grassland. Although the native vegetation has been extensively cleared and altered for agricultural, urban and industrial use, there are some large areas of predominantly native vegetation as well as some high quality wetlands, which are important for many threatened fauna species. There are a number of communities and species in this area that do not occur elsewhere in the bioregion. Important species in this area include, for flora, the Button Wrinklewort, Large-fruit Fireweed, Small Golden Moths, Small Milkwort, Small Scurf-pea, Spiny Rice-flower, and the only remaining wild population of Sunshine Diuris; and, for fauna, the Grassland Earless Dragon, Orange-bellied Parrot, Plains-wanderer, Red-chested Button-quail, Striped Legless Lizard and Swift Parrot.

The landscape consists of undulating volcanic plains with red duplex soils. The Werribee and Little Rivers have incised steep and sometimes spectacular gorges into the basalt plain. The scoria cone of Mount Anakie is a significant landscape feature. A band of Tertiary sediments is located along the western edge of this area.

It has a unique and relatively early history of European settlement due partly to the ease of access of the open grassland plains. Because of this the landscape has been radically altered.

The dry plains of the Werribee plains hinterland formerly supported extensive areas of Plains Grassland. These grasslands integrated with Riverina Plains Grassy Woodland (dominated by Grey Box, Buloke and Drooping Sheoak) to the west and south of Melton, and Plains Grassy Woodland in and around the You Yangs and east of the Brisbane Ranges. Riparian areas supported Floodplain Riparian Woodland and Creekline Grassy Woodland with Escarpment Shrubland on steeper escarpments. A variety of wetland communities formerly occurred throughout including Plains Grassy Wetland, Plains Sedgy Wetland, Canegrass Wetland, Lignum Wetland and Aquatic Herbfield. Scoria Cone Woodland was associated with Mount Anakie and other volcanoes. Areas of Coastal Saltmarsh were found along the shores of Port Phillip Bay. Many elements of the flora reflect the low rainfall including White Cypress-pine and Fragrant Saltbush found along the steep escarpments of the Werribee River, and Woolly Buttons at Little River. The native vegetation has been extensively cleared and altered for agriculture and (increasingly) for urban and industrial use. However, there are large areas of predominantly native vegetation including woodlands, wetlands and grasslands.

The major issue for biodiversity conservation in the Werribee plains hinterland is loss of native vegetation and habitat through clearing for urban development, cropping and infrastructure. The compounding effects of such clearing are the loss of floristic and habitat diversity and increasing fragmentation of habitats and isolation of remnants. Similarly, changes to management of remnant vegetation and increased urbanisation contribute to the proliferation of weeds and feral animals. Degradation of drainage lines and riparian vegetation through erosion, pollution and uncontrolled grazing, depletion of wetlands and changes to the hydrology of wetlands and streams are also serious threats to biodiversity in the region. However, a range of conservation assets are present and significant opportunities do exist to establish relatively large areas and networks of areas that

are managed sympathetically for conservation. Such networks could include a range of vegetation types and land tenures and relatively large and intact areas of open grassland, grassy woodland and wetland communities.

2.0 Environmental objective to be achieved

25/08/2022
C208melt

To prevent a decline in the extent and quality of native vegetation and native fauna habitat of the Victorian Volcanic Plain.

To enhance the environmental and landscape values of the area.

To avoid the fragmentation of contiguous areas of native vegetation or native fauna habitat.

To ensure that any use, development or management of the land is compatible with the long-term conservation, maintenance and enhancement of the grasslands.

To avoid the destruction of habitat for native fauna resulting from the modification of land form and disturbance of surface soils and rocks.

To enable areas of environmental significance, due to their native vegetation or habitat values, to be identified.

3.0 Permit requirement

25/08/2022
C208melt

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Construct a building or construct or carry out works for an extension or alteration of an existing dwelling (other than the erection of an outbuilding normal to a dwelling) provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non native.
  - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the *Building Act 1993*, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.

- To mow or slash grass in a lawn, garden or other planted area for maintenance only.
- To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

4.0 Application requirements

25/08/2022
C208melt

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be removed, lopped or destroyed.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

5.0 Decision guidelines

25/08/2022
C208melt

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 conservation significance of any vegetation to be removed and its habitat value for native fauna.
- Measures to protect and enhance native vegetation and native fauna habitat of the Victorian Volcanic Plain, including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Any relevant strategic grasslands management plan, particularly the potential impact of management activities, such as burning, on any proposed new use or development.
- The impact of any use, development or management of land on the grasslands including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- The need to adopt a precautionary approach in the absence of scientific certainty.
- The reason for removing any vegetation and the practicality of any alternative options.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.
- Any action statement, significant impact guidelines or prescriptions for listed species or habitat of listed species occurring or likely to occur on the land.

Background documents

- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne's Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research 2009)

25/08/2022
C208melt

SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO5**.

RURAL CONSERVATION AREA

1.0 Statement of environmental significance

25/08/2022
C208melt

The development of Melbourne has caused significant impacts to the environment. Melbourne's footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0 Environmental objective to be achieved

25/08/2022
C208melt

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.

To enhance the environmental and landscape values of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.

To maintain and enhance habitat connectivity for listed threatened species.

To prevent a decline in the extent and quality of native vegetation and native fauna habitat.

To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.

To maintain and enhance the integrity of sites of environmental significance.

To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0 Permit requirement

25/08/2022
C208melt

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non native.
  - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the *Building Act 1993*, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

4.0 Application requirements

25/08/2022
C208melt

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.

- Identification of the vegetation and habitat significance of the property.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

5.0 Decision guidelines

25/08/2022
C208melt

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 conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.

  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

Background documents

- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne's Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research 2009)

25/08/2022
C208melt

SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO6**.

RURAL CONSERVATION AREA

1.0 Statement of environmental significance

25/08/2022
C208melt

The development of Melbourne has caused significant impacts to the environment. Melbourne's footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0 Environmental objective to be achieved

25/08/2022
C208melt

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.

To enhance the environmental and landscape values of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance is compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.

To maintain and enhance habitat connectivity for listed threatened species.

To prevent a decline in the extent and quality of native vegetation and native fauna habitat.

To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.

To maintain and enhance the integrity of sites of environmental significance.

To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0 Permit requirement

25/08/2022
C208melt

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the *Building Act 1993*, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

4.0 Application requirements

25/08/2022
C208melt

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.

  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

5.0 Decision guidelines

25/08/2022
C208melt

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 conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.

  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

Background documents

- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne's Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research 2009)

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.

04/06/2020
C173melt

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

VOLCANIC HILLS AND CONES

1.0 Statement of nature and key elements of landscape

04/06/2020
C173melt

The City of Melton's volcanic plain is punctuated by dormant volcanic cones which rise up from the surrounding landscape. Of these, Mt Kororoit, Mt Cottrell and Mt Atkinson are the most prominent and form part of the Western Volcanic Plain. Despite their relatively low elevation, they are visible from long distances and provide points of interest within the open plains.

Mt Kororoit (237 metres AHD) is a low asymmetric conical hill with a flattened summit. Formed by a cenozoic volcanic deposit, this cone slopes steeply to the south and the west with a long, gentle slope of eroded lava to the north. This flow terminates at a broad, swampy depression to the north of Holden Road. It is located within a rural context and is surrounded by land used predominantly for agricultural purposes. Mt Kororoit Road provides the closest access to this cone, which is located on private land. The cone can also be viewed on approach to Leakes Road which passes over part of the feature. Due to the extent of this topographic feature and its long reaching and gentle rise, it is also visible from afar when travelling through the Western Volcanic Plains character area.

Mt Cottrell (205 metres AHD) is one of the best examples of a lava shield volcano in Victoria and one of the most striking volcanos close to Melbourne. The dormant volcano has a classic profile formed by lava erupting in a radial fashion. The lava flows on its western side are most discernable. Its summit provides panoramic views in all directions, including views to the You Yangs, Mount Macedon and Melbourne's CBD. This cone is located within a rural setting.

Mt Atkinson (140 metres AHD) is also a low volcanic cone. It provided extended flows of lava with a spur forming a low ridge just south of Greigs Road and another to the cone's south, forming an ill defined low north south ridge. This dormant volcano is less obvious in the landscape than Mt Kororoit and Mt Cottrell. Mt Atkinson is currently undeveloped open paddocks located in the Rural Conservation Zone (RCZ) which is surrounded by the Urban Growth Zone (UGZ). Land surrounding the cone is located within a precinct structure plan area and is designated for future residential development.

2.0 Landscape character objectives to be achieved

04/06/2020
C173melt

- To protect and conserve volcanic hills and cones from inappropriate development and to help to conserve the existing visual amenity and rural landscapes.
- To keep the core volcanic cones free from development where possible, by discouraging buildings and works at:
- Mt Kororoit above the 180 metre AHD contour line.
- Mt Cottrell above the 160 metre AHD contour line.
- Mt Atkinson above the 120 metre AHD contour line.
- To minimise impacts on their landscape values through the sensitive design of buildings and structures located within the foreground setting of the volcanic cones.
- To conserve and enhance the volcanic cones and rocky outcrops as important geological features of the landscape.
- To carefully manage the interface between urban and rural areas.
- To protect and respect the cultural heritage values of Melton's rural landscape.
- To ensure that buildings and structures demonstrate a high standard of design and respond to the character and significance of the surrounding landscape.

3.0 Permit requirement

04/06/2020
C173melt

A permit is required to construct a fence. This does not apply if the fence is:

- Timber post and wire, timber post and railing, wire mesh (ringlock), chainmesh or similar open style fence up to 1.8 metres in height.

4.0 Application requirements

04/06/2020
C173melt

None specified.

5.0 Decision guidelines

04/06/2020
C173melt

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

- The scale and siting of proposed buildings and structures.
- The impact of the development on significant landscapes when viewed from major viewing corridors including Beattys Road, Blackhill Road, Calder Freeway, Diggers Rest-Coimadai Road, Eynesbury Road, Faulkners Road, Gisborne-Melton Road, Greigs Road, Holden Road, Hopkins Road, Leakes Road, Mt Cottrell Road, Murphys Road, Plumpton Road, Troups Road South and the Western Freeway.
- The extent to which landscaping softens or screens the development.
- The effect of the proposed removal of vegetation on the area's landscape values including grasslands.
- The extent to which clustering of new buildings with existing buildings is achieved.
- The use of finishes and colours that complement those found naturally in the landscape, with consideration as to how the materials will weather over time.
- Whether the proposal uses permeable surfacing for all areas to minimise surface run off.
- Whether the proposal contributes to the creation of a definite visual edge for townships, delineating the boundary between urban development and the natural landscape beyond.
- Whether advertising signs are sited and designed to integrate with the design of buildings on the site.
- Whether the proposal minimises the visual impact of extraction sites through the use of adequate set backs and screening.

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*.

24/04/2019
C199melt

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

13/07/2023
C219melt

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 Conservation Management Plan for heritage buildings and places where adaptation or change of use are proposed.
- A written justification as to why demolition or any proposed additions to a dry stone wall is required.
- Where any demolition of a dry stone wall is proposed (partial or full):
  - An assessment of the condition of the dry stone wall by a suitably qualified professional.
  - A plan for the proposed re-use or storage of any removed stone.
  - Photographs or other suitable records of the dry stone wall.
- Where partial demolition of a dry stone wall is proposed:
  - The extent of removal required, including the percentage of the demolished area in relation to the whole structure.
  - Details of how the section of dry stone wall will be reconstructed (where applicable).
- Where demolition of a dry stone wall section to create an opening is proposed, detail on the new wall end construction.
- Where any alterations to a dry stone wall are proposed (added to, reconstructed or conserved):
  - Sections of the dry stone wall where it is proposed to be altered.
  - Details of who will be carrying out the proposed works.
- Where conservation or reconstruction is proposed for a dry stone wall, details of how the style of works is in keeping with the structure and form of the original or adjoining lengths of wall.
- Where additions to a dry stone wall are proposed, detail on the proposed additions to demonstrate that they will not disturb its structure.
- Where subdivision or development is proposed:
  - A feature survey of any dry stone wall within the proposed development.
  - A Dry Stone Wall Management Plan that includes the following:
    - Photographs (or suitable records) of the dry stone wall.

- Recommendations for repair and / or reconstruction.
- Conservation works which will retain the cultural significance of the dry stone wall.

- A plan showing the proposed location of any landscaping, footpaths, and structures which may impact the dry stone wall.

2.0 Heritage places

20/03/2023
VC229

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?
HO1	**Eynesbury** Eynesbury Road and Springhill Road	-	-	-	-	-	Yes Ref No H362	Yes	No
HO2	**Exford Homestead** Exford Road	-	-	-	-	-	Yes Ref No H316	Yes	No
HO3	**Strathtulloh** 1402-1600 Greigs Road	-	-	-	-	-	Yes Ref No H317	Yes	No
HO4	**Deanside Homestead Complex** 96-103 Reed Court	-	-	-	-	-	Yes Ref No H810	Yes	No
HO5	**Christ (Anglican) Church** 2-4 Unitt Street, Melton The heritage place is the former Christ Church Sunday school hall, metal bell tower and stained glass windows of former church.	No	No	No	Yes	No	No	No	No
HO6	**Presbyterian Church** Yuille Street, Melton The heritage place is the bluestone chapel and brick church hall.	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?
HO7	**'The Willows'** In the Willows Historical Park, 76–82 Reserve Road The heritage place is the house and the parkland setting, the memorial gates and the cypress tree by cowbail, pepper tree by memorial, avenue of gums and gum in northwest corner.	No	No	Yes	Yes	Yes	No	Yes	No
HO8	**Railway Viaduct over Melton Reservoir** (Also in Brookfield and Exford)	-	-	-	-	-	Yes Ref No H2327	No	No
HO9	**Bridge over Djerriwarrh Creek** Disused section of the Western Highway.	-	-	-	-	-	Yes Ref No H1658	No	No
HO10	**Rockbank Inn** Beattys Road and 1992-2106 Western Highway	-	-	-	-	-	Yes Ref No H1933	Yes	No
HO13	**'Lynuilg' Homestead** 477-569 Bensons Road The heritage place is the house, hipped outbuilding, draughthorse stabling, underground tank, milking/shearing shed and Canary Island Palms nearby the main house.	No	No	Yes	Yes	Yes	No	Yes	No
HO14	**'Glencoe'** 518-610 Blackhill Road The heritage place is the stone house, dry stone walls, stables, dairy, fowl house, pig pen and Norfolk Island pines at the entrance to the homestead.	Yes – homestead and stable/dairy	No	Yes	Yes	Yes	No	Yes	No
HO15	**House 'Angus Downs'**	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?
	546-570 Blackhill Road The heritage place is the house.								
HO16	**House** 2-200 Porteous Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO17	**'Melton Park'** 691-801 Bulmans Road The heritage place is the house, garden setting of cypress, peppercorn and other exotics and stables.	No	No	Yes	Yes	Yes	No	Yes	No
HO18	**Paine's Cottage** 152-176 Chapmans Road The heritage place is the timber cottage, remnant front fence and four Italian cypresses.	No	No	Yes	Yes	Yes	No	Yes	No
HO19	**Cornwall Park Stud** 2389-2485 Diggers Rest Coimadai Road The heritage place is the main Federation house, former coach house/stables and the Inter-war Bungalow cottage.	No	No	No	Yes	Yes	No	Yes	No
HO20	**Former Condons Dairy** 1397 Diggers Rest Coimadai Road The heritage place is the former dairy and rubble walls.	Yes	No	No	Yes	Yes	No	Yes	No
HO21	**'Toolern Park'** 1558-1672 Diggers Rest-Coimdai Road	No	No	Yes	Yes	Yes	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?
	The heritage place is the house, dry stone walls and mature conifers.								
HO22	**House 'Kuloomba'** 2203 Diggers Rest Coimdai Road The heritage place is the house, and two outbuildings.	No	No	No	Yes	Yes	No	Yes	No
HO23	**War Memorial** In Reserve off Diggers Rest Coimadai Road The heritage place is the memorial and the land around the memorial for a distance of five metres.	Yes	No	No	Yes	No	No	No	No
HO24	**Farm Complex** 1229-1279 Gisborne Melton Road The heritage place is the house, cottage, stone ruin, underground tank, brick garage and potential archaeological remains.	Yes - brick garage (former dairy) and stone ruins	No	No	Yes	Yes	No	Yes	No
HO25	**House** 1374 - 1404 Gisborne Melton Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO26	**House 'Creighton'** 1618 Gisborne Melton Road The heritage place is the house and immediate garden setting and the two Canary Island Palm trees at the front of the house.	Yes	No	Yes	Yes	No	No	Yes	No
HO27	**House & Outbuilding** 310 - 360 Gisborne Melton Road	No	No	Yes	Yes	Yes	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?
	The heritage place is the house and rendered brick outbuilding and the immediate setting of cypress trees.								
HO28	**Ruin 'McIntosh Cottage'** 687-777 Gisborne - Melton Road The heritage place is the stone ruin and peppercorn tree.	Yes	No	Yes	Yes	No	No	No	No
HO29	**Former 'Yangardook' Cottage** 575-685 Gisborne Melton Road The heritage place is the stone cottage.	Yes	No	No	Yes	No	No	Yes	No
HO30	**Ruin 'The Elms'** 779-859 Gisborne Melton Road The heritage place is the stone ruin.	Yes	No	Yes	Yes	No	No	No	No
HO31	**'Glen Elgin'** 766-858 Gisborne Melton Road The heritage place is the house, stables, timber shed, underground tank, shearing shed, two stone cottages, cattle yards and the immediate setting of Monterey cypresses along the drive, conifers and palm in main house garden, the Algerian Oaks, Bunya Bunya Pine, Osage Orange and English Elms.	Yes - brick stables, stone cottages and shed	No	Yes	Yes	Yes	No	Yes	No
HO32	**Hjorth's Farm** 163 Hjorths Road The heritage place is the dry stone wall dam, terraces, remains of the irrigation system and orchard trees.	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?
HO33	**'Norwood'** 78-132 Hoggs Road The heritage place is the house and bird-watchers cabin.	No	No	No	Yes	Yes	No	Yes	No
HO35	**'Wattle Grove' House & Shed** 117-125 McPhersons Road The heritage place is the house, shearing shed and stable.	No	No	No	Yes	Yes	No	Yes	No
HO36	**'Greenhills'** 1260-1398 Diggers Rest-Coimdai Road The heritage place is the house, outbuildings, garden setting of palm, eucalypt, and peppercorn trees in front of house, isolated oak tree near creek, and remnant conifers near house, dry stone walls and dams.	No	No	Yes	Yes	Yes	No	Yes	No
HO37	**'Pinewood' Homestead** 783-829 Blackhill Road The heritage place is the stone house, dry stone walls, the old pine garden and driveway plantings, the Aleppo pine at the front gate, the Hawthorn plantings, and the old pear and pine trees near the original homestead site.	Yes -the bluestone portions of the homestead	No	Yes	Yes	Yes	No	Yes	No
HO38	**Stone Cottage** 189-193 Blackhill Road The heritage place is the stone cottage.	Yes - random rubble walls	No	No	Yes	No	No	Yes	No
HO39	**House & Bullock Track** 847-1071 Blackhill Road	No	No	No	Yes	Yes	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?
	The heritage place is the house and former Bullock track remains.								
HO40	**Plumpton Hare Enclosure** 847-1071 Blackhill Road The heritage place is the remains of an enclosure made of dry stone walls and the land around the enclosure for a distance of five metres including the old eucalyptus in the enclosure.	No	No	Yes	Yes	No	No	No	No
HO41	**Aitken's Gap Pine Avenue** Calder Freeway The heritage place is the avenue of Monterey Pine trees along the Freeway and a distance of five metres beyond their canopy.	No	No	Yes	Yes	No	No	No	No
HO42	**Diggers Rest Railway Station & Platforms** Calder Highway The heritage place is the railway station and the bluestone platform.	Yes	No	No	Yes	No	No	No	No
HO43	**The Diggers Rest Hotel** 1434-1466 Calder Highway The heritage place is the hotel, the wooden garage, remnant paving, oak tree and potential archaeological material.	No	No	Yes	Yes	Yes	No	Yes	No
HO44	**Former Diggers Rest School** 1290 Calder Highway The heritage place is the former school house.	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?
HO45	**Sanger Grave** 1286-1292 Calder Highway The heritage place is the brick monument and the land around the grave for a distance of five metres.	Yes	No	No	Yes	No	No	No	No
HO46	**House** 1376 - 1432 Calder Highway The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO47	**House** 2- 180 Davis Road The heritage place is the house, front timber picket fence, front and side cypress, and other exotics and outbuildings to the west of driveway.	No	No	Yes	Yes	Yes	No	No	No
HO48	**Former Murphy Dam** 209 - 247 Plumpton Road The heritage place is the dam, dry stone dam wall and dry stone walls around the gully.	No	No	No	Yes	Yes	No	No	No
HO49	**Former Army Radio Station** 107- 207 Diggers Rest-Coimadai Road The heritage place is the bow-roofed, WW II building.	No	No	No	Yes	No	No	Yes	No
HO50	**Former Clarke Dam** 544-618 Diggers Rest-Coimadai Road The heritage place is the Dam and dry stone wall.	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?
HO51	**Arrunga** 77-347 Holden Road The heritage place is the house and driveway trees of cypress and eucalyptus in three rows along the edge of the two driveways.	No	No	Yes	Yes	No	No	Yes	No
HO52	**House** 932-1036 Holden Road The heritage place is the house, scrolled metal gate and timber post and wire fence.	No	No	No	Yes	Yes	No	Yes	No
HO53	**Holden Road Dam** 765-789 Holden Road The heritage place is the dry stone dam wall and dam.	No	No	No	Yes	No	No	No	No
HO54	**Bridge over Kororoit Creek** Melton Highway The heritage place is the early masonry bridge.	Yes	No	No	Yes	No	No	No	No
HO55	**House** 974-1048 Melton Highway The heritage place is the house and dry stone wall and cypresses around house.	No	No	Yes	Yes	Yes	No	Yes	No
HO56	**Gollars Court** 1366-1496 Melton Highway The heritage place is the house.	Yes	No	No	Yes	No	No	Yes	No
HO57	**Norton Ruin** 1912-1962 Melton Highway	Yes	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?
	The heritage place is the stone ruin and dry stone walls to the north and west.								
HO58	**House** 911-935 Melton Highway The heritage place is the house and boundary plantings of Monterey cypresses.	No	No	Yes	Yes	No	No	Yes	No
HO59	**Rocklands** 211 Mt Aiken Road The heritage place is the brick house and the dry stone wall in the former garden.	No	No	No	Yes	Yes	No	Yes	No
HO60	**Mt. Aiken Site & Ruin** 740-794 Mt Aitken Road The heritage place is the semi-ruinous stone building and the archaeological remains of former structures, including walls, tracks and gardens and the conifer shelter plantings and any remnant garden plantings.	Yes	No	Yes	Yes	Yes	No	No	No
HO61	**Bluestone Cottage & Ruinous Timber dwelling** 2-88 Mt Cottrell Road The heritage place is the ruinous timber building, stone cottage, dry stone walls and Peppercorn tree and gum tree adjacent to buildings.	No	No	Yes	Yes	Yes	No	Yes	No
HO62	**Mt Kororoit Homestead** 2-88 Leakes Rd	No	No	Yes	Yes	Yes	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?
	The heritage place is the house, timber outbuildings, shearing shed, dry stone walls and peppercorn and palm trees.								
HO63	**Plumpton Dam** 412- 518 Plumpton Road The heritage place is the dam, dry stone dam wall and embankment.	No	No	No	Yes	No	No	No	No
HO64	**'Plumpton Park'** 412- 518 Plumpton Road The heritage place is the house and setting and cypress trees.	No	No	Yes	Yes	No	No	Yes	No
HO65	**Rocklands Dam** 131-199 Townsings Rd The heritage place is the dam and dry stone dam wall.	No	No	No	Yes	No	No	No	No
HO66	**Bridge over Toolern Creek** Bridge Road The heritage place is the bridge.	No	No	No	Yes	No	No	No	No
HO68	**Kippenross** 429-455 Bulmans Road The heritage place is the house, laundry, underground tank, avenue of Sugar Gums and driveway.	Yes	No	Yes	Yes	Yes	No	Yes	No
HO69	**Melton Cemetery** Centenary Avenue The heritage place is the Melton Cemetery, the Sheoaks and Monterey pines.	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?
	Incorporated plan: *Melton Cemetery Incorporated Plan*								
HO70	**Darlingsford Barn** 13 - 15 Darlingsford Boulevard The heritage place is the former barn.	Yes	No	No	Yes	No	No	Yes	No
HO71	**Melton South State School No. 3717** 34-46 Exford Road The heritage place is the interwar brick school building.	Yes	No	No	Yes	No	No	Yes	No
HO72	**House** 2 Exford Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO73	**House** 54-56 Exford Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO74	**Parklea** 148-200 Abey Road The heritage place is the house, driveway, the peppercorn trees flanking driving and cypress trees nearby the house, two farm outbuildings and the immediate setting.	No	No	Yes	Yes	Yes	No	Yes	No
HO75	**Former Melton Reservoir** In Hannah Watts Park, High Street The heritage place is the reservoir pond and a bluestone inlet on Toolern Creek.	No	No	No	Yes	No	No	No	No
HO76	**Former Melton Courthouse**	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?
	323-329 High Street The heritage place is the former court house.								
HO77	**War Memorial** High Street The heritage place is the two memorials and the land around the memorials for a distance of five metres.	Yes	No	No	Yes	No	No	No	No
HO78	**Staughton Memorial** High Street The heritage place is the memorial lamppost and the land around the memorial for a distance of five metres.	Yes	No	No	Yes	No	No	No	No
HO79	**Former Mechanics Institute** 232-238 High Street The heritage place is the former Mechanics Institute.	Yes	No	No	Yes	No	No	Yes	No
HO80	**Walnut Tree** In front of Civic Centre, High Street The heritage place is the tree and the land beneath the canopy for a distance of five metres.	No	No	Yes	Yes	No	No	No	No
HO81	**Coronation Tree** In Hannah Watts Park, High Street The heritage place is the tree and the land beneath the canopy for a distance of five metres.	No	No	Yes	Yes	No	No	No	No
HO82	**Melton Valley Golf Course**	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?
	Yuille Street & Melton Valley Drive The heritage place is the graves, former roadways, dairy tree and small fig tree associated with a former house and potential archaeological sites located on the golf course.								
HO83	**'Raglan's Cottage'** 237 High Street The heritage place is the house.	Yes	No	No	Yes	No	No	No	No
HO84	**Melton Weir, over Toolern Creek** Nixon Street The heritage place is the weir and road causeway.	No	No	No	Yes	No	No	No	No
HO85	**'Dunvagen'** In the Willows Historical Park, 68-74 Reserve Road The heritage place is the house.	Yes	No	No	Yes	No	No	Yes	No
HO86	**'Macs Cottage'** In the Willows Historical Park, 68-74 Reserve Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO87	**House** 32 O'Neils Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO88	**Former Wesleyan Methodist Church** 66-76 Palmerston Street	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?
	The heritage place is the former church and immediate setting.								
HO89	**House 'Balmoral Farm'** 2120 - 2224 Melton Highway The heritage place is the house and underground tank.	No	No	No	Yes	Yes	No	Yes	No
HO90	**St. Dominics Roman Catholic Church** Smith Street The heritage place is the former church.	Yes	No	No	Yes	No	No	Yes	No
H091	**CJ Melrose Memorial Cairn** 398-446 Clarkes Road The heritage place is a stone cairn and the land around the cairn for a distance of five metres, on the east bank of Arnolds Creek, opposite CJ Melrose Memorial Reserve.	No	No	No	Yes	No	No	No	No
HO92	**House** 160 Station Road The heritage place is the house and front fence.	Yes	No	No	Yes	Yes	No	Yes	No
HO93	**Melton South Railway Station** Brooklyn Road The heritage place is the station building, signal boxes and platforms.	No	No	No	Yes	No	No	Yes	No
HO94	**John Campbell Miles farmhouse** Shamrock Place	No	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?
	The heritage place is the site of the former farmhouse, the peppercorn trees and potential archaeological remains in the vicinity.								
HO95	**Former Robinsons House Tank** 122-142 The Bullock Track The heritage place is the underground tank and the land around the tank for a distance of five metres.	Yes	No	No	Yes	No	No	No	No
HO96	**Melton State School No. 430** Unitt Street The heritage place is the bluestone school house and rows of Peppercorn trees along school boundaries.	Yes	No	Yes	Yes	No	No	Yes	No
HO97	**Early crossing Place associated with the Djerriwarrh Bridge** Disused section of the Western Highway The heritage place is the disused bridge, early crossing places, ford, quarry, tracks and potential archaeological sites near bridge.	No	No	No	Yes	No	No	No	No
HO98	**House 'Nerowie'** 155 Nerowie Road The heritage place is the house.	Yes	Yes - 'chapel'	No	Yes	No	No	Yes	No
HO99	**Former Exford Shearing Shed** 1182-1250 Exford Road The heritage place includes three concrete silos.	-	-	-	-	-	Yes Ref No H2276	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?
HO100	**Former Dairy** 1180 Exford Road The heritage place is the former dairy.	Yes	No	No	Yes	No	No	Yes	No
HO101	House 865 Exford Road The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO102	**Glengallon** 77-207 Greigs Road West The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO103	**Former Dairy & Trees** 30 & 35 Hickey Road The heritage place is the former dairy and the peppercorn trees.	No	No	Yes	Yes	Yes	No	Yes	No
HO104	**Moloney's Farm Site & Water Reserve** 1884-1908 Mt Cottrell Road and land adjacent to Werribee River The heritage place is the underground tank remains, dry stone walls and two peppercorn trees adjacent to the tank.	No	No	Yes	Yes	Yes	No	No	No
HO105	**Mt Cottrell Road Stock Yard, Ruins & Dry Stone Walls** 1476 – 1570 Mt Cottrell Road The heritage place is the complex of dry stone walls, dam and stockyards, house ruins, underground tank, mature Peppercorn and Sugar Gums.	No	No	Yes	Yes	Yes	No	No	No
HO107	**House**	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?
	285 Nerowie Road The heritage place is the house.								
HO108	**Former Australian Beam Wireless Receiving Station** 653-701 Greigs Road and 703-735 Greigs Road	-	-	-	-	-	Yes Ref No H2278	Yes	No
HO109	**Old Rockbank Middle Road (Cobblestone Road)** In Reserve, The Bridges The heritage place is a cobblestone road and the land around the road for a distance of five metres.	No	No	No	Yes	No	No	No	No
HO110	**Kerr Farm Site** 1780-1882 Boundary Road The heritage place is the remains of a stone house, cistern, internal and boundary dry stone walls, stockyards, a gatepost and a cobbled area near the house. **Incorporated plan:** *Kerr Farm Site, Incorporated Plan*	No	No	No	Yes	Yes	No	No	No
HO111	**Mount Cottrell Homestead** 167 Faulkners Road The heritage place is the house, stables and machinery shed.	No	No	No	Yes	Yes	No	Yes	No
HO112	**House & Outbuilding** 65-543 Greigs Road East	No	No	Yes	Yes	Yes	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?
	The heritage place is the house and gambrel roofed outbuilding in the yard and mature eucalypts and peppercorn trees flanking the long drive, and peppercorn trees with the house yard (rear of dwelling). **Incorporated plan:** *65-543 Greigs Road East, Incorporated Plan*								
HO113	**Payne's Cottage** 638-688 Greigs Rd East The heritage place is the stone cottage.	Yes	No	No	Yes	No	No	Yes	No
HO114	**'Rocklands' Homestead & Farm** 619-653 Hopkins Road The heritage place is the house, dry stone walls, dam, stockyards, rear cottage farm setting, cypress tree on east side of house, Eucalypts along garden walls and saltbush to front of homestead.	Yes - main house	No	Yes	Yes	Yes	No	Yes	No
HO115	**Rockbank Community Hall** Leakes Road The heritage place is the hall and immediate setting of peppercorns and sugar gums.	No	No	Yes	Yes	No	No	Yes	No
HO117	**Bonnie Doone** 339 - 365 Tarletons Rd The heritage place is the house, underground tank, stables, and dry stone walls.	No	No	No	Yes	Yes	No	Yes	No
HO118	**Rockbank Headstation Dam** 1233 – 1287 Taylors Road	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?
	The heritage place is the dry stone dam wall and dam.								
HO119	**House** 107-121 Water Reserve Road The heritage place is the Edwardian house and the Victorian cottage.	No	No	No	Yes	Yes	No	Yes	No
HO120	**House** 1957-1963 Western Highway The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO121	**Former Rose & Crown Hotel** 2057-2083 Western Highway The heritage place is the former hotel building.	No	No	No	Yes	No	No	Yes	No
HO122	**House** 2341-2421 Western Highway The heritage place is the house.	No	No	No	Yes	No	No	Yes	No
HO123	**'Dalgook' Farm Complex** Corner Calder Park Drive and Hume Drive The heritage place is the house, dry stone walls of the house paddock and dairy to the west, and shelter planting associated with the dry stone wall of the home paddock.	No	No	Yes	Yes	Yes	No	Yes	No
HO124	**Grave, Ruin & Archaeological site Former 'Greenhills' Pastoral Station** 36-49 O'Connell Avenue	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?
	The heritage place is the fenced grave, stone ruin and potential archaeological remains of the sheep yards/wash.								
HO125	**Former Mowbray College Patterson Campus** 102-112 Centenary Avenue	-	-	-	-	-	Yes Ref No H2319	Yes	No
HO127	**House** 161 Bulmans Road The heritage place is the house and the peppercorn tree at the rear of the property.	No	No	Yes	Yes	No	No	Yes	No
HO128	**Stoneleigh** 196 Sinclairs Road The heritage place is the homestead, palm and sugar gum trees surrounding the homestead, and the dry stone walls.	No	No	Yes	Yes	Yes	No	No	No
HO129	**House** 398-428 Exford Road, Weir Views (SPI: 3\PS422772) The heritage place is the Federation period weatherboard house and its setting towards Exford Road. **Statement of significance:** House at 344-384 Exford Road, Weir Views (SPI: 3\PS422772) Statement of Significance: 398-428 Exford Road, Weir Views, "House", November 2018	Yes	No	No	Yes	No	No	No	No
HO130	Staughton Infant Grave 430-458 Exford Road, Weir Views	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?
	35A Astley Drive, Strathtulloh (SPI: RES2\PS422772) The heritage place is the grave and its associated setting including a copse of trees and the view to the valley of Toolern Creek to the east and the adjacent copse of trees to the west, including a Stone Pine (Pinus pinea). **Statement of significance:** Statement of Significance: 430-458 Exford Road, Weir Views, "Staughton Infant Grave", November 2018								
HO131	**Behlen Shed** Brooklyn Road, Melton South (railway reserve, part of 2-98 Staughton Street) The heritage place is the mid-20th century prefabricated frameless steel shed. **Statement of Significance:** Statement of Significance: 2-98 Staughton Street, Melton South, "Behlen Shed", November 2018	No	No	No	Yes	No	No	No	No
HO132	**Former Melton Stud** 325 Clarkes Road, Brookfield The heritage place is the Federation period Melton Stud, including the weatherboard residence, the grave of 'The Welkin', and a weatherboard stallion box. **Statement of Significance:** Statement of Significance: 325 Clarkes Road, Brookfield, "Former Melton Stud", November 2018	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?
HO133	**Tara Stud (former) - Outbuildings and Trees** 2 Killarney Drive, 2A Sherwin Court, Melton The heritage place is the three largely intact outbuildings (northern stables, southern shed/stables and office building) at 2 Killarney Drive and the row of 11 cyprus trees on the adjacent public reserve at 2A Sherwin Court. **Statement of Significance:** Statement of Significance: 2A Sherwin Court and 2 Killarney Drive, Melton "Tara Stud (former) - Outbuildings and Trees, November 2018	Yes	No	Yes	Yes	Yes	No	No	No
HO134	**Water Reserve, Beattys Road** 660A Beattys Road, Bonnie Brook The heritage place is the water reserve (land) adjoining the east side of Kororoit Creek, north of Beattys Road and including the dry stone wall on the north-eastern boundary. **Statement of Significance:** Statement of Significance: 660A Beattys Road, Bonnie Brook "Water Reserve, Beattys Road", November 2018	No	No	No	Yes	Yes, dry stone wall located on the north-eastern side of the reserve	No	No	No
HO135	**Former Fulham Park** 1267-1289 Beattys Road, Grangefields The heritage place is the remnants of the Victorian stone cottage at the former Fulham Park and the nearby riveted vessels.	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: Statement of Significance: 1267-1289 Beattys Road, Grangefields, "Former Fulham Park", November 2018								
HO136	**Beattys Bridge** 660A Beattys Road, Bonnie Brook The heritage place is the remains of the timber bridge known as Beattys Bridge which crosses Kororoit Creek and the cobbled roadway to the west. **Statement of Significance:** Statement of Significance: 660A Beattys Road, Bonnie Brook "Beattys Bridge", November 2018	No	No	No	Yes	No	No	No	No
HO137	**Tibbermore** 687 Hopkins Road, Truganina The heritage place is the house known as Tibbermore, outbuildings and tank. **Statement of Significance:** Statement of Significance: 687 Hopkins Road, Truganina, "Tibbermore" November 2018	No	No	No	Yes	Yes	No	No	No
HO200	**Mount Cottrell Dry Stone Wall Precinct**	No	No	No	Yes	Yes	No	No	No
HO201	**Mount Kororoit Dry Stone Wall Precinct**	No	No	No	Yes	Yes	No	No	No
HO202	**She-Oak Hill Dry Stone Wall Precinct**	No	No	No	Yes	Yes	No	No	No
HO203	**Mount Atkinson Dry Stone Wall Precinct**	No	No	No	Yes	Yes	No	No	No
HO204	**Greigs Road Dry Stone Wall Precinct**	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?
HO205	**Selection Wall**	No	No	No	Yes	Yes	No	No	No
HO206	**Plumpton Road Wall**	No	No	No	Yes	Yes	No	No	No

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

CONNECTION OF WESTERN FREEWAY TO WESTERN RING ROAD

1.0 Design objectives

25/08/2022
C208melt

To ensure that the development of land near the future alignment of the connection of the Western Freeway to Western Ring Road is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise on noise sensitive activities.

2.0 Buildings and works

25/08/2022
C208melt

Any development within the area defined on Map 14DDO which is associated with a use listed below must include noise attenuation measures to the satisfaction of the Roads Corporation. In considering whether any measures proposed are to its satisfaction, the Roads Corporation will consider any appropriate Australian Standard in relation to road traffic noise intrusion.

- Accommodation
- Child care centre
- Education centre
- Indoor recreation facility
- Office
- Place of assembly
- Retail premises
- Warehouse
- Art and craft centre
- Brothel
- Display home
- Funeral parlour
- Hospital
- Research centre
- Veterinary centre
- Winery

3.0 Subdivision

25/08/2022
C208melt

None specified.

4.0 Signs

25/08/2022
C208melt

None specified.

5.0 Application requirements

25/08/2022
C208melt

None specified.

6.0 Decision guidelines

25/08/2022
C208melt

None specified.

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

EYNESBURY STATION RURAL AREA

1.0 Design objectives

25/08/2022
C208melt

To ensure that the rural areas of Eynesbury Station are managed and developed to maintain and enhance agricultural productivity.

To ensure any subdivision or dwelling approval only occurs where a demonstrated need is established in relation to an agricultural purpose and activity.

2.0 Buildings and works

25/08/2022
C208melt

Permission is not required to construct a building or construct or carry out works except for a dwelling.

Buildings and works for a dwelling may only be approved where a need is demonstrated that it is required to facilitate the agricultural use and development of the land.

A dwelling must be sited and designed and include appropriate landscape treatments to minimise its impact on the visual amenity of the area.

Buildings and works for a dwelling is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 60(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.0 Subdivision

25/08/2022
C208melt

Any proposed subdivision must be in association with an agricultural or related rural purpose.

4.0 Signs

25/08/2022
C208melt

None specified.

5.0 Application requirements

25/08/2022
C208melt

None specified.

6.0 Decision guidelines

25/08/2022
C208melt

In consideration of proposals for a dwelling or subdivision the Responsible Authority must consider as appropriate:

- The objectives and relevant details of the Eynesbury Station Incorporated Plan, September 2001.
- The desire to enhance and diversify agricultural productivity in the area.
- The need to protect areas of environmental significance and undertake appropriate weed, pest and related management programs.
- Minimising the visual impact of development within the rural landscape.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

REGIONAL RAIL LINK SECTION 2 RAIL NOISE ATTENUATION

1.0 Design objectives

25/08/2022
C208melt

To reasonably protect bedrooms from the impacts of noise generated by the operation of trains on land designated as the project area for Regional Rail Link Section 2 under Part 4 of the *Major Transport Projects Facilitation Act 2009*.

2.0 Buildings and works

25/08/2022
C208melt

Permits

A permit is not required to construct a building or construct or carry out works other than for:

- Accommodation, a child care centre, a display home, a hospital, a hotel or a tavern.
- An acoustic wall or other acoustic structure that is not part of a building.

A permit is not required to construct a building or construct or carry out works for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern if there is a restriction on the title to the land requiring compliance with the requirement described below.

Requirement

If a building includes a bedroom, the building (and associated works) must be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB LAmax and 40 dB LAeq,8h for the night period from 10pm to 6am.

A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.

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 Act if the noise attenuation measures are proposed as part of the affected building.

3.0 Subdivision

25/08/2022
C208melt

Requirement

A permit to subdivide land must require a restriction on titles requiring buildings (and associated works) for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern to be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB LAmax and 40 dB LAeq,8h for the night period from 10pm to 6am. The restriction may include specific construction requirements to the satisfaction of the responsible authority.

A permit may not be granted to subdivide land which is not in accordance with this requirement.

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

25/08/2022
C208melt

None specified.

5.0 Application requirements

25/08/2022
C208melt

An application to subdivide land or to construct a building or construct or carry out works must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority. The acoustic assessment must:

- Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the ongoing operation of the Regional Rail Link.
- Include recommendations for noise attenuation measures designed to achieve the internal bedroom noise limits specified in the requirements in this schedule.

An application to subdivide land must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.

An application to construct, or carry out works for, an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material prepared to the satisfaction of the responsible authority showing:

- A visually engaging design avoiding the use of a sheer wall on either side of the structure.
- Landscaping along the interface area of the structure to soften its visual impact.

6.0 Decision guidelines

25/08/2022
C208melt

The following decision guidelines apply to an application for a permit to subdivide land or to construct a building or construct or carry out works 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 protection from noise offered by existing and planned built form.
- The degree of noise sensitivity of the proposed use in the building.
- Whether the proposed noise attenuation measures are likely to be effectively maintained over the lifetime of the building or structure.
- The impact of any non-building acoustic structure on the amenity of the area.
- The impact of the subdivision on the amenity and functionality of the area.

Notes: *The extent of the Design and Development Overlay represents land likely to be affected by rail noise of at least 80 dB L_{Amax}.*

Reference in this schedule to:

- *A bedroom means a room likely to accommodate a sleeping person on a regular basis including a children's rest area in a child care centre, a hotel room and a hospital ward.*
- *dB means decibels.*
- *L_{Amax} means the maximum A-weighted sound pressure level and is the 95 percentile of the highest value of the A-weighted sound pressure level reached within the day or night.*
- *L_{Aeq} means the equivalent continuous A-weighted sound pressure level and is the value of the A-weighted sound pressure level of a continuous steady sound that has the same acoustic energy as a given time-varying A-weighted sound pressure level when determined over the same measurement time interval.*

Background document: *Passenger Rail Infrastructure Noise Policy (Department of Transport, Planning and Local Infrastructure, April 2013)*

25/08/2022
C208melt

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

LANDFILL GAS FURTHER INVESTIGATION AREA

1.0 Design objectives

25/08/2022
C208melt

To ensure that buildings and works are designed and constructed to avoid potential adverse impacts caused by landfill gas migration from putrescible landfilling at the Melbourne Regional Landfill.

To ensure development and construction methods do not result in unacceptable risk to human health caused by any possible landfill gas migration from putrescible landfilling at the Melbourne Regional Landfill.

2.0 Buildings and works

25/08/2022
C208melt

Permit requirements

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

- A permit for buildings and/or works must implement any measures identified as required in the Detailed Interpretive Report accompanying the application to ensure no landfill gas migration impacts; and
- A permit for buildings and/or works must include any conditions necessary to ensure the proposed building and/or works will avoid adverse impacts caused by landfill gas migration from the Melbourne Regional Landfill.

A permit must not be granted to construct a building or construct or carry out works that is not in accordance with the requirements of this schedule.

Referral of applications

An application to construct a building or construct or carry out works must be referred to the Environment Protection Authority Victoria under section 55 of the Act.

Exemption from notice and review

An 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 review rights of Section 82(1) of the Act.

3.0 Subdivision

25/08/2022
C208melt

Referral of applications

An application for subdivision must be referred to the Environment Protection Authority Victoria under section 55 of the Act.

Exemption from notice and review

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.

4.0 Signs

25/08/2022
C208melt

None specified.

5.0 Application requirements

25/08/2022
C208melt

Buildings and works

The following application requirements apply to an application for a permit to construct a building or construct or carry out works 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 geological and hydrogeological assessment of the land by a suitably qualified professional that considers the ability of the identified strata to transmit landfill gas which has migrated from, or may migrate from any existing or approved putrescible landfill cell within 500 metres of the land to be developed, into buildings and structures at the surface. The assessment must be endorsed by the Environment Protection Authority Victoria
- A Detailed Interpretive Report prepared by a suitably qualified professional to the satisfaction of the Environment Protection Authority Victoria that responds to the endorsed geological and hydrogeological assessment and addresses the following matters:
  - How the proposed building or works will avoid being adversely impacted by the offsite migration of landfill gas from any existing or approved putrescible landfill cell within 500 metres of the building or works, and any measures required to achieve this; and
  - How the proposed design of any building will affect the movement of landfill gas from the ground into the building, in particular venturi and stack effects.
- The design of any proposed measures to limit the movement of landfill gas relevant to the proposed use of the building or structure.
- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The location of the site in relation to any nearby existing or permitted putrescible landfill cells.
  - Adjoining roads and infrastructure.
  - Relevant ground levels and surface levels to AHD.
  - The layout and dimensions of existing and proposed buildings and works, including foundation details and proposed levels of bulk excavation or filling.
  - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
  - The depth of any basements and/or excavation works.
  - The proposed foundations, including their form and founding levels.
  - The details of any proposed drainage system, including any discharge outlet.
- Details of any consultation undertaken with the Environment Protection Authority about the application, including any written comments provided by the Environment Protection Authority.
- Any other information required by the responsible authority or the Environment Protection Authority Victoria that is relevant to the actual or potential offsite migration of landfill gas from an existing or approved putrescible landfill cell.

Subdivision

The following application requirements apply to an application for a permit to subdivide land 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 geological and hydrogeological assessment of the land by a suitably qualified professional that considers the ability of the identified strata to transmit landfill gas which has migrated from, or may migrate from any existing or approved putrescible landfill cell within 500 metres of the land to be developed, into buildings and structures at the surface. The assessment must be endorsed by the Environment Protection Authority Victoria.

6.0 Decision guidelines

25/08/2022
C208melt

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 technical reports or guidelines prepared by the Environment Protection Authority Victoria.
- Whether the application responds appropriately to the geological and hydrological assessment required under this schedule.

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO1.**

EYNESBURY STATION

1.0 Requirement before a permit is granted

19/01/2006
VC37

Prior to the commencement of development in accordance with the Eynesbury Station Incorporated Plan:

- Consolidation of Eynesbury Station into three key holdings:
  - the Eynesbury Station Township Precinct;
  - the Eynesbury Station Grey Box Forest Area; and
  - all other land within Eynesbury Station except for the Eynesbury Station Township Precinct and the Eynesbury Station Grey Box Forest Area.
- Creation of an unlimited body corporate established under the *Subdivision Act 1988* to include land covered by the relevant Incorporated Plan Overlay in both the Wyndham and Melton Planning Schemes.
- Preparation of Environmental Management Strategies as required by the *Eynesbury Station Incorporated Plan, September 2001* to the satisfaction of the Responsible Authority. The Environmental Management Strategies for Flora and fauna protection and enhancement; and Control of pest plants and animals must also be to the satisfaction of the Department of Natural Resources and Environment.
- Preparation of legal strategies as required by the *Eynesbury Station Incorporated Plan, September 2001* to the satisfaction of the Responsible Authority.

2.0 Permits not generally in accordance with incorporated plan

25/08/2022
C208melt

A permit may be granted for the following uses and developments that are not generally in accordance with the Incorporated Plan:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Extensions, additions or modifications to any existing use or development.

3.0 Conditions and requirements for permits

19/01/2006
VC37

None specified

4.0 Decision guidelines

25/08/2022
C208melt

Before deciding on an application, the Responsible Authority must consider, as appropriate the implementation of strategies to achieve;

- Linkages between urban/recreation development and farming/agricultural pursuits and improvements.
- On-going environmental management of Eynesbury Station.
- Any subdivision of land in the Rural Zone must demonstrate agricultural and environmental benefits.

5.0 Preparation of the incorporated plan

25/08/2022
C208melt

Any Incorporated Plan for the whole or part of Eynesbury Station shall address the following:

- The integrated environmental management of Eynesbury Station.
- The continued use of the bulk of Eynesbury Station for productive agriculture.
- The use and reuse of water from Surbiton Park Treatment Plant.
- The maintenance and improvement of water quality of Werribee River.
- The protection and enhancement of the environmental and heritage assets of Eynesbury Station.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO3**.

TOOLERN PARK PRECINCT STRUCTURE PLAN

Purpose

To conserve the Toolern Park Creek for functioning, sustainable populations of Growling Grass Frog.

To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0 Requirement before a permit is granted

25/08/2022
C208melt

None specified.

2.0 Permits not generally in accordance with incorporated plan

25/08/2022
C208melt

None specified.

3.0 Conditions and requirements for permits

07/07/2023
C237melt

Biodiversity

Kangaroo Management Plan

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Condition - Security of conservation land

A permit to subdivide land containing a ‘conservation area’ as shown in the *Toolern Park Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner

must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the Conservation, Forests and Lands Act 1987, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition - Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Toolern Park Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition - Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition - Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Toolern Park Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition - Construction environmental management plans

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated Toolern Park Precinct Structure Plan must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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*) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

4.0 Decision guidelines

07/07/2023
C237melt

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

- The consistency of the use or development with:
  - The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013).
  - The incorporated *Toolern Park Precinct Structure Plan* , August 2014.

  - Any relevant approval under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - Any management plan applying to the land under an agreement under section 69 of the *Conservation Forest and Lands Act 1987*.

- *Delivering Melbourne's Newest Sustainable Communities: Program Report* (Victorian Government, 2009).
- Whether use or development protects and enhances the biodiversity and other environmental values of the site and its surrounds.
- Any impacts from the construction or operation of the use or development on biodiversity and other environmental values and the ability for the land to be revegetated or rehabilitated.

5.0 Preparation of the incorporated plan

25/08/2022
C208melt

None specified.

14/07/2022
VC213

SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO2**.

ROCKBANK NORTH PRECINCT STRUCTURE PLAN

Purpose

The purpose of this Incorporated Plan Overlay is to give effect to the objectives, requirements, guidelines and conditions of the Rockbank North Precinct Structure Plan.

1.0 Requirement before a permit is granted

14/07/2022
VC213

None specified.

2.0 Permits not generally in accordance with incorporated plan

14/07/2022
VC213

None specified.

3.0 Conditions and requirements for permits

14/07/2022
VC213

Conditions - all permits

Condition - Security of conservation land

A permit to subdivide land containing a ‘conservation area’ as shown in the *Rockbank North Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.A permit to subdivide land containing a 'conservation area' as shown in the *Rockbank North Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition - Fencing of Conservation management plan area

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Rockbank North Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition - Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition - Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Rockbank North Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.

- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition - Construction environmental management plans

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Rockbank North Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Design requirements

A bicycle lane must be provided along the Beattys Road reservation and across Kororoit Creek to enable connection to the east of the OMR. This can be accommodated as part of the road reservation or off-road. Design of paths, bridges, and boardwalks in the drainage corridor (both Kororoit Creek and drainage corridor) must be above the 1:10 year flood level (if running parallel to the corridor). Pedestrian bridges across the Kororoit Creek and drainage corridor must be above the 1:100 year flood level. Where a 1:100 year flood level crossing is not achievable, measures on the approach of the creek or drainage corridor must be installed to the satisfaction of Melbourne Water. Any public infrastructure or trails located within the Kororoit Creek corridor must be designed to minimise disturbance to habitat zones, and generally in the locations outlined in the Growling Grass Frog Conservation Management Plan prepared for the Precinct unless the Conservation Management Plan is amended to the satisfaction of DSE Any passive open space areas within the Kororoit Creek corridor must be designed to minimise disturbance to any habitat zones or existing/created Growling Grass Frog habitat. Development must not encroach upon the 1:100 year flood level. This does not apply to the pathways, fences, playground equipment and active recreation reserves and bbq/picnic areas.

4.0 Decision guidelines

14/07/2022
VC213

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

- The consistency of the use or development with:
  - The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013).
  - The incorporated *Rockbank North Precinct Structure Plan* , March 2012 and August 2016.
  - Any relevant approval under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - Any management plan applying to the land under an agreement under section 69 of the *Conservation Forest and Lands Act 1987*.
- *Delivering Melbourne's Newest Sustainable Communities: Program Report* (Victorian Government, 2009).

- Whether use or development protects and enhances the biodiversity and other environmental values of the site and its surrounds.
- Any impacts from the construction or operation of the use or development on biodiversity and other environmental values and the ability for the land to be revegetated or rehabilitated.

5.0 Preparation of the incorporated plan

14/07/2022
VC213

None specified.

01/02/2018
C147

SCHEDULE 4 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO4.**

KORORROIT PRECINCT STRUCTURE PLAN

1.0 Requirement before a permit is granted

01/02/2018
C147

None specified.

2.0 Permits not generally in accordance with incorporated plan

01/02/2018
C147

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land, Water and Planning.

3.0 Conditions and requirements for permits

14/07/2022
VC213

The requirements of the incorporated *Kororoit Precinct Structure Plan* must be included in a permit.

Condition - Construction environmental management plans

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Kororoit Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Kororoit Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Kororoit Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Kororoit Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

How environmental weeds will be managed up until the securing of the conservation area.

- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

4.0 Decision guidelines

14/07/2022
VC213

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

- The consistency of the use or development with:
  - The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013).
  - The incorporated *Kororoit Precinct Structure Plan* , December 2017 (Amended April 2019).
  - Any relevant approval under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - Any management plan applying to the land under an agreement under section 69 of the *Conservation Forest and Lands Act 1987*.
- *Delivering Melbourne's Newest Sustainable Communities: Program Report* (Victorian Government, 2009).
- Whether use or development protects and enhances the biodiversity and other environmental values of the site and its surrounds.
- Any impacts from the construction or operation of the use or development on biodiversity and other environmental values and the ability for the land to be revegetated or rehabilitated.

5.0 Preparation of the incorporated plan

01/02/2018
C147

None specified.

12/09/2017
C162

SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO5.**

MT ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN

1.0 Requirement before a permit is granted

12/09/2017
C162

None specified.

2.0 Permits not generally in accordance with incorporated plan

12/09/2017
C162

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land Water and Planning.

3.0 Conditions and requirements for permits

14/07/2022
VC213

The requirements of the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be included in a permit.

Condition – Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and 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) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and 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*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be bought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor 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*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction 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* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and 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*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

4.0 Decision guidelines

14/07/2022
VC213

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

- The consistency of the use or development with:
  - The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013).
  - The incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan* , June 2017 (Amended January 2020).
  - Any relevant approval under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - Any management plan applying to the land under an agreement under section 69 of the *Conservation Forest and Lands Act 1987*.
- *Delivering Melbourne's Newest Sustainable Communities: Program Report* (Victorian Government, 2009).
- Whether use or development protects and enhances the biodiversity and other environmental values of the site and its surrounds.
- Any impacts from the construction or operation of the use or development on biodiversity and other environmental values and the ability for the land to be revegetated or rehabilitated.

5.0 Preparation of the incorporated plan

12/09/2017
C162

None specified.

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

MELTON EAST GROWTH AREA

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

A Development Plan must show:

- Detailed plans of sub areas within the plan as well as supporting documentation which assists to clarify the nature of development proposed.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The proposed subdivision lot layout, the road network, pedestrian and bicycle network and open space and drainage reserves.
- The layout of any proposed Activity Centre.
- The proposed land uses for sub areas within the locality.
- The location of all vehicle and pedestrian access ways within, to and from the development.
- The location and layout of all car parking areas, loading bays and access to and from these areas.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The management of vegetation to minimise fire hazard and to ensure the safety or people and property.
- The stages (if any) by which the development of the land is proposed to proceed.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements for development plan

25/08/2022
C208melt

Before deciding to approve a Development Plan, the responsible authority must consider:

- The existing and possible future development and use of the land and of contiguous or adjacent land.
- The need for appropriate setbacks from residential areas.
- The provision of water, sewerage, drainage and electricity services.
- The orderly planning of the zone, including the management of traffic, the provision of pedestrian ways and open space.
- The need for financial or other contributions towards the provision of reticulated service infrastructure, community and social facilities and services, transport infrastructure and services.
- The provisions of the Melton East Strategy Plan and municipal planning policy.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**.

HARKNESS ROAD RURAL LIVING AREA

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

The development plan must show:

- Location of existing vegetation, drainage lines and contours.
- Building envelopes.
- Effluent disposal fields.
- Internal road networks.
- Staging.
- The orderly extension of the sealed road network and reticulated water and other services.
- Measures to manage fire hazard.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements for development plan

25/08/2022
C208melt

Each lot:

- Must be connected to a reticulated water supply.
- Must have frontage to a sealed road that forms part of the municipal sealed road network.
- Should have a frontage of at least 60 metres to a road.

Any application for subdivision and development must:

- Be generally in accordance with the “Design and Siting Guidelines for Rural Zones" (Melton Shire Council, 1996).
- Have an Environmental Management Plan prepared in accordance with the “Guidelines for the Preparation of Environmental Management Plans in Melton’s Rural Areas” (Melton Shire Council, 1996).

25/08/2022
C208melt

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

TOURIST PRECINCT

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

The development plan must show how it accords with the Melton Tourist Precinct Local Area Development Plan – February 1998 .

The Development Plan should include the following information (where appropriate):

- A site analysis plan.
- A development concept plan.
- An environmental management plan.
- A business plan.

Site analysis plan

A site analysis plan must show:

- Contours and existing vegetation
- Buildings
- Views to and from the site
- Access and connection points
- Drainage and services
- Orientation, microclimate and noise sources
- Where relevant, any contaminated soils and filled areas
- Fences, boundaries and easements
- Any other notable features
- Details of surrounding use and development and their inter-relationship with the land
- Any other matter the Responsible Authority may reasonably require

Development concept plan

A development concept plan must show:

- The overall site plan.
- Staging of construction.
- Potential uses.
- Means and location of effluent disposal.
- Water supply and stormwater drainage.
- Vehicle access and internal circulation.
- Car parking areas.

- Landscaping.
- Building envelopes demonstrating building size and location.
- Any other matter the Responsible Authority may reasonably require.

The development concept plan should be accompanied by a brief assessment of how the development concept plan responds to the site analysis plan.

Environmental Management Plan

An environmental management plan must address the following:

- Key environmental characteristics of the site including environmental constraints.
- Potential impacts of any new development, including works, on surrounding land and the catchment generally.
- Monitoring and control of any off-site impacts on surrounding land uses.
- Land form and visual characteristics of the site.
- Viewsheds.
- Irrigation management (as required).
- Fertiliser management (as required).
- Erosion management (as required).
- Solid waste management (as required).
- Effluent disposal.
- Drainage and stormwater.
- Floodway management.
- Weed control.
- Any other matter the Responsible Authority may reasonably require.

Business Plan

The business plan must establish:

- The target market of the proposed facility.
- Projected demand for the proposed use.
- Relationship to local and regional tourism networks.
- Relevant market research.
- Any other matter the Responsible Authority may reasonably require.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

Before deciding on an application to use and develop land, the Responsible Authority must consider:

- Whether the proposed use or development promotes the purpose of the zone.
- Whether the proposed use or development conforms with the Development Plan and the Local Area Development Plan.
- Whether the proposal would prejudice the future use and development of the zone in accordance with the zone purposes.
- The impact of the use or development on the Melton Highway.
- Whether any lot created contains a building envelope which is capable of development (including reference to any recommended buffer distance from an adjacent use or development published

by the EPA), to the satisfaction of the Responsible Authority. The building envelope must be shown on any approved plan of subdivision.

- Whether any building is sited in conformity with a plan of the overall development of the land which has been prepared to the satisfaction of the Responsible Authority.

4.0 Requirements for development plan

25/08/2022
C208melt

Before deciding to approve a Development Plan, the Responsible Authority must consider the Melton Tourist Precinct Local Area Development Plan – February 1998 .

25/08/2022
C208melt

SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6.**

EYNESBURY STATION

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

A development plan for the whole development plan overlay area as identified in the *Eynesbury Station Incorporated Plan, September 2001* is required. This plan may be prepared in part or as a whole.

Any development plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority, for the following:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing use or development.

4.0 Requirements for development plan

25/08/2022
C208melt

A development plan must show:

- All proposed land uses within the plan area.
- Proposed treatments of significant environmental, heritage and landscape features.
- Key access routes and linkages to surrounding region.
- Convenient and safe pedestrian, cycle and horse trail networks.
- The proposed staging of the development.
- The location and staging of community education, commercial, open space, and recreational facilities.
- Identification of relevant items of public infrastructure to be funded in the development by developer contributions.
- Application of the design philosophy, principles, objectives and particular provisions of the *Eynesbury Station Incorporated Plan, September 2001*.
- Implementation of relevant aspects of the environmental management strategies, management plans and legal strategies required by the *Eynesbury Station Incorporated Plan, September 2001*.

25/08/2022
C208melt

SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

WOODGROVE SHOPPING CENTRE

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements for development plan

25/08/2022
C208melt

The Development Plan must show:

- Details of the location, height, dimensions, floor area, design, elevations and external materials and finishes of all buildings and works.
- Detailed plans of sub-areas within the plan as well as supporting documentation which assists to clarify the nature and use of development proposed.
- The layout of the proposed Activity Centre.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The location of all vehicle and pedestrian access ways within, to and from the development, including essential traffic management and control works on the land and external roads.
- The location of public transport facilities including access, bus interchange, passenger facilities, taxi stands, and bicycle racks.
- The location and layout of all car parking areas, and access to and from these areas, with car parking provisions in accord with Clause 52.06 of the Planning Scheme.
- The location and layout of loading bays and collection areas, including waste storage areas and removal facilities.
- Appropriate buffer zones to minimise the impact of the proposed development on surrounding land uses.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The management of vegetation to minimise fire hazard and to ensure the safety of people and property.
- Details of development fronting onto open space.
- The stages (if any) by which the development of the land is proposed to proceed.

Decision Guidelines

Before deciding to approve a Development Plan, the Responsible Authority must consider:

- The existing and possible future development and use of the land and of contiguous or adjacent land.
- The provision of water, sewerage, drainage and electricity services.

- The orderly planning of the area, including the management of traffic, the provision of pedestrian ways and open space.
- Measures to manage on-site safety and security issues, and off-site impacts of the development with respect to amenity, visual presentation, noise, privacy issues, and character of the surrounding area.
- The provisions of the *Woodgrove Structure Plan, July 2006* and municipal planning policy.

25/08/2022
C208melt

SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11**.

CLARKES ROAD, BROOKFIELD

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

The Responsible Authority may grant a permit for subdivision, use or development prior to the approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land or the purpose of the zone or any other aspect of the Municipal Strategic Statement and relevant policies.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements and Conditions of the development plan

25/08/2022
C208melt

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.

The development plan must show and include the following requirements:

- A site analysis plan.
- The proposed subdivision lot layout, the road network, traffic management treatments, pedestrian and bicycle network and open space and drainage reserves.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The location of any on-street car parking.
- Proposed landscaping, including the types and species of plants and details of the treatment of the proposed interface between the development and land abutting public land and drainage reserve.
- An indication of the lots to be created within the subdivision, details of lot size, orientation and the location of areas proposed for medium density development. Lots should front onto Clarkes Road and areas designated for open space.
- Details of any proposed public open space. The siting and layout of the public open space should be planned, where possible, in response to the location of any significant remnant vegetation on site.
- The creation of any public open space links with the adjacent residential developments and existing and proposed open space areas.
- Details of the proposed noise attenuation measures that must be undertaken at the Melton Pistol Club in accordance with the recommendations of the Acoustic Assessment Report dated 16 April, 2007 prepared by Audiometric Acoustic Services prior to any development being undertaken on the site.
- The stages (if any) by which the development of the land is proposed to proceed.
- Neighbourhood Principles contained in Melbourne 2030 (Planning for Sustainable Growth) to achieve residential subdivision design that provides safe, liveable and sustainable neighbourhoods.

Native Vegetation and Fauna

A Flora and Fauna Assessment of the subject site and the public reserve to the east at least 50 metres into the Arnolds Creek reserve or to the top of the escarpment, and into any area where outfall works associated with the development may be proposed to be extended, including a tree survey and report, shall be submitted to the Responsible Authority, assessing the quality and significance of the flora and fauna on the site and retention values of any remnant vegetation. The report should include details on how the development will apply the objectives of achieving a net gain in native vegetation, as expressed in the SPPF, and should be consistent with the requirements of Victoria's Native Vegetation Management A Framework for Action, including the preparation of a Habitat Hectare Assessment.

Environmental Report

The preparation of a preliminary site contamination report must be undertaken for the subject site and submitted to the Responsible Authority for approval.

Traffic Management Report

A Traffic Management Report including an assessment of the proposed layout and the expected traffic impacts associated with the development is to be provided to the satisfaction of the Responsible Authority.

Additional Acoustic Report

An additional acoustic report to be submitted to the satisfaction of Council to verify that the recommended noise attenuation measures have been implemented and comply with the EPA's Interim Gunshot Noise Guidelines.

Decision Guidelines

Before deciding to approve a Development Plan, the Responsible Authority must consider:

- The existing and future development and use of the land and of contiguous and adjacent land.
- The orderly planning of the site, including the management of traffic, the provision of pedestrian ways and open space.
- The Neighbourhood Principles contained in Melbourne 2030 (Planning for Sustainable Growth) to achieve residential subdivision design that provides safe, liveable and sustainable neighbourhoods.
- The need for financial or other contributions towards the provision of reticulated service infrastructure, proposed community and social facilities and services, transport infrastructure and services.
- The landscape treatment or other methods of addressing land abutting public land and drainage reserve.
- The appropriate acoustic attenuation measures at the Melton Pistol Club in accordance with the recommendations of the Acoustic Assessment Report dated 16 April, 2007 prepared by Audiometric & Acoustic Services.
- The views of any relevant service authorities.
- The provisions of the EPA's Interim Gunshot Noise Guidelines.

25/08/2022
C208melt

SCHEDULE 14 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO14**.

TRUGANINA INDUSTRIAL AREA - BALANCE

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

A permit for minor works may be granted before a development plan has been approved.

3.0 Conditions and requirements for permits

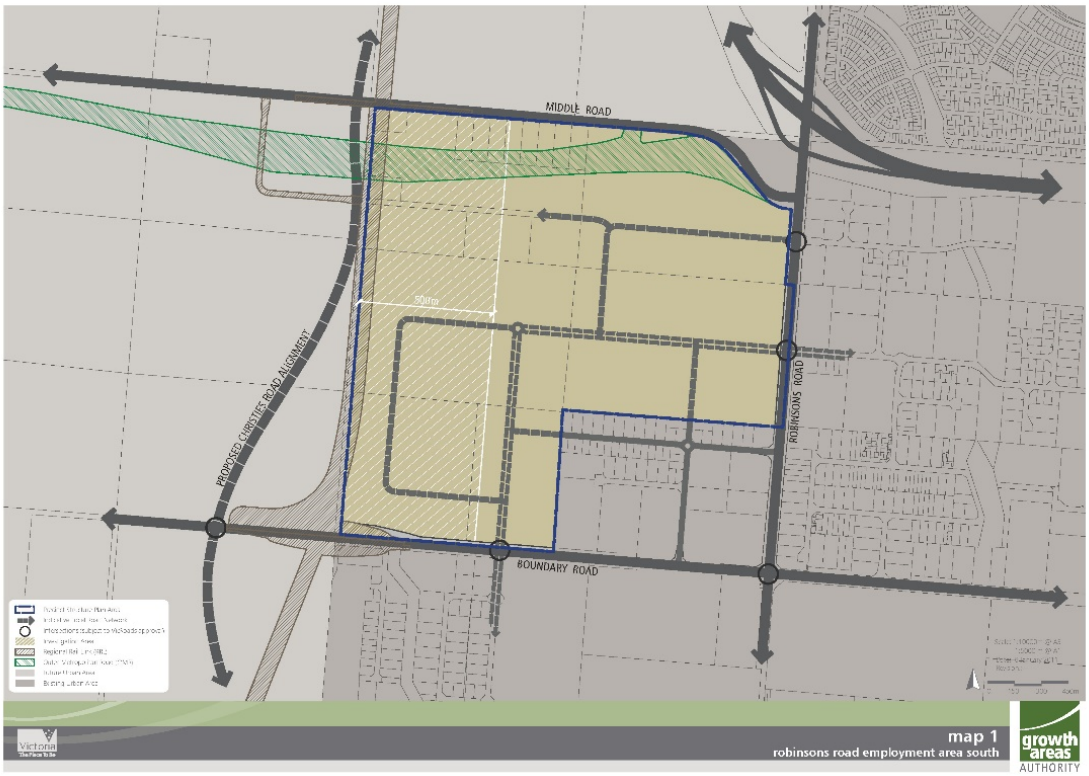
25/08/2022
C208melt

All proposals for minor works (before a development plan has been prepared) must be accompanied by a report demonstrating that the minor works will not prejudice the preparation of a development plan.

A planning permit in respect of any land must contain conditions which give effect to the requirements of the development plan relevant to that land.

All planning permit applications for land within 500 metres east of Christies Road (between Middle Road and Boundary Road) must be referred to the Director of Public Transport pursuant to Section 55 of the *Planning and Environment Act 1987*.

Map 1 to Schedule 14 to Clause 43.04



4.0 Requirements for development plan

25/08/2022
C208melt

A development plan may be prepared for the whole or part of the land.

The development plan must describe the land to which the plan applies and show or make provision for the following to the extent that these matters fit with proposed and likely major infrastructure.

- The relationship with the existing or proposed uses on adjoining land.
- A road layout pattern and design which is efficient, enhances the amenity of the area and establishes a movement network which provides connection between the proposed industrial area and adjoining areas.
- An access plan which addresses the impact of the development on the arterial and local road network and identifies mitigating works on those networks including funding arrangements, public transport, cycling and pedestrian access.
- A proposed lot layout that has regard to the types of uses which are proposed or likely to be developed and, which responds appropriately to the external road network.
- Demonstration that the proposed land use(s) and or development(s) will not prejudice the planning and development of major infrastructure including the Outer Metropolitan Ring Road, the Regional Rail Link, or the Western Intermodal Terminal corridor
- Road and pedestrian infrastructure to allow for the future delivery of public transport services along Robinsons Road as part of the existing and proposed PPTN.
- Direct and efficient bus routes that serve the Metropolitan Remand Centre, Middle Road.
- The efficient delivery of water, sewerage, drainage, electricity and gas services.
- Major drainage lines, water features, proposed retarding basins and floodways and the means by which they will be managed and the water quality maintained.
- An overall landscape concept
- The identification of sites of conservation, heritage and archaeological significance including dry stone walls and the means by which they will be managed or any impacts minimised.
- The arrangements for providing and funding physical infrastructure to be provided on and off the land, including signalised and unsignalised intersections with the adjoining road network, bus stops and shelters, and contributions to the upgrade Boundary Road and Robinsons Road.
- The preparation of a stormwater management plan to the satisfaction of Melbourne Water and the responsible authority. The stormwater management plan must address the impact of stormwater drainage on downstream grasslands.
- The timing of development particularly having regard to the provision of infrastructure.

Archaeological Survey

An archaeological survey of the site must be carried out prior to submitting the development plan to the responsible authority for approval. The development plan must take into account the recommendations of the archaeological survey to the satisfaction of the responsible authority.

Flora and Fauna Survey

A Native Vegetation Management Plan must be prepared for the land affected by the development plan. The Native Vegetation Management Plan must contain all the arrangements, as appropriate, proposed for the avoidance, retention, removal or offset of native vegetation.

Building Design Guidelines

The development plan must include urban design guidelines that provide for, among other matters, the scale, form, height and colour of buildings and fences, landscaping of sites, setbacks to the adjoining road network and impacts on views from arterial roads and surrounding areas.

Other Requirements for Development Plan

Prior to the approval of a Development Plan, or approval of an amendment to a Development Plan, the responsible authority must consult with, as appropriate:

- Wyndham City Council

- Brimbank City Council
- Department of Sustainability and Environment
- Director of Public Transport

Agreement

Prior to the approval of a development plan, the owners of the land to which the development plan applies must enter into an agreement with the responsible authority. The agreement must make provision for infrastructure works or infrastructure contributions required in respect of:

- Where required, road works on the adjoining road network to the frontage of the land.
- Signalisation of intersections identified as signalised by VicRoads and Council.
- Bus stops and shelters on the road network on the land as directed by the Director of Public Transport
- The provision of land for road widening to Boundary Road and Robinsons Road to the satisfaction of VicRoads.
- The securing and subsequent maintenance (for 10 years) of offsite offsets for the removal of any native vegetation on the site

Decision guidelines

Before deciding on a request to approve a development plan or a request to amend a development plan the responsible authority must consider:

- The views of VicRoads in relation to the ultimate width of Boundary Road and Robinsons Road.
- The views of the Director of Public Transport in relation to whether the development plan prejudices the planning and development of major infrastructure including the Outer Metropolitan Ring Road, the Regional Rail Link or the Western Intermodal Terminal Corridor.

25/08/2022
C208melt

SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

2-40 OLD CALDER HIGHWAY, DIGGERS REST

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

The responsible authority can consider an application for minor works before the development plan has been approved.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

All buildings and works should be in accordance with the following requirements:

Building siting and design

- All aspects of development including external security lighting, the location of rubbish storage and collection areas, loading and unloading facilities etc should be designed and located to minimise potential impact on the amenity of the adjacent residential areas.

Access

- Vehicular crossovers should be located so as to ensure the continued safe and efficientuse of the road.

Landscaping

- A landscaping plan, to the satisfaction of the responsible authority, must be submitted with applications for buildings and works.

4.0 Requirements for development plan

25/08/2022
C208melt

Before deciding to approve a Development Plan, the responsible authority must consider:

- The need for future development to have regard for the established streetscape character and development pattern of the neighbourhood, in terms of building height, scale andsiting.
- The level of impact the form of development and access (including vehicle crossings and the location of car parking) will have on the amenity of nearby residents,
- The transition between commercial and residential precincts, in terms of built form, landscaping, traffic management and associated features.
- To requirements for on-site parking in order to limit potential congestion on streets providing access to nearby residential properties.

The Development Plan must show:

- Standard density residential lot layout
- Medium density housing
- Internal road layout including ingress and egress
- The location and access of car parking
- Public spaces
- Indicative land uses for each part of the site, including any community facilities

- Preferred loading and unloading areas associated with commercial and/or retail land uses
- The location of noise attenuation measures at the interface between the proposed residential area and the Calder Freeway and the residential are and the Bendigo Rail Line.

The development plan may illustrate indicative stages and anticipated timing of development to the satisfaction of the responsible authority.

25/08/2022
C208melt

SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO17**.

BURNSIDE ACTIVITY CENTRE

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Before deciding on any application the responsible authority must consider:

- The purposes of the zone
- The approved Development Plan

Where no Development Plan has been approved, the responsible authority may grant a permit to use the land, construct a building or construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements for development plan

25/08/2022
C208melt

The Development Plan must show:

- 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.
- A high amenity, pedestrian friendly, north facing street attached to the public square.
- A public square which achieves sunlight access from 10.00 am to 2.00 pm during the Winter Solstice (21 June).
- A mix of appropriate uses on the site.
- The use, location and approximate floorspace of existing and proposed buildings and car parking areas on the site.
- Details on the buffer treatment between the site and the residential village to the north.
- Active frontages to key pedestrian interfaces.
- Safe, direct and attractive pedestrian linkages through the site from key access points including connections to car parking, public transport, and residential land (where practicable and appropriate).
- Linkages from car parks to the shops and offices by pedestrian routes which are appropriately landscaped and have active frontages to maximise pedestrian safety (where practicable and appropriate).
- Activation of Westwood Drive and the Western Highway streetscapes through the siting of built form and landscaping (where practicable and appropriate).
- The location of buildings, streets, access points, carparks, vehicle, bus, pedestrian and cycle connections.
- The location and layout of loading bays and collection areas, including waste storage areas and removal facilities.
- The staging and anticipated timing of development.

Urban Design

Urban Design Guidelines must be submitted with the Development Plan and approved by the responsible authority. The guidelines must indicate:

- The preferred built form, including architectural themes.
- Design and interface treatments between the site and adjoining sites.
- Active street frontages along key internal linkages.
- Road cross sections.
- The proposed connections within the site and external access points.
- The provision of built form to Western Highway and Westwood Drive.

Traffic Management

A Traffic Management Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must address:

- Public transport integration, connections and stops including potential provision for a bus interchange within the site.
- Ingress and egress points and the estimated levels of usage.
- The impact of traffic generated by the development upon the surrounding road network.
- The level, allocation and location of car parking on the land.
- Internal pedestrian and cycling network and its connectivity outside the site.
- Provision for the loading and unloading of vehicles.

Environmental Management

An Environmental Management Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must address:

- Building energy management.
- Water sensitive urban design/integrated water management.
- Construction materials selection.
- Waste management and reduction.
- Transport.

Noise Attenuation

A Noise Impact Assessment must be submitted with the Development Plan and approved by the responsible authority. The assessment must consider the impact that the proposed development would have on adjoining land uses and provide details on any required mitigation measures.

Native Vegetation and Biodiversity Values

A Flora and Fauna assessment prepared in consultation with the Department of Environment, Land, Water and Planning, must be submitted with the Development Plan and approved by the responsible authority. The assessment must identify the biodiversity values of the site and outline appropriate management measures to avoid or minimise the impacts on those values. The Development Plan must clearly identify any areas of biodiversity value.

Services and Social Infrastructure

A Services and Social Infrastructure Assessment must be submitted with the Development Plan and approved by the responsible authority. The assessment must detail how the site will be serviced and the need for any community facilities on site.

Landscape

A Landscape Master Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must detail key landscape design principles to be applied in streetscapes, external interfaces, and within proposed public spaces and car parking areas to create attractive interfaces and to encourage a pedestrian scale.

25/08/2022
C208melt

SCHEDULE 18 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO18**.

BOTANICA SPRINGS NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Objectives

25/08/2022
C208melt

None specified.

2.0 Requirement before a permit is granted

25/08/2022
C208melt

Before deciding on any application the responsible authority must consider:

- The purposes of the zone; and
- Any approved development plan.

The responsible authority may grant a permit for use or development prior to the approval of a development plan provided that the responsible authority is satisfied that the use or development will not prejudice the preparation of a development plan or the purpose of the Municipal Planning Strategy and relevant policies.

3.0 Conditions and requirements for permits

25/08/2022
C208melt

None specified.

4.0 Requirements for development plan

25/08/2022
C208melt

A development plan, which may consist of plans and/or other documents, may be prepared for the whole of or part of the land. If a development plan is prepared for part of the land it must be demonstrated to the satisfaction of the responsible authority that the absence of a development plan for the whole of the land does not prejudice the orderly and proper development of the land.

Any development plan must show or include, as appropriate, the following matters to the satisfaction of the responsible authority:

- 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.
- A high amenity, pedestrian friendly, north facing street attached to the public square.
- The use, location and approximate floorspace of existing and proposed buildings and car parking areas on the site.
- Appropriately landscaped active frontages to key pedestrian routes and interfaces.
- Safe, direct and attractive pedestrian linkages through the site from key access points, including connections to car parking, public transport, residential land, shops and offices (where practicable and appropriate).
- The location of buildings, streets, access points, carparks, vehicle, bus, pedestrian and cycle connections.
- The location and layout of loading bays and collection areas, including waste storage and removal facilities.
- The staging and anticipated timing of development.

Urban Design

Urban Design Guidelines must be submitted with the development plan and approved by the responsible authority. The guidelines must indicate:

- The preferred built form, including architectural themes.

- Design and interface treatments between the site and adjoining sites.
- Active street frontages along key internal linkages.
- Road cross sections.
- The proposed connections within the site and external access points.
- The provision of built form to Brooklyn Road.

Traffic Management

A traffic management plan must be submitted with the development plan and approved by the responsible authority. The plan must address:

- Public transport integration, connections and stops including potential provision for bus stops and shelters in locations, within and adjoining the neighbourhood activity centre, approved by Public Transport Victoria, at no cost and to the satisfaction of Public Transport Victoria.
- Ingress and egress points and the estimated levels of usage.
- The impact of traffic generated by the development upon the surrounding road network.
- The level, allocation and location of car parking on the land.
- Internal pedestrian and cycling network and its connectivity outside the site.
- Provision for the loading and unloading of vehicles.

Environmental Management

An environmental management plan must be submitted with the development plan and approved by the responsible authority. The plan must address:

- Building energy management.
- Water sensitive urban design/integrated water management.
- Construction materials selection.
- Waste management and reduction.

Services Infrastructure

A services and social infrastructure assessment must be submitted with the development plan and approved by the responsible authority. The assessment must detail how the site will be serviced.

Landscape

A landscape master plan must be submitted with the development plan and approved by the responsible authority. The plan must detail key landscape design principles to be applied in streetscapes, external interfaces, and within proposed public spaces and car parking areas to create attractive interfaces and to encourage a pedestrian scale.

44 LAND MANAGEMENT OVERLAYS

19/01/2006
VC37

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO1**.

1.0 Land subject to inundation objectives to be achieved

25/08/2022
C208melt

None specified.

2.0 Statement of risk

25/08/2022
C208melt

None specified.

3.0 Permit requirement

25/08/2022
C208melt

Notwithstanding the requirements of the LSIO no permit is required for roadworks in areas marked PAO1 on Map 14PAO.

4.0 Application requirements

25/08/2022
C208melt

None specified.

5.0 Decision guidelines

25/08/2022
C208melt

None specified.

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO2**.

1.0 Land subject to inundation objectives to be achieved

25/08/2022
C208melt

None specified.

2.0 Statement of risk

25/08/2022
C208melt

None specified.

3.0 Permit requirement

25/08/2022
C208melt

A permit is not required to construct or carry out:

- An extension to an existing dwelling, provided the proposed floor level is not less than the existing floor level and the gross floor area of the extension does not exceed 20 square metres
- Works ancillary to an existing dwelling including landscaping, a pergola, driveway, verandah, barbeques, water tank.
- An open building with no walls.
- Replacement fencing constructed of the same type and materials as the existing fence.
- A tennis court at natural surface level with curtain fencing.
- A below-ground swimming pool and security fencing
- A non habitable building or extension to a non habitable building, with concrete floors, where floor levels are at least 300 millimetres above the flood level
- A non habitable building or extension to a non habitable building, with dirt floors, where floor levels are at least 150 millimetres above the flood level
- Footpath, bicycle path or elevated boardwalk, at 300 millimetres above the applicable flood level
- Radio mast
- Signs on posts or attached to buildings
- Upper storey extensions or alterations to existing buildings
- Replacement fences of the same materials as the existing fence
- Aviaries and other enclosures for domestic animals
- Agricultural and farm buildings with permanent openings such as hay sheds, cattleyards, covered horse stables or yards
- Earthworks associated with the construction of a dam, where no fill is imported to the site and where no embankment is above ground level
- Picnic shelters

4.0 Application requirements

25/08/2022
C208melt

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site
- Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor

- The layout of existing and proposed buildings and works
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor

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.
- Complies with a building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months.

5.0 Decision guidelines

25/08/2022
C208melt

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0 Flooding management objectives to be achieved

25/08/2022
C208melt

None specified.

2.0 Statement of risk

25/08/2022
C208melt

None specified.

3.0 Permit requirement

25/08/2022
C208melt

None specified.

4.0 Application requirements

25/08/2022
C208melt

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site
- Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor
- The layout of existing and proposed buildings and works
- Floor levels of any existing and proposed buildings, to Australian Height Datum

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.

5.0 Decision guidelines

25/08/2022
C208melt

None specified.

44.06 BUSHFIRE MANAGEMENT OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **BMO** with a number (if shown).

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 identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

44.06-1 Bushfire management objectives and application of schedules

19/09/2017
VC132

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

44.06-2 Permit requirement

08/08/2019
VC159

Subdivision

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.

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person's unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3 Application requirements

20/03/2023
VC229

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4 Requirements of Clause 53.02

31/07/2018
VC148

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5 Mandatory condition

31/07/2018
VC148

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

"Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

"The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

"Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
  - *Constructed on the same land as the dwelling.*
  - *Available for use by the occupants of the dwelling at all times.*
  - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

44.06-6 Referral of applications

19/09/2017
VC132

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, unless a schedule to this overlay specifies otherwise.

44.06-7 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, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

44.06-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

44.06-9 Transitional arrangements

19/09/2017
VC132

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres,
    is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO1**.

EYNESBURY BAL-12.5 AREAS

1.0 Statement of the bushfire management objectives to be achieved

25/08/2022
C208melt

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 Application

25/08/2022
C208melt

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 Permit requirement

25/08/2022
C208melt

None specified.

4.0 Application requirements

25/08/2022
C208melt

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

5.0 Requirements to be met

25/08/2022
C208melt

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 Substitute approved measures for Clause 53.02

25/08/2022
C208melt

None specified.

7.0 Additional alternative measures for Clause 53.02

25/08/2022
C208melt

None specified.

8.0 Mandatory Condition

25/08/2022
C208melt

An application must include the mandatory conditions as specified in Clause 44.06-5.

9.0 Referral of application not required

25/08/2022
C208melt

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0 Notice and review

25/08/2022
C208melt

None specified.

11.0 Decision guidelines

25/08/2022
C208melt

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.

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.

01/02/2018
C147

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0 Public acquisition

07/07/2023
C237melt

PS Map	Acquiring Authority	Purpose of Acquisition
PAO1	VicRoads	Road
PAO3	Roads Corporation	Outer Metropolitan Ring /E6 Transport Corridor
PAO5	The Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978	Western Grassland Reserves
PAO6	Director of Public Transport	Outer Metropolitan Ring / E6 Transport Corridor – Rail Connections
PAO7	Melton City Council	Road Purposes
PAO8	Public Transport Victoria	Calder Park Train Stabling and Maintenance Yards
PAO10	Melbourne Water	Drainage
PAO11	Minister for Energy, Environment and Climate Change	Delivery of the Kororoit Creek Regional Park
PAO13	Melton City Council	Indoor Recreation - Aquatic Centre

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.

45.05 RESTRUCTURE OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **RO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify old and inappropriate subdivisions which are to be restructured.

To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

45.05-1 Subdivision

01/07/2021
VC203

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all waste water 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*.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

45.05-2 Dwellings and other buildings

19/01/2006
VC37

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

45.05-3 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.

45.05-4 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 objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.
- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.
- The effect on surrounding uses, especially agricultural uses and nearby public land.
- The design of buildings.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY

1.0 Restructure plan

25/08/2022
C208melt

PS map ref	Land	Title of restructure plan
RO13	Rosedale Estate Chartwell	Chartwell Restructure Allotment Plan (August 1992)

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.

09/11/2017
GC75

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1.**

TAYLORS HILL WEST DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

28/10/2010
C82

Land in Plumpton bounded by Beattys Road to the north, a transmission easement to the west, Taylors Road to the south and existing residential development in Taylors Hill and Hillside to the east.

2.0 Summary of costs

31/01/2013
C110

Facility	Total cost $	Time of provision*	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Distributor roads	20,191,130	Generally concurrent with subdivision*	15,614,825	77
Traffic management works	1,850,000	Generally concurrent with subdivision*	1,850,000	100
Walking and bike trails	843,750	Medium term	843,750	100
Active open space facilities	11,973,956	Long term	11,881,456	99
Community centre	5,146,301	Long term	5,146,301	100
Structure Planning	200,000	completed	200,000	100
TOTAL	**40,205,137**		**35,536,332**	**88**

**See the Taylor Hill West Development Contributions Plan for project specific timing details and where relevant, how to provide works in lieu of cash contributions.*

3.0 Summary of contributions

09/11/2017
GC75

Facility	LEVIES PAYABLE BY THE DEVELOPMENT					
	Development Infrastructure $ per Ha		Community infrastructure $ per dwelling		All infrastructure	
	residential	commercial	residential	commercial	residential	commercial
Land for roads, active open space and community facility	67,715	26,521	--	--	67,715	26,521
Distributor roads	63,788	63,788	--	--	63,788	63,788
Traffic management works	15,603	15,603	--	--	15,603	15,603

Facility	LEVIES PAYABLE BY THE DEVELOPMENT					
	Development Infrastructure $ per Ha		Community infrastructure $ per dwelling		All infrastructure	
	residential	commercial	residential	commercial	residential	commercial
Walking and bike trails	5,221	--	--	--	5,221	--
Active open space facilities	22,325	--	1,150	--	22,325	--
Community centre	17,139	--	--	--	17,139	--
Structure Planning	1,213	1,213	--	--	1,213	1213
TOTAL	**193,004**	**107,125**	**1,150**	**--**	**193,004per Ha** **+$1,150 for each dwelling**	**107,125 per Ha**

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 Indexation

28/10/2010 C82

The levy payable per hectare of net developable area is adjusted annually in accordance with the Taylors Hill West Precinct Structure Plan Development Contributions Plan (incorporated document).

5.0 Land or development excluded from development contributions plan

28/10/2010 C82

The following buildings and works are exempt from the provisions of this overlay:

- Land where a s173 Agreement has been executed for development contributions
- Construction of one dwelling, including outbuildings, on a lot that exists before this overlay, provided it is the only dwelling on the lot
- Any buildings or works in association with the use of the land for agricultural purposes
- A fence
- A sign
- Minor extensions, additions or modifications to any existing development.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details

25/08/2022
C208melt

SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO2.**

MELTON NORTH PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

25/08/2022
C208melt

Land in Melton West and Kurunjang within the DCPO2 area as shown on the planning scheme maps.

2.0 Summary of costs

25/08/2022
C208melt

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Roads and Intersections (including land for roads)	$15,605,246	Refer to DCP.	$8,256,757	53%
Land Acquisition (active open space and community facilities)	$2,315,000	At subdivision.	$1,503,450	65%
Off Road Trails	$327,938	Refer to DCP.	$327,938	100%
Active Open Space (construction)	$2,964,040	Refer to DCP.	$1,583,040	53%
Community Facilities (construction)	$4,500,000	Refer to DCP.	$1,935,000	43%
Structure Plannning	$200,000	Completed.	$200,000	100%
TOTAL	**$25,912,224**		**$13,806,185**	**53%**

3.0 Summary of contributions

25/08/2022
C208melt

Facility	Levies payable by the development ($)		
	Development Infrastructure	Community infrastructure	All infrastructure
	$ per net developable hectare	$ Per dwelling	All Development
Roads and Intersections (including land)	$92,699.64.70	$0	$92,699.64

Facility	Levies payable by the development ($)		
	Development Infrastructure	**Community infrastructure**	**All infrastructure**
	$ per net developable hectare	**$ Per dwelling**	**All Development**
Land Acquisition (active open space and community facilities)	$16,879.42	$0	$16,879.42
Off Road Trails	$3,681.80	$0	$3,681.80
Active Open Space (construction)	$11,205.12	$1,150	$11,205.12 plus community infrastructure levy contribution
Community Facilities (construction)	$15,156.62		$15,156.62 plus community infrastructure levy contribution
Precinct Plan and Development Contributions Plan	$2,245.42	$0	$2,245.42
TOTAL	**$141,868.03 per net developable hectare**	**$1,150 per dwelling**	**$141,868.03 per net developable hectare plus community infrastructure levy of $1,150 per dwelling**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlisons Australian Construction Handbook on 1st January each year;

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 Land or development excluded from development contributions plan

25/08/2022
C208melt

None specified.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.

25/08/2022
C208melt

SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

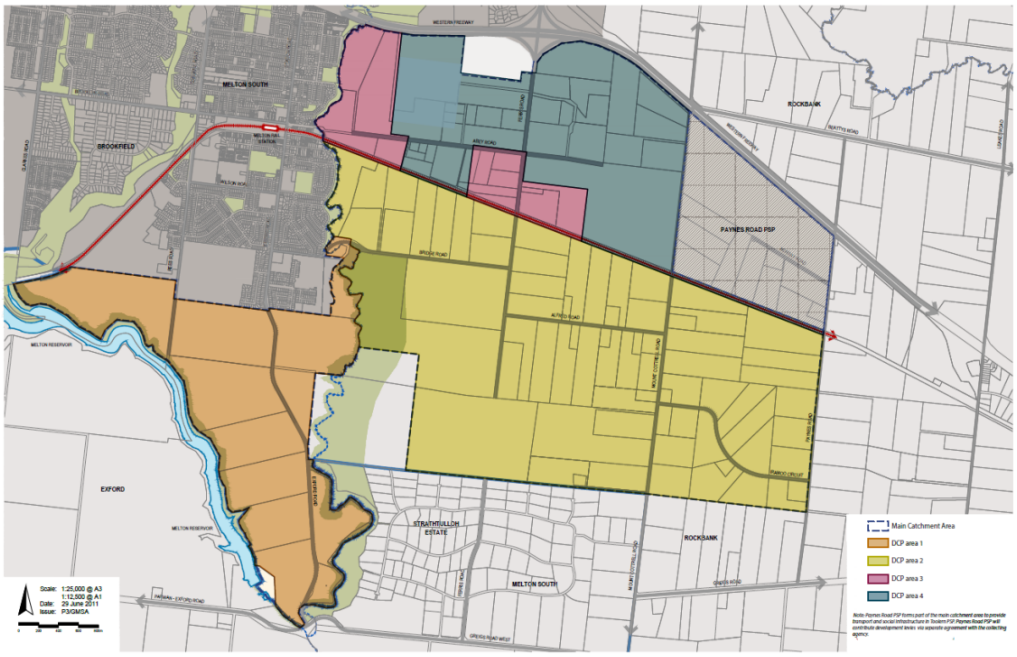
Shown on the planning scheme map as **DCPO3**.

TOOLERN PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

17/03/2016
C161

Land to the south and east of Melton Township within the DCPO3 area.



2.0 Summary of costs in 2009 dollars

24/11/2011
C84 (Part 2)

Facility	Total cost $	Time of provision	Actual cost contribution attributable to Development Infrastructure Levy (DIL) $	Proportion of DIL cost attributable to total development %
Roads	$95,184,129	As required.	$95,184,129	100%
Intersections	$24,252,530	As required.	$24,252,530	100%
Bridges	$20,811,000	As required.	$20,811,000	100%
Public Transport	$1,500,000	As required.	$1,500,000	100%
Unencumbered Land for Active Open Space	$28,290,000	As required.	$27,033,000	96%
Community Facilities	$36,658,128	As required.	$26,496,659	72%
Outdoor Active Recreation	$32,821,440	As required.	$21,766,296	66%
Off-road pedestrian and cycle trails	$682,500	As required.	$682,500	100%
Structure Planning	$1,250,000	As required.	$1,250,000	100%
TOTAL	$241,449,727	-	$218,976,114	

3.0
24/11/2011
C84 (Part 2)

Summary of contributions for Charge Area 1 in 2009 dollars

Facility	Development Infrastructure Levy (DIL) All development	Community Infrastructure Levy (CIL) Residential
Roads	$55,343	$ -
Intersections	$14,101	$ -
Bridges	$12,100	$ -
Public Transport	$872	$ -
Unencumbered Land for Active Open Space	$19,894	$ -
Community Facilities	$24,567	$900.00 per dwelling
Outdoor Active Recreation	$16,890	$900.00 per dwelling
Off-road pedestrian and cycle trails	$565	$ -
Structure Planning	$727	$ -
TOTAL	$145,059 per net developable hectare	$900.00 per dwelling

Summary of contributions for Charge Area 2 in 2009 dollars

Facility	Development Infrastructure Levy (DIL) All development	Community Infrastructure Levy (CIL) Residential
Roads	$55,343	$ -
Intersections	$14,101	$ -
Bridges	$12,100	$ -
Public Transport	$872	$ -
Unencumbered Land for Active Open Space	$23,034	$ -
Community Facilities	$21,032	$900.00 per dwelling
Outdoor Active Recreation	$19,006	$900.00 per dwelling
Off-road pedestrian and cycle trails	$565	$ -
Structure Planning	$727	$ -
TOTAL	$146,782 per net developable hectare	$900.00 per dwelling

Summary of contributions for Charge Area 3 in 2009 dollars

Facility	Development Infrastructure Levy (DIL) All development	Community Infrastructure Levy (CIL) Residential
Roads	$55,343	$ -
Intersections	$14,101	$ -

Facility	Development Infrastructure Levy (DIL) All development	Community Infrastructure Levy (CIL) Residential
Bridges	$12,100	$ -
Public Transport	$872	$ -
Unencumbered Land for Active Open Space	$19,971	$ -
Community Facilities	$20,758	$900.00 per dwelling
Outdoor Active Recreation	$12,870	$900.00 per dwelling
Off-road pedestrian and cycle trails	$565	$ -
Structure Planning	$727	$ -
TOTAL	$137,330 per net developable hectare	$900.00 per dwelling

Summary of contributions for Charge Area 4 in 2009 dollars

Facility	Development Infrastructure Levy (DIL) All development	Community Infrastructure Levy (CIL) Residential
Roads	$55,343	$ -
Intersections	$14,101	$ -
Bridges	$12,100	$ -
Public Transport	$872	$ -
Unencumbered Land for Active Open Space	$872	$ -
Community Facilities	$ -	$900.00 per dwelling
Outdoor Active Recreation	$ -	$900.00 per dwelling
Off-road pedestrian and cycle trails	$ -	$ -
Structure Planning	$727	$ -
TOTAL	**$84,016** **per net developable hectare**	**$900.00 per dwelling**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook on 1 July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The offset costs for the removal of native vegetation which form a component of the cost of particular infrastructure items within the Toolern Precinct Structure Plan Development Contributions Plan will be adjusted in accordance with any Offset Plan prepared to the satisfaction of the Department of Sustainability and Environment and approved by the Responsible Authority.

4.0 Non-government schools

11/11/2010
C84(Part 1)

The Toolern Precinct Structure Plan Development Contributions Plan Land Budget (Refer to Tables 1 and 2) specifies a quantum of land to be used for non-government schools and identifies preferred locations for non-government schools. The preferred locations are specified within the Future Urban Structure (Plan 2).

If a preferred site designated within the Future Urban Structure for a non-government school is to be used for this purpose, the development contribution specified for a non-government school in the Toolern Precinct Structure Plan Development Contributions Plan is to be applied to the area of land containing the use irrespective of the Charge Area within which it is located. This provision also applies to alternative non-government school sites not specified within the Toolern Precinct Structure Plan area.

The application of this provision to preferred and/or alternative sites is limited to the quantum of land specified within the Toolern Precinct Structure Plan for non-government school use unless otherwise agreed to by the Collecting Agency.

5.0 Land or development excluded from development contributions plan

11/11/2010
C84(Part 1)

Land required for the following (as set out in the Toolern Precinct Structure Plan):

- 6 and 4 lane arterial roads, railway reservations, community facilities, government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open space (active and passive).
- Melton landfill, Ferris Road (21.82 ha) as shown in Section 2.3.10 of the Toolern Precinct Structure Plan.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Toolern Precinct Structure Plan Development Contributions Plan incorporated document. Refer to this document for full details.

25/08/2022
C208melt

SCHEDULE 4 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO4**.

ROCKBANK NORTH DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

28/06/2012
C120

All land within the *Rockbank North Precinct Structure Plan* area as shown on the Planning Scheme Maps as DCPO4.

2.0 Summary of costs

25/08/2022
C208melt

All Infrastructure

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development infrastructure levy $	Proportion of cost attributable to development %
Roads, Bridges, Intersections	62,380,000	Refer to DCP	62,380,000	100%
Outdoor Active Recreation	57,068,000	Refer to DCP	37287360	65%
Community Facilities	22,864,000	Refer to DCP	16,739,000	73%
TOTAL	**142,312,000**		**116,406,360**	**84.9%**

3.0 Summary of contributions

25/08/2022
C208melt

Facility	Levies payable by the development ($)		
	Development infrastructure All development per NDA	Community infrastructure	All infrastructure All development per NDA
Roads, bridges & Intersections	$140,869.88	-	$140,869.88
Outdoor Active Recreation	$84,204.28	675.07 per dwelling	$84,204.28
Community Facilities	$37,800.91	-	$37,800.91
TOTAL	**$262,875.07**	**675.07 per dwelling**	**$262,875.07 plus $900 per dwelling**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

4.0 Land or development excluded from development contributions plan

28/06/2012
C120

Land required for the following as set out in the *Rockbank North Precinct Structure Plan* is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non-government schools.
- Encumbered Land
- Active and Passive Open space.

Notes: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details

16/08/2018
C181

SCHEDULE 5 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO5.**

DIGGERS REST DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

27/06/2012
C121

All land within the Diggers Rest Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO5.

2.0 Summary of costs

25/08/2022
C208melt

All Infrastructure

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Roads, Bridges, Intersections	25,941,503	Refer to DCP	25,493,904	98%
Active Recreation	31,903,000	Refer to DCP	22,710,000	71%
Community Facilities	7,558,000	Refer to DCP	7,558,000	100%
TOTAL	**65,402,503**		**55,761,904**	**85%**

3.0 Summary of contributions

25/08/2022
C208melt

Facility	LEVIES PAYABLE BY THE DEVELOPMENT				
	Development Infrastructure		Community infrastructure	All infrastructure	
	Residential	Employment		Residential development per NDA	Employment development per NDA
Roads & Intersections	$81,499.65	$81,499.65	-	$81,499.65	$81,499.65
Active Recreation	$79,606.00	-	$1,150 per dwelling	79,606.00	-
Community Facilities	$26,493.27	-	-	26,493.27	-
TOTAL	**$187,598.92**	**$81,499.65**	**$1,150 per dwelling**	**$187,598.92 plus $1,150 per dwelling**	**$81,499.65**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 Land or development excluded from development contributions plan

27/06/2012
C121

Land required for the following as set out in the Diggers Rest Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non government schools.
- Encumbered land
- Active and passive open space.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details

09/11/2017
GC75

SCHEDULE 6 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO6.**

TOOLERN PARK DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

23/10/2014
C122

All land within the *Toolern Park Precinct Structure Plan* area as shown on the Planning Scheme Maps as DCPO6.

2.0 Summary of costs

23/10/2014
C122

All Infrastructure

Facility	Total cost	Time of provision	Actual cost contribution attributable to development infrastructure levy $	Proportion of cost attributable to development
Transport	$3,692,948	Refer to DCP	$3,692,948	100%
Community	$1,842,120	Refer to DCP	$1,842,120	100%
Active Recreation	$5,937,478	Refer to DCP	$5,937,478	100%
TOTAL	**$11,472,546**		**$11,472,546**	**100%**

3.0 Summary of contributions

09/11/2017
GC75

Facility	Development Infrastructure All development per NDA	Community infrastructure Per dwelling
Transport	$108,872	
Community	$54,308	
Active Recreation	$94,929	$1,150
TOTAL	**$258,109**	**$1,150**

The development infrastructure levy is payable by all development per net developable hectare as set out in the *Toolern Park Development Contributions Plan.*

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 Indexation

23/10/2014
C122

In relation to all costs associated with infrastructure items other than land, the cost must be adjusted according to the following method:

- Road and intersections – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook
- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook

Land values will be adjusted on 1 July each year following valuation undertaken by a registered valuer.

5.0 Land or development excluded from development contributions plan

23/10/2014
C122

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Toolern Park Development Contributions Plan. Refer to the incorporated Toolern Park Development Contributions Plan for full details.

25/08/2022
C208melt

SCHEDULE 7 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO7**.

ROCKBANK DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

17/11/2016
C145

All land within the Rockbank Development Contributions Plan area shown as DCPO7 on the planning scheme maps.

2.0 Summary of costs in June 2016 dollars

17/11/2016
C145

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Roads	$17,808,784	Refer to details in the Rockbank Development Contributions Plan.	$13,901,084	78%
Intersections	$70,242,031	Refer to details in the Rockbank Development Contributions Plan.	$56,392,881	80%
Bridges	$27,711,410	Refer to details in the Rockbank Contributions Plan.	$14,355,943	52%
Community centres	$17,963,245	Refer to details in the Rockbank Contributions Plan.	$17,160,174	96%
Active recreation	$60,022,007	Refer to details in the Rockbank Development Contributions Plan.	$53,210,952	89%
TOTAL	**$193,747,477**		**$155,021,035**	**80%**

3.0 Summary of contributions

17/11/2016
C145

3.1 Charge Area (Residential) in June 2016 dollars

17/11/2016
C145

Facility	Levies Payable By The Development	
	Development Infrastructure	Community infrastructure
	All development	Residential
	Per net developable hectare	Per dwelling
Roads	$30,015	$0
Intersections	$121,764	$0
Bridges	$30,997	$0
Community centres	$37,274	$0
Active recreation	$92,484	$1,150
TOTAL	**$312,535**	**$1,150**

3.2 Charge Area (Employment) in June 2016 dollars

17/11/2016
C145

Facility	Levies Payable By The Development	
	Development Infrastructure	Community infrastructure
	All development	Residential
	Per net developable hectare	Per dwelling
Roads	$30,015	$0
Intersections	$121,764	$0
Bridges	$30,997	$0
Community centres	$0	$0
Active recreation	$0	$0
TOTAL	**$182,777**	**$0**

The development infrastructure levy is payable by all development per net developable hectare as set out in the *Rockbank Development Contributions Plan*.

The Community Infrastructure Levy is limited to a maximum of $1,150 per dwelling under legislation.

4.0 Indexation

17/11/2016
C145

All capital costs of infrastructure items (with the exception of land) will be adjusted quarterly in the following manner:

- Roads, intersections and bridges – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook.
- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook.

5.0 Land or development excluded from development contributions plan

17/11/2016
C145

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non-government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Railway reservations.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.

25/08/2022
C208melt

SCHEDULE 8 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO8**.

PAYNES ROAD DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this Development Contributions Plan

17/03/2016
C161

All land within the *Paynes Road Precinct Structure Plan* area as shown on the Planning Scheme Maps as DCPO8.

2.0 Permits before incorporation of a Development Contributions Plan

17/03/2016
C161

A permit may be granted to subdivide land, construct a building or construct or carry out works prior to the incorporation of a Development Contributions Plan, if the permit contains a condition requiring the land owner to enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the responsible authority that provides for the owner to make development contributions to the satisfaction of the responsible authority.

3.0 Summary of costs

17/03/2016
C161

None specified. The preparation and incorporation of a Development Contributions Plan is required.

4.0 Summary of contributions

17/03/2016
C161

None specified. The preparation and incorporation of a Development Contributions Plan is required.

5.0 Land or development excluded from development contributions plan

17/03/2016
C161

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as **MAEO1**.

Purpose

To identify areas that are or will be subject to high levels of aircraft noise based on the 25 Australian Noise Exposure Forecast (ANEF) contour and to restrict use and development to that which is appropriate to that level of exposure.

1.0 Use of land

26/10/2021
VC173

Dwelling and Dependent person's unit

A permit is required to use land for:

- Dwelling.
- Dependent person's unit.

Land must not be used for:

- More than one Dwelling on a lot.
- More than one Dependent person's unit on a lot.

Other use

A permit is required to use land for:

- Art and craft centre.
- Bar.
- Brothel.
- Cinema based entertainment facility.
- Crematorium.
- Display home centre.
- Funeral parlour.
- Home based business.
- Host farm.
- Hotel.
- Indoor recreation facility.
- Office.
- Place of assembly (other than Drive-in theatre).
- Research and development centre.
- Research centre.
- Residential hotel.
- Restricted recreation facility.
- Retail premises.
- Veterinary centre.

Land must not be used for:

- Accommodation (other than, Dwelling, Dependent person's unit, Host farm and Residential hotel).

- Drive-in theatre.
- Education centre.
- Hospital.

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 Clause 1.0.

A permit is not required for the following:

- An open sided carport, 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

25/08/2022
C208melt

Any subdivision of land which would increase the number of dwellings which the land could be used for is prohibited. This does not apply to the subdivision of land to create a lot for a dwelling in respect of which a permit has been granted.

25/08/2022
C208melt

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

03/02/2022
VC199

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 Clause 1.0.

A permit is not required to construct the following:

- An open sided carport, 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; or
- 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 the subdivision is consistent with the permitted development.

45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **ICO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure.

To identify the infrastructure contribution imposed for the development of land.

45.11-1 Infrastructure contributions plan

15/05/2018
VC146

A schedule to this overlay must specify the name of the infrastructure contributions plan to which it applies.

The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.

45.11-2 Permit requirement

15/05/2018
VC146

A permit must not be granted to subdivide land, construct a building or construct or carry out works until an infrastructure 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 infrastructure contributions plan.
- Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay.

45.11-3 Monetary component

15/05/2018
VC146

A schedule to this overlay must specify, if applicable:

- The standard levy rate payable.
- The supplementary levy rate payable.

45.11-4 Land component

15/05/2018
VC146

A schedule to this overlay must specify, if applicable:

- The infrastructure contributions plan land contribution percentage for each class of development.
- The parcel contribution percentage for each parcel of land in the infrastructure contributions plan area.
- The land credit amount or land equalisation amount in respect of each parcel of land in the infrastructure contributions plan area.

45.11-5 Indexation

15/05/2018
VC146

A schedule to this overlay must specify:

- The method and timing of indexation to be applied to the standard levy rate and any supplementary levy rate of the monetary component.
- The method and timing of adjustment to be applied to the land credit amounts and land equalisation amounts of the land component.

45.11-6 Land or development exempt from infrastructure contributions

20/03/2023
VC229

The following land or development of land is exempt from an infrastructure contribution:

- A non-government school.
- Housing provided by or on behalf of the Department of Families, Fairness and Housing.
- For any other land or development of land specified in a schedule to this overlay.

21/11/2019
C195melt

SCHEDULE 1 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as **ICO1.**

PLUMPTON & KOROROIT INFRASTRUCTURE CONTRIBUTIONS PLAN, OCTOBER 2019

1.0 Permit requirement

21/11/2019
C195melt

None specified.

2.0 Monetary component – Standard levy

21/11/2019
C195melt

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	$89,518
	Transport construction	$124,344
	Total standard levy rate payable	**$213,862**
Commercial and industrial development	Community and recreation construction	$0
	Transport construction	$124,344
	Total standard levy rate payable	**$124,344**

3.0 Monetary component – Supplementary levy

21/11/2019
C195melt

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	$0
	Transport construction	$26,205.74
	Total standard levy rate payable	**$26,205.74**
Commercial and industrial development	Community and recreation construction	$0
	Transport construction	$26,205.74
	Total supplementary levy rate payable	**$26,205.74**

4.0 Infrastructure Contribution Plan (ICP) land contribution percentage

21/11/2019
C195melt

Class of development	ICP land contribution percentage
Residential	12.26%
Commercial and industrial	4.68%

5.0 Land component

21/11/2019
C195melt

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
P-1	Employment	0.00%	$0.00	$8,296.38
P-2	Employment	0.00%	$0.00	$832,238.22
P-3	Employment	0.00%	$0.00	$753,138.23

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
P-4	Employment	0.00%	$0.00	$747,731.47
P-5	Employment	8.89%	$285,685.05	$0.00
P-6	Employment	0.27%	$0.00	$902,850.63
P-7	Employment	0.00%	$0.00	$70,420.67
P-8	Residential	0.00%	$0.00	$4,116.89
P-9	Residential	2.59%	$0.00	$2,095,981.91
P-10	Residential	7.44%	$0.00	$1,137,235.63
P-11 - R	Residential	18.56%	$1,620,068.25	$0.00
P-11 - E	Employment	34.94%	$531,532.05	$0.00
P-12 - R	Residential	11.74%	$0.00	$607,381.62
P-12 - E	Employment	4.00%	$0.00	$488,080.41
P-13	Employment	8.98%	$716,572.50	$0.00
P-14	Employment	15.49%	$1,157,102.10	$0.00
P-15	Employment	11.42%	$999,481.35	$0.00
P-16	Residential	8.96%	$0.00	$867,850.28
P-16a	Residential	11.48%	$0.00	$14,051.73
P-17	Residential	6.71%	$0.00	$1,274,528.64
P-18	Residential	44.03%	$6,085,851.45	$0.00
P-19	Residential	2.39%	$0.00	$1,456,740.92
P-20	Residential	7.11%	$0.00	$1,454,520.62
P-21	Residential	0.00%	$0.00	$3,859,858.50
P-22	Residential	0.00%	$0.00	$727,141.94
P-23	Residential	7.24%	$0.00	$1,332,275.67
P-24	Residential	19.16%	$1,451,984.10	$0.00
P-25	Residential	32.68%	$3,056,453.40	$0.00
P-26	Residential	0.00%	$0.00	$488,686.30
P-27	Residential	2.02%	$0.00	$9,738,123.08
P-28	Residential	5.43%	$0.00	$7,582,048.92
P-29	Residential	33.00%	$7,591,712.10	$0.00
P-30	Residential	34.35%	$8,172,736.95	$0.00
P-31	Residential	9.81%	$0.00	$593,971.21

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
P-32	Residential	20.40%	$2,866,861.20	$0.00
P-33	Residential	30.26%	$1,685,105.10	$0.00
P-34	Residential	6.74%	$0.00	$1,573,069.14
P-35	Residential	42.25%	$9,445,823.10	$0.00
P-36	Residential	41.28%	$2,775,627.75	$0.00
P-37	Residential	40.44%	$2,694,513.15	$0.00
P-38	Residential	14.19%	$375,996.60	$0.00
P-39 - R	Residential	0.00%	$0.00	$3,238,386.37
P-39 - E	Employment	0.00%	$0.00	$61,973.22
P-40	Residential	0.00%	$0.00	$1,162,981.91
P-41	Residential	5.14%	$0.00	$1,081,793.41
P-42	Residential	7.40%	$0.00	$1,261,389.87
P-43	Residential	8.29%	$0.00	$725,520.75
P-44	Residential	5.49%	$0.00	$1,412,476.03
P-45	Residential	7.72%	$0.00	$936,768.50
P-46	Residential	6.09%	$0.00	$1,021,734.08
P-47	Residential	11.03%	$0.00	$330,685.10
P-48	Residential	16.03%	$7,217,728.35	$0.00
P-49	Residential	5.70%	$0.00	$3,863,564.57
P-50	Residential	0.00%	$0.00	$0.00
P-51	Residential	0.00%	$0.00	$0.00
P-52	Residential	6.74%	$0.00	$22,214.75
P-53	Residential	0.28%	$0.00	$2,305,013.05
P-54	Residential	10.13%	$0.00	$404,967.51
P-55	Residential	15.29%	$843,102.75	$0.00
P-R1 (Plumpton Road)	Residential	0.00%	$0.00	$0.00
P-R2 (Tarleton Road)	Residential	0.00%	$0.00	$0.00
P-R3 (Beattys Rd)	Residential	0.00%	$0.00	$0.00
P-R4 (Saric Ct)	Residential	0.00%	$0.00	$0.00
P-R5 (Taylors Rd)	Residential	0.00%	$0.00	$0.00
K-1	Residential	0.00%	$0.00	$1,801,527.15

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
K-2	Residential	11.14%	$0.00	$234,829.84
K-3	Residential	0.61%	$0.00	$1,549,199.23
K-4	Residential	2.06%	$0.00	$1,447,564.17
K-5	Residential	0.00%	$0.00	$2,673,117.32
K-6	Residential	0.00%	$0.00	$1,118,879.25
K-7	Residential	13.47%	$135,242.10	$0.00
K-8	Residential	0.12%	$0.00	$1,495,037.16
K-8a	Residential	0.00%	$0.00	$0.00
K-9	Residential	6.80%	$0.00	$479,761.31
K-9a	Residential	0.00%	$0.00	$0.00
K-10	Residential	17.77%	$1,711,501.05	$0.00
K-11	Residential	48.02%	$5,114,977.35	$0.00
K-12	Residential	8.56%	$0.00	$71,542.10
K-13 - E	Employment	0.00%	$0.00	$27,930.84
K-13 - R	Residential	28.49%	$9,622,243.05	$0.00
K-14	Residential	12.77%	$61,813.50	$0.00
K-15	Residential	23.06%	$2,059,222.20	$0.00
K-16	Residential	0.00%	$0.00	$2,284,462.49
K-17	Residential	0.00%	$0.00	$717,669.00
K-18	Residential	0.00%	$0.00	$173,173.83
K-19	Residential	12.37%	$9,484.65	$0.00
K-20	Residential	14.20%	$77,949.90	$0.00
K-21	Residential	19.05%	$1,572,607.05	$0.00
K-24	Residential	9.50%	$0.00	$697,327.68
K-25	Residential	15.60%	$719,534.55	$0.00
K-26	Residential	3.68%	$0.00	$2,461,038.93
K-27	Residential	0.07%	$0.00	$2,431,335.87
K-28	Residential	0.00%	$0.00	$967,655.55
K-29	Residential	0.00%	$0.00	$0.00
K-30	Residential	1.91%	$0.00	$1,325,260.95
K-31	Residential	0.00%	$0.00	$966,826.38

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
K-31a	Residential	0.00%	$0.00	$0.00
K-32	Residential	10.11%	$0.00	$408,561.54
K-33	Residential	59.82%	$8,184,594.60	$0.00
K-34	Residential	3.04%	$0.00	$2,894,307.92
K-35	Residential	8.16%	$0.00	$683,068.55
K-36	Residential	0.00%	$0.00	$1,630,130.90
K-37	Residential	20.50%	$1,464,604.05	$0.00
K-38	Residential	8.86%	$0.00	$737,994.89
K-39	Residential	2.24%	$0.00	$1,813,904.34
K-40	Residential	0.00%	$0.00	$2,952,451.52
K-41	Residential	8.38%	$0.00	$889,523.73
K-42	Residential	0.00%	$0.00	$2,803,261.29
K-43	Residential	17.75%	$985,283.25	$0.00
K-44	Residential	0.00%	$0.00	$1,621,497.03
K-45	Residential	14.55%	$227,350.20	$0.00
K-46	Residential	53.21%	$7,748,127.45	$0.00
K-47	Residential	54.28%	$8,291,417.40	$0.00
K-48	Residential	25.44%	$1,896,777.75	$0.00
K-49	Residential	0.00%	$0.00	$498,203.54
K-50	Residential	0.00%	$0.00	$694,014.34
K-51 - E	Employment	11.95%	$63,969.15	$0.00
K-51 - R	Residential	11.44%	$0.00	$40,608.40
K-51a	Residential	0.00%	$0.00	$0.00
K-52	Residential	11.11%	$0.00	$150,772.63
K-53	Residential	12.23%	$0.00	$5,937.05
K-54	Employment	0.06%	$0.00	$143,010.22
K-55	Residential	1.52%	$0.00	$470,107.18
K-56	Residential	2.73%	$0.00	$420,150.57
K-57	Residential	21.98%	$436,264.50	$0.00
K-58	Residential	0.00%	$0.00	$401,440.22
K-59	Residential	0.00%	$0.00	$5,611.24

PSP parcel ID	Class of development	Parcel contribution	Land credit amount	Land equalisation amount
K-60	Residential	0.00%	$0.00	$559,063.56
K-61	Residential	0.00%	$0.00	$199,627.98
K-63	Residential	5.23%	$0.00	$1,469,997.78
K-64	Residential	12.53%	$53,207.70	$0.00
K-65	Residential	9.27%	$0.00	$765,429.29
K-66	Residential	2.36%	$0.00	$4,427,780.38
K-66a	Residential	7.82%	$0.00	$100,915.88
K-67	Residential	6.85%	$0.00	$1,493,724.72
K-67a	Residential	0.00%	$0.00	$0.00
K-68	Residential	13.52%	$1,325,404.50	$0.00
K-69	Residential	9.71%	$0.00	$2,480,352.46
K-70	Residential	0.00%	$0.00	$0.00
K-R1 (Taylors Rd)	Residential	0.00%	$0.00	$0.00
K-R2 (Vere Ct)	Residential	0.00%	$0.00	$0.00
K-R3 (Sinclairs Rd)	Residential	0.00%	$0.00	$0.00
K-R4 (Monaghans Ln)	Residential	0.00%	$0.00	$0.00
K-R5 (Reed Ct)	Residential	0.00%	$0.00	$0.00
K-R6 (Deanside Ct)	Residential	0.00%	$0.00	$0.00
K-R7 (Gray Ct)	Residential	0.00%	$0.00	$0.00
K-R8 (Neale Rd)	Residential	0.00%	$0.00	$0.00
K-R9 - E	Employment	0.00%	$0.00	$291,769.98
K-R9 - R	Residential	0.00%	$0.00	$918,346.93

Note: Refer to Plan 01 of the incorporated Plumpton & Kororoit Infrastructure Contributions Plan for PSP parcel ID numbers.

6.0 Method and timing of indexation – Standard levy rate

21/11/2019
C195melt

Infrastructure category	Indexation method	Timing
Community and recreation construction	Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year
Transport construction	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

7.0 Method and timing of indexation – Supplementary levy rate

21/11/2019
C195melt

Infrastructure category	Indexation method	Timing
Community and recreation construction	Australian Bureau of Statistics Producer Price Indexes Non-Residential Building Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries).	1 July each year
Transport construction	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

8.0 Method and timing of adjustment – Land component

21/11/2019
C195melt

Adjustment method	Timing
A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans	1 July each third year
Relevant public land index prepared by Valuer-General Vicotria for the 12 month period occuring immeidately before the beginning of the financial year in respect of which the indexted rate is being determined	1 July each year a revised estimate is not being prepared

9.0 Land or development exempt from payment of an infrastructure contribution

21/11/2019
C195melt

- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for a non-government school.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.

06/02/2020
C201melt

SCHEDULE 3 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as **ICO3**.

MT ATKINSON & TARNEIT PLAINS INFRASTRUCTURE CONTRIBUTIONS PLAN, JANUARY 2020

1.0 Permit requirement

02/07/2018
C197

None specified.

2.0 Monetary component – Standard levy

06/02/2020
C201melt

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	$89,518
	Transport construction	$124,344
	Total standard levy rate payable	**$213,862**
Commercial and industrial development	Community and recreation construction	None specified
	Transport construction	$124,344
	Total standard levy rate payable	**$124,344**

3.0 Monetary component – Supplementary levy

06/02/2020
C201melt

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	None specified
	Transport construction	$10,849
	Total supplementary levy rate payable	**$10,849**
Commercial and industrial development	Community and recreation construction	None specified
	Transport construction	$10,849
	Total supplementary levy rate payable	**$10,849**

4.0 Infrastructure Contribution Plan (ICP) land contribution percentage

06/02/2020
C201melt

Class of development	ICP land contribution percentage
Residential	11.05%
Commercial and industrial	3.93%

5.0 Land component

06/02/2020
C201melt

PSP parcel ID	Class of development	Parcel contribution	Land credit amount (Total	Land equalisation
1	Employment	0.00%	$0.00	$0.00
2	Employment	0.00%	$0.00	$52,258.52
3	Employment	0.00%	$0.00	$343,693.40

PSP parcel ID	Class of development	Parcel contribution	Land credit amount (Total	Land equalisation
4	Employment	0.00%	$0.00	$568,588.89
5	Employment	15.45%	$1,049,706.96	$0.00
6-E	Employment	3.20%	$0.00	$761,073.40
6-R	Residential	5.00%	$0.00	$1,033,620.89
7	Residential	0.00%	$0.00	$0.00
8	Employment	0.00%	$0.00	$103,676.34
9	Employment	0.00%	$0.00	$0.00
10	Employment	0.00%	$0.00	$264,520.95
11	Employment	0.00%	$0.00	$226,756.26
12	Employment	0.00%	$0.00	$697,564.99
13	Employment	0.00%	$0.00	$462,838.80
14	Employment	0.94%	$0.00	$354,184.26
15-E	Employment	0.00%	$0.00	$107,330.62
15-R	Residential	0.00%	$0.00	$736,157.05
16	Residential	0.00%	$0.00	$479,014.28
17	Residential	0.00%	$0.00	$332,035.04
18-E	Employment	0.00%	$0.00	$164,756.71
18-R	Residential	0.00%	$0.00	$28,525.89
19	Employment	1.00%	$0.00	$381,431.07
20	Residential	0.00%	$0.00	$0.00
21	Residential	0.00%	$0.00	$0.00
22	Residential	0.00%	$0.00	$2,568,811.42
23	Residential	0.00%	$0.00	$3,200,636.21
24	Residential	0.00%	$0.00	$1,750,417.86
25	Residential	17.28%	$6,876,483.06	$0.00
26	Residential	0.00%	$0.00	$672,044.72
27	Residential	24.97%	$5,540,706.67	$0.00
28	Residential	13.79%	$526,136.83	$0.00
29	Residential	20.39%	$6,068,435.88	$0.00
30	Residential	14.26%	$1,448,090.39	$0.00
31	Residential	3.20%	$0.00	$5,688,172.32

PSP parcel ID	Class of development	Parcel contribution	Land credit amount (Total	Land equalisation
32	Residential	22.31%	$12,104,493.45	$0.00
33	Residential	14.83%	$6,066,399.03	$0.00
34-E	Employment	0.00%	$0.00	$412,115.97
34-R	Residential	6.19%	$0.00	$6,524,986.74
35-E	Employment	6.83%	$3,957,377.06	$0.00
35-R	Residential	0.00%	$0.00	$1,275,343.62
36	Residential	0.02%	$0.00	$6,813,228.14
37	Residential	4.47%	$0.00	$5,099,322.55
38	Residential	32.53%	$22,969,558.06	$0.00
39-E	Employment	2.76%	$0.00	$840,602.35
39-R	Residential	3.70%	$0.00	$3,516,221.48
40	Residential	0.00%	$0.00	$0.00
41	Employment	0.00%	$0.00	$1,050,629.50
42	Employment	0.00%	$0.00	$2,200,406.72
43	Residential	3.54%	$0.00	$7,833,962.89
44-E	Employment	2.30%	$0.00	$919,177.96
44-R	Residential	4.19%	$0.00	$2,572,577.29
45	Employment	0.00%	$0.00	$2,025,998.66
46	Employment	3.98%	$40,798.86	$0.00
47-E	Employment	8.67%	$1,637,253.03	$0.00
47-R	Residential	8.00%	$0.00	$2,224,470.19
48-E	Employment	3.87%	$0.00	$53,311.85
48-R	Residential	0.00%	$0.00	$108,146.21
49	Employment	1.90%	$0.00	$807,469.13
50	Employment	4.21%	$191,329.37	$0.00
51	Residential	100.00%	$1,888,114.23	$0.00
52	Employment	3.43%	$0.00	$605,843.03
53	Residential	0.00%	$0.00	$0.00
54	Residential	0.00%	$0.00	$0.00
55	Residential	100.00%	$1,332,447.45	$0.00
56	Employment	2.44%	$0.00	$1,542,814.40

PSP parcel ID	Class of development	Parcel contribution	Land credit amount (Total	Land equalisation
57	Employment	0.00%	$0.00	$2,011,773.85
58	Employment	0.60%	$0.00	$194,833.85
59	Employment	5.14%	$300,734.13	$0.00
60	Employment	0.00%	$0.00	$688,115.41
61	Employment	0.00%	$0.00	$978,911.35
62	Employment	2.31%	$0.00	$424,003.43
63	Employment	0.41%	$0.00	$844,489.81
64	Employment	5.42%	$278,754.88	$0.00
65	Employment	8.57%	$627,378.78	$0.00
66	Employment	6.58%	$116,709.19	$0.00
67	Employment	0.00%	$0.00	$0.00
68	Employment	0.00%	$0.00	$0.00
69	Residential	0.00%	$0.00	$0.00
70	Employment	0.00%	$0.00	$0.00
71	Employment	0.00%	$0.00	$0.00
72	Employment	0.00%	$0.00	$0.00
73	Employment	0.00%	$0.00	$0.00
74	Employment	0.00%	$0.00	$0.00
75	Employment	0.00%	$0.00	$145.72
76	Employment	0.00%	$0.00	$0.00
77	Employment	0.00%	$0.00	$0.00
78	Employment	100.00%	$271,322.62	$0.00
79	Employment	0.00%	$0.00	$0.00
80	Employment	0.00%	$0.00	$3,183.49
Road Reserve				
R1	Residential	0.00%	$0.00	$0.00
R2	Residential	0.00%	$0.00	$0.00
R3	Residential	0.00%	$0.00	$0.00
R4-E	Employment	0.00%	$0.00	$62,313.41
R4-R	Residential	0.00%	$0.00	$185,181.87
R5	Employment	0.00%	$0.00	$363,130.61

PSP parcel ID	Class of development	Parcel contribution	Land credit amount (Total	Land equalisation
R6	Residential	0.00%	$0.00	$0.00
R7	Employment	0.00%	$0.00	$23,752.86
R8-E	Employment	0.00%	$0.00	$107,655.70
R8-R	Residential	0.00%	$0.00	$0.00
R9	Residential	0.00%	$0.00	$0.00
R10	Residential	0.00%	$0.00	$0.00
R11	Residential	0.00%	$0.00	$0.00
R12	Residential	0.00%	$0.00	$0.00
R13	Residential	0.00%	$0.00	$0.00
R14	Residential	0.00%	$0.00	$0.00

Notes: Refer to Plan 05 of the incorporated Mt Atkinson & Tarneit Plains Infrastructure Contributions Plan, January 2020 for PSP parcel ID numbers.

6.0 Method and timing of indexation – Standard levy rate

06/02/2020
C201melt

Infrastructure category	Indexation method	Timing
Community and recreation construction	Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries).	1 July each year
Transport construction	Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries).	1 July each year

7.0 Method and timing of indexation – Supplementary levy rate

06/02/2020
C201melt

Infrastructure category	Indexation method	Timing
Transport construction	Australian Bureau of Statistics Producer Price Indexes Road & Bridge Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries).	1 July each year

8.0 Method and timing of adjustment – Land component

06/02/2020
C201melt

Adjustment method	Timing
A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans.	1 July each third year
Relevant public land index prepared by Valuer-General Victoria for the 12 month period occurring immediately before the beginning of the financial year in respect of which the indexed rate is being determined.	1 July each year a revised estimate is not being prepared

9.0 Land or development exempt from payment of an infrastructure contribution

06/02/2020
C201melt

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.

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.

23/11/2020
C222melt

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0

20/10/2022
C230melt

Specific controls

PS Map Ref	Name of incorporated document
SCO1	Conditions for use of south-west corner of Greigs Road and Mount Cottrell Road, Melton, Crown Portions 1 and 2, Section 11, Parish of Pywheitjorrk for Extractive Industry
SCO2	Calder Park Train Stabling and Maintenance Yards Incorporated Document, September 2012
SCO3	Mount Cottrell Water Storage Facility, Incorporated Document, February 2020
SCO4	Melton Renewable Energy Hub (MREH) – 77–347 Holden Road and 67 & 77 Victoria Road, Plumpton – Incorporated Document – April 2021
SCO5	Ravenhall Spoil Processing Facility, October 2020
SCO6	Ravenhall Concrete Manufacturing Facility Incorporated Document, July 2022

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.

11/10/2018
GC96

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

1.0
22/07/2021
C210melt

Specific sites and exclusions

Address of land	Title of incorporated document
Lots 1&2 LP 30733k, Plumpton Road, Rockbank	Conditions for use of Lots 1&2 LP 30733K, Plumpton Road for rock crushing
Land within and adjacent to the railway between Sunbury Railway Station to Watergardens Railway Station, the general extent of which is shown on the project locality maps in the incorporated document.	Sunbury Electrification Project Incorporated Document February 2010
Land required for the Palmers Road and Robinsons Road Upgrade as identified in clause 3 of the incorporated document.	Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012.
The land required for the RDAV Rockbank Facility at Lot 2 on TP821851 as identified on the site plan in the incorporated document.	RDAV Rockbank Facility Incorporated Document, July 2013
Land required for the Water for a Growing West Project as shown on the project plans included in the Incorporated Document	Water for a Growing West Project Incorporated Document, July 2014
1665-1715 Mount Cottrell Road, Mount Cottrell (Lot 3 on Plan of Subdivision LP141929)	Water for a Growing West Project Incorporated Document, July 2014
Land identified in clause 3 of the Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017.	Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017.
Stages 5, 6 and 13 of the approved Eynesbury Township Development Plan, February 2013	Eynesbury Township Stages 5, 6 and 13 Native Vegetation Removal and Offset Requirements, May 2017
The land required for the Ballarat Line Upgrade as identified in clause 3 of the incorporated document.	Ballarat Line Upgrade Incorporated Document, August 2018
Land required for the Outer Suburban Arterial Roads Program – Western Package as shown on the project area maps in the incorporated document.	Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017
The land required for the Toolern station as identified in clause 3 of the incorporated document.	Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.
1198 Christies Road, Ravenhall (S3 PS723362)	Ravenhall Concrete Segment Manufacturing Facility Incorporated Document, June 2018
The land identified in Clause 3.0 of the Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018.	Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018.

51.02 METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

31/07/2018
VC148

Purpose

To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.

To protect productive agricultural land from incompatible uses and development.

To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.

To encourage the location of urban activities in urban areas.

To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.

To provide deeming provisions for metropolitan green wedge land.

51.02-1 Application

20/01/2022
VC205

These provisions apply to land in Metropolitan Melbourne that is outside an Urban Growth Boundary as shown on a planning scheme map in this scheme, unless any of the following apply:

- The land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Transport Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

51.02-2 Use of land

08/08/2019
VC159

A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 51.02-2

Use	Condition
Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building) **Brothel** **Cinema based entertainment facility**	
Dependent person's unit	Must be the only dependent person's unit on the lot.
Display home centre	
Dwelling	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.

Use	Condition
Education centre (other than Primary school and Secondary school)	
Freeway service centre	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Function centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.
Funeral parlour	
Group accommodation	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.
Hospital	
Indoor recreation facility	Must be for equestrian based leisure, recreation or sport.
Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)	
Major sports and recreation facility	Must be for outdoor leisure, recreation or sport.
Manufacturing sales	Must be an incidental part of Rural industry.
Materials recycling	Must be used in conjunction with Refuse disposal or Transfer station.
Motor racing track	
Nightclub	
Office	
Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)	Must not be used for more than 10 days in a calendar year.
Research and development centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.
Research centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.

Use	Condition
Residential building (other than Residential hotel)	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.
Residential hotel	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.
Restaurant	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.
Restricted place of assembly	Must not be used for more than 30 days in a calendar year.
Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant) **Service station** **Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)**	
Wind energy facility	Must not be on land in a Rural Conservation Zone.

51.02-3 Subdivision

31/07/2018
VC148

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

51.02-4 Existing uses

31/07/2018
VC148

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.

51.02-5 Transitional arrangements for permit applications

31/07/2018
VC148

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

51.02-6 Deeming provisions for land outside an urban growth boundary

31/07/2018
VC148

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

1.0 Land where core planning provisions do not apply

25/08/2022
C208melt

Land
None specified

51.04 MELBOURNE AIRPORT ENVIRONS STRATEGY PLAN

31/07/2018
VC148

Scope

To ensure consistency between this planning scheme and the Melbourne Airport Environs Strategy Plan pursuant to the requirements of Part 3C of the *Planning and Environment Act 1987*.

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.

01/02/2018
C146

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

1.0 Under Section 23 of the Subdivision Act 1988

01/02/2018
C146

Land	Easement or restriction	Requirement
451-471 Beattys Road, Plumpton being Lot 8 on Plan of Subdivision 219656R Volume 9987 Folio 225	Restrictive Covenant contained in Instrument of Transfer No. R630155E	Remove
1241-1249 Plumpton Road, Plumpton being Lot 7 on Plan of Subdivision 219656R Volume 9987 Folio 224	Restrictive Covenant contained in Instrument of Transfer No. R255599P	Remove
1251 Plumpton Road, Plumpton being Lot 1 on Plan of Subdivision 648499M Volume 11507 Folio 426	Restrictive Covenant contained in Instrument of Transfer No. S793763Q	Remove
1257 Plumpton Road, Plumpton being Lot 2 on Plan of Subdivision 648499M Volume 11507 Folio 427	Restrictive Covenant contained in Instrument of Transfer No. S793763Q	Remove
1259-1265 Plumpton Road being Lot 5 on Plan of Subdivision 219656R Volume 9987 Folio 222	Restrictive Covenant contained in Instrument of Transfer No. S730995A	Remove
1267-1275 Plumpton Road, Plumpton being Lot 4 on Plan of Subdivision 219656R Volume 9987 Folio 221	Restrictive Covenant contained in Instrument of Transfer No. R916235H	Remove
1176-1198 Taylors Road, Plumpton being Lot 2 on Plan of Subdivision 219656R Volume 9987 Folio 219	Restrictive Covenant contained in Instrument of Transfer No. T319904Y	Remove
1152-1174 Taylors Road, Plumpton being Lot 1 on Plan of Subdivision 219656R Volume 9987 Folio 218	Restrictive Covenant contained in Instrument of Transfer No. T365052V	Remove
1200-1306 Taylors Road, being Lot 3 on Plan of Subdivision 219656R Volume 9987 Folio 220	Restrictive Covenant contained in Instrument of Transfer No. S629674L	Remove

2.0 Under Section 24A of the Subdivision Act 1988

19/01/2006
VC37

Land	Person	Action
None specified		

3.0 Under Section 36 of the Subdivision Act 1988

19/01/2006
VC37

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

26/09/2023
VC246

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 Container deposit scheme centre. The 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	None specified
Business identification sign	
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	None specified
Pole sign	
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

25/08/2022
C208melt

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

25/08/2022
C208melt

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

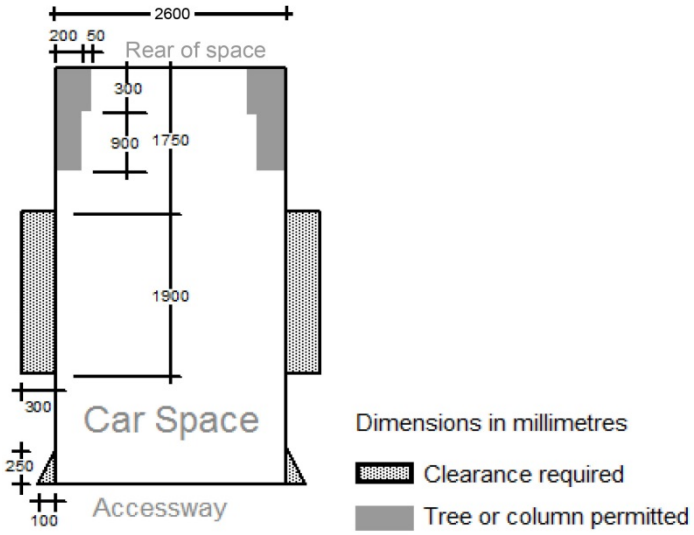
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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

26/09/2023
VC246

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 24 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

26/09/2023
VC246

To facilitate an automated collection point and a container deposit scheme centre to support waste reduction and recycling under Victoria's container deposit scheme.

To ensure an automated collection point and a container deposit scheme centre are designed and sited to minimise impacts on the land and surrounding land uses.

52.13-2 Application

26/09/2023
VC246

This clause applies to the use or development of an automated collection point and a container deposit scheme centre.

52.13-3 Automated collection point requirements

26/09/2023
VC246

An automated collection point should 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 Container deposit scheme centre requirements

26/09/2023
VC246

A container deposit scheme centre should collect, consolidate, store, sort or recover materials in a fully enclosed and roofed building.

In an industrial zone, Commercial 2 Zone or Port Zone, a container deposit scheme centre should be at least 30 metres from land (not a road):

- In a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Used for, or in a Public Acquisition Overlay to be acquired for, a hospital, an education centre or a corrective institution.

In any other zone, a container deposit scheme centre should:

- Be at least 60 metres from land (not a road):
  - Used for accommodation, child care centre, pre-school centre, primary school, secondary school, education centre, informal outdoor recreation, hospital or a corrective institution.
  - To be acquired for a hospital, an education centre or a corrective institution.
- Not operate machinery to collect, consolidate, store, sort or recover materials between 5pm and 8am the following day.
- Not have more than 4 vehicle movements by the operator collecting or delivering materials to the container deposit scheme centre between 5pm and 8am the following day.

52.13-5 Permit exemption for an automated collection point

26/09/2023
VC246

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 to an automated collection point if the requirements of clause 52.13-3 and clause 52.13-6 are met.

This exemption does not apply to a requirement in any of the following overlays if an application for one or more automated collection points has a combined gross floor area of 2 square metres or more, and a building height of 2.5 metres or more:

Other than for a maximum of two automated collection points that are no greater than 2 square metres in total area and less than 2.5 metres in height, 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.

52.13-6 Permit exemption requirement for an automated collection point

26/09/2023
VC246

For the purposes of clause 52.13-5, an automated collection point with a gross floor area less than 2 square metres, and a building height less than 2.5 metres must:

- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Be set back at least 30 metres from a dwelling in a Township Zone.
- Not be located on vacant land in a residential or rural zone.
- Not be located in an area set aside for vehicle access or occupy a car parking space.
- Be of muted, non-reflective external colours and finishes.

For the purposes of clause 52.13-5, an automated collection point with a gross floor area of 2 square metres or more, and a building height of 2.5 metres or more must:

- Occupy no more than:
  - 4 existing car parking spaces on the land; or,
  - 5 existing car parking spaces on the land if the land contains 50 or more car parking spaces.
- Be set back at least 4 metres from the frontage.
- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- Not be located on vacant land in a residential or rural zone.
- Be of muted, non-reflective external colours and finishes.

52.13-7 Exemption from car parking requirements for an automated collection point

26/09/2023
VC246

An automated collection point is exempt from the requirements of clause 52.06.

52.13-8 Exemption from permit conditions for an automated collection point

26/09/2023
VC246

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.

52.13-9 Application requirements

26/09/2023
VC246

An application must be accompanied by the following information as appropriate:

- A site context plan that specifies the location and nature of land use within 100 metres of site boundaries.
- 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 days and hours.
  - Noise, emissions and amenity attenuation measures. This may include a report on how noise and amenity impacts from the use will be reduced.
  - Safety and access details including how the use will be serviced, emptied and how materials will be moved to and from the site.
  - Details and methods of managing the collection, consolidation, storage sorting and recovery of materials within a building to reduce noise and amenity impacts on surrounding land.
  - Details of traffic and car parking requirements generated by the use.

52.13-10 Decision guidelines

26/09/2023
VC246

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The effect on existing car parking provision if an automated collection point is located on existing car parking spaces.
- The setback of the development from a frontage and from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- 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.
- The effect of noise, emissions, traffic movements and other amenity impacts on adjoining land uses.
- In a zone other than an industrial zone, Commercial 2 Zone or Port Zone the effect of noise, emissions, traffic movements and other amenity impacts of a container deposit scheme centre on adjacent and nearby sensitive land uses.

52.13-11 Exemption from notice and review

26/09/2023
VC246

An application to use or develop land for 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 to use or develop a container deposit scheme centre, including the construction of or putting up for display a sign in conjunction with a container deposit scheme centre is exempt from:

- In an industrial zone, Commercial 2 Zone and Port Zone, 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.
- In any other zone, the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.13-12 Transitional provisions

26/09/2023
VC246

The requirements of this clause introduced by Amendment VC246 do not apply to:

- An application for an automated collection point or container deposit scheme centre lodged before the approval date of Amendment VC246.
- An application for an amendment of a permit for an automated collection point or container deposit scheme centre under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC246.

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.

01/06/2017
C178

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0 Native vegetation precinct plan

01/06/2017
C178

Name of plan
Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan), December 2016
Robinsons Road Employment Area South Native Vegetation Precinct Plan, February 2011
Toolern Precinct Structure Plan (including Toolern Native Vegetation Precinct Plan), July 2011 (Amended December 2015)
Diggers Rest Native Vegetation Precinct Plan, March 2012
Rockbank North Native Vegetation Precinct Plan, March 2012

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.

01/02/2018
C147

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0 Scheduled area

14/07/2022
VC213

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
Reservation for the Western Freeway - Melton to Bacchus Marsh west of Bulmans Road	None specified
Those areas marked PAO1 on Map14PAO	All native vegetation
Those sites zoned Special Use – Schedule 8	All native vegetation
Land in a Transport Zone 1 for the Caroline Springs Railway Station and associated facilities, known as Lot 1 on TP514045 part of 11-15 Palm Springs Road, Ravenhall	All native vegetation
Land shown as UGZ6 or IPO3 on the planning scheme maps	All native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020*. This does not apply to native vegetation identified as 'remnant patches to be retained' on Plan 6 in the incorporated *Toolern Park Precinct Structure Plan*.
Land shown as UGZ7 on the planning scheme maps	All native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020*. This does not apply to native vegetation identified as 'to be retained' on Plan 7 in the incorporated *Rockbank Precinct Structure Plan, August 2016.*
Land shown as UGZ9, SUZ11 or IPO5 on the planning scheme maps	All native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020*. This does not apply to native vegetation identified as 'to be retained' on Plan 8 in the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan* .
Land shown as UGZ11, SUZ10 on the planning scheme maps	All native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020*. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.
Land shown as UGZ12, SUZ9 or IPO4 on the planning scheme maps	All native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020*. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.

2.0 Scheduled weed

25/08/2022
C208melt

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

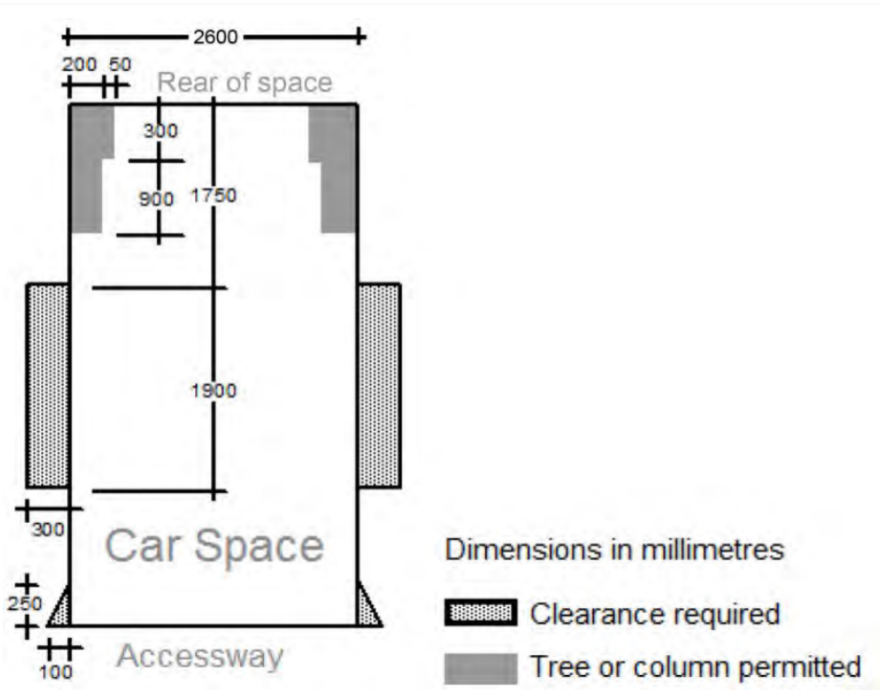
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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.

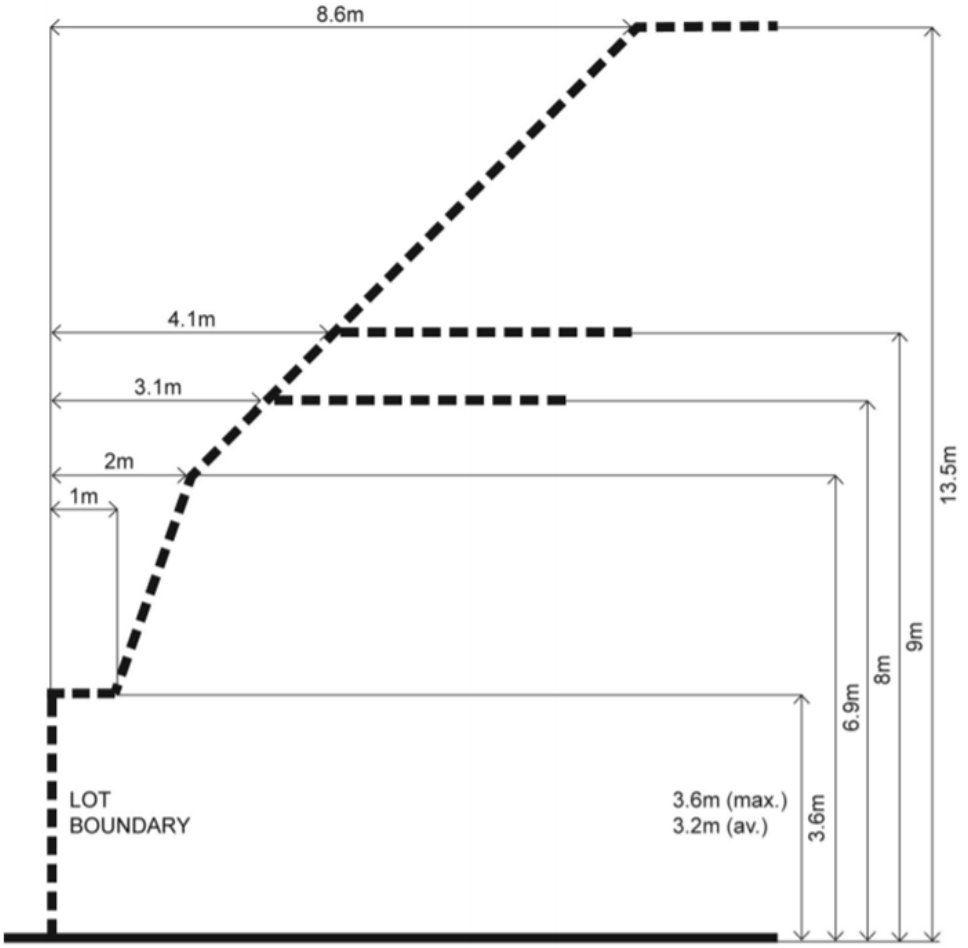
52.20-6.8 Side and rear setbacks

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.

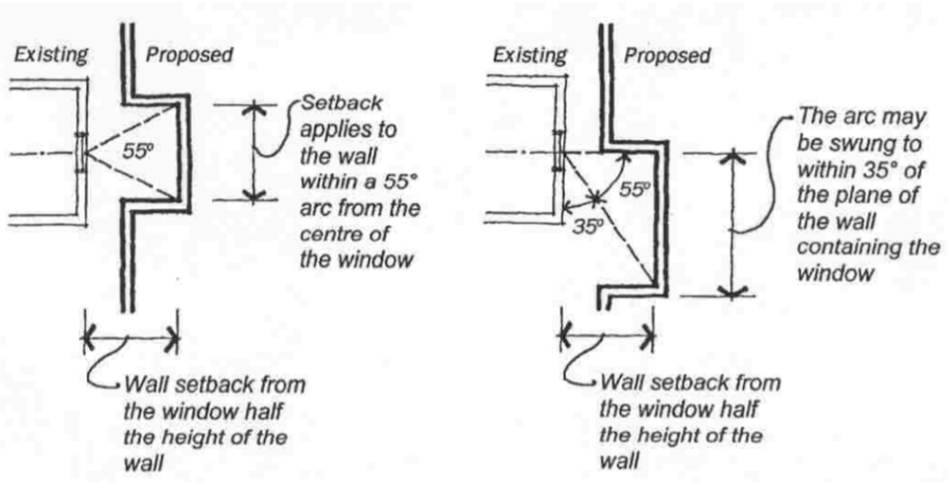
52.20-6.10 Daylight to existing windows

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.

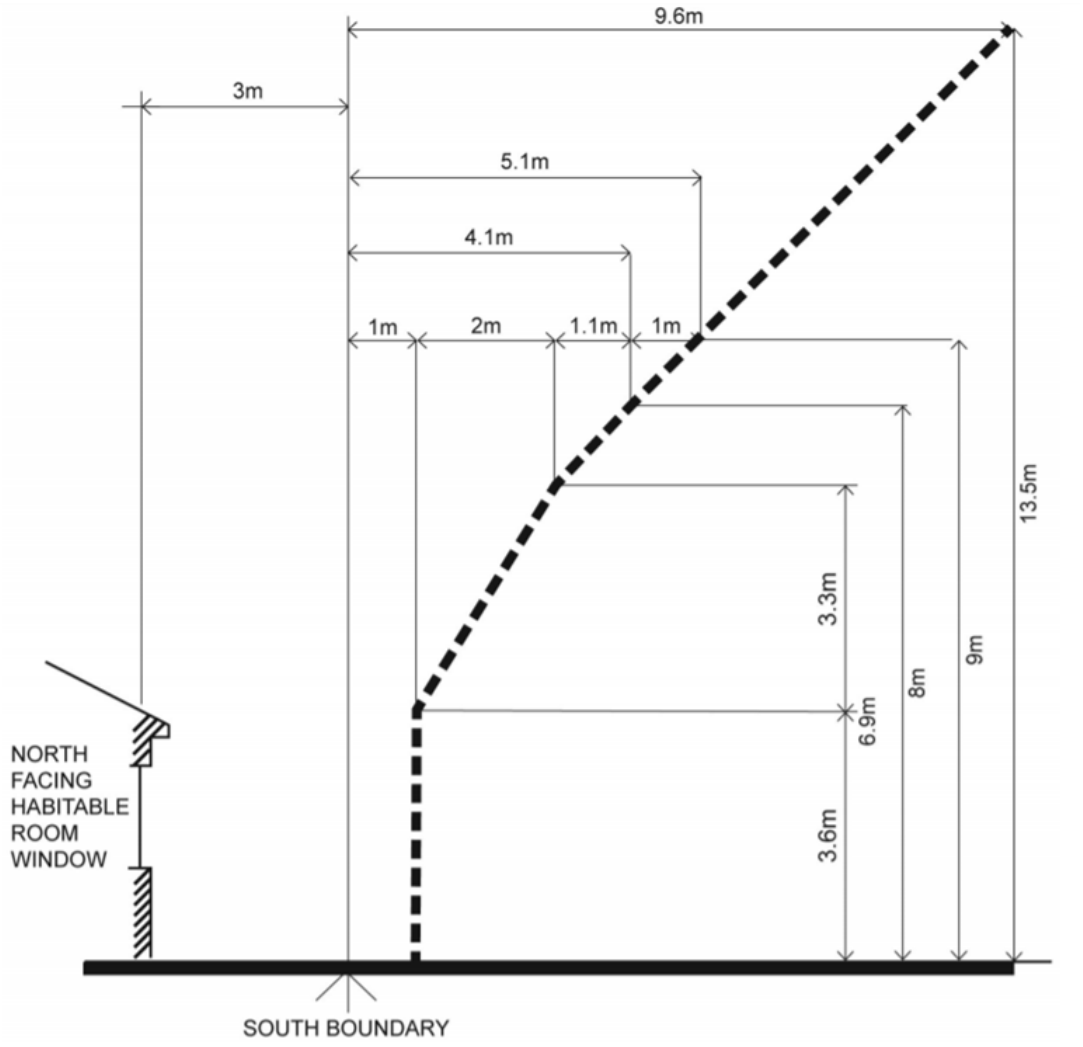
Diagram 3 Daylight to existing windows



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.

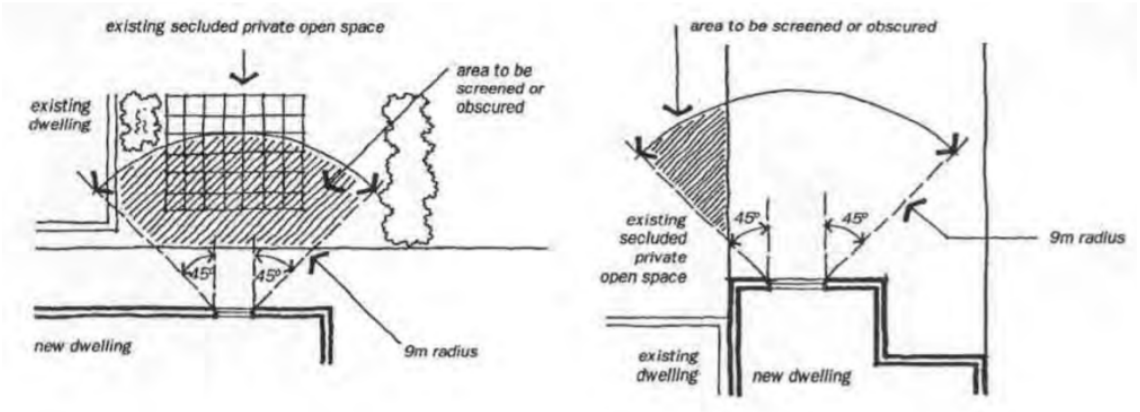
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

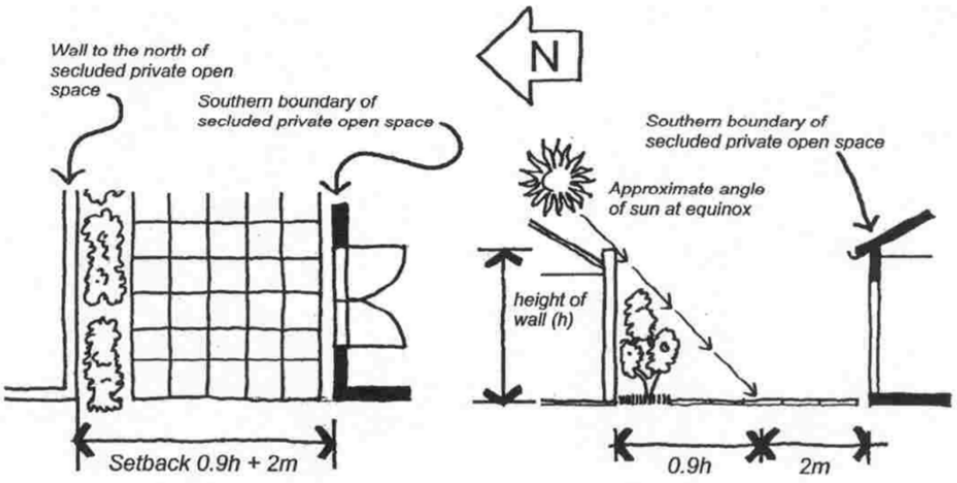
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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 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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

1.0 Permit not required

19/01/2006
VC37

Land	Type of licence
None specified	

2.0 Permit may not be granted

19/01/2006
VC37

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.

25/08/2022
C208melt

SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Objectives

13/07/2023
C219melt

To adopt a harm minimisation approach that balances the accessibility of electronic gaming machines (EGMs) with reducing their harm in the community.

To ensure that gaming venues and EGMs are located, designed and operated in a manner that minimises opportunities for convenience gambling.

To encourage gaming venues to deliver net community benefit.

2.0 Prohibition of a gaming machine in a shopping complex

13/07/2023
C219melt

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
Woodgrove Shopping Centre, Melton	533-555 High Street Melton, described in Certificates of Title Volume 10294 Folio 286 and Volume 9974 Folio 346, bounded by Barries Road, High Street and Coburns Road but excluding Coburns Central Shopping Centre.
Coburns Central Shopping Centre, Melton	Lot 1 PS 120634 south west corner of High Street and Coburns Road
Bellevue Shopping Centre, Hillside	North west corner of Wattle Valley Drive and Royal Crescent, Hillside
Station Square Shopping Centre	North west corner of Brooklyn Road and Station Street, Melton South
Burnside Shopping Centre, Burnside	Westwood Drive, Burnside
Caroline Springs Town Centre, Caroline Springs	Land bounded by Caroline Springs Boulevard, Commercial Road and Lake Street, referred to as 29 Lake Street, Caroline Springs, including car parking area to the west of Lake Street, and The Place abutting Caroline Spring Boulevard
Taylors Hill Village Shopping Centre, Taylors Hill	South east corner of Gourlay Road and Hume Drive
Watervale Shopping Centre, Taylor's Hill	Land located on the north-eastern corner of Calder Park Drive and Taylors Road, Taylors Hill

3.0 Prohibition of a gaming machine in a strip shopping centre

13/07/2023
C219melt

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

13/07/2023
C219melt

Gaming venues should be located:

- In areas where there is non-gaming entertainment and recreation uses operating at the same time within a 5 kilometre radius.

- At the edge or periphery of an activity centre where its location is consistent with the activity centre's range of entertainment facilities and commensurate with its role in the Activity Centre Hierarchy as identified in Clause 02.04-2.
- In locations that are destination venues rather than venues that are convenient to the day to day retail needs of residents.
- Outside of the core of activity centres.
- Outside of areas with high socio-economic disadvantage (being in the bottom 20 per cent of SEIFA scores for Victoria) or high vulnerability to gambling-related harm.
- Outside of land to be developed as a shopping complex, a strip shopping centre or activity centre unless the location and operation of the venue will be separated from convenience services and areas with high pedestrian traffic.
- Outside of residential areas except when proximate to an activity centre or other compatible non-residential use.
- In buildings that do not have residential uses.
- Outside of areas that are within 400 metres or have a clear line of sight of:
  - An existing or approved gaming venue.
  - Shopping complexes and strip shopping centres specified in the schedule to Clause 52.28 Gaming.
  - Areas with transport, community and civic facilities, unless it is within the periphery of an activity centre and satisfies other relevant locational characteristics under this clause.
  - Social housing.
  - A gambling sensitive service or facility that is used by people experiencing or vulnerable to gambling-related harm.

5.0 Venues for gaming machines

13/07/2023
C219melt

Gaming machines should be located in venues:

- That provide a comprehensive entertainment offering and where gaming is a minor component of the venue's layout (not more than 25 per cent of the total leasable floor area that is open to the public).
- That offer alternative forms of recreation and entertainment during gaming hours.
- That physically and functionally separate the gaming area from non-gaming facilities, pedestrians and vehicular access, and car parking.
- With signs that are modest in size and discreet in nature.
- That have a minimum 6-hour break in play.
- Where the amenity of the surrounding area is not unreasonably affected by way of design, location or operating hours.

6.0 Application requirements

13/07/2023
C219melt

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:

- A description of the proposal.
- Detailed plans of the design and layout of the premises including, but not limited to:

- The location of all existing and proposed EGMs, including number of EGMs to be transferred (if applicable).
- Potential changes to the density of EGMs per 1,000 adults in the municipality, local area or growth corridor (as appropriate).
  - Proposed gambling and non-gambling facilities.
  - Entrances and exits to the gaming lounge.
  - Screening, external signage, external lighting, pedestrian and vehicle access.
  - Car parking.
- Range and operating hours of non-gaming facilities and activities within the venue, including areas licensed to serve and consume alcohol.
- Any of the venue's harm minimisation and responsible gambling practices and those which may be secured by planning permit conditions.
- A detailed Social and Economic Impact Assessment to determine the overall social and economic impact of the proposal. 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 index of disadvantage.
  - Assessment of surrounding context, including location of activity centres, transport routes, areas of congregation, sensitive uses and location of alternative non-gambling entertainment options.
  - Evidence of the impact of the proposal on the community. This may be provided through a community survey or other appropriate qualitative data.

7.0 Decision guidelines

13/07/2023
C219melt

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 the proposal would create, or add to, an existing cluster of gaming venues.
- Whether residents and patrons will have access to non-gaming entertainment and recreation facilities in the area and the gaming venue that operate at the same time as the EGMs.
- The impact of the proposal on the safety, amenity and character of the area and surrounding land uses.
- The impact of the proposal on social disadvantage and local communities vulnerable to gambling-related harm.

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

1.0

25/02/2021
C226melt

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
All subdivision in the Melton East Growth Area except as exempted by Clause 53.01	9%
Land shown as UGZ1 on the planning scheme maps.	3.21% Land and/or cash contribution requirements must be in accordance with Section 5.5.3 of the Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan), December 2016.
Land shown as UGZ2 on the planning scheme maps.	3.78% Land and/or cash contribution requirements must be in accordance with Section 5.4.3 of the Melton North Precinct Structure Plan (May 2010).
All land shown as Area 4 in Plan 1 of the Toolern Precinct Structure Plan.	0%
All other land within the Toolern Precinct Structure Plan	3.97% Land/and or cash contribution requirements must be in accordance with Table 2 and Section 4.5.2 of the Toolern Precinct Structure Plan (July 2011)
Land shown as UGZ5 on planning scheme maps (Diggers Rest Precinct Structure Plan)	3.04%
Land shown as UGZ4 on planning scheme maps (Rockbank North Precinct Structure Plan)	3.66%
Land shown as UGZ6 on planning scheme maps (Toolern Park Precinct Structure Plan)	2.21%
Land shown as UGZ8 on planning scheme maps (Paynes Road Precinct Structure Plan)	3.39%
Land shown as UGZ7 on planning scheme maps (Rockbank Precinct Structure Plan, August 2016)	2.89%

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 Tables : Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

20/03/2023
VC229

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

26/09/2023
VC246

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
Coke processing	500
Cosmetics and toiletries production	100

Type of use or activity (purpose)	Threshold distance (metres)
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
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

Type of use or activity (purpose)	Threshold distance (metres)
▪ 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
▪ 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

Type of use or activity (purpose)	Threshold distance (metres)
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:	
▪ 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

Type of use or activity (purpose)	Threshold distance (metres)
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
Container deposit scheme centre exceeding 1,000 square metres gross floor area	200
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 (other than Automated collection point and Container deposit scheme centre):	
▪ accepting organic wastes	500
▪ other	200
Used plastics treatment or processing	500
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

Type of use or activity (purpose)	Threshold distance (metres)
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 Incorporated statement

31/07/2018
VC148

Land	Incorporated Document
Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor.	Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor, July 2010 (updated May 2012).

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

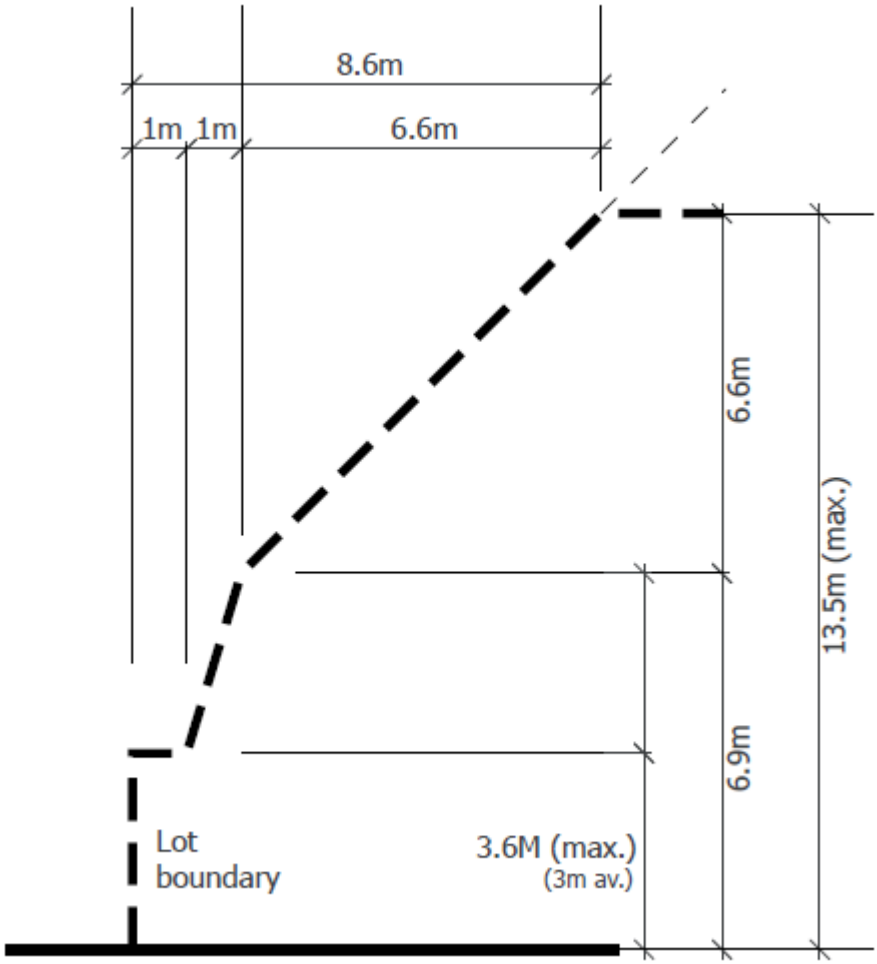
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	allotment facing the side street or 4 metres, 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.

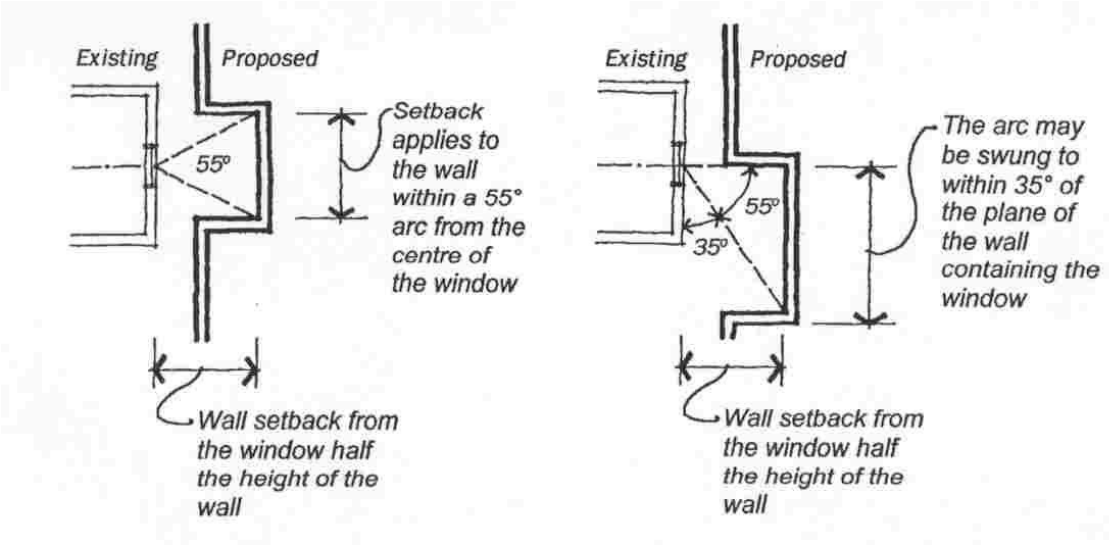
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

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.

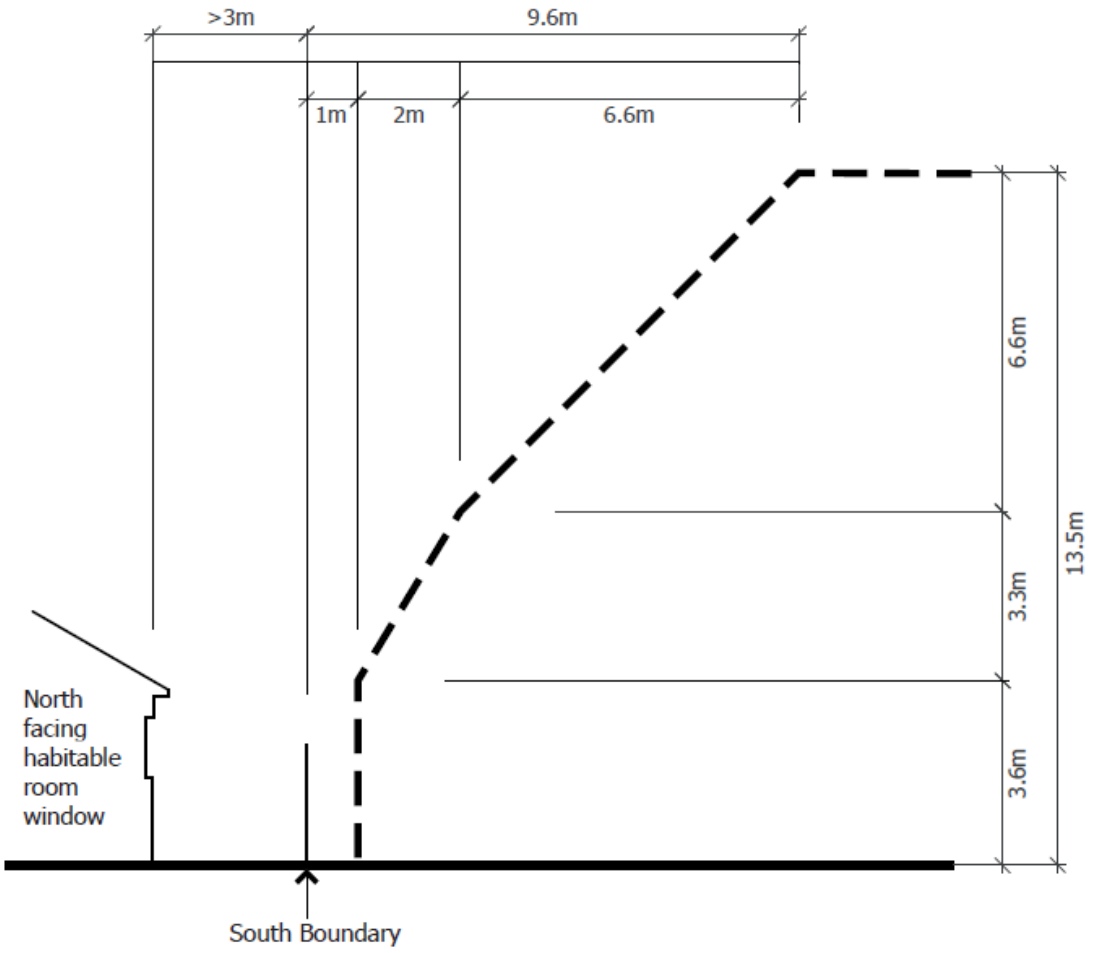
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the 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.

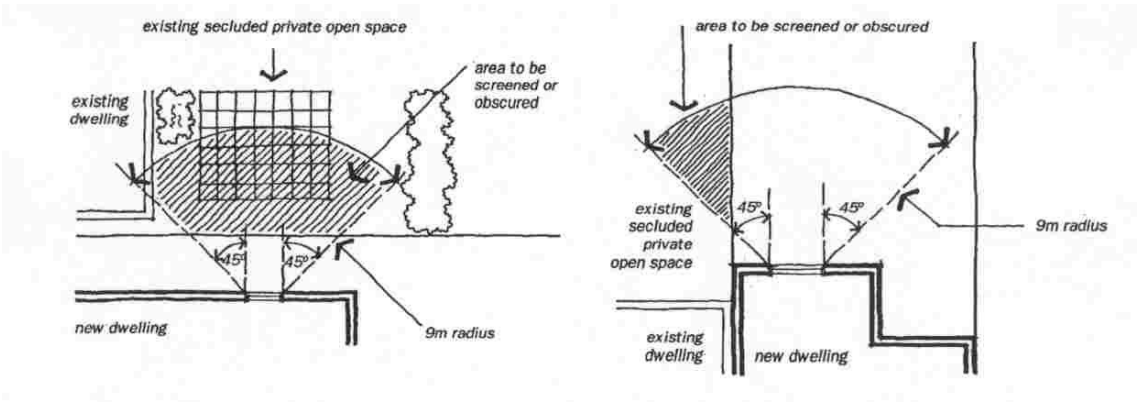
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

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

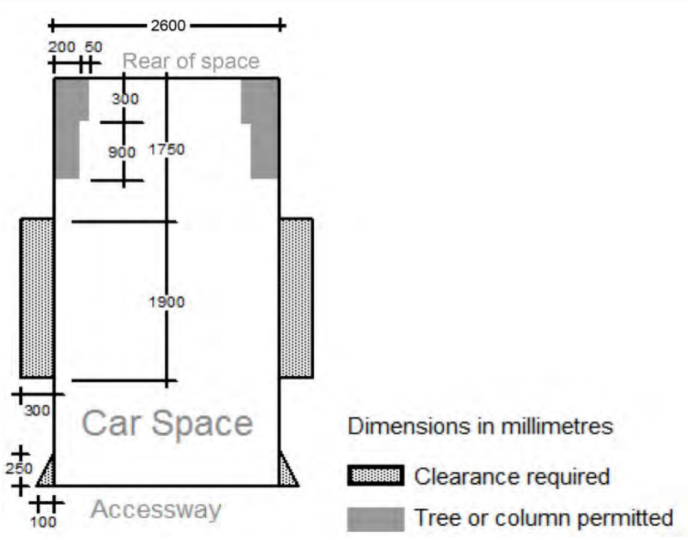
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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.

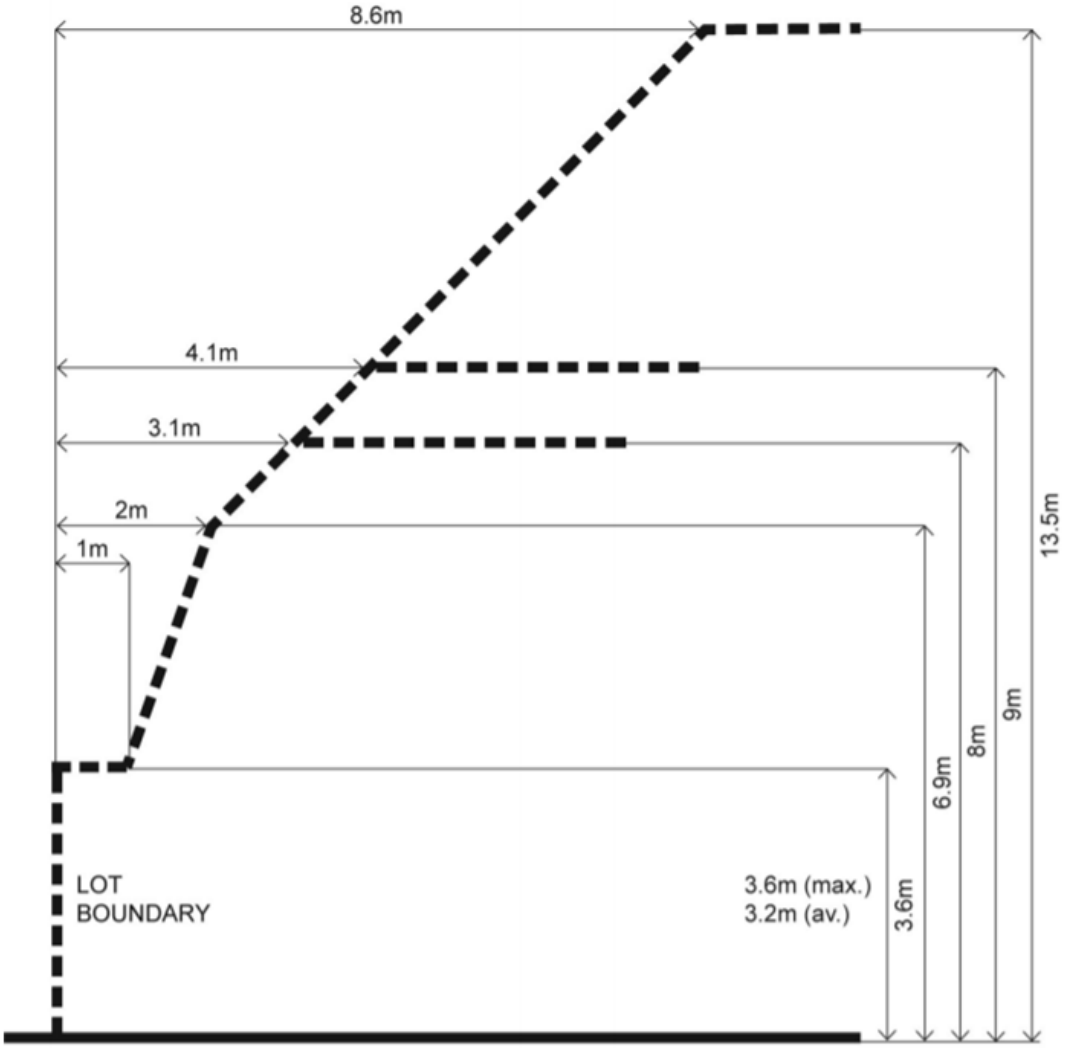
53.20-6.10 Side and rear setbacks

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.

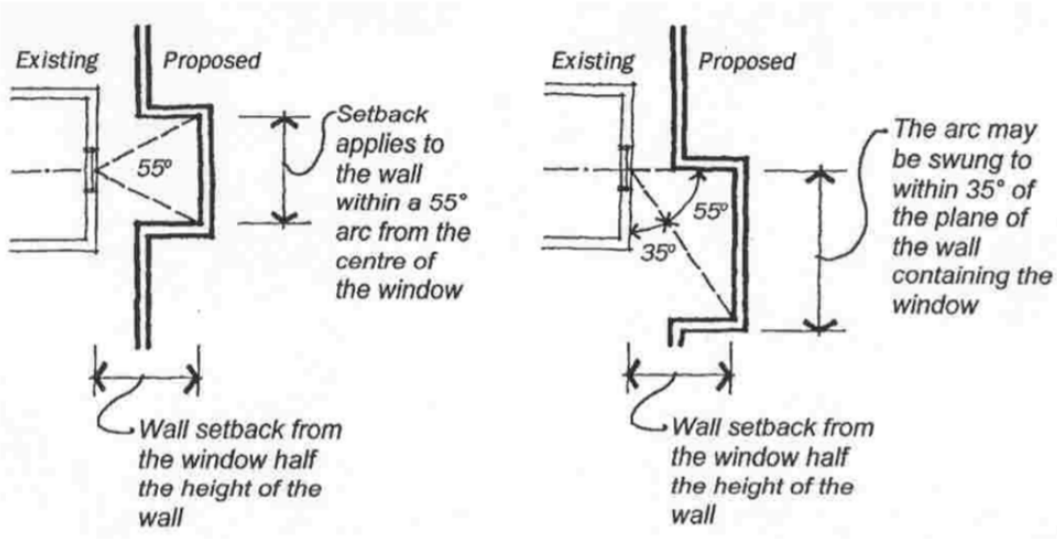
53.20-6.12 Daylight to existing windows

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.

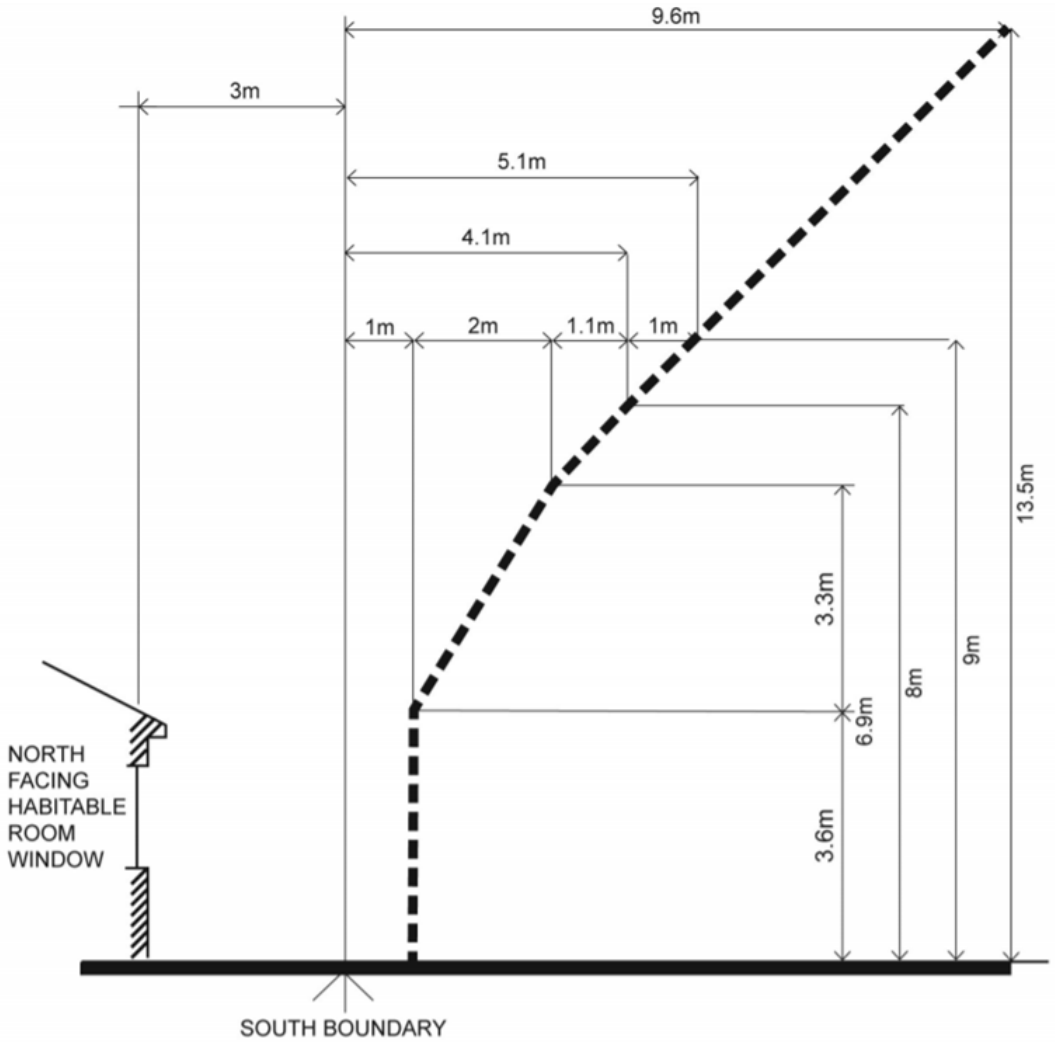
Diagram 3 Daylight to existing windows



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.

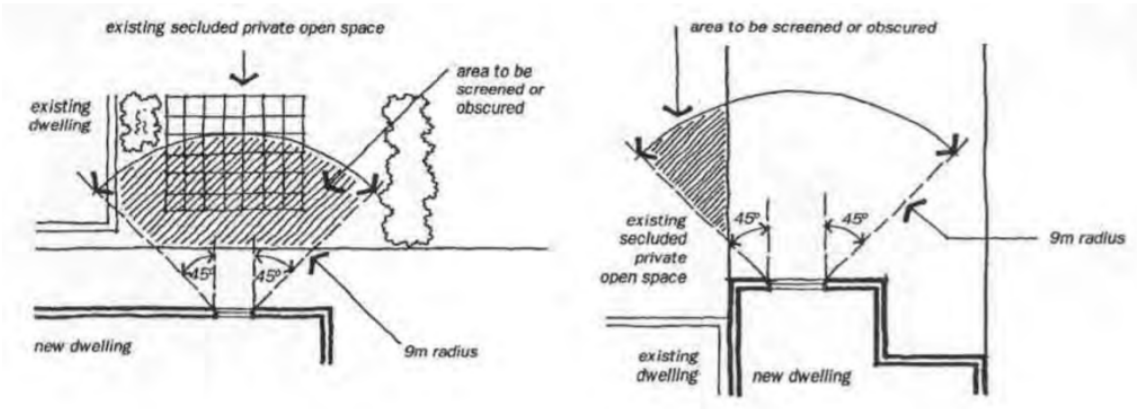
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

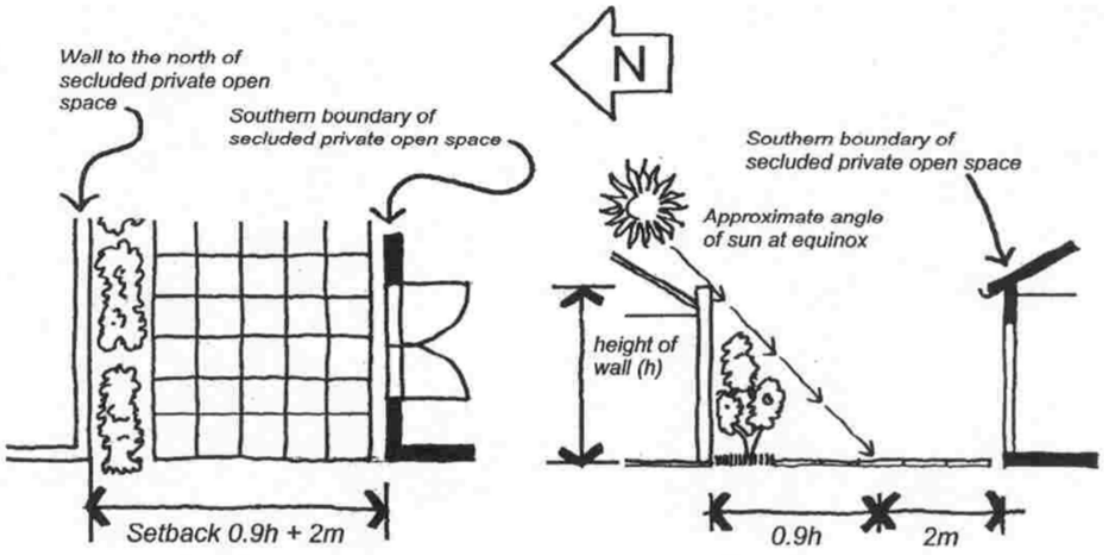
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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.

53.22 SIGNIFICANT ECONOMIC DEVELOPMENT

20/09/2023
VC242

Purpose

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

53.22-1 Application

20/09/2023
VC242

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if the condition corresponding to a category in Table 1 is met.

This clause does not apply to an application to subdivide land.

Table 1

Category	Condition
Category 1	The use must be specified in Table 2 and the condition corresponding to that use must be met. If the application includes more than one use in Table 2, only one use must meet the corresponding condition. Must have written advice from the Chief Executive Officer, Invest Victoria confirming the likely financial feasibility of the proposal.
Category 2	The use must be specified in Table 2. The use or development 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.
Category 3	The use must be specified in Table 2. The responsible authority has advised in writing that the use or development of land is of significance having regard to: ▪ The purpose of clause 53.22. ▪ The estimated cost of development. ▪ The written advice of the Chief Executive Officer, Invest Victoria.

Table 2

Use	Condition
Camping and caravan park **Group accommodation** **Food and drink premises (other than bar, convenience restaurant and take away food premises)** **Leisure and recreation** **Place of assembly** **Recreational boat facility** **Residential hotel** **Winery**	The estimated cost of the development must be at least: ▪ $10 million if any part of the land is in metropolitan Melbourne; or ▪ $5 million if any part of the land is not in metropolitan Melbourne.
Agriculture **Data centre** **Industry** **Research centre**	The estimated cost of development must be at least: ▪ $20 million if any part of the land is in metropolitan Melbourne; or ▪ $10 million if the land is not in metropolitan Melbourne.
Hospital **Medical centre** **Warehouse**	The estimated cost of development must be at least: ▪ $30 million if any part of the land is in metropolitan Melbourne; or ▪ $10 million if the land is not in metropolitan Melbourne.
Tertiary institution	The estimated cost of the development must be at least: ▪ $30 million if any part of the land is in metropolitan Melbourne; or ▪ $20 million if the land is not in metropolitan Melbourne.
Retail premises (other than food and drink premises)	The estimated cost of development must be at least: ▪ $100 million if any part of the land is in metropolitan Melbourne; or ▪ $20 million if the land is not in metropolitan Melbourne.
Earth and energy resources (other than extractive industry, mining, mineral exploration, petroleum exploration, petroleum production and stone exploration)	The estimated cost of development must be at least $30 million.
Extractive industry	The estimated value of the resource to be extracted must be at least $30 million.

Use	Condition
Mining and mineral exploration	The estimated cost of development must be at least $10 million.
Office	Must meet one of the following: ▪ The combined gross floor area of all buildings associated with the proposed use or development must be at least 10,000 square metres if any part of the land is in metropolitan Melbourne; or ▪ The combined gross floor area of all buildings associated with the proposed use or development must be at least 5,000 square metres if the land is not in metropolitan Melbourne.

53.22-2 Planning scheme requirements

20/09/2023
VC242

The responsible authority may waive or vary any building height or setback requirement.

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the information is not relevant to the assessment of the application.

53.22-3 Application requirements

20/09/2023
VC242

In addition to the application requirements elsewhere in the planning scheme, an application must be accompanied by the following information, as appropriate:

- A quantity surveyor report prepared by a suitably qualified person specifying the estimated cost of the development. For a development that includes more than one use, the report should specify the estimated cost of development for each use.
- Written advice of the Chief Executive Officer, Invest Victoria.

53.22-4 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.22-5 Decision guidelines

20/09/2023
VC242

Before deciding on an application, in addition to the decision guidelines elsewhere in this planning scheme including in clause 65, the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.22-6 Transitional provision

20/09/2023
VC242

Clause 53.22 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- 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 VC242.

53.23 SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING

20/09/2023
VC242

Purpose

To facilitate residential development that includes affordable housing to meet existing and future needs.

To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.

To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.

To facilitate residential development with high quality urban design, architecture and landscape architecture.

To provide opportunities for non-residential use and development in association with residential development.

53.23-1 Application

20/09/2023
VC242

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if all of the following are met:

- The application includes the use or development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel); and
- The condition corresponding to a category in Table 1 is met.

This clause does not apply to an application to subdivide land.

Table 1

Category	Condition
Category 1	The estimated cost of the development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) as specified in the quantity surveyor report required under clause 53.23-3 must be at least: ▪ $50 million if any part of the land is in metropolitan Melbourne; or ▪ $15 million if the land is not in metropolitan Melbourne. At least 10% of the total number of dwellings in the development must be affordable housing, or alternatively this condition may be met via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4. Must have written advice from the Chief Executive Officer, Invest Victoria confirming the likely financial feasibility of the proposal.
Category 2	The use or development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) will be:

Category	Condition
	▪ 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. At least 10% of the total number of dwellings in the development must be affordable housing, or alternatively this condition may be met via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4.
Category 3	The responsible authority has advised in writing that the use or development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) is of significance having regard to: ▪ The purpose of clause 53.23. ▪ The percentage of the total number of dwellings in the development that are proposed to be affordable housing and whether an alternative mechanism will be used for the delivery of affordable housing. ▪ The estimated cost of development. ▪ The location of the development and whether it has convenient access to jobs, services, infrastructure and community facilities. ▪ Whether the design, liveability and sustainability of the development is exemplary. ▪ Whether the development will be owned and operated by a community housing provider. Must have written advice from the Chief Executive Officer, Invest Victoria confirming the likely financial feasibility of the proposal.

The responsible authority may decide to reduce the percentage of the total number of dwellings in the development that must be affordable housing, or not require an agreement to be entered into under Section 173 of the Act.

53.23-2 Planning scheme requirements

20/09/2023
VC242

The responsible authority may waive or vary any of the following:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

53.23-3 Application requirements

20/09/2023
VC242

In addition to the application requirements elsewhere in the planning scheme, an application must be accompanied by the following information, as appropriate:

- A quantity surveyor report prepared by a suitably qualified person specifying the estimated cost of the development. For a development that includes more than one use, the report should specify the estimated cost of development for each use.
- A report that demonstrates how the proposal will contribute to the provision of affordable housing to meet existing and future needs.
- For a non-residential use or development, the purpose of the use and the types of activities which will be carried out.
- Written advice of the Chief Executive Officer, Invest Victoria.

53.23-4 Requirement before the grant of a permit

20/09/2023
VC242

Unless specified in clause 53.23-1, a permit must not be granted unless the owner of the land has entered into an agreement with the responsible authority under section 173 of the Act for the provision of affordable housing.

The agreement will not come into operation unless a permit is issued for the proposed use or development.

The agreement must be recorded on the Register.

53.23-5 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.23-6 Decision guidelines

20/09/2023
VC242

Before deciding on an application, in addition to the decision guidelines elsewhere in this planning scheme including in clause 65, the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.23-7 Transitional provision

20/09/2023
VC242

Clause 53.23 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- 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 VC242.

53.24 FUTURE HOMES

22/09/2023
VC243

Purpose

To facilitate apartment developments that incorporate exemplar designs approved under the Future Homes project.

To facilitate apartment developments that increase the density and diversity of housing to respond to Victoria's population growth.

To facilitate apartment developments that are exemplary in their design, liveability and sustainability.

53.24-1 Application

22/09/2023
VC243

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under clause 32.08-6 of the General Residential Zone to construct two or more dwellings on a lot, or to construct a front fence in association with the construction of two or more dwellings on a lot, if all of the following requirements are met:

- The development must be an apartment development.
- The design of the apartment development must use a licenced exemplar design approved under the Future Homes project overseen by the Department of Transport and Planning.
- Any part of the land:
  - Must be within 800 metres of a passenger railway station; or
  - Must be within 800 metres of a metropolitan, major or neighbourhood activity centre in Metropolitan Melbourne; or
  - Must be within 800 metres of an activity centre outside Metropolitan Melbourne; and
  - Must not be within a Heritage Overlay or Neighbourhood Character Overlay.

For the purposes of this clause, the distance from an activity centre must be measured from:

- the boundary of the activity centre specified, shown, described or otherwise indicated in this planning scheme; or
- if the boundary of the activity centre is not specified, shown, described or otherwise indicated in this planning scheme, the boundary of any Activity Centre Zone, commercial zone or Mixed Use Zone.

For the purposes of this clause, the distance from a passenger railway station must be measured from the closest point to a station platform.

53.24-2 Meaning of terms

26/09/2023
VC246

An activity centre outside Metropolitan Melbourne means a:

- Central Activity District
- Central Business District
- City Centre
- Major Activity Centre
- Primary Activity Centre
- Principal Activity Centre
- Principal Centre
- Regional Activity Centre

- Regional Centre
- Regional Retail Centre

53.24-3 Pre-application referral requirements

22/09/2023
VC243

If an application is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The proposal for which the application is made 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.

If the proposed development requires a permit under a provision of this planning scheme other than clause 32.08-6 of the General Residential Zone and an application for that permit is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The proposal for which the application is made 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.

53.24-4 Exemption from planning scheme requirements

22/09/2023
VC243

An application is exempt from the requirements of clauses 45.09, 52.06 and 52.34.

An application is exempt from any application requirement in the General Residential Zone or a schedule to the General Residential Zone.

An application is exempt from and is not required to meet the requirements of clauses 55 and 58.

Matters to be considered

In deciding an application, the responsible authority must not consider, and is exempt from considering:

- The Municipal Planning Strategy and Planning Policy Framework.
- The purpose of the General Residential Zone.
- Any decision guideline in the General Residential Zone or a schedule to the General Residential Zone.
- The decision guidelines in clause 65.

53.24-5 Exemption from review

22/09/2023
VC243

An application is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.24-6 Development standards

22/09/2023
VC243

A development must meet all of the following development standards.

53.24-6.1 Car parking

Car parking spaces must be provided at:

- a rate of 1 space per dwelling; or
- if the land is in a Parking Overlay and the overlay specifies a lower car parking rate for a dwelling, the applicable rate in the overlay.

Mechanical parking may be used to meet the car parking requirement provided the dimensions of the mechanical parking system meets the standards for a B99 vehicle in Australian Standard AS/NZS 2890.1:2004, Parking facilities - Off-street car parking (Standards Australia, 2004).

53.24-6.2 Bicycle parking

Bicycle parking spaces must be provided at a rate of:

- 1 space per dwelling for residents.
- 1 space per 5 dwellings for visitors.

At least 20 percent of bicycle parking spaces for residents must be provided as horizontal spaces.

All visitor bicycle parking spaces must be provided as horizontal spaces and be located to provide convenient access from surrounding bicycle routes and main building entrances.

53.24-6.3 Communal open space

A development of 10 or more dwellings must provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development must 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 must be:

- Accessible to all residents.
- Of a useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Limit overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts on new and existing dwellings.

Any area of communal outdoor open space must be landscaped and where possible include canopy cover and trees.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary area of communal outdoor open space must receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

53.24-6.4 Environmentally sustainable design

A development must achieve:

- At least a 7.5 star NatHERS average (area-weighted across all dwellings).
- At least a 6.5 star NatHERS for an individual dwelling.

- An excellence, or equivalent score, in environmentally sustainable design as outlined in the Building Future Homes Adaptation Guide.
- 100 percent Stormwater Treatment Objective-Relative Measure (STORM) rating for the site.

53.24-6.5 Accessibility

At least 50 per cent of dwellings must be designed to meet all of the following accessibility design standards.

Dwelling access

- A slip resistant continuous step-free pathway must be provided from the street and car parking area to the dwelling entry door.
- The pathway must have a minimum clear width of 1.2 metres, no steps, a maximum gradient of 1:14 and a cross fall not steeper than 1:40.
- Where ramps with landings are required as part of the pathway, landings must be no less than 1.2 metres in length, and gate and door swings must not overlap this minimum landing requirements.
- Landings must be provided at the start and end of ramps.
- Where there is a change in height of 190 millimetres or less at an apartment entrance, a step ramp with a gradient not steeper than 1:10 may be used.
- Car parking spaces must provide:
  - A level surface with a gradient not exceeding 1:40 in any direction.
  - A vertical clearance over the parking space of at least 2.5 metres free of obstructions (the 2.5 m clearance is not required where mechanical parking is used).

Dwelling entrance

- The entrance to the dwelling must have:
  - A clear opening width of at least 850 millimetres.
  - A level, and step-free transition and threshold.
  - A level landing on the arrival side of the entrance door of at least 1.35 metres x 1.35 metres.

Internal doors and passageways

- Doorways to rooms must have a clear opening width of at least 850 millimetres.
- Doorways to rooms must have a level, step-free transition and threshold.
- The dwelling must have clear passageways and corridors with a minimum width of 1.2 metres.

Toilets and showers

- At least one toilet must be located on the entry level of the dwelling and must have:
  - A secure fixing surface to enable future installation of grab rails.
  - A minimum 1.2 metre x 1.2 metre circulation area located in front of the toilet that is clear of the basin and the door swing.
- The toilet must be located in:
  - the corner of the room if it is in a bathroom with the centreline of the pan 450 to 460 millimetres from the adjacent wall; or
  - a room with a minimum width of 1.2 metres if it is in a room separate to the bathroom.

- A least one bathroom must be located on the entry level of the dwelling and must have a hobless, step-free shower that:
  - Has a removable shower screen.
  - Has a minimum clear internal dimensions of 900 millimetres x 900 millimetres.
  - Has a minimum 1.2 metres x 1.2 metres clear circulation area located in front of the shower.
  - Is located in the corner of the room to enable future installation of grab rails.
- A secure fixing surface must be provided at all toilets, showers and baths to enable future installation of grab rails. This requirement may be met by either:
  - walls that are constructed of solid masonry or concrete; or
  - providing additional wall framing or structure lining behind the finished wall surface.

Kitchen laundry

- The kitchen and laundry must have a minimum 1.2 metres clear circulation area in front of appliances and benches.
- Floor finishes must extend under appliances and cabinets to allow for future modifications.

53.24-6.6 Building entry and circulation

Common corridors and passageways providing access to a dwelling entry must have a minimum width of 1.2 metres.

Entries to dwellings and buildings must:

- 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 must:

- 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.

53.24-6.7 Storage

Each dwelling must have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) must meet the requirements specified in Table 1.

Table 1: Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
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

53.24-6.8 Functional layout

Bedrooms must:

- Meet the minimum internal room dimensions specified in Table 2.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table 2: 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) must meet the minimum internal room dimensions specified in Table 3.

Table 3: Living area dimension and area

Dwelling type	Minimum width	Minimum area
Studio or 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

53.24-6.9 Room depth

Single aspect habitable rooms must 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 must be measured from the external surface of the habitable room window to the rear wall of the room.

53.24-6.10 Windows

Habitable rooms must 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 must 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.

53.24-6.11 Natural ventilation

The design and layout of dwellings must maximise openable windows, doors or other ventilation devices in external walls of the building.

All dwellings must 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 must be measured between the ventilation openings on different orientations of the dwelling.

53.24-6.12 Deep soil and canopy cover

A development must:

- Provide the canopy cover and deep soil areas specified in Table 4 (existing trees can be used to meet the canopy cover requirements of Table 4).
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table 5, or where deep soil cannot be provided, located in planters specified in Table 5.
  - Consistent with the canopy diameter and height at maturity specified in Table 6.
  - Located in communal outdoor open space or common areas or street frontages.
  - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
  - Take into account the soil type and drainage patterns of the site.

Table 4: Canopy cover and deep soil requirements

Site area	Canopy area	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

Site area	Canopy area	Deep soil
2501 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 5: Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter	
	Area of deep soil	Volume of soil planter	Depth of soil 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 6: 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

53.24-7 Decision guidelines

22/09/2023
VC243

Before deciding on an application the responsible authority must consider:

- The purpose of this clause.
- Whether the proposed apartment development is exemplary in design, liveability and sustainability.

54
22/09/2023
VC243

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 development meets standard A3, A4, A5, A6, A10, A11, A12, A13, A14, A15, A16, A17 or A20, it is deemed to meet the objective for that standard.

Where standard A3, A4, A5, A6, A10, A11, A12, A13, A14, A15, A16, A17 or A20 is met the decision guidelines for that standard do not apply to the application.

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

22/09/2023
VC243

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.

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

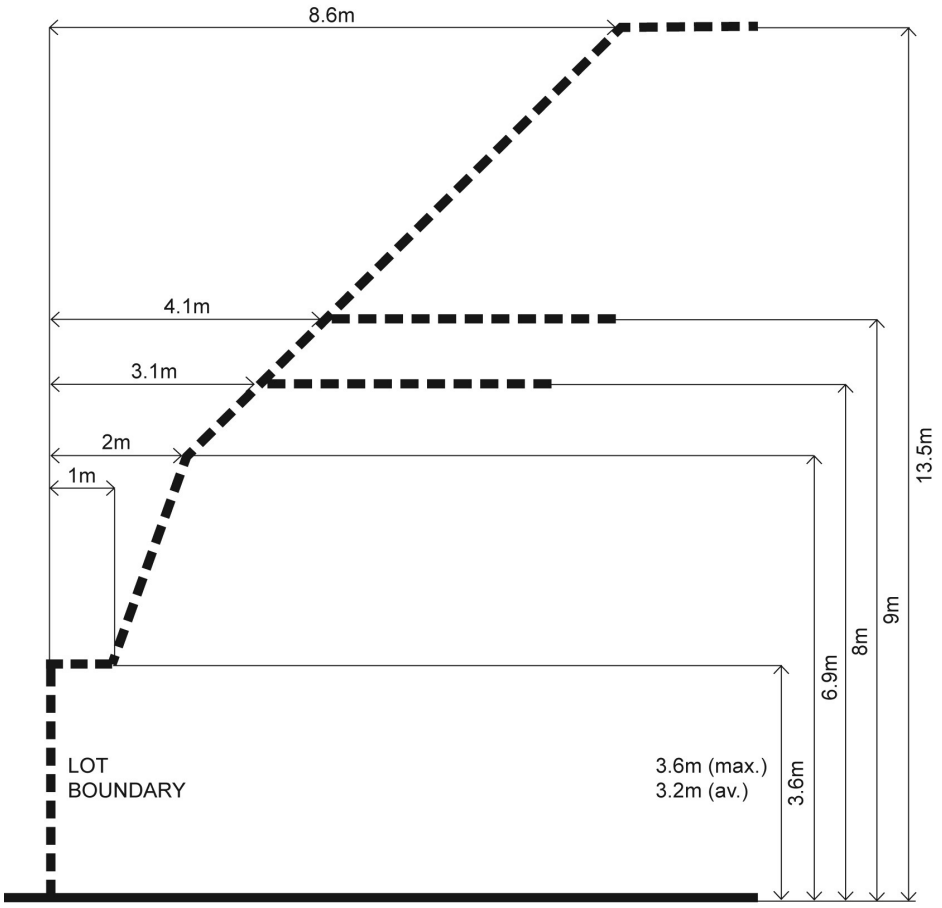
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- 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.

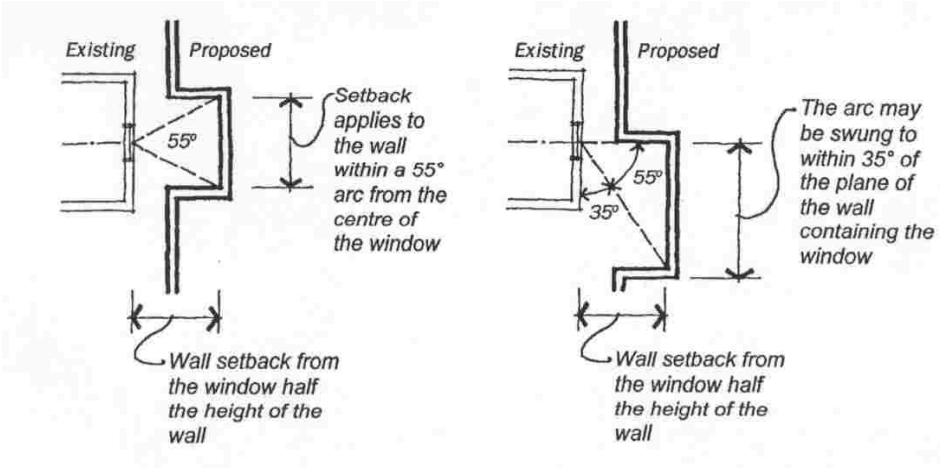
Standard A12

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

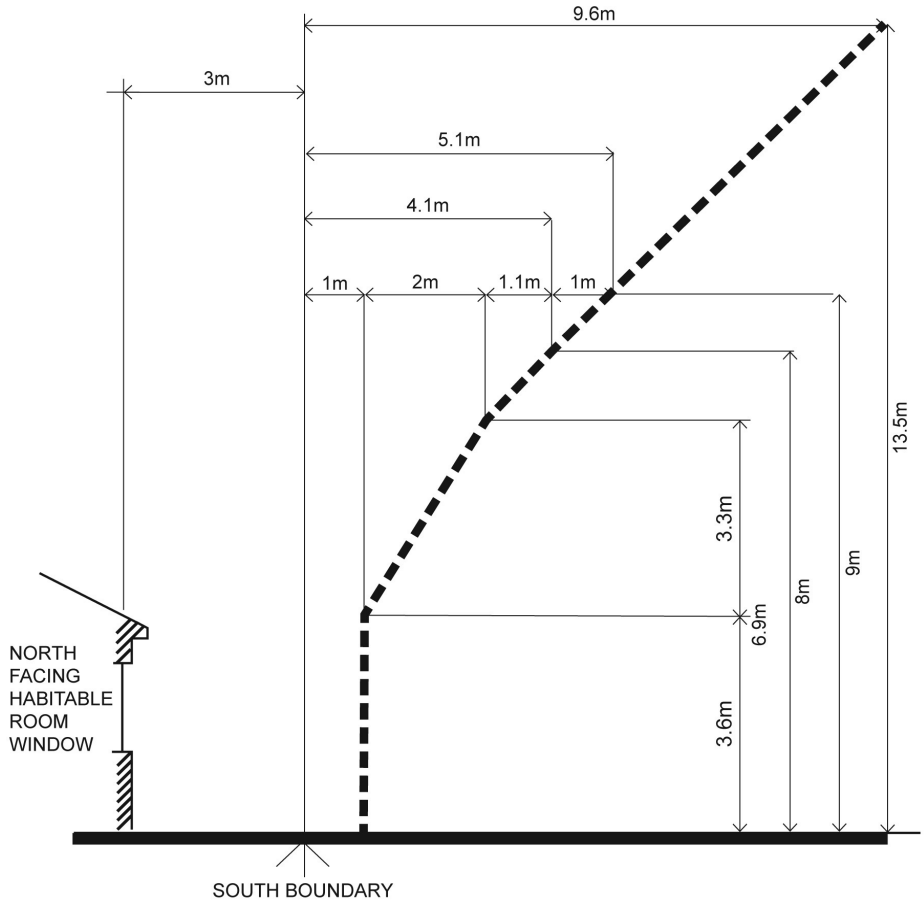
10/12/2013
VC99

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.

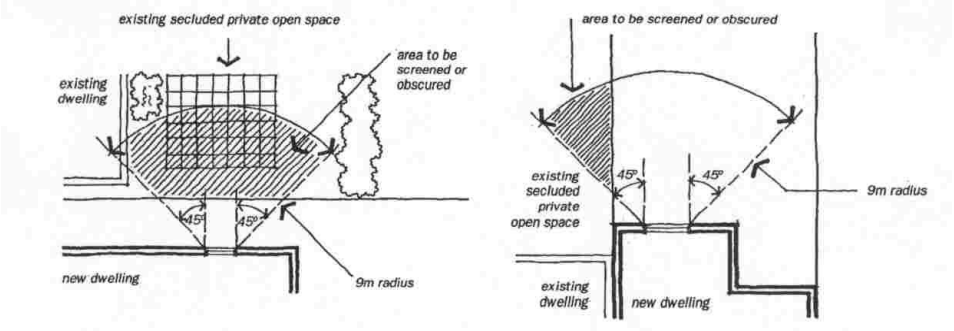
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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

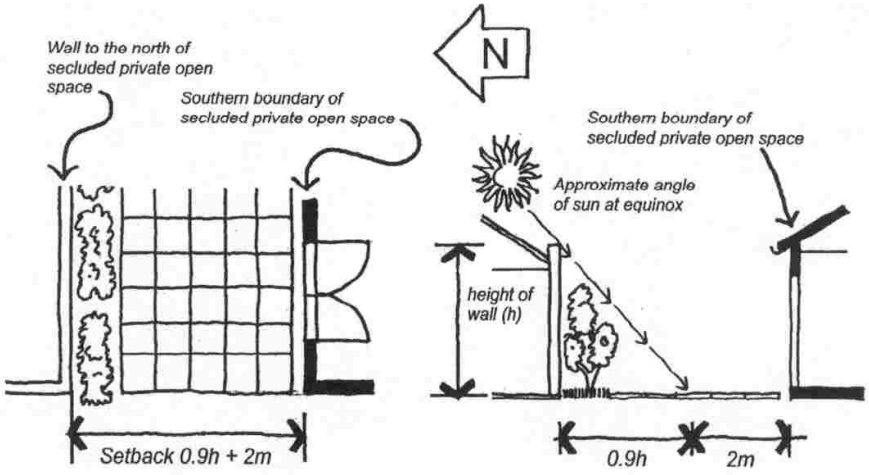
To allow solar access into the secluded private open space of a new dwelling.

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

22/09/2023
VC243

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20

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
22/09/2023
VC243

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.

If a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard.

Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not 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

22/09/2023
VC243

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.

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

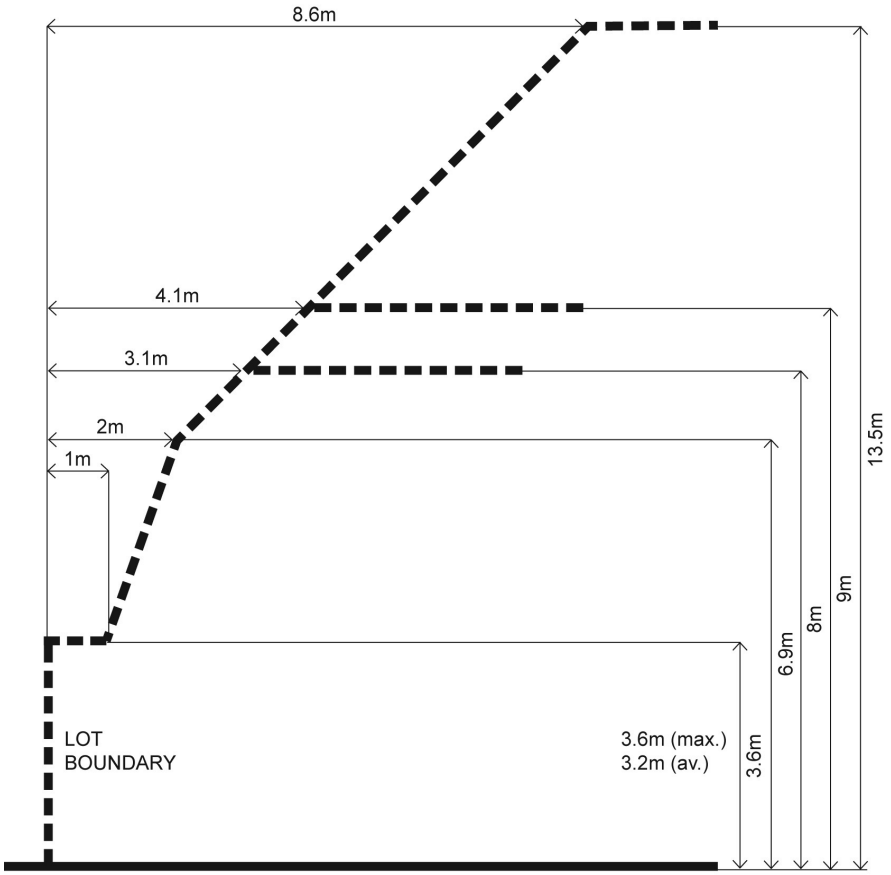
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- 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.

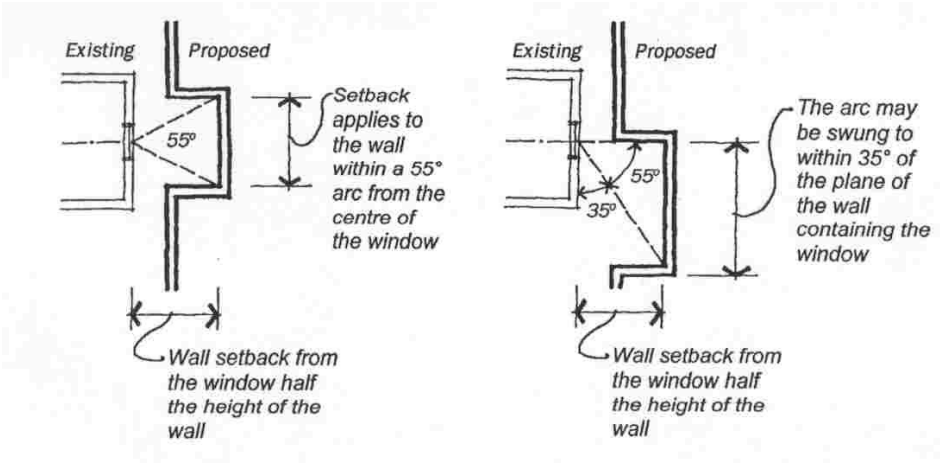
Standard B19

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

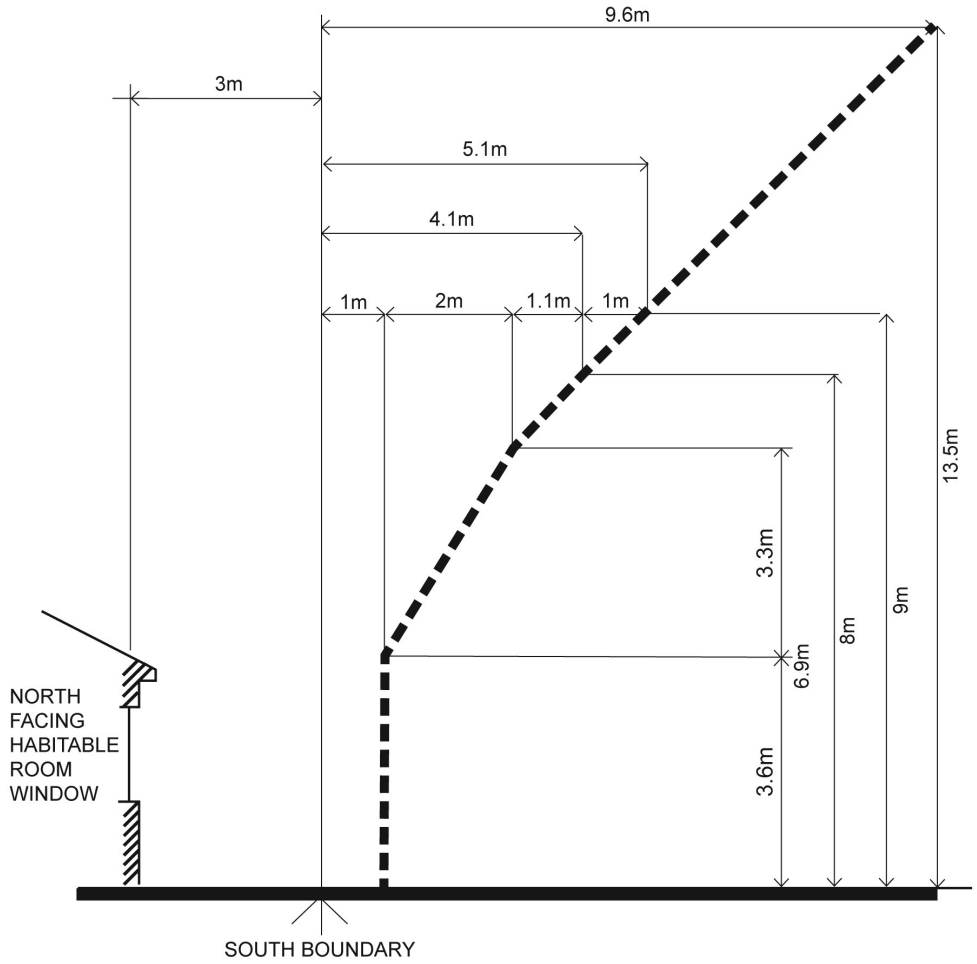
10/12/2013
VC99

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.

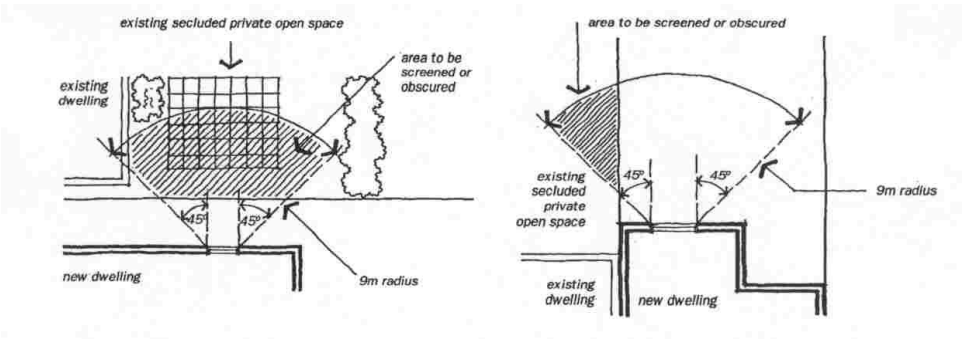
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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

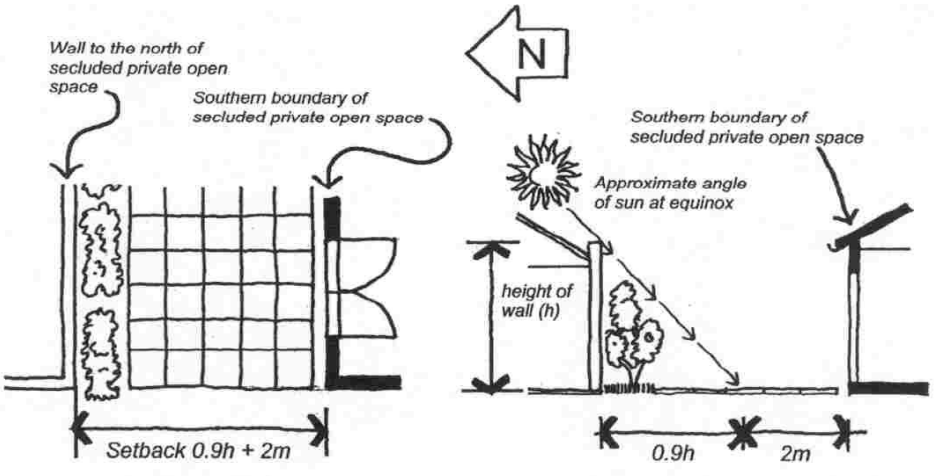
To allow solar access into the secluded private open space of new dwellings and residential buildings.

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

22/09/2023
VC243

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32

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
31/07/2018
VC148

RESIDENTIAL SUBDIVISION

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 CONSTRUCTION AND EXTENSION OF ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

22/09/2023
VC243

59.14-1 Information requirements

22/09/2023
VC243

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 including front fencing.
    - 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 development.
- 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:
  - A3 Street setback.
  - 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 54.02-2 Integration with the street objective and standard A2.
  - 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.
  - Clause 54.06-2 Front fences objective and standard A20.

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

22/09/2023
VC243

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 54.02-2 Integration with the street objective and standard A2.
  - 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.
  - Clause 54.06-2 Front fence objective and standard A20.

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

25/08/2022
C208melt

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

25/08/2022
C208melt

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

25/08/2022
C208melt

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.

25/08/2022
C208melt

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements

25/08/2022
C208melt

None specified.

2.0 Decision guidelines

25/08/2022
C208melt

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
22/09/2023
VC243

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 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 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	Kind of application	Referral authority	Type of 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
Clause 53.24	An application to which Clause 53.24 applies.	Secretary to the Department of Transport and Planning	Determining 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.

01/02/2018
C147

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

25/08/2022
C208melt

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Referral authority type
Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)	An application required under Schedule 3 to Clause 42.01.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 5.0 of Schedule 4 to Clause 42.01 (ESO)	An application required under Schedule 4 to Clause 42.01.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 5.0 of Schedule 5 to Clause 42.01 (ESO)	An application required under Schedule 5 to Clause 42.01.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 8.0 of Schedule 5 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre	Metropolitan Planning Authority	Determining referral authority
Clause 8.0 of Schedule 4 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre	Metropolitan Planning Authority	Determining referral authority
Clause 2.8 of Schedule 7 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a major town centre	Growth Areas Authority	Determining referral authority
Clause 2.9 of Schedule 7 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works in the Westcott Parade Precinct	Melbourne Water	Determining referral authority
Clause 2.7 of Schedule 9 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified as 'Mt Atkinson Major Town Centre Urban Design Framework Extent' on Plan 6 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan	Victorian Planning Authority	Determining referral authority

Clause	Kind of application	Referral authority	Referral authority type
Clause 2.7 of Schedule 9 to 37.07 (UGZ)	An application to use land, or to construct a building on land, identified within the 'Quarry Sensitive Use Buffer' on Plan 11 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan	Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990	Recommending referral authority
Clause 2.0 of Schedule 4 to 43.02 (DDO)	An application to construct a building or construct or carry out works	Environment Protection Authority Victoria	Determining referral authority
Clause 3.0 of Schedule 4 to 43.02 (DDO)	An application for subdivision	Environment Protection Authority Victoria	Recommending referral authority
Schedule 11 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified on Plan 5 in the incorporated *Plumpton Precinct Structure Plan* as 'Plumpton Major Town Centre' and 'Plumpton Local Town Centre'.	Victorian Planning Authority	Determining referral authority
Schedule 12 to 37.07 (UGZ)	An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified on Plan 5 of the *Kororoit Precinct Structure Plan* as the 'Kororoit Local Town Centre' and 'Deanside Local Town Centre'.	Victorian Planning Authority	Determining referral authority
Schedule 6 to 42.01 (ESO)	An application required under Schedule 6 to Clause 42.01.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Schedule 4 to Clause 37.07 (UGZ)	An application to subdivide land containing conservation area as shown in Map 1 to Schedule 4 as 'Waterway – Growling Grass Frog habitat & stormwater wetlands.'	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
Schedule 6 to Clause 37.07 (UGZ)	An application to subdivide land containing conservation area as shown in Map 1 to Schedule 6 as 'Growling Grass Frog - Category 1 Habitat.'	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

Clause	Kind of application	Referral authority	Referral authority type
Schedule 9 to Clause 37.07 (UGZ)	An application to subdivide land containing conservation area as shown in Plan 1 to Schedule 9 as 'Conservation Area (service open space).'	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
Schedule 12 to Clause 37.07 (UGZ)	An application to subdivide land containing conservation area as shown in Plan 1 to Schedule 12 as 'Conservation Area.'	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

66.05 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.

01/02/2018
C147

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0 Notice of permit applications under local provisions

01/02/2018
C147

Clause	Kind of application	Person or body to be notified
Clause 5.0 of Schedule 9 to Clause 37.07 (UGZ9)	Any application for use or development of the type listed in this clause, within the 'high pressure gas transmission pipeline measurement length' shown on *Plan 11 Utilities* in the incorporated *Mt Atkinson & Tarneit Plains Precinct Structure Plan*	Any owner or operatorof the high pressure gas transmission pipeline
Schedule 11 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the 'high pressure gas transmission pipeline measurement length' shown on *Plan 11 Utilities* in the incorporated *Plumpton Precinct Structure Plan.* ▪ Accommodation (other than dwelling and dependent persons unit) ▪ Child care centre ▪ Corrective institution ▪ Education centre ▪ Hospital ▪ Place of assembly ▪ Service station	The licensee and/or operator of the Derrimut to Sunbury pipeline and Truganina to Plumpton transmission gas pipeline.
Schedule 11 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the 'city gate measurement length' shown on *Plan 11 Utilities* in the incorporated *Plumpton Precinct Structure Plan*. ▪ Accommodation (other than dwelling and dependent persons unit) ▪ Child care centre ▪ Corrective institution ▪ Education centre ▪ Hospital ▪ Place of assembly ▪ Service station	The licensee and/or operator of the Plumpton Gas City Gate.
Schedule 12 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the 'high pressure gas transmission pipeline measurement length' shown on *Plan 11 Utilities* in the incorporated *Kororoit Precinct Structure Plan*.	The licensee and/or operator of the Derrimut to Sunbury pipeline and Truganina to Plumpton transmission gas pipeline.

Clause	Kind of application	Person or body to be notified
	▪ Accommodation (other than dwelling and dependent persons unit) ▪ Child care centre ▪ Cinema based entertainment facility ▪ Corrective institution ▪ Education centre ▪ Hospital ▪ Place of assembly ▪ Service station	
Schedule 12 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the the 'city gate measurement length' shown on *Plan 11 Utilities* in the incorporated *Kororoit Precinct Structure Plan*. ▪ Accommodation (other than dwelling and dependent persons unit) ▪ Child care centre ▪ Cinema based entertainment facility ▪ Corrective institution ▪ Education centre ▪ Hospital ▪ Place of assembly ▪ Service station	The licensee and/or operator of the Plumpton Gas City Gate.

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

20/09/2023
VC242

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.
- Use or development to which clause 53.22 applies.
- Use or development to which clause 53.23 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.

11/10/2018
GC96

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0 Responsible authority for administering and enforcing this planning scheme:

31/07/2018
VC148

The Melton 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:

11/10/2018
GC96

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the "Regional Rail Link Project Section 2 Incorporated Document, March 2015".
- Clause 51.01 of the scheme in respect of the "Regional Rail Link Project Section 1 Incorporated Document, March 2015".
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.
- Clause 51.01 of the scheme in respect of the "Calder Park Train Stabling and Maintenance Yards Incorporated Document, September 2012".
- Clause 51.01 of the scheme in respect of the "Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017".
- The *Ballarat Line Upgrade Incorporated Document, August 2018* and any other provision of the scheme as it applies to the use or development of land for the purpose of the Ballarat Line Upgrade.
- The "Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018" and any other provision of the scheme as it applies to the use or development of land for the purpose of Toolern Station.
- Clause 51.01 of the scheme in respect of the "Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018".
- Any other provision of the scheme as it applies to the use or development of land for the Melbourne Metro Rail Project: Upgrades to the Rail Network.

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:

22/09/2023
VC243

The Chief Executive Officer of the Melton 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 the Act.

The Chief Executive Officer of the Melton City Council is the responsible authority for considering and determining applications to which Clause 53.24 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Melton 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:

31/07/2018
VC148

Municipal district of the City of Melton.

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

26/10/2021
VC173

Maps comprising part of this planning scheme:

- 1, 1HO, 1ESO, 1BMO
- 2, 2HO, 2ESO, 2BMO
- 3, 3DCPO, 3HO, 3ESO, 3DPO, 3MAEO
- 4, 4HO, 4ESO, 4DPO, 4PAO, 4BMO
- 5, 5HO, 5ESO, 5DPO, 5DCPO, 5BMO
- 6, 6HO, 6ESO, 6DCPO
- 7, 7DCPO, 7DPO, 7ESO, 7HO, 7PAO
- 8, 8DCPO, 8EAO, 8ESO, 8HO, 8IPO, 8PAO
- 9, 9DCPO, 9DPO, 9ESO, 9IPO, 9SLO, 9HO, 9LSIO, 9PAO, 9MAEO
- 10, 10HO, 10ESO, 10DPO, 10DCPO, 10IPO, 10LSIO, 10SBO, 10MAEO, 10PAO, 10SCO
- 11, 11HO, 11ESO, 11DDO, 11IPO, 11DPO
- 12, 12DCPO, 12DDO, 12DPO, 12ESO, 12HO, 12IPO, 12PAO, 12SLO, 12BMO, 12SCO
- 13, 13DCPO, 13DDO, 13EAO, 13ESO, 13HO, 13ICPO, 13IPO, 13LSIO, 13PAO, 13RO, 13SCO, 13SLO
- 14, 14HO, 14ESO, 14DDO, 14DPO, 14IPO, 14LSIO, 14SBO, 14SCO, 14PAO

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

24/04/2019
C199melt

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0 Incorporated documents

20/10/2022
C230melt

Name of document	Introduced by:
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015	VC107
Ballarat Line Upgrade Incorporated Document, August 2018	GC95
Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018	C194
Calder Park Train Stabling and Maintenance Yards Incorporated Document, September 2012	C125
Caroline Springs Town Centre Comprehensive Development Plan August 2000	C14
Chartwell Restructure Allotment Plan (August 1992)	NPS1
Conditions for use of Lots 1&2 LP30733K, Plumpton Road for rock crushing	C9
Conditions for use of south-west corner of Greigs Road and Mount Cottrell Road, Melton, Crown Portions 1 and 2, Section 11, Parish of Pywheitjorrk for Extractive Industry	C13
Design and Siting Guidelines for Rural Zones, Melton Shire Council, 1996	NPS1
Diggers Rest Development Contributions Plan, March 2012 (Amended September 2017)	C181
Diggers Rest Native Vegetation Precinct Plan, March 2012	C121
Diggers Rest Precinct Structure Plan, March 2012 (Amended September 2017)	C181
Eynesbury Station Incorporated Plan, September 2001	C20
Eynesbury Township Stages 5, 6 and 13 Native Vegetation Removal and Offset Requirements, May 2017	C176
Guidelines for the Preparation of Environmental Management Plans in Melton's Rural Areas, Melton Shire Council, 1996	NPS1
HO110 Kerr Farm Site 1780-1882 Boundary Road, Mt Cottrell Incorporated Plan (2009)	C71
HO112 65-543 Greigs Road, Truganina Incorporated Plan (2009)	C71
HO128 Stoneleigh Homestead Complex, 196 Sinclairs Road, Rockbank – Statement of Significance, June 2016	C147
Kororoit Precinct Structure Plan, December 2017 (Amended April 2019)	C203melt
Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018	GC96
Melton Cemetery Incorporated Plan (2008)	C73
Melton Dry Stone Wall Study Volume 3 – Statements of Significance, February 2016	C100
Melton North Precinct Structure Plan Development Contributions Plan, May 2010 (Amended June 2017)	GC75
Melton North Precinct Structure Plan, May 2010	C83
Melton Renewable Energy Hub (MREH) – 77–347 Holden Road and 67 & 77 Victoria Road, Plumpton – Incorporated Document – April 2021	C225melt
Melton Tourist Precinct Local Area Development Plan – February 1998	C4
Mount Cottrell Water Storage Facility, Incorporated Document, February 2020	C218melt

Name of document	Introduced by:
Mt Atkinson & Tarneit Plains Infrastructure Contributions Plan, January 2020	C201melt
Mt Atkinson & Tarneit Plains Precinct Structure Plan, June 2017 (Amended January 2020)	C217melt
Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017	GC74
Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012	C81
Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017	C187
Paynes Road Precinct Structure Plan, February 2016	C161
Plumpton & Kororoit Infrastructure Contributions Plan, July 2018 (Amended October 2019)	C195melt
Plumpton Precinct Structure Plan, December 2017 (Amended April 2019)	C203melt
Ravenhall Concrete Manufacturing Facility Incorporated Document, July 2022	C230melt
Ravenhall Spoil Processing Facility, October 2020	C222melt
RDAV Rockbank Facility Incorporated Document, July 2013	C151
Robinsons Road Employment Area South Native Vegetation Precinct Plan, February 2011	C65
Rockbank Development Contributions Plan, August 2016	C145
Rockbank Precinct Structure Plan, August 2016	C145
Rockbank North Development Contributions Plan, March 2012	C120
Rockbank North Native Vegetation Precinct Plan, March 2012	C120
Rockbank North Precinct Structure Plan, March 2012	C120
Shire of Melton Heritage Study Stage 2: Volume 6- Statements of Significance, March 2009	C71
Small Lot Housing Code (Victorian Planning Authority, November 2019)	GC150
Statement of Significance - 161 Bulmans Road, Melton West, May 2011	C113
Statement of Significance: 2-98 Staughton Street, Melton South, "Behlen Shed" November 2018	C198melt
Statement of Significance: 2A Sherwin Court and 2 Killarney Drive, Melton, "Tara Stud (former) Outbuildings and Trees" November 2018	C198melt
Statement of Significance: 325 Clarkes Road, Brookfield, "Former Melton Stud" November 2018	C198melt
Statement of Significance: 398-428 Exford Road, Weir Views, "House" November 2018	C198melt
Statement of Significance: 430-458 Exford Road, Weir Views, "Staughton Infant Grave" November 2018	C198melt
Statement of Significance: 660A Beattys Road, Bonnie Brook, "Beattys Bridge" November 2018	C198melt
Statement of Significance: 660A Beattys Road, Bonnie Brook, "Water Reserve Beattys Road" November 2018	C198melt
Statement of Significance: 687 Hopkins Road, Truganina, "Tibbermore" November 2018	C198melt

Name of document	Introduced by:
Statement of Significance: 1267-1289 Beattys Road, Grangefields, "Former Fulham Park" November 2018	C198melt
Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor, July 2010 (updated May 2012)	C128
Sunbury Electrification Project Incorporated Document February 2010	C96
Tara Stud (former) Outbuildings, 2 Killarney Drive, Melton, Incorporated Plan October 2020	C198melt
Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan) May 2010 (Amended December 2016)	C178
Taylors Hill West Development Contributions Plan, July 2010 (Amended June 2017)	GC75
Toolern Park Precinct Structure Plan, August 2014	C122
Toolern Park Development Contributions Plan, August 2014 (Amended June 2017)	GC75
Toolern Precinct Structure Plan (including Toolern Native Vegetation Precinct Plan), July 2011 (Amended February 2019)	C172melt
Toolern Development Contributions Plan, July 2011 (Amended June 2020)	C226melt
Water for a Growing West Project Incorporated Document, July 2014	GC18

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

29 July 1999

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
13/07/2023
C219melt

Background documents

Name of background document	Amendment number - clause reference
Advertising Signage Design Guidelines (Melton City Council, 2017)	C188melt - Clause 02 and 15.01-1L-05
Background Analysis Paper: City of Melton Communications Infrastructure Policy (Urbis, 2017)	C200melt - Clause 02 and 19.03-4L
Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013)	C219melt - Clause 02, 11.01-1L, 11.02-2L and 12
Caroline Springs Town Centre Comprehensive Development Plan (Delfin Limited, 2000)	C14melt - Clause 02 and 11
City of Melton Retail and Activity Centres Strategy (Tim Nott with Harvest Digital Planning and Hansen Partnership, 2014)	C171melt - Clause 02, 11.03-1L-01, 11.03-1L-02 and 15.01-1L
City of Melton Electronic Gaming Machine Planning Policy Project Reference Document (Symplan, June 2017)	C182melt - Clause 02 and Schedule to 52.28
City of Melton Electronic Gaming Machine Planning Policy Project Background Report (Symplan, 2017)	C182melt - Clause 02 and Schedule to 52.28
City of Melton Environment Plan 2017-2027 (Melton City Council, 2017)	C200melt - Clause 02, 11, 12, 13, 15 and 19
City of Melton Heritage Strategy 2013-2017 (Melton City Council, 2017)	C200melt - Clause 02, 15.03-1L and Schedule to 43.01
Community Infrastructure Plan 2017 to 2036 (Melton City Council, 2017)	C200melt - Clause 02, 11, 19
Council and Wellbeing Plan 2017-2021 (Melton City Council, 2017)	C200melt - Cause 02, 11, 13, 12, 15, 18, 19
Economic Development and Tourism Plan 2014-2030 (Melton City Council, 2013)	C200melt - Clause 02, 11, 13, 14, 17, 18 and 19
Economic Development and Tourism Plan: Background Report (Melton City Council, 2013)	C200melt - Clause 02, 11, 13, 14, 17, 18 and 19
Employment Land Supply Review (SGS Economics & Planning, 2013)	C200melt - Clause 02, 11, 13, 14, 17, 18 and 19
Flood Management Plan for the City of Melton and Melbourne Water (Melton City Council, 2013)	C200melt - Clause 02, 13.03-1L and 19.03-3L
Healthy by Design: A guide to planning environments for active living (National Heart Foundation of Australia, 2012)	C200melt - Clause 02 and 15
High Street Town Centre Structure Plan (Melton City Council, 2007)	C200melt - Clause 02, 11, 15.01-1L and 17.02-1L

Name of background document	Amendment number - clause reference
House Rules Housing Character Assessment & Design Guidelines: Character Statements & Guidelines (Plansiphere, 2015)	C200melt - Clause 02, 15.01-4L and 15.01-5L-01
House Smart City of Melton Housing Diversity Strategy (Essential Economics and Hansen Partnership, 2014)	C157melt - Clause 02, 15.01-4L, 15.01-5L and 16
Investment Attraction Strategy 2016-2019 (Melton City Council, 2015)	C200melt - Clause 02, 11, 13.07-1L, 14, 17, 18 and 19
Industrial Design Guidelines (Melton City Council, 2016)	C174melt - Clause 02, 15.01-1L-02 and 13.07-1L
Kororoit Creek Regional Strategy 2005-2030 (Land Design Partnership Pty Ltd, 2006)	C200melt - Clause 02, 11 and 19.02-6L
Landscape Guidelines for the Shire of Melton (Melton Shire Council, 2010)	C200melt - Clause 02, 12 and 15
Melton Housing Diversity Strategy Background Report Analysis and Issues Assessment (Essential Economics and Hansen Partnership, 2014)	C157melt - Clause 02, 15.01-4L, 15.01-5L and 16
Melton Landscapes Significant Landscape Features Strategy (Planisphere, 2016)	C173melt - Clause 02, 11, and 12.05-2L
Moving Melton – Melton Integrated Transport Strategy (Melton City Council, 2015)	C200melt - Clause 02, 11 and 18
Open Space Plan 2016-2026 (Ross Planning, 2016)	C200melt - Clause 02 and 19.02-6L
Policy Framework: City of Melton Communications Infrastructure Policy (Urbis, 2017)	C200melt - Clause 02 and 19.03-4L
Responsible Gambling Policy (Melton City Council, 2014)	C200melt - Clause 02 and Schedule to 52.28
Shire of Melton Dry Stone Walls Study (Planning Collaborative (Vic) Pty Ltd, 2011)	C100melt - Clause 02, 15.03-1L-01, 15.03-1L-02 and Schedule to 43.01
Shire of Melton Heritage Study Stage 2: Volume 2 - The Environmental Thematic History (David Moloney et al., 2007)	C100melt - Clause 02, 15.03-1L-01, 15.03-1L-02 and Schedule to 43.01
Shire of Melton Heritage Study Stage 2: Volume 1: The Report (David Moloney et al., 2007)	C100melt - Clause 02, 15.03-1L, 15.03-1L and Schedule to 43.01
Sites of Botanical Significance in the Western Region of Melbourne (K. McDougall, 1987)	C173melt - Clause 02 and 12.05-2L
Sites of Geological and Geomorphological Significance in the Western Region of Melbourne (Rosengren, 1986)	C173melt - Clause 02 and 12.05-2L
Store and Outbuilding Policy and Guidelines (Melton Shire Council, 2010)	C134melt - Clause 02 and 15.01-2L-02

Name of background document	Amendment number - clause reference
Sunbury/Diggers Rest Growth Corridor Plan (Growth Areas Authority, 2012)	C200melt - Clause 02, 11 and 18
Toolern Town Centre Urban Design Framework (Growth Areas Authority, 2012)	C171melt - Clause 02, 11 and 15.01-1L
Werribee River Shared Trail Strategy (Hansen Partnership, 2013)	C200melt - Clause 02, 18.02-1L and 19.02-6L
West Growth Corridor Plan (Growth Areas Authority, 2012)	C200melt - Clause 02, 11 and 18
Western Plains North Green Wedge Management Plan Background Report (Hansen Partnership, 2013)	C200melt - Clause 02, 11.01-1L, 11.02-2L, 12, 14, 16.01-3L, 19.03-2L and 19.03-3L
Western Plains North Green Wedge Management Plan (Melton City Council, 2014)	C200melt - Clause 02, 11.01-1L, 11.02-2L, 12, 14, 16.01-3L, 19.03-2L and 19.03-3L
Woodgrove Structure Plan (Shire of Melton, 2006)	C200melt - Clause 02, 11 and 15

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

26/09/2023
VC246

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**
Container deposit scheme centre	Land used to collect, consolidate, temporarily store, sort or recover materials under Victoria's Container Deposit Scheme by a network or collection point operator in accordance with the *Circular Economy (Waste Reduction and Recycling) Act 2021*. The centre may incorporate a reverse vending machine, automated collection point, drop off point and over the counter refunds.		**Transfer station**
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**

Land use term	Definition	Includes	Included in
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.		
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**	

Land use term	Definition	Includes	Included in
		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** **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**	

Land use term	Definition	Includes	Included in
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: ▪ 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.		**Earth and energy resources industry**
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**

Land use term	Definition	Includes	Included in
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**
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 Geothermal *Energy Resources Act 2005.*		**Earth and energy resources industry**
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the Geothermal *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		**Animal production**

Land use term	Definition	Includes	Included in
	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 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**

Land use term	Definition	Includes	Included in
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 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;	**Materials recycling** **Refuse disposal** **Transfer station** **Research and development centre** **Rural industry** **Service industry**	

Land use term	Definition	Includes	Included in
	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.		
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**	

Land use term	Definition	Includes	Included in
		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**
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**

Land use term	Definition	Includes	Included in
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** **Outdoor recreation facility** **Restricted recreation facility**	**Leisure and recreation**
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**

Land use term	Definition	Includes	Included in
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**
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**	

Land use term	Definition	Includes	Included in
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**
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**	

Land use term	Definition	Includes	Included in
		Library **Nightclub** **Place of worship** **Restricted place of assembly**	
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**

Land use term	Definition	Includes	Included in
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**
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	**Community care accommodation** **Residential hotel** **Rooming house**	**Accommodation**

Land use term	Definition	Includes	Included in
	accommodation, host farm, residential village or retirement village.	**Rural worker 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, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.	**Motel**	**Residential building**
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**

Land use term	Definition	Includes	Included in
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; 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.	**Equestrian supplies** **Party supplies**	**Shop**
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**	

Land use term	Definition	Includes	Included in
		Motor vehicle, boat, or caravan sales **Postal agency** **Primary produce sales** **Shop** **Trade supplies**	
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**

Land use term	Definition	Includes	Included in
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; 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**

Land use term	Definition	Includes	Included in
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**
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**

Land use term	Definition	Includes	Included in
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**
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** **Container deposit scheme centre**	**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**

Land use term	Definition	Includes	Included in
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. It includes any associated flow measurement device or a structure to gauge waterway flow.	**Data centre** **Minor utility installation** **Reservoir** **Telecommunications facility**	
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**

Land use term	Definition	Includes	Included in
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. It does not include turbines principally used to supply electricity for domestic or rural use of the land.		**Renewable energy facility**
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.

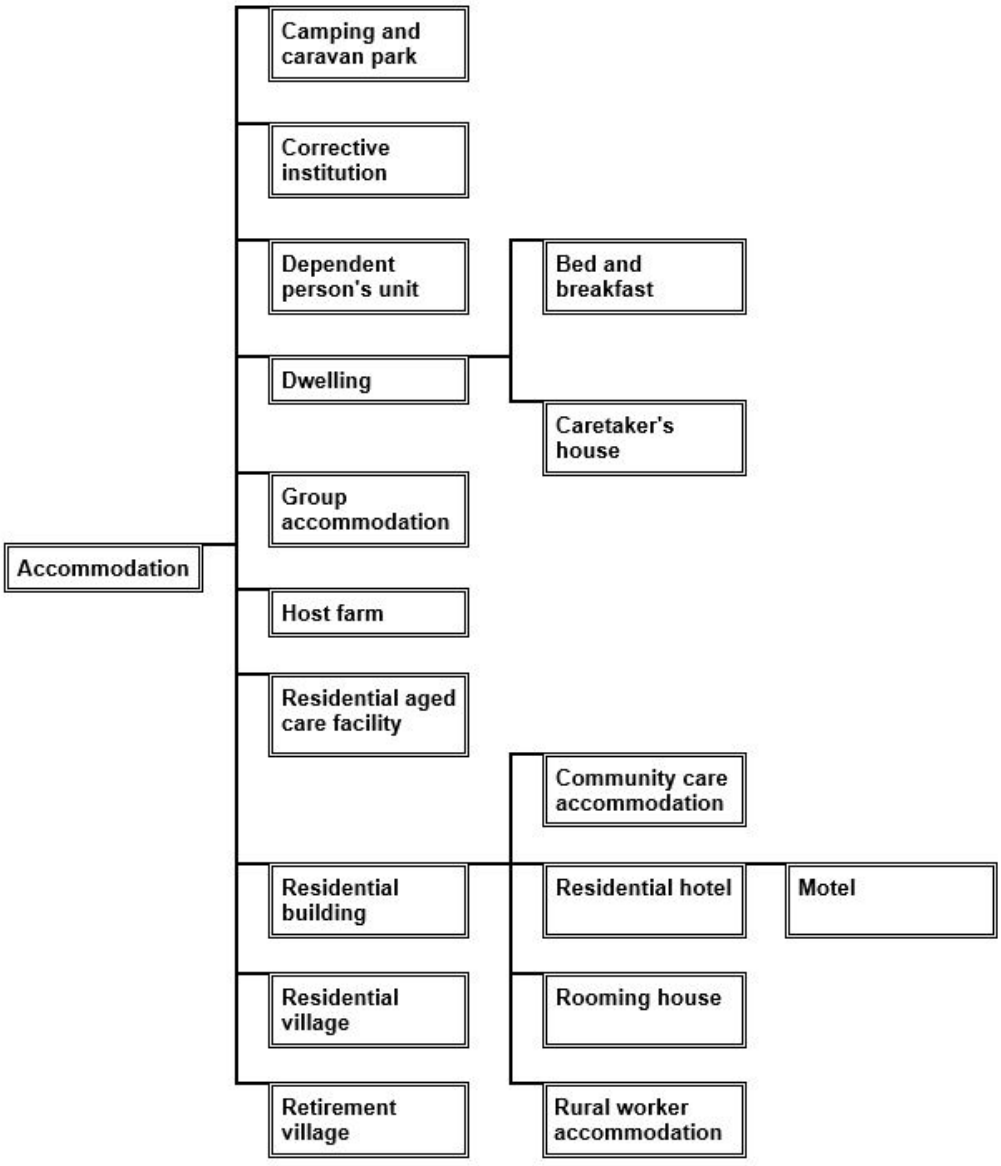
The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

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.

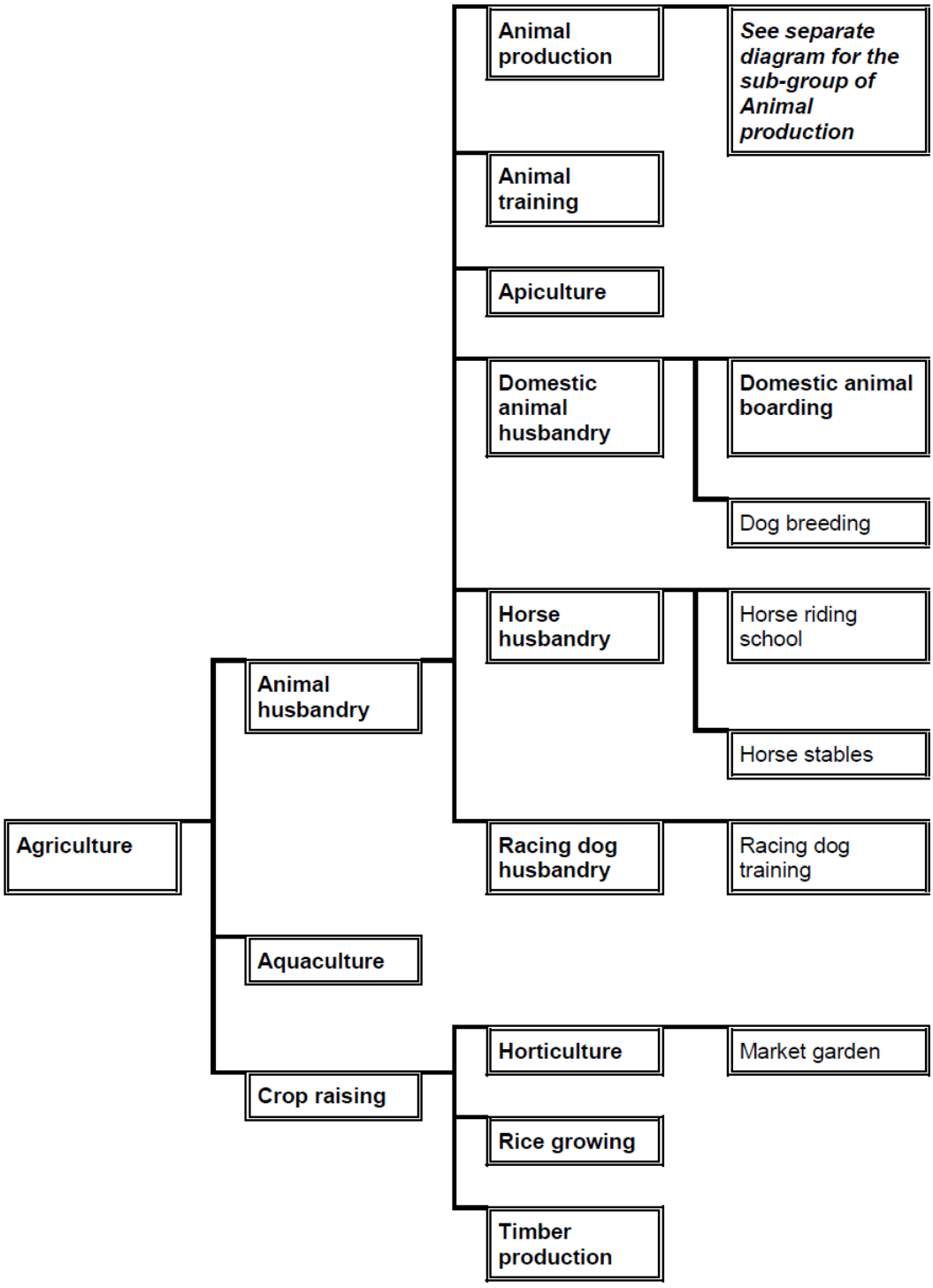
73.04-1 Accommodation group

12/10/2021
VC202



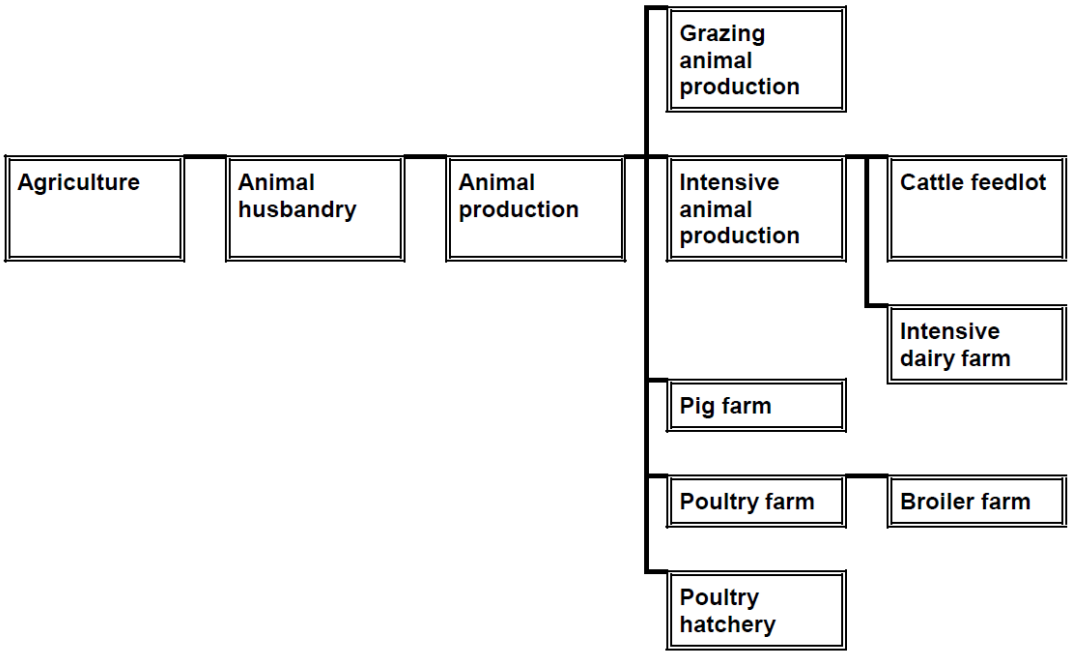
73.04-2 Agriculture group

08/08/2019
VC159



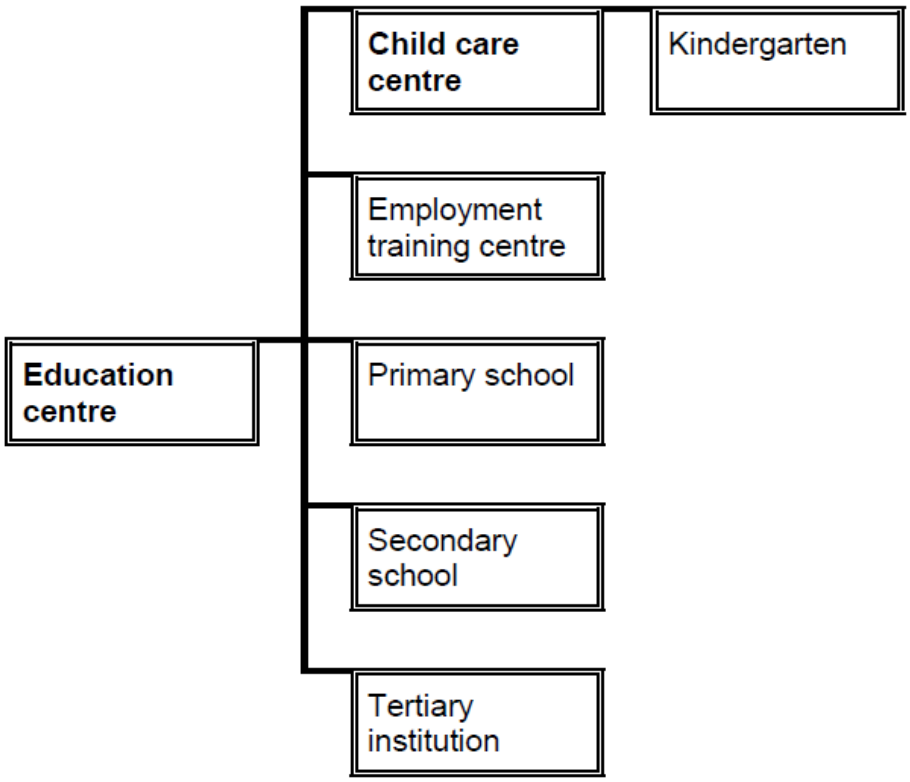
73.04-3 Agriculture group (sub-group of Animal production)

24/01/2020
VC160



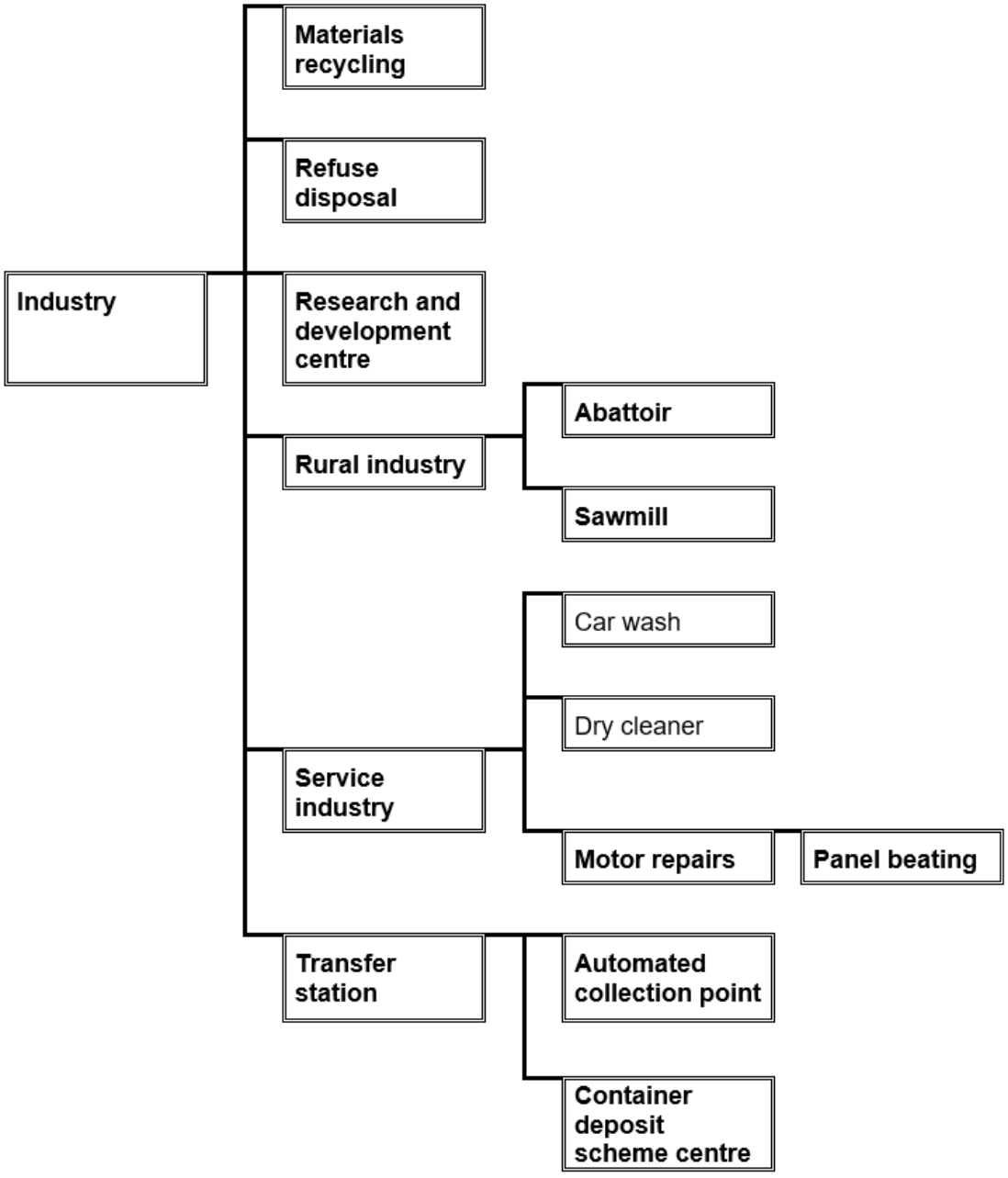
73.04-4 Education centre group

24/01/2020
VC160



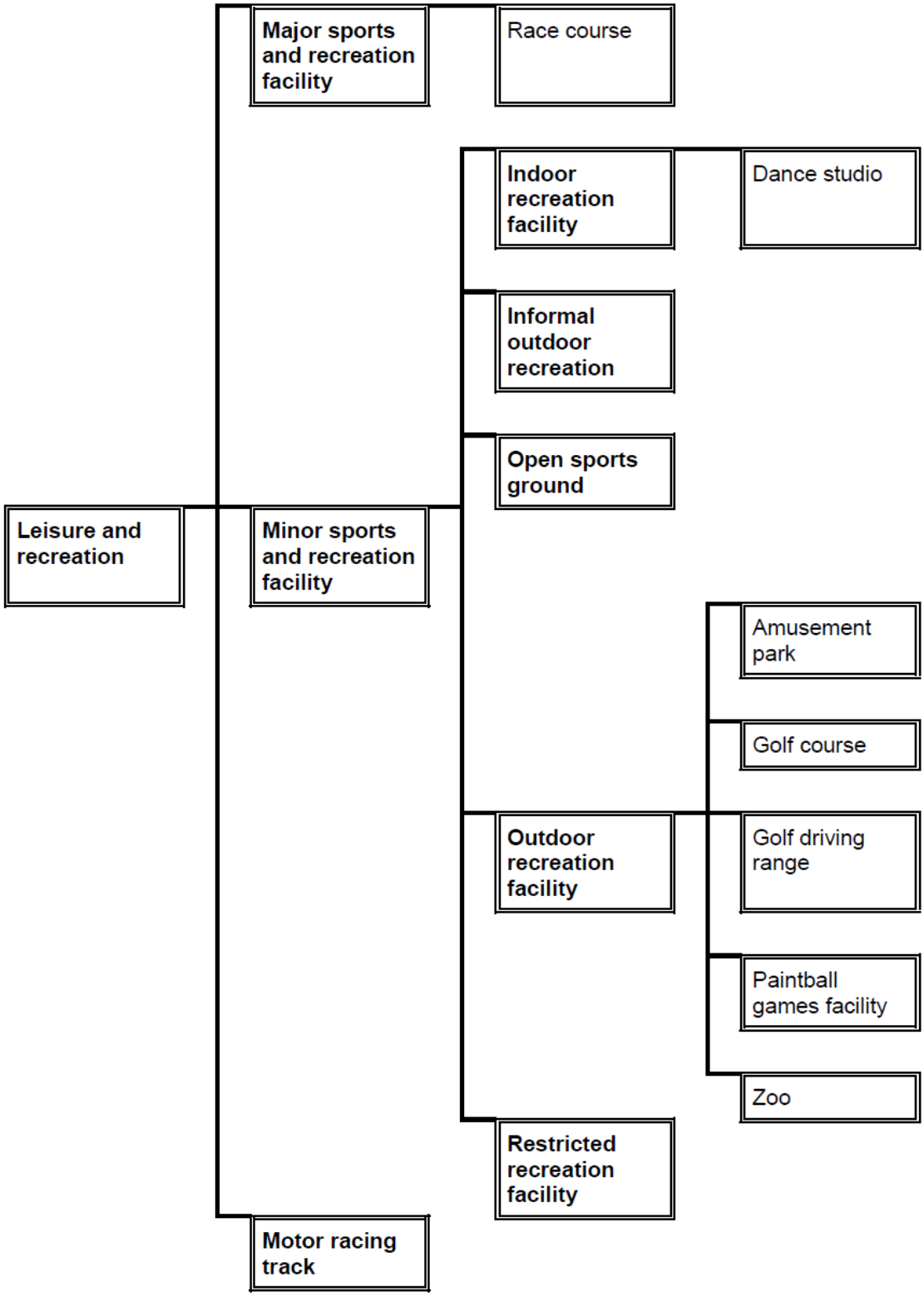
73.04-5 Industry group

26/09/2023
VC246



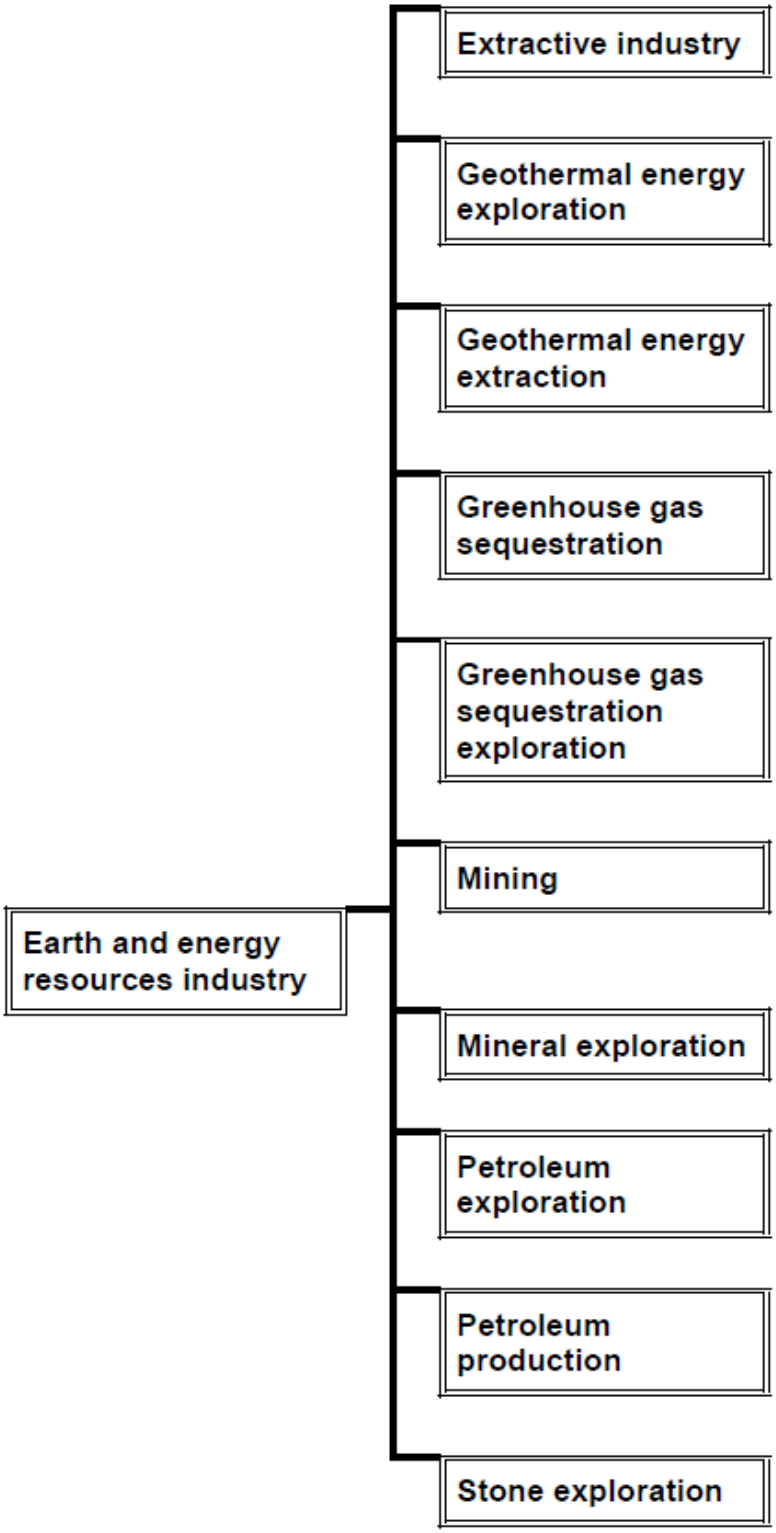
73.04-6 Leisure and recreation group

16/08/2019
VC163



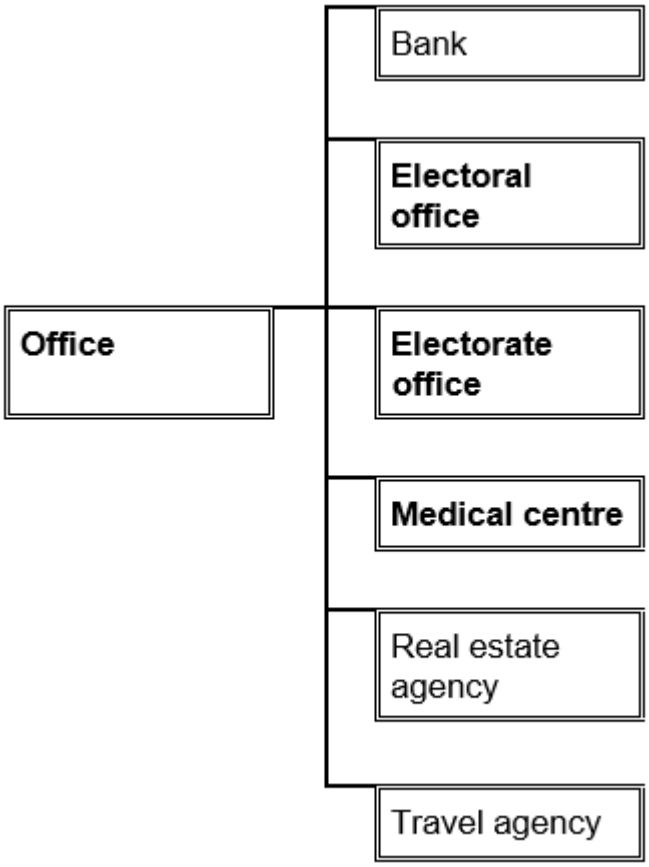
73.04-7 Earth and energy resources group

24/01/2020
VC160



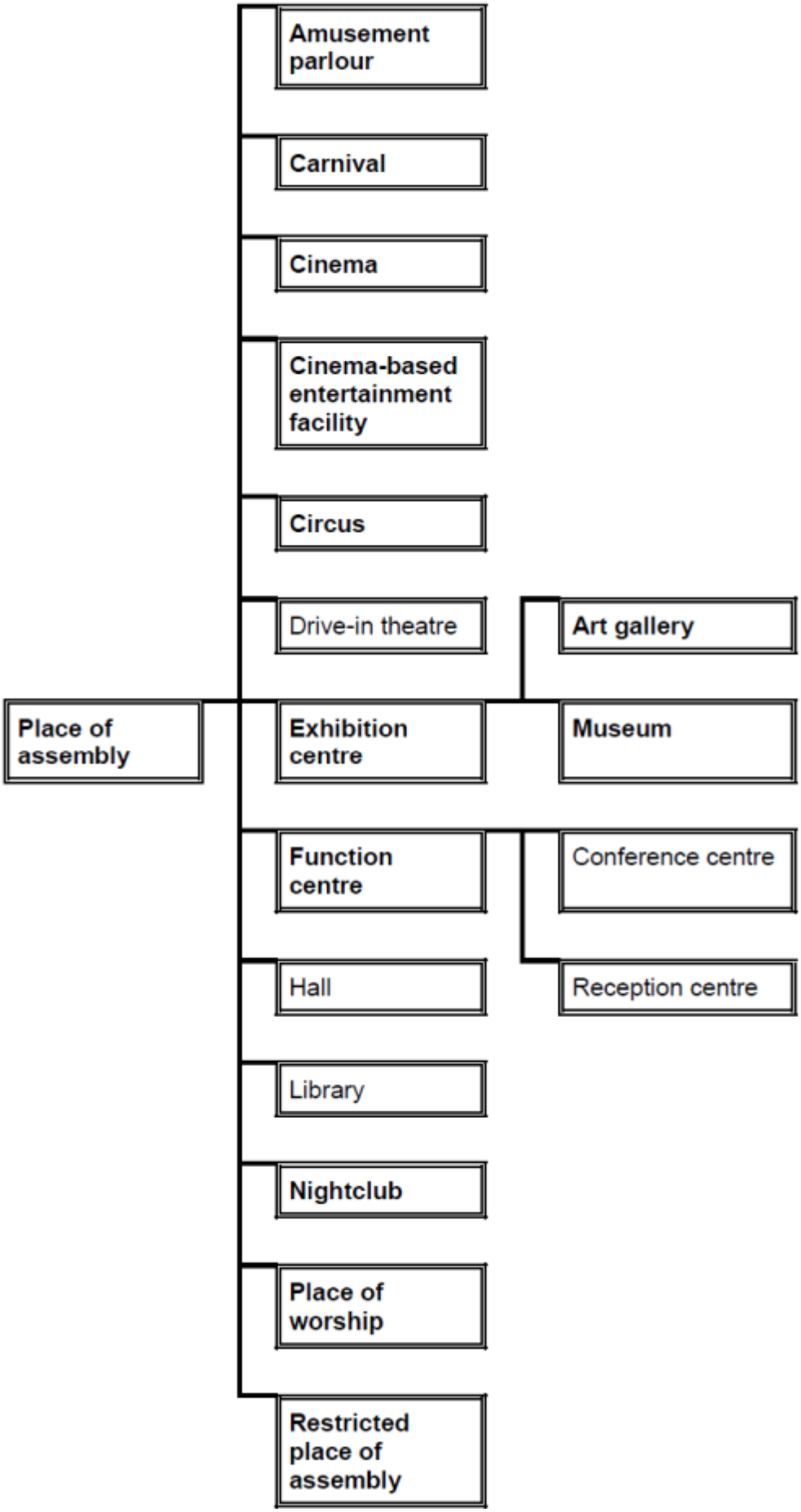
73.04-8 Office group

28/10/2022
VC224



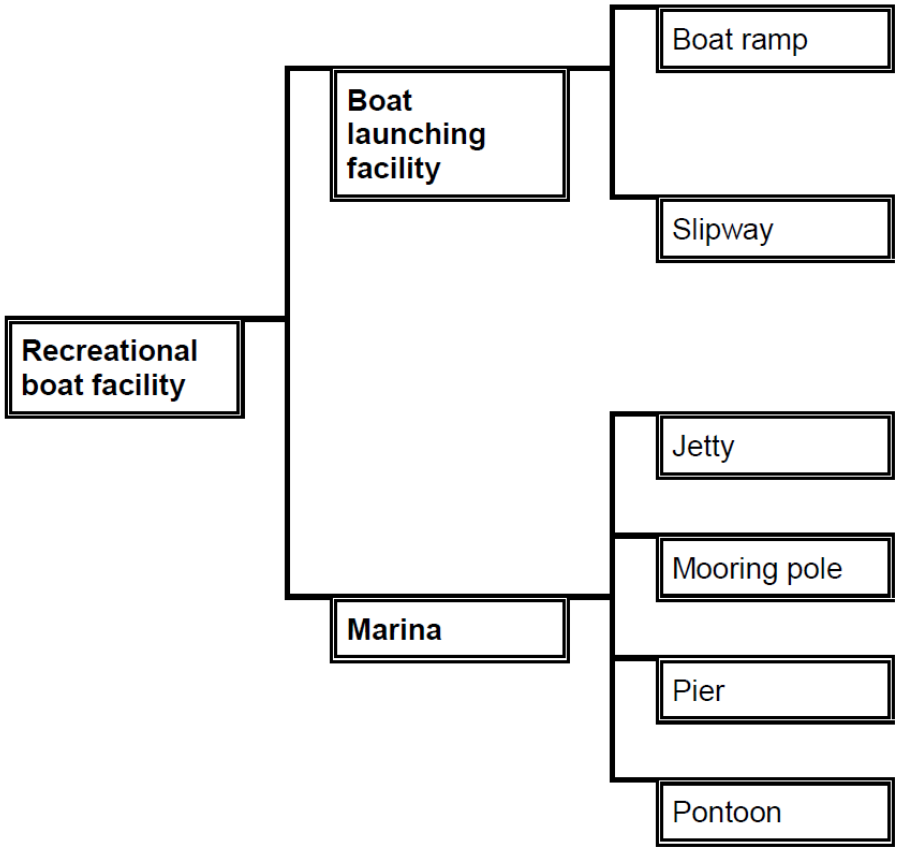
73.04-9 Place of assembly group

16/08/2019
VC163



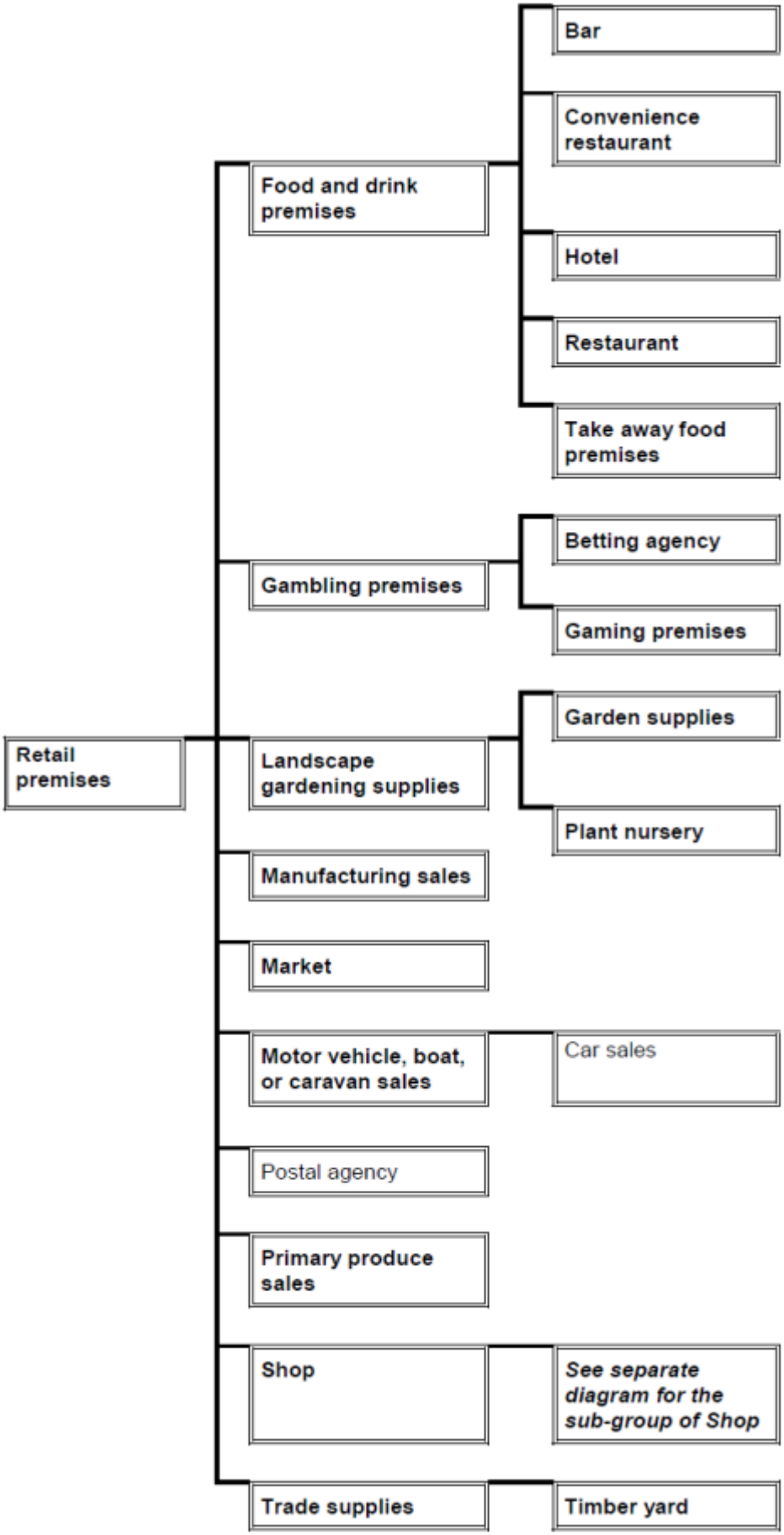
73.04-10 Recreational boat facility group

24/01/2020
VC160



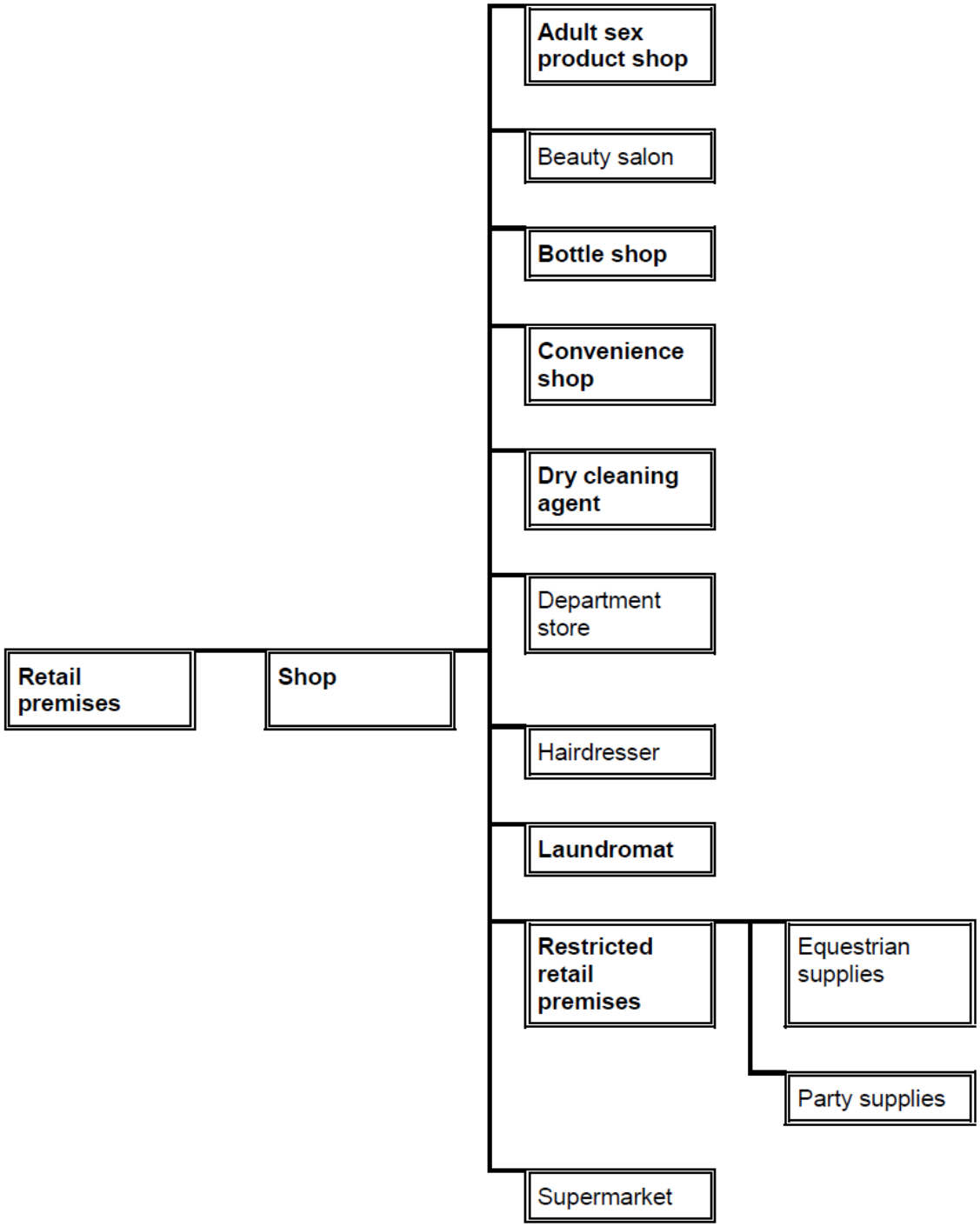
73.04-11 Retail premises group

16/08/2019
VC163



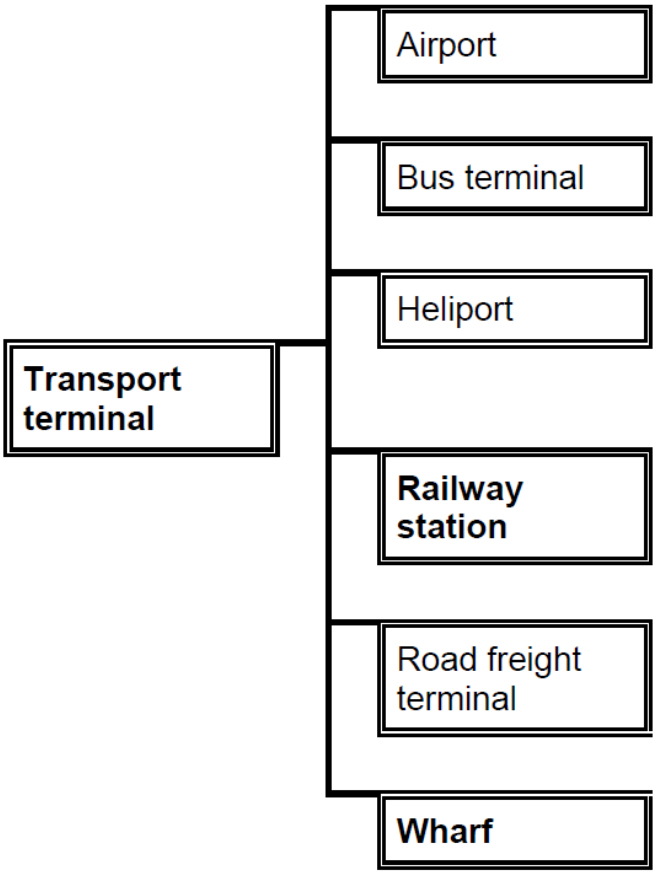
73.04-12 Retail premises group (sub-group of Shop)

08/08/2019
VC159



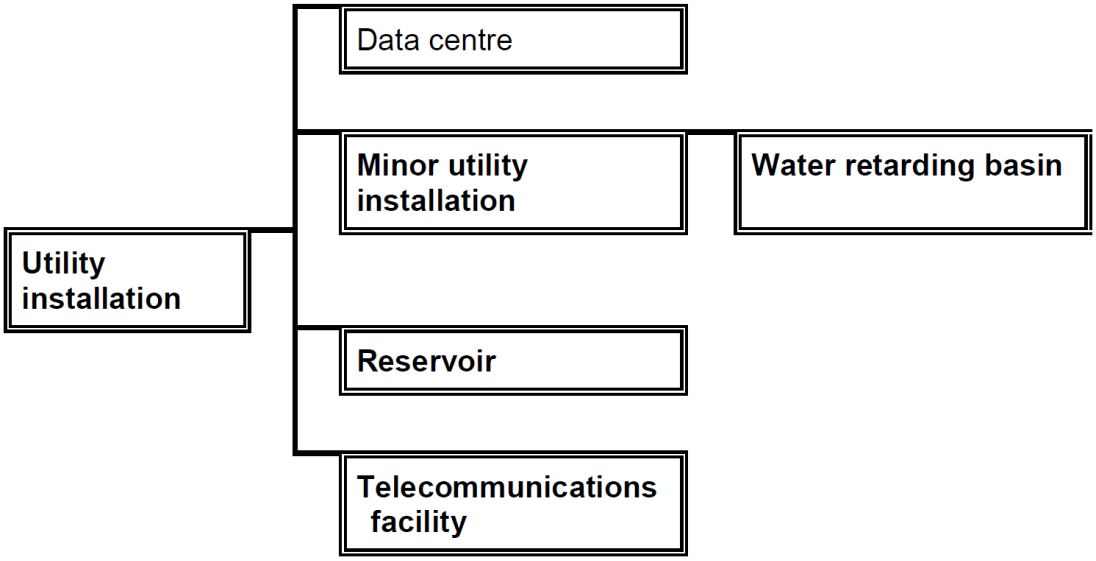
73.04-13 Transport terminal group

24/01/2020
VC160



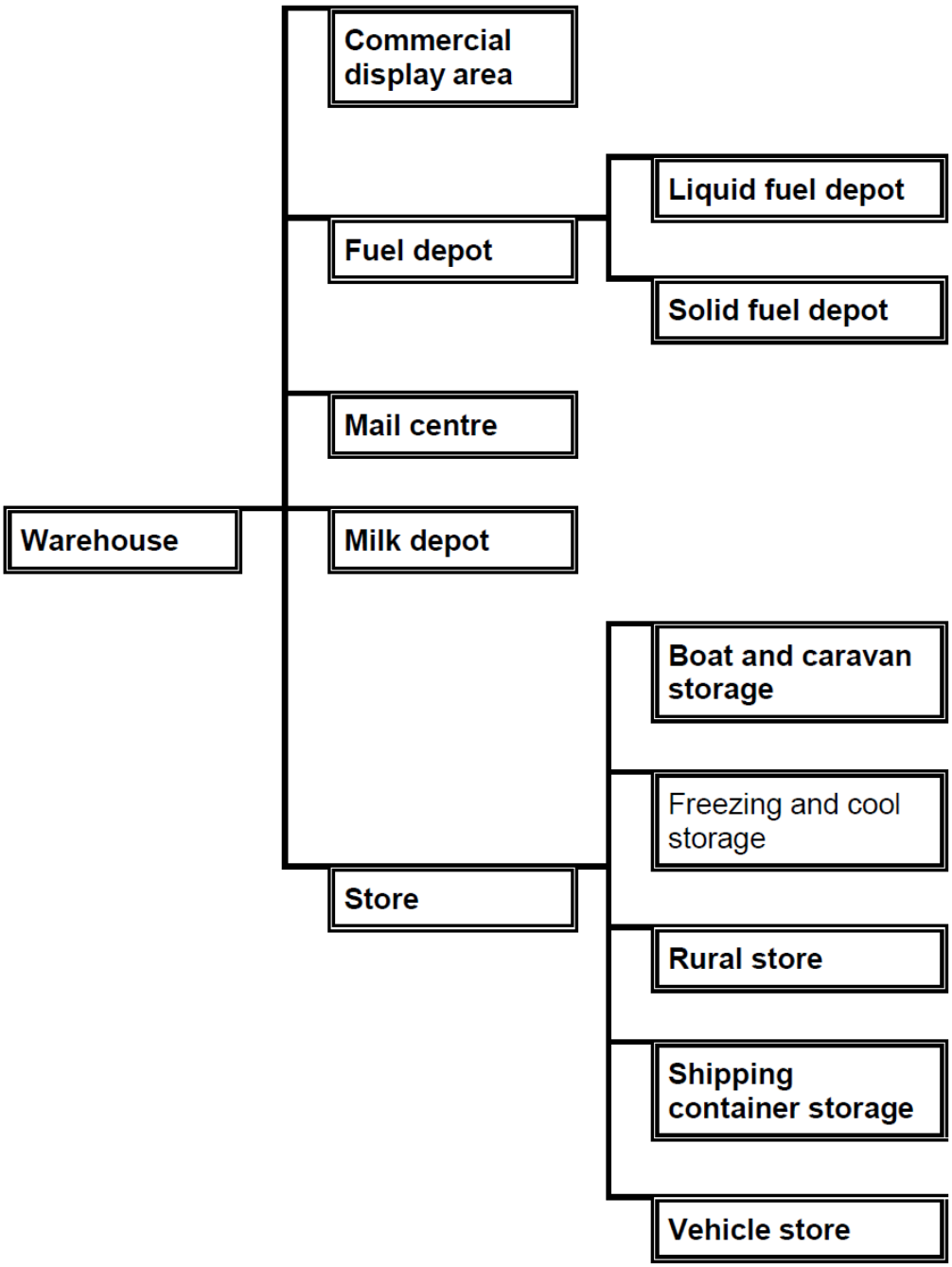
73.04-14 Utility installation group

08/08/2019
VC159



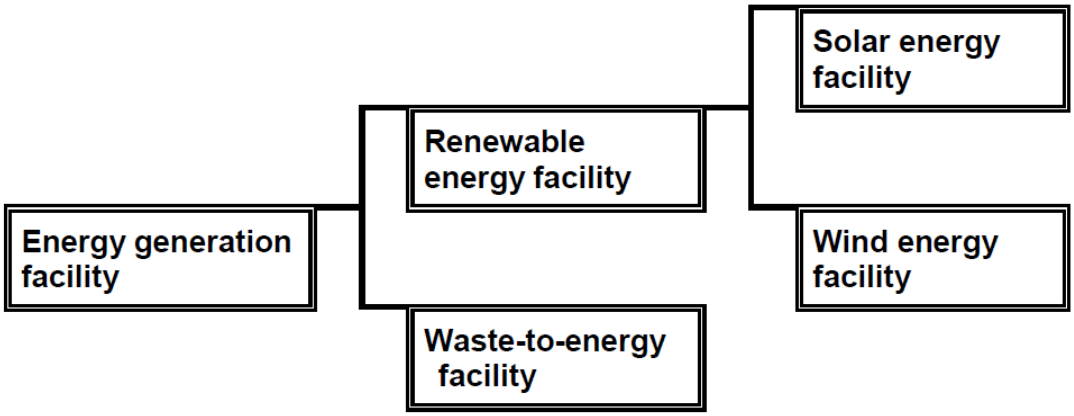
73.04-15 Warehouse group

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.

13/07/2023
C219melt

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0 Application of zones, overlays and provisions

13/07/2023
C219melt

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 Neighbourhood Residential Zone to areas with a distinctive pattern of development and/or consistent character in the context of the City of Melton, i.e. larger lots (greater than 1000 square metres), lower density-styled estates, or isolated locations (in terms of proximity to activity centres, public transport etc.).
- The Public Park and Recreation Zone or the Public Conservation and Resource Zone, depending upon the area's use and natural values, to local, district or regional open space.
- The Road Zone Category 1 (RDZ1) to identify significant existing roads and ensure appropriate access controls apply.
- Appropriate zoning such as Industrial 1 or Special Use Zone to major electricity transmission easements where specific planning outcomes are required.
- The Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay to land outside the Urban Growth Boundary to land vulnerable to flooding, as identified by Melbourne Water, and protect it from inappropriate development.
- The Environmental Significance Overlay to significant large old trees and patches of significant native vegetation.
- The Significant Landscape Overlay and Environment Significance Overlay to significant landscape features and environmental features within the municipality.
- The Heritage Overlay to places of identified heritage significance, such as sites in the *Shire of Melton Heritage Study*, or any other relevant heritage studies
- The Design and Development Overlay to achieve specific design and built form outcomes.
- The Bushfire Management Overlay to bushfire prone areas.
- The Development Contributions Plan Overlay and Infrastructure Contributions Plan Overlay where appropriate to plan and fund infrastructure provision.

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.

13/07/2023
C219melt

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

13/07/2023
C219melt

- Prepare a public open space contribution rate for established residential areas.
- Prepare the Western Plains South Green Wedge Management Plan.
- Implementing the *Western Plains North Green Wedge Management Plan 2014* recommendations.
- Investigate applying the Green Wedge A Zone at interfaces to existing settlements.
- Prepare policy for non-agricultural uses within green wedges.
- Undertake a Rural Residential Land Supply and Demand Analysis.
- Amend Schedules to the Environmental Significance Overlay to strengthen controls for areas of significance.
- Review planning provisions to protect waterways, wetlands and catchments.
- Update flora and fauna mapping for the city.
- Develop a Roadside Management Plan to protect local biodiversity.
- Investigate removal of land from the Environmental Significant Overlay where no environmental factors are demonstrated.
- Develop a biodiversity strategy.
- Prepare an integrated water management strategy.
- Prepare a climate change adaption plan.
- Prepare Environmentally Sustainable Design guidelines.
- Implement Sustainable Design Assessment in the Planning Process (SDAPP).
- Update flood maps.
- Review *Flood Management Plan for the City of Melton and Melbourne Water 2013*.
- Review the impact of commercial uses within non-commercial zones.
- Review schedules to the Urban Growth Zone in line with *Retail and Activity Centres Strategy, March 2014* recommendations.
- Review the *Caroline Springs Comprehensive Development Plan 2000* and rezone land from the Comprehensive Development Zone.
- Review the:
  - Woodgrove Structure Plan (2006).
  - High Street Structure Plan (2007).
- Prepare a Structure Plan for the Melton South Neighbourhood Centre.
- Prepare Urban Design Frameworks for the:
  - Plumpton Town Centre.
  - Plumpton Business and Industrial Precinct.
  - Mt Atkinson Major Town Centre.
  - Hopkins Road Business Precinct Commercial Area.
  - Western Freeway Commercial Area.

- Implement *Housing Character Assessment and Design Guidelines: Character Statements and Guidelines 2015* recommendations.
- Review *Landscape Guidelines for the Shire of Melton 2010.*
- Review *Shire of Melton: Environmental History 2007* to identify places for future gap studies.
- Assess Conservation Desirable sites in *Shire of Melton Heritage Study Volume 1 2007*.
- Develop built form guidelines for land bounded by Barries Road, Station Street, Henry Street and Palmerston Road in Melton.
- Develop a policy for non-residential uses within residential areas.
- Develop an affordable housing policy.
- Develop local policy to support tourism associated with agriculture in green wedges.
- Prepare a Road Network Plan to prioritise transport modes based on desired road functions.
- Prepare an Active Transport (Walking and Cycling) Strategy.
- Implement *Communications Infrastructure Policy Framework December 2017*.
- Apply planning controls to protect existing infrastructure from urban development encroachment.
- Investigate creating buffer zones.
- Investigate planning controls to identify and protect pipelines.
- Review the *Waste Management Strategy 2011-2016*.
- Investigate rezoning Eynesbury Township from the Mixed Use Zone to an appropriate suite of zones.